

# MAGAIN

Magain Real Estate Happy Valley Pty Ltd T/A Magain Real Estate  
Unit 2/32 Saltfleet Street Port Noarlunga SA 5167  
Tel: 08 8382 0029 Agent No: 222182

## 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:

Fiona Kay Nicholson and Lance Alan Nicholson

Address:

2/14 Ansbert Street, Christie Downs SA 5164

#### 4 Vendor's registered agent:

Magain Real Estate Happy Valley Pty Ltd T/A Magain Real Estate

Address:

Unit 2/32 Saltfleet Street Port Noarlunga SA 5167

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

#### 6 Description of the land:

[Identify the land including any certificate of title reference]

The land situated at 1 Sunset Court, O'Sullivan Beach SA 5166 and being whole of the land in Certificate of Title Volume 5102 Folio 169 and being whole of Allotment 18 on Deposited Plan 35922 in the Area named O'Sullivan Beach in the Hundred of Noarlunga

**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:

2/14 Ansbert Street, Christie Downs SA 5164

(being the vendor's last known address); or

- (c) transmitted by fax or email to the following fax number or email address:

scott@magain.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:

Unit 2/32 Saltfleet Street Port Noarlunga SA 5167

(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; or
- (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.

FORM 1 - STATEMENT UNDER SECTION 7 (*Land and Business (Sale and Conveyancing) Act 1994*)**Proceeding with the purchase**

If you wish to proceed with the purchase—

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

**PART C – STATEMENT WITH RESPECT TO REQUIRED PARTICULARS****(section 7(1))****To the purchaser:**\*I / ~~We~~,

Fiona Kay Nicholson

of

2/14 Ansbert Street, Christie Downs SA 5164

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*.

Signed:

Signed on Greatforms by:

Fiona Kay Nicholson

P91KK7UYS3HMO1N2FLPF41YCMP

Fiona Kay Nicholson

02-Oct-2025

**PART D – CERTIFICATE WITH RESPECT TO PRESCRIBED INQUIRIES BY REGISTERED AGENT****(section 9)****To the purchaser:**

I,

Scott McPharlin

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

Signed:

Signed on Greatforms by:

Scott McPharlin

P0DF7A1XIM963OFFAIOHMT4EB

Scott McPharlin

02-Oct-2025

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

**SCHEDULE – DIVISION 1****PARTICULARS OF MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES AFFECTING THE LAND****(section 7(1)(b))****Note –**

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

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

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

**TABLE OF PARTICULARS**

Column 1	Column 2	Column 3
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*[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.]*

FORM 1 - STATEMENT UNDER SECTION 7 (*Land and Business (Sale and Conveyancing) Act 1994*)

Column 1	Column 2	Column 3
<b>1. General</b>		
<b>1.1 Mortgage of land</b>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer attached Certificate of Title</p> <p>Number of mortgage (if registered):</p> <p>10148818</p> <p>Name of mortgagee:</p> <p>Australian Central Credit Union Ltd.</p>	<input checked="" type="checkbox"/> <b>YES</b> <b>YES</b>
<p><i>[Note -</i>  <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>		
<b>1.2 Easement</b>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Description of land subject to easement:</p> <p>Nature of easement:</p> <p>Are you aware of any encroachment on the easement?</p> <p>(If <b>YES</b>, give details):</p> <p>If there is an encroachment, has approval for the encroachment been given?</p> <p>(If <b>YES</b>, give details):</p>	<input type="checkbox"/> <b>YES/NO</b> <b>YES/NO</b>
<p>(whether over the land or annexed to the land)</p> <p><b>Note -</b> "Easement" includes rights of way and party wall rights.</p> <p><i>[Note -</i>  <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>		
<b>1.3 Restrictive covenant</b>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer attached Certificate of title and copy of Encumbrance E-8044687</p> <p>Nature of restrictive covenant:</p> <p>Refer attached copy of Encumbrance E-8044687</p> <p>Name of person in whose favour restrictive covenant operates:</p> <p>Encumbrance to Petcol Pty Ltd (Single Copy Only)</p> <p>Does the restrictive covenant affect the whole of the land being acquired?</p> <p><b>YES</b></p> <p>(If <b>NO</b>, give details):</p> <p>Does the restrictive covenant affect land other than that being acquired?</p> <p><b>NO</b></p>	<input checked="" type="checkbox"/> <b>NO</b> <b>YES</b>
<p><i>[Note -</i>  <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>		

Column 1	Column 2	Column 3
<b>1.4 Lease, agreement for lease, tenancy agreement or licence</b>  (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>	<b>Is this item applicable?</b>  <b>Will this be discharged or satisfied prior to or at settlement?</b>  <b>Are there attachments?</b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>  Names of parties:  Period of lease, agreement for lease etc: From: To: Amount of rent or licence fee:  per (period)  Is the lease, agreement for lease etc in writing?  If the lease or licence was granted under an Act relating to the disposal of Crown lands, specify- (a) the Act under which the lease or licence was granted:  (b) the outstanding amounts due (including any interest or penalty):	<input type="checkbox"/> <b>YES/NO</b> <b>YES/NO</b>
<b>5. Development Act 1993 (repealed)</b>		
<b>5.1 section 42 - Condition (that continues to apply) of a development authorisation</b>  <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	<b>Is this item applicable?</b>  <b>Will this be discharged or satisfied prior to or at settlement?</b>  <b>Are there attachments?</b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> Refer attached Council Search Application No. 860/423/1996, Dwelling, Approved 22/05/1996 Application No. 145/1096/2001, Verandah and Shed, Approved 23/04/2001 Condition(s) of authorisation: Refer attached Council Search	<input checked="" type="checkbox"/> <b>NO</b> <b>YES</b>
<b>6. Repealed Act conditions</b>		
<b>6.1 Condition (that continues to apply) of an approval or authorisation granted under the Building Act 1971 (repealed), the City of Adelaide Development Control Act 1976 (repealed), the Planning Act 1982 (repealed) or the Planning and Development Act 1966 (repealed)</b>  <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	<b>Is this item applicable?</b>  <b>Will this be discharged or satisfied prior to or at settlement?</b>  <b>Are there attachments?</b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>  Nature of condition(s):	<input type="checkbox"/> <b>YES/NO</b> <b>YES/NO</b>
<b>7. Emergency Services Funding Act 1998</b>		
<b>7.1 section 16 - Notice to pay levy</b>	<b>Is this item applicable?</b>  <b>Will this be discharged or satisfied prior to or at settlement?</b>  <b>Are there attachments?</b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> Refer attached Certificate of Emergency Services Levy Payable Date of notice: 30/09/2025 Amount of levy payable: \$179.40	<input checked="" type="checkbox"/> <b>YES</b> <b>YES</b>

Column 1	Column 2	Column 3
<b>21. Local Government Act 1999</b>		
21.1 Notice, order, declaration, charge, claim or demand given or made under the Act	<p><b>Is this item applicable?</b></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b></p> <p><b>Are there attachments?</b></p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Refer attached Local Government Rates Search</p> <p>Date of notice, order etc:</p> <p>30/09/2025</p> <p>Name of council by which, or person by whom, notice, order etc is given or made:</p> <p>City of Onkaparinga</p> <p>Land subject thereto:</p> <p>CT-5102/169</p> <p>Nature of requirements contained in notice, order etc:</p> <p>General Rates 2025-2026 Financial Year</p> <p>Time for carrying out requirements:</p> <p>2025-2026 Financial Year</p> <p>Amount payable (if any):</p> <p>\$3,410.62</p>	<p><input checked="" type="checkbox"/></p> <p>YES</p> <p>YES</p>
<b>29. Planning, Development and Infrastructure Act 2016</b>		
29.1 Part 5 - Planning and Design Code	<p><b>Is this item applicable?</b></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b></p> <p><b>Are there attachments?</b></p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Refer attached Certificate of Title, Council Search and Property Interest Report</p> <p>Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):</p> <p>Zoned General Neighbourhood to the City of Onkaparinga Council Area</p> <p>Is there a State heritage place on the land or is the land situated in a State heritage area?</p> <p>NO</p> <p>Is the land designated as a local heritage place?</p> <p>NO</p> <p>Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land?</p> <p>NO</p> <p>Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?</p> <p>YES</p> <p><b>Note-</b></p> <p>For further information about the Planning and Design Code visit <a href="http://www.code.plan.sa.gov.au">www.code.plan.sa.gov.au</a></p>	<p><input checked="" type="checkbox"/></p> <p>NO</p> <p>YES</p>
<p>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</p>		
29.2 section 127 - Condition (that continues to apply) of a development authorisation	<p><b>Is this item applicable?</b></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b></p> <p><b>Are there attachments?</b></p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Refer attached Council Search</p> <p>Application ID 23013748 - Fire damage to residential property</p> <p>Date of authorisation:</p> <p>09/08/2023</p> <p>Name of relevant authority that granted authorisation:</p> <p>City of Onkaparinga</p> <p>Condition(s) of authorisation:</p> <p>Refer attached Council Search</p>	<p><input checked="" type="checkbox"/></p> <p>NO</p> <p>YES</p>
<p>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</p>		

Column 1	Column 2	Column 3
<b>34. <i>Water Industry Act 2012</i></b>		
34.1 Notice or order under the Act requiring payment of charges or other amounts or making other requirement	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer attached SA Water Certificate</p> <p>Date of notice or order:</p> <p>30/09/2025</p> <p>Name of person or body who served notice or order:</p> <p>SA Water</p> <p>Amount payable (if any) as specified in the notice or order:</p> <p>\$216.98</p> <p>Nature of other requirement made (if any) as specified in the notice or order:</p>	<div><input checked="" type="checkbox"/></div> <div>YES</div> <div>YES</div>



**SCHEDULE – DIVISION 2****OTHER PARTICULARS**

(section 7(1)(b))

**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:  
Lance Nicholson
- 2 Name of insurer:  
QBE Insurance (Australia) Ltd
- 3 Limitations on the liability of the insurer:  
Refer Attached Certificate of Insurance
- 4 Name of builder:  
HPG Programmed Maintenance (ABN: 13 603 310 434)
- 5 Builder's licence number:  
BLD 279108
- 6 Date of issue of insurance:  
11/05/2023
- 7 Description of insured building work:  
Refer Attached Certificate of Insurance

**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:

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- (b) Name of builder granted the exemption:

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- (c) Licence number of builder granted the exemption:

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- (d) Details of building work to which the exemption applies:

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- (e) Details of conditions (if any) to which the exemption is subject:

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# 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 recommend that you check the website: [www.cbs.sa.gov.au](http://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

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- 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

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- 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](http://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.



Product	Register Search (CT 5102/169)
Date/Time	29/09/2025 02:32PM
Customer Reference	
Order ID	20250929007354

REAL PROPERTY ACT, 1886



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



## Certificate of Title - Volume 5102 Folio 169

Parent Title(s)	CT 3969/33		
Creating Dealing(s)	RTD 7407522		
Title Issued	23/12/1992	Edition 5	Edition Issued 28/03/2020

## Estate Type

FEE SIMPLE

## Registered Proprietor

LANCE ALAN NICHOLSON  
FIONA KAY NICHOLSON  
OF 1 SUNSET COURT O'SULLIVAN BEACH SA 5166  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 18 DEPOSITED PLAN 35922  
IN THE AREA NAMED O'SULLIVAN BEACH  
HUNDRED OF NOARLUNGA

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
8044687	ENCUMBRANCE TO PETCOL PTY. LTD. (SINGLE COPY ONLY)
10148818	MORTGAGE TO AUSTRALIAN CENTRAL CREDIT UNION LTD.

## Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL

### Registrar-General's Notes

AREA NAME UPDATED VIDE GOVERNMENT GAZETTE DATED 21/05/1970

Administrative Interests	NIL
--------------------------	-----





ABN 19 040 349 865  
Emergency Services Funding Act 1998

# CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

The details shown are current as at the date of issue.

PIR Reference No: 2715764

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

DATE OF ISSUE

30/09/2025

**ENQUIRIES:**

Tel: (08) 8372 7534

Email: [contactus@revenuesa.sa.gov.au](mailto:contactus@revenuesa.sa.gov.au)

**OWNERSHIP NUMBER**

13548091

**OWNERSHIP NAME**

L A & F K NICHOLSON

**PROPERTY DESCRIPTION**

1 SUNSET CT / O'SULLIVAN BEACH SA 5166 / LT 18

**ASSESSMENT NUMBER**

862257542\*

**TITLE REF.**

(A "+" indicates multiple titles)

CT 5102/169

**CAPITAL VALUE**

\$960,000.00

**AREA / FACTOR**

R4  
1.000

**LAND USE / FACTOR**

RE  
0.400

**LEVY DETAILS:**

**FINANCIAL YEAR**

2025-2026

**FIXED CHARGE**

**+ VARIABLE CHARGE**

**- REMISSION**

**- CONCESSION**

**+ ARREARS / - PAYMENTS**

**= AMOUNT PAYABLE**

\$	50.00
\$	324.85
\$	195.45
\$	0.00
\$	0.00
\$	179.40

**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**

29/12/2025



**Government of  
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



## CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

**PAYMENT REMITTANCE ADVICE**

**OWNERSHIP NUMBER**

13548091

**OWNERSHIP NAME**

L A & F K NICHOLSON

**ASSESSMENT NUMBER**

862257542\*

**AMOUNT PAYABLE**

\$179.40

**AGENT NUMBER**

100025231

**AGENT NAME**

FENTONS FORMS PTY LTD

**EXPIRY DATE**

29/12/2025

+70088150160022> +001571+ <0550379676> <0000017940> +444+


**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: 2715764

**DATE OF ISSUE**

30/09/2025

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

**ENQUIRIES:**

Tel: (08) 8372 7534

 Email: [contactus@revenuesa.sa.gov.au](mailto:contactus@revenuesa.sa.gov.au)
**OWNERSHIP NAME**

L A &amp; F K NICHOLSON

**FINANCIAL YEAR**

2025-2026

**PROPERTY DESCRIPTION**

1 SUNSET CT / O'SULLIVAN BEACH SA 5166 / LT 18

**ASSESSMENT NUMBER**

862257542\*

**TITLE REF.**

(A "+" indicates multiple titles)

CT 5102/169

**TAXABLE SITE VALUE**

\$710,000.00

**AREA**

0.0574 HA

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

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

**Please Note:**

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

**ON OR BEFORE**
**29/12/2025**

**Government of  
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT


**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

Land Tax Act 1936

## CERTIFICATE OF LAND TAX PAYABLE

**PAYMENT REMITTANCE ADVICE**

### No payment is required on this Certificate



Section 7/Elec



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

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

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



## South Australian Water Corporation

Name: MR LA & MRS FK NICHOLSON      Water & Sewer Account  
Acct. No.: 862257542\*      Amount: \_\_\_\_\_

Address:  
1 SUNSET CT O'SULLIVAN BEACH LT 18

---

### Payment Options

**EFT**

EFT Payment

Bank account name: SA Water Collection Account  
BSB number: 065000  
Bank account number: 10622859  
Payment reference: 862257542\*



Bill code: 8888  
Ref: 86225754210

Telephone and Internet Banking — BPAY®

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



Paying online

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



Paying by phone

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

SA Water account number: 862257542\*



**Government of  
South Australia**

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

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

# Property Interest Report

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

Title Reference	CT 5102/169	Reference No. 2715764
Registered Proprietors	L A & F K*NICHOLSON	Prepared 29/09/2025 14:32
Address of Property	1 SUNSET COURT, O'SULLIVAN BEACH, SA 5166	
Local Govt. Authority	CITY OF ONKAPARINGA	
Local Govt. Address	PO BOX 1 NOARLUNGA CENTRE SA 5168	

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

## Table of Particulars

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

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

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

### 1. General

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

### 2. Aboriginal Heritage Act 1988

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

an area surrounding a site

2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

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

3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

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

4.1 section 5 - Notice requiring payment

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

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

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

5.6 section 57 - Land management agreement

Refer to the Certificate of Title

5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

5.9 section 71 - Fire safety notice

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

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

## 6. Repealed Act conditions

- |     |   |  |
|-----|---|--|
| 6.1 | Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed) | State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title |
|     |   | also   |
|     |   | Contact the Local Government Authority for other details that might apply  |
- [Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*

## 7. Emergency Services Funding Act 1998

- |     |                                 |  |
|-----|---------------------------------|--|
| 7.1 | section 16 - Notice to pay levy | <p><b>An Emergency Services Levy Certificate will be forwarded.</b><br/> <b>If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.</b></p> <p><b>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates</b><br/> <b><a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></b></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
<b>9.</b>	<b><i>Fences Act 1975</i></b>	
9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details
<b>10.</b>	<b><i>Fire and Emergency Services Act 2005</i></b>	
10.1	section 105F - (or section 56 or 83 (repealed)) - Notice to take action to prevent outbreak or spread of fire	Contact the Local Government Authority for other details that might apply Where the land is outside a council area, contact the vendor
<b>11.</b>	<b><i>Food Act 2001</i></b>	
11.1	section 44 - Improvement notice	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
11.2	section 46 - Prohibition order	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
<b>12.</b>	<b><i>Ground Water (Qualco-Sunlands) Control Act 2000</i></b>	
12.1	Part 6 - risk management allocation	Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title
12.2	section 56 - Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property	DEW Water Licensing has no record of any notice affecting this title
<b>13.</b>	<b><i>Heritage Places Act 1993</i></b>	
13.1	section 14(2)(b) - Registration of an object of heritage significance	Heritage Branch in DEW has no record of any registration affecting this title
13.2	section 17 or 18 - Provisional registration or registration	Heritage Branch in DEW has no record of any registration affecting this title
13.3	section 30 - Stop order	Heritage Branch in DEW has no record of any stop order affecting this title
13.4	Part 6 - Heritage agreement	Heritage Branch in DEW has no record of any agreement affecting this title also Refer to the Certificate of Title
13.5	section 38 - "No development" order	Heritage Branch in DEW has no record of any "No development" order affecting this title
<b>14.</b>	<b><i>Highways Act 1926</i></b>	
14.1	Part 2A - Establishment of control of access from any road abutting the land	Transport Assessment Section within DIT has no record of any registration affecting this title
<b>15.</b>	<b><i>Housing Improvement Act 1940 (repealed)</i></b>	
15.1	section 23 - Declaration that house is undesirable or unfit for human habitation	Contact the Local Government Authority for other details that might apply
15.2	Part 7 (rent control for substandard houses) - notice or declaration	Housing Safety Authority has no record of any notice or declaration affecting this title
<b>16.</b>	<b><i>Housing Improvement Act 2016</i></b>	

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

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

- |      |   |   |
|------|---|---|
| 17.1 | section 10 - Notice of intention to acquire | Refer to the Certificate of Title for any notice of intention to acquire<br>also<br>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<br>also<br>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<br>also<br>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 | <p><b>A Land Tax Certificate will be forwarded.</b><br/> <b>If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.</b></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<br/> <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></p> |
|------|---|--|

**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<br>also<br>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<br>also<br>Refer to the Certificate of Title |
| 25.3 | section 25D - Management agreement   | DEW Native Vegetation has no record of any agreement affecting this title<br>also<br>Refer to the Certificate of Title |
| 25.4 | Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation                    | DEW Native Vegetation has no record of any refusal or condition affecting this title                                   |

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

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

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

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

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

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

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

- 29.1 Part 5 - Planning and Design Code  
[ **Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]
- Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.
- also
- Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title
- also
- For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority
- also
- Contact the Local Government Authority for other details that might apply to a place of local heritage value
- also
- For details of declared significant trees affecting this title, contact the Local Government Authority
- also
- The Planning and Design Code (the Code) is a statutory instrument under the *Planning, Development and Infrastructure Act 2016* for the purposes of development assessment and related matters within South Australia. The Code contains the planning rules and policies that guide what can be developed in South Australia. Planning authorities use these planning rules to assess development applications. To search and view details of proposed statewide code amendments or code amendments within a local government area, please search the code amendment register on the SA Planning Portal:  
[https://plan.sa.gov.au/have\\_your\\_say/code-amendments/code\\_amendment\\_register](https://plan.sa.gov.au/have_your_say/code-amendments/code_amendment_register) or phone PlanSA on 1800 752 664.
- 29.2 section 127 - Condition (that continues to apply) of a development authorisation  
[ **Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]
- State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.3 section 139 - Notice of proposed work and notice may require access
- Contact the vendor for these details
- 29.4 section 140 - Notice requesting access
- Contact the vendor for these details
- 29.5 section 141 - Order to remove or perform work
- State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.6 section 142 - Notice to complete development
- State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.7 section 155 - Emergency order
- State Planning Commission in the Department for Housing and Urban Development

has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.8 section 157 - Fire safety notice

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

also

Contact the Local Government Authority for other details that might apply

29.9 section 192 or 193 - Land management agreement

Refer to the Certificate of Title

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

29.12 Part 16 Division 1 - Proceedings

Contact the Local Government Authority for details relevant to this item

also

Contact the vendor for other details that might apply

29.13 section 213 - Enforcement notice

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

also

Contact the Local Government Authority for other details that might apply

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

Contact the Local Government Authority for details relevant to this item

also

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

### 30. *Plant Health Act 2009*

30.1 section 8 or 9 - Notice or order concerning pests

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

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

31.1 Part 3 - Notice

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

- |      |   |   |
|------|---|---|
| 32.1 | section 66 - Direction or requirement to avert spread of disease  | Public Health in DHW has no record of any direction or requirement affecting this title   |
| 32.2 | section 92 - Notice   | Public Health in DHW has no record of any notice affecting this title<br><br>also<br><br>Contact the Local Government Authority for other details that might apply    |
| 32.3 | <i>South Australian Public Health (Wastewater) Regulations 2013</i> Part 4 - Condition (that continues to apply) of an approval | Public Health in DHW has no record of any condition affecting this title<br><br>also<br><br>Contact the Local Government Authority for other details that might apply |

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

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

**34. Water Industry Act 2012**

- |      |   |   |
|------|---|---|
| 34.1 | Notice or order under the Act requiring payment of charges or other amounts or making other requirement | <p><b>An SA Water Certificate will be forwarded.</b><br/> <b>If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950</b></p> <p>also</p> <p>The Office of the Technical Regulator in DEM has no record of any notice or order affecting this title</p> <p>also</p> <p>Lightsview Re-Water Supply Co Pty Ltd has no record of any notice or order affecting this title.</p> <p>also</p> <p>Robusto Investments Pty. Ltd. trading as Compass Springs has no current record of any notice or order affecting this title.</p> <p>also</p> <p>Alano Utilities Pty. Ltd. has no record of any notice or order affecting this title.</p> |
|------|---|---|

**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) | <p>Refer to the Certificate of Title</p> <p>also</p> <p>Contact the vendor for these details</p> <p>also</p> <p>Contact the Local Government Authority for other details that might apply</p> |
|------|--|---|

## Other Particulars

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

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

## Additional Information

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

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

## Notices

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

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

#### Building restrictions

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

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

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

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

#### Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

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

Water Resources Management - Taking of underground water

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

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

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





Product	Title and Valuation Package
Date/Time	29/09/2025 02:32PM
Customer Reference	
Order ID	20250929007354

## Certificate of Title

Title Reference	CT 5102/169
Status	CURRENT
Easement	NO
Owner Number	13548091
Address for Notices	1 SUNSET CT O'SULLIVAN BEACH 5166
Area	574m² (CALCULATED)

## Estate Type

Fee Simple

## Registered Proprietor

LANCE ALAN NICHOLSON  
FIONA KAY NICHOLSON  
OF 1 SUNSET COURT O'SULLIVAN BEACH SA 5166  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 18 DEPOSITED PLAN 35922  
IN THE AREA NAMED O'SULLIVAN BEACH  
HUNDRED OF NOARLUNGA

## Last Sale Details

Dealing Reference	TRANSFER (T) 10148815
Dealing Date	13/01/2005
Sale Price	\$370,000
Sale Type	TRANSFER FOR FULL MONETARY CONSIDERATION

## Constraints

### Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	8044687	PETCOL PTY. LTD.
MORTGAGE	10148818	AUSTRALIAN CENTRAL CREDIT UNION LTD.

### Stoppers

NIL

## Valuation Numbers

Valuation Number	Status	Property Location Address
862257542*	CURRENT	1 SUNSET COURT, O'SULLIVAN BEACH, SA 5166



<b>Product</b>	Title and Valuation Package
<b>Date/Time</b>	29/09/2025 02:32PM
<b>Customer Reference</b>	
<b>Order ID</b>	20250929007354

## Notations

### Dealings Affecting Title

NIL

### Notations on Plan

NIL

### Registrar-General's Notes

AREA NAME UPDATED VIDE GOVERNMENT GAZETTE DATED 21/05/1970

### Administrative Interests

NIL

## Valuation Record

<b>Valuation Number</b>	862257542*
<b>Type</b>	Site & Capital Value
<b>Date of Valuation</b>	01/01/2025
<b>Status</b>	CURRENT
<b>Operative From</b>	01/07/1993
<b>Property Location</b>	1 SUNSET COURT, O'SULLIVAN BEACH, SA 5166
<b>Local Government</b>	ONKAPARINGA
<b>Owner Names</b>	FIONA KAY NICHOLSON LANCE ALAN NICHOLSON
<b>Owner Number</b>	13548091
<b>Address for Notices</b>	1 SUNSET CT O'SULLIVAN BEACH 5166
<b>Zone / Subzone</b>	GN - General Neighbourhood
<b>Water Available</b>	Yes
<b>Sewer Available</b>	Yes
<b>Land Use</b>	1100 - House
<b>Description</b>	7H DG
<b>Local Government Description</b>	Residential

## Parcels

Plan/Parcel	Title Reference(s)
D35922 ALLOTMENT 18	CT 5102/169

## Values



<b>Product</b>	Title and Valuation Package
<b>Date/Time</b>	29/09/2025 02:32PM
<b>Customer Reference</b>	
<b>Order ID</b>	20250929007354

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$710,000	\$960,000			
Previous	\$520,000	\$550,000			

## Building Details

Valuation Number	862257542*
Building Style	Villa
Year Built	1996
Building Condition	Good
Wall Construction	Stone; Freestone
Roof Construction	Galvanised Iron
Equivalent Main Area	190 sqm
Number of Main Rooms	7

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



**Product** Historical Search  
**Date/Time** 29/09/2025 02:32PM  
**Customer Reference**  
**Order ID** 20250929007354

## Certificate of Title

**Title Reference:** CT 5102/169  
**Status:** CURRENT  
**Parent Title(s):** CT 3969/33  
**Dealing(s) Creating Title:** RTD 7407522  
**Title Issued:** 23/12/1992  
**Edition:** 5

## Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
24/04/2019	15/05/2019	13100239	WITHDRAWAL OF CAVEAT	REGISTERED	13030048
04/12/2018	07/12/2018	13030048	CAVEAT	REGISTERED	WAYNE JOHN CARLIN
31/12/2009	18/01/2010	11323247A	VESTING (GLOBAL UPDATE)	REGISTERED	AUSTRALIAN CENTRAL CREDIT UNION LTD. 10148818
31/12/2009	12/01/2010	11323246	VESTING (GLOBAL UPDATE)	REGISTERED	AUSTRALIAN CENTRAL CREDIT UNION LTD. 10148818
14/01/2005	17/02/2005	10148818	MORTGAGE	REGISTERED	SAVINGS AND LOANS CREDIT UNION (S.A.) LTD.
14/01/2005	17/02/2005	10148815	TRANSFER	REGISTERED	LANCE ALAN NICHOLSON, FIONA KAY NICHOLSON
14/01/2005	17/02/2005	10148814	DISCHARGE OF MORTGAGE	REGISTERED	8044688
22/12/1995	30/01/1996	8044688	MORTGAGE	REGISTERED	ST.GEORGE BANK LTD. (ACN: 055 513 070)
22/12/1995	30/01/1996	8044687	ENCUMBRANCE	REGISTERED	PETCOL PTY. LTD.
22/12/1995	30/01/1996	8044686	TRANSFER	REGISTERED	KARL ADRIAN BLOWS, SUZANNE LEE PORTER
22/12/1995	30/01/1996	8044684	DISCHARGE OF MORTGAGE	REGISTERED	7394763
02/11/1992	18/11/1992	7394763	MORTGAGE	REGISTERED	



<b>Product</b>	Check Search
<b>Date/Time</b>	29/09/2025 02:32PM
<b>Customer Reference</b>	
<b>Order ID</b>	20250929007354

## Certificate of Title

**Title Reference:** CT 5102/169

**Status:** CURRENT

**Edition:** 5

## Dealings

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

## Priority Notices

NIL

## Registrar-General's Notes

AREA NAME UPDATED VIDE GOVERNMENT GAZETTE DATED 21/05/1970

**City Of Onkaparinga**  
**PO Box 1**  
**Noarlunga Centre SA 5168**



**Certificate No: S75459/2025**

Telephone (08) 8384 0666

**Property Information And Particulars**

In response to an enquiry pursuant to Section 7 of the

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

---

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

**DETAILS OF PROPERTY REFERRED TO:**

ASSESSMENT NO	:	47624
VALUER GENERAL NO	:	862257542*
VALUATION	:	\$620,000.00
OWNER	:	Mr Lance Alan Nicholson & Mrs Fiona Kay Nicholson
PROPERTY ADDRESS	:	1 Sunset Court O'SULLIVAN BEACH SA 5166
VOLUME/FOLIO	:	CT-5102/169
LOT/PLAN NUMBER	:	Allotment 18 Sec 616 DP 35922
WARD	:	02 Mid Coast Ward

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

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

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

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

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

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

## INFORMATION NOTE

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

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

#### Development Act 1993 (repealed)

##### Section 42

Condition (that continues to apply) of a development authorisation

YES

Application Number	860/423/1996
Description	Dwelling
Decision	Approved
Decision Date	22 May 1996

Conditions of approval:

1. All development shall be completed in accordance with the amended plan drawing no D32328 and dated 22 April 1996 submitted with and forming part of the Development Application.
2. The front setback area (between the front property boundary and front of the house) shall be planted with suitable trees, shrubs, lawn and/or ground covers, with species selection and location having regard to the structural design of the dwelling. Such landscaping shall be completed within 12 months of the date of this approval and maintained in a neat and tidy manner at all times.
3. The driveway crossover shall be 75mm above the height of the kerb on Baden Terrace, directly adjacent the invert for this driveway.

Application Number	145/1096/2001
Description	Verandah and Shed
Decision	Approved
Decision Date	23 April 2001

Development Plan Consent Conditions

1. All development shall be completed in accordance with the plans and documents submitted with and forming part of the development application.
2. All stormwater drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or in the opinion of Council detrimentally affect structures on this site or any adjoining land.
3. The garage shall be colour coated or painted a suitable low reflective colour to match or blend with the existing dwelling within 6 months of erection.

Building Rules Consent Conditions

1. Stormwater shall be diverted away from the building and shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a Council approved storm water drainage system.
2. The proposed structure shall not be enclosed at any time without the prior consent of Council.

#### Planning Act 1982 (repealed)

Condition (that continues to apply) of a development authorisation

NO

**971 (repealed)**

Condition (that continues to apply) of a development authorisation

NO

**Planning and Development Act 1966 (repealed)**

Condition (that continues to apply) of a development authorisation

NO

**Planning, Development and Infrastructure Act 2016***Part 5 – Planning and Design Code***Zones**

General Neighbourhood (GN)

**Subzones**

NO

**Zoning overlays****Overlays****Affordable Housing**

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

**Hazards (Bushfire - High Risk) (High)**

The Hazards (Bushfire - High Risk) Overlay seeks to ensure development responds to the high level of bushfire risk by siting and designing buildings to mitigate threat and impact of bushfires on life and property, facilitating access for emergency service vehicles and situating activities that increase the number of people living and working in the area away from areas of unacceptable bushfire risk.

**Hazards (Flooding - Evidence Required)**

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

**Native Vegetation**

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

**Prescribed Wells Area**

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

**Regulated and Significant Tree**

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

**Stormwater Management**

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

**Urban Tree Canopy**

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

Is the land situated in a designated State Heritage Place/Area?

NO

Is the land designated as a Local Heritage Place?

NO

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

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

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



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

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

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

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

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

### Section 127

Condition (that continues to apply) of a development authorisation YES

**Application ID:** 23013748

**Development Description:** Fire damage to residential property internal and external. Insurance repairs required.

**Site Address:** 1 SUNSET CT O'SULLIVAN BEACH SA 5166

**Development Authorisation:** Building Consent

**Date of authorisation:** 9 August 2023

**Name of relevant authority that granted authorisation:** City of Onkaparinga

#### Condition 1

The development granted (Building Consent / Development Approval) shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by the conditions below (if any).

#### Condition 2

All water flowing from the roof of roofs of the building, shall be disposed of from the subject site to the Council drainage system in a manner which meets the requirements of the Building Code of Australia for the building approved as part of this consent to avoid:

- (a) external moisture or water into the building;
- (b) affecting the stability of the building;
- (c) creating an unhealthy or dangerous condition; and
- (d) running onto or over land of an adjoining land or building Stormwater shall be diverted away from the building, shall not be permitted to run onto adjoining land, except for stormwater following the existing drainage pattern of rainwater naturally falling on the allotment.

**Development Authorisation:** Development Approval: Planning Consent and Building Consent

**Date of authorisation:** 9 August 2023

**Name of relevant authority that granted authorisation:** City of Onkaparinga

## Part 2—Items to be included if land affected

### Development Act 1993 (repealed)

#### Section 50(1)

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

#### Section 50(2)

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

#### Section 55

Order to remove or perform work NO

#### Section 56

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

**Local Government Act 1999**

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

Refer to separate attachment for Rates and Charges

**Local Nuisance and Litter Control Act 2016***Section 30*

Nuisance or litter abatement notice issued against the land NO

**Planning, Development and Infrastructure Act 2016***Section 139*

Notice of proposed work and notice may require access NO

*Section 140*

Notice requesting access NO

*Section 141*

Order to remove or perform work NO

*Section 142*

Notice to complete development NO

*Section 155*

Emergency order NO

*Section 157*

Fire safety notice NO

*Section 192 or 193*

Land Management Agreements NO

*Section 198(1)*

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

*Section 198(2)*

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

*Part 16 - Division 1*

Proceedings NO

*Section 213*

Enforcement notice NO

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

Enforcement order NO

**Public and Environmental Health Act 1987 (repealed)***Part 3*

Notice NO

*Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) revoked*

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

NO

*Public and Environmental Health (Waste Control) Regulations 2010 revoked*

Regulation 19 - Maintenance order (that has not been complied with)

NO

**South Australian Public Health Act 2011***Section 92*

Notice

NO

*South Australian Public Health (Wastewater) Regulations 2013*

NO

Part 4 – Condition (that continues to apply) of an approval

**Particulars of building indemnity insurance**

YES

Details of Building Indemnity Insurance still in existence for building work on the land

Refer to attachment.

**Building Indemnity Insurance  
Certificate of Insurance**

QBE Insurance (Australia) Ltd  
389 Collins St  
Docklands VIC 3000  
Phone: (03) 9246 2666  
Fax: (03) 9246 2611  
ABN: 78 003 191 035  
AFS License No: 239545



Policy Number 620069997BWI-31

LANCE NICHOLSON  
1 SUNSET CT  
O'SULLIVAN BEACH  
5166

**Name of intermediary**  
GUARDIAN INSURANCE BROKERS P/L  
P O BOX 640  
TORRENSVILLE PLAZA S A 5031

**Account number**  
62BWGUARD  
**Date issued**  
11/05/2023

**Policy schedule details****Certificate in respect of insurance**

Domestic Building Contract

A contract of insurance complying with the Building Work Contractors Act 1995 and Regulations has been issued by QBE Insurance (Australia) Limited ABN 78 003 191 035, in respect of the Domestic Building Work as described in the Schedule herein.

**In respect of**

ALTERATIONS AND ADDITIONS STRUCTURAL

**At**

1 SUNSET COURT  
O'SULLIVAN BEACH SA 5166

**Carried out by**

BUILDER  
HPG PROGRAMMED MAINTENANCE & R  
ABN: 13 603 310 434

**Declared contract price**

\$369,694.00

**Contract date**

28/03/2023

**Builders registration no.**

BLD279108

**Building owner / Beneficiary**

LANCE NICHOLSON

Subject to the Building Work Contractors Act 1995, Regulations and the conditions of the insurance contract, cover will be provided to the Building Owner named in the domestic building contract and to the successors in title to the Building Owner.

**For and behalf of**

QBE Insurance (Australia) Limited.

**IMPORTANT NOTICE:**

This Certificate must be read in conjunction with the Policy Wording and kept in a safe place.

These documents are very important and must be retained by you and any successive owners of the property for the duration of the statutory period of cover.

To confirm the registration of this document, please visit the QBE Certificate Register via <https://www.qbe.com/au/home-insurance/builders-insurance>. By matching the details on this certificate with the details included in the register, it confirms your Certificate of Insurance was issued by QBE.

## Particulars relating to environment protection

### *Further information held by council*

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

NO

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

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

### **Note –**

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

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

It should be noted that –

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

## General

### *Easement*

NO

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

Are you aware of any encroachment on the Council easement?

NO

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

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

NO

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

### *Caveat*

NO

## Other

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

NO

### **PLEASE NOTE:**

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

This statement is made the 30 September 2025

Amy Watts

Team Leader – Development Support (Acting)

**AUTHORISED OFFICER**

Certificate No: S75459/2025

**LOCAL GOVERNMENT RATES SEARCH**

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

30 September 2025

**DETAILS OF PROPERTY REFERRED TO:**

Property ID : 57627  
 Valuer General No : 862257542\*  
 Valuation : \$620,000.00  
 Owner : Mr Lance Alan Nicholson & Mrs Fiona Kay Nicholson  
 Property Address : 1 Sunset Court O'SULLIVAN BEACH SA 5166  
 Volume/Folio : CT-5102/169  
 Lot/Plan No : Allotment 18 Sec 616 DP 35922  
 Ward : 02 Mid Coast Ward

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

Opening balance (as of 30 Jun 2025) including rates, fines and interest, \$947.69  
 and/or Block Clearing Charges

Postponed Amount in Arrears \$0.00

**Rates for the current 2025-2026 Financial Year applicable from 01 July 2025:**

**Total Rates Levied 2025-2026 \$2,429.89**

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

Fines and interest charged in the current financial year (2% fine when rates first become overdue and interest applied per month thereafter at LGA-prescribed rate) \$33.04

Postponed Interest \$0.00

Less paid current financial year \$0.00

Overpayment \$0.00

Legal Fees (current) \$0.00

Legal Fees (arrears) \$0.00

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

Rebate

Balance - rates and other monies due and payable \$3,410.62

Property Related Debts \$0.00

**BPAY Biller Code: 421503**

**TOTAL BALANCE**

**\$3,410.62**

**Ref: 1670820576275**

**AUTHORISED OFFICER**

This statement is made the 30 September 2025

Melissa Styles

0044687

Series No.	
Prefix	
E	

**SINGLE COPY ONLY**  
NOTES

**LANDS TITLES REGISTRATION  
OFFICE**  
SOUTH AUSTRALIA

**MEMORANDUM OF  
ENCUMBRANCE**

FORM APPROVED BY THE REGISTRAR-GENERAL

CERTIFIED CORRECT FOR THE PURPOSES  
OF THE REAL PROPERTY ACT 1886

*[Signature]*  
Solicitor/Licensed Land Broker/Encumbrancer  
F.I. ROTH

**BELOW THIS LINE FOR OFFICE USE ONLY**

Date	Time		
17/10/20	17:50		
<b>FEES</b>			
R.G.O.	POSTAGE	ADVERT	NEW C.T.
70			

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

**See Note 9**

Appeared before me at  
the

day of

19

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

Signed.....

**See Note 10**

Appeared before me at  
the

day of

19

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

Signed.....

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

ITEM CT/CL REF.	AGENT CODE

**EXAMINATION**

<u>CORRECTION</u>	<u>PASSED</u>
	<i>[Signature]</i>

**BELOW THIS LINE FOR AGENT USE ONLY**

Lodged by: **WARD & PARTNERS**  
26 FLINDERS STREET  
ADELAIDE  
AGENT CODE  
WARD 82

Correction to: *ROTH & MIDSON RMT*

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

- .....
- .....
- .....
- .....
- .....

Assessor

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

- .....
- .....
- .....
- .....
- .....



DATED THIS

20<sup>th</sup>  
10<sup>th</sup>

DAY OF

December

1995

EXECUTION AND  
ATTESTATION  
(See Note 8)

SIGNED by the ENCUMBRANCER

x *[Signature]* .....x *[Signature]* .....

in the presence of:

Witness: x *[Signature]* .....

Full Name: KYLIE BELINDA WORDEN

Address: 436 BARKER ROAD...  
PROSPECT SA 5082

Daytime Phone: 226 0024

REGISTERED 29 JAN 1996  
...../...../19*T. Samuel pro*REGISTERED GENERAL  


AND

C. PROVIDED ALWAYS THAT

- (a) The covenants herein contained shall be in addition and without prejudice to the covenants on the part of the Encumbrancer and the powers rights and remedies of the Encumbrancee implied herein under and by virtue of the Real Property Act 1886 (as amended) except insofar as the same are expressly or impliedly varied or modified.
- (b) Section 130 of the Real Property Act 1886 (as amended) shall not apply to this Encumbrance.

- (b) The Encumbrancee may from time to time in its absolute discretion modify waive or release any of the terms, covenants and conditions contained in any Memorandum of Encumbrance or other instrument whatsoever relating to any other of the said allotments and whether the same were entered into or imposed before or at the same time as or after the date hereof and no such modification or waiver or release shall release the Encumbrancer or his successors in title from the terms, covenants and conditions herein contained.
- (c) Any waiver by the Encumbrancee of any breach of any one or more of the terms covenants or conditions herein contained shall not be nor be construed to be a waiver of any subsequent or other breach of the same or any other term covenant or condition nor shall any failure on the part of the Encumbrancee or the Covenantees to require or exact full and complete compliance with any of the terms covenants or conditions herein contained be construed as in any manner changing the terms hereof or to prevent the Encumbrancee or the Covenantees from enforcing the full provisions hereof.
- (d) The Encumbrancer and his successors in title shall be successively released and discharged from payment of the annuity and from the performance and observance of the terms covenants and conditions herein contained forthwith upon ceasing to be registered as the proprietor of the said land to the intent that the annuity and terms covenants and conditions shall be binding only upon the registered proprietor for the time being of the said land.
- (e) If any term covenant or condition of this Encumbrance is or is held by a court of competent jurisdiction to be invalid void or unenforceable the remainder of such terms covenants and conditions shall remain in full force and effect and shall in no way be affected impaired or invalidated thereby.

5. Not more than one dwelling shall be constructed or developed on the said land.
6. No transportable building, mobile home or caravan shall be used for residential purposes on the said land.
7. No building or structure constructed or erected on the said land shall exceed the height specified in the following table of building heights for each of the said allotments

Lot 1 - 37.0 metres AHD	Lot 10 - 47.0 metres AHD
Lot 2 - 36.0 " "	Lot 11 - 50.5 " "
Lot 3 - 36.0 " "	Lot 12 - unrestricted
Lot 4 - 37.0 " "	Lot 13 - unrestricted
Lot 5 - 37.0 " "	Lot 14 - unrestricted
Lot 6 - 38.0 " "	Lot 15 - unrestricted
Lot 7 - 38.0 " "	Lot 16 - 41.0 metres AHD
Lot 8 - 39.0 " "	Lot 17 - 41.0 " "
Lot 9 - 43.5 " "	Lot 18 - 41.0 " "

where the height specified is referenced to the Australian Height Datum.

8. No house constructed on the said land shall have a roof pitch less than twenty two and one half (22.5) degrees.
9. Where the said land has a frontage to Sunset Court, no fence shall be erected or constructed between that frontage and the building line of any house constructed on the said land unless such fence is constructed of brick, stone or brush.
10. Where the said land comprises either of the said allotments numbered "1" or "18" upon which the Encumbrancee has erected or may erect a feature entrance wall on the corner of Sunset Court and Baden Terrace then the Encumbrancer shall not alter damage or remove the said entrance wall but shall maintain it at all times in its as built form and condition provided that the Encumbrancer shall not be required to repair or replace any signage or letters attached to the entrance wall which

are damaged, removed or taken by third parties without the knowledge or consent of the Encumbrancer and the Encumbrancer shall not replace the said entrance wall with any form of fence substantially different to that built by the Encumbranceee.

11. Subject to Clauses 9 and 10 hereof, no boundary fence shall be erected or constructed on the said allotments unless such fence is constructed of proprietary colour-coated iron (such as that known as 'Color Bond') of colour Beige.
12. The Encumbrancer shall not fail to establish the landscaping and planting of the said land between the front building line and the street frontage within twelve (12) months of completion of the construction of a house on the said land.
13. The Encumbrancer shall not park or store or suffer permit or allow to be parked or stored any caravan, trailer, horse float, other vehicle whatsoever or boat between the front building line and the street frontage of the said land providing that a motor car, motor cycle or motor van may be parked on a driveway between the front building line and the street frontage.

AND

- B. The Encumbrancer acknowledges for himself and his successors in title that the foregoing covenants are entered into and undertaken for the purposes of the Encumbrancee's scheme of development for the said allotments and the Encumbrancee has declared and undertaken that it has required or will require from each purchaser of the said allotments a Memorandum of Encumbrance in the same or substantially similar form to this instrument and containing the same or substantially similar terms, covenants and conditions PROVIDED ALWAYS THAT

- (a) The Encumbrancee may from time to time in its absolute discretion modify waive or release any of the terms, covenants and conditions herein contained.

- (b) The term "the Encumbrancee" includes its successors, assigns and transferees.
  - (c) The term "the Covenantees" includes the successive owners, assignees, heirs, executors, administrators, transferees and tenants of the said allotments being registered or entitled to be registered as the proprietor of an estate of freehold or leasehold in one or more of the said allotments, subject however to such encumbrances liens or interests as are registered and notified by memoranda endorsed on the title thereof.
  - (d) Words importing any gender shall include every gender and words importing the singular number shall include the plural and vice versa.
  - (e) the term "person" shall include a corporate body.
2. The Encumbrancer will pay to the Encumbrancee the sum of TEN CENTS (10c) (if demanded) on the 1st day of July in each and every year commencing on the 1st day of July next after the execution hereof provided that the Encumbrancee shall not demand payment of the said annuity if and so long as the Encumbrancer shall duly perform and observe all the terms covenants and conditions hereinafter contained (the burden of proving the performance and observance of which shall be borne by the Encumbrancer) but none of the provisions herein contained for or in respect of payment of the said annuity shall in any way affect or prejudice the rights of the Encumbrancee to an injunction to prevent or restrain any breach of the terms covenants and conditions hereinafter contained or to damages for such breach.
3. The Encumbrancer shall not subdivide or resubdivide the said land.
4. The Encumbrancer shall not use or suffer permit or allow the use of the said land and any buildings thereon for any purpose other than for private residential purposes and purposes incidental thereto.

AND the Encumbrancer DESIRING to render the land above described (hereinafter called "the said land") available for the purpose of securing to and for the benefit of the Encumbrancee the performance and observance of the terms, covenants and conditions hereinafter contained DOES HEREBY FURTHER ENCUMBER the said land as part of a common building scheme of development comprising each and every part of the allotments in Deposited Plan No. 35922 (hereinafter called "the said allotments") for the benefit of the Encumbrancee and each and every registered proprietor from time to time of each of the said allotments (hereinafter collectively called "the Covenantees") and as appurtenant to the said land with the performance and observance of the terms covenants and conditions hereinafter contained WITH THE INTENT that the burden of such covenants shall run with and bind the said land and that the benefit of such covenants shall be annexed to and devolve upon each and every one of the said allotments

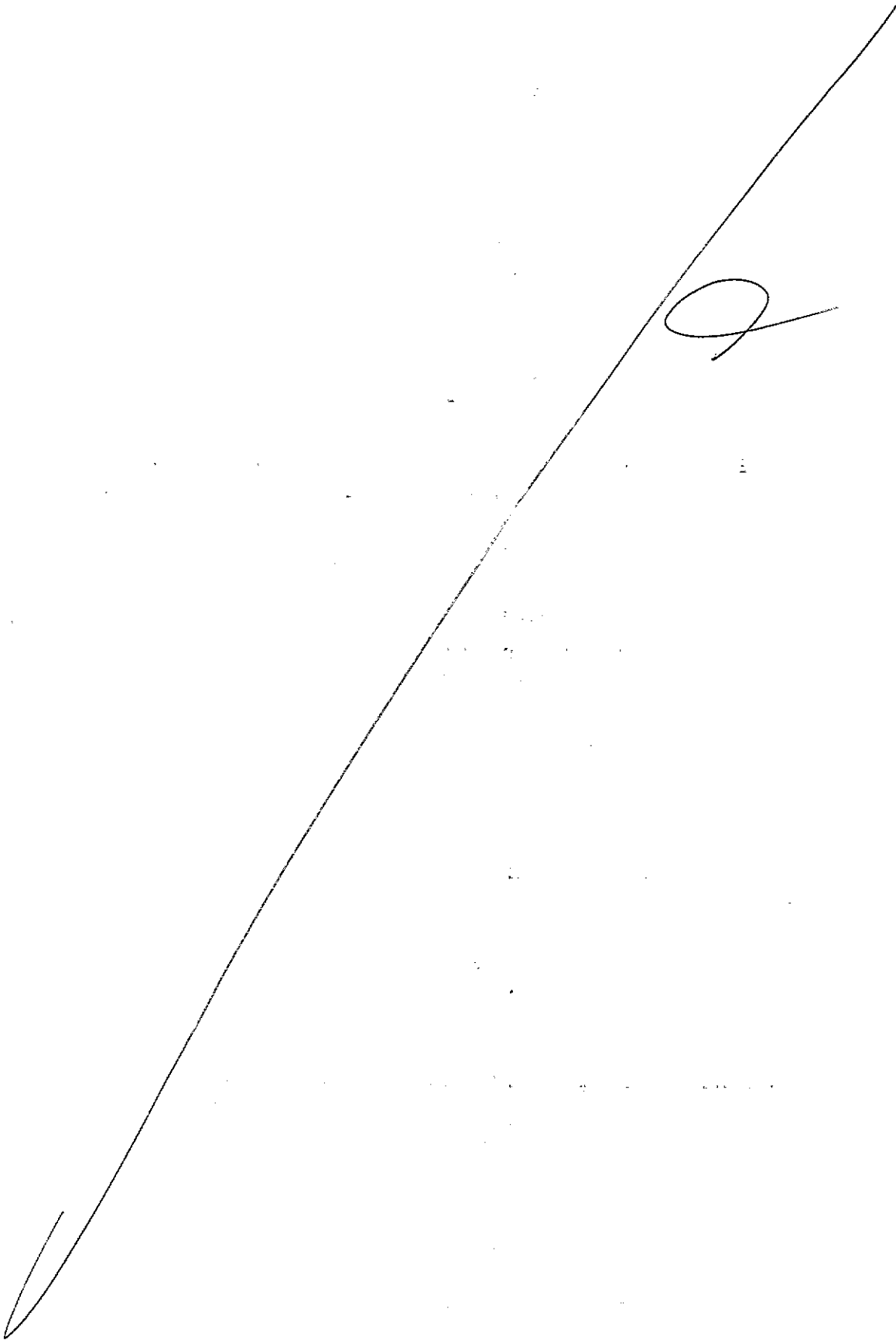
AND

A. THE ENCUMBRANCER DOES HEREBY COVENANT with the Encumbrancee and the Covenantees as follows:-

1. In the interpretation of this Memorandum of Encumbrance unless the context shall otherwise require or admit -

- (a) The term "the Encumbrancer" where the Encumbrancer is a company includes its successors, assigns and transferees and where the Encumbrancer is a person includes his heirs, executors, administrators and transferees and where the Encumbrancer consists of more than one person or company includes each and every one of such persons or companies jointly and severally and their respective successors, assigns, heirs, executors, administrators and transferees being registered or entitled to be registered as the proprietor of any estate in fee simple to the said land subject however to such encumbrances, liens and interests as are registered and notified by memoranda endorsed on the title thereof.

IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE as follows:

A large, thin, black diagonal line is drawn across the page, starting from the bottom left and extending towards the top right. In the upper right quadrant, there is a handwritten signature in black ink, which appears to be a stylized 'Q' or 'G' followed by a horizontal stroke.



Form M.2  
(See Note 1)

## MEMORANDUM OF ENCUMBRANCE

**CERTIFICATE(S) OF TITLE  
BEING ENCUMBERED**  
(See Note 3)

The whole of the land comprised in Certificate of Title Register Book  
Volume 5102 Folio 169

**ESTATE AND INTEREST**  
(See Note 4)

In fee simple

**ENCUMBRANCES**  
(See Note 5)

Nil

**ENCUMBRANCER**  
Full Name and Address  
(See Note 6)

KARL ADRIAN BLOWS and SUZANNE LEE PORTER both of Lot 18 Sunset Court O'Sullivan Beach  
SA 5166

**ENCUMBRANCEE**  
Full Name and Address  
(See Note 7)

PETCOL PTY LTD ACN 007 853 572 of 41 Spruce Avenue Warradale SA 5046

(a) State the term  
of the annuity. If  
for life use the  
words "during his  
lifetime"

THE ENCUMBRANCER ENCUMBERS THE ESTATE AND INTEREST IN THE LAND ABOVE DESCRIBED FOR THE BENEFIT  
OF THE ENCUMBRANCEE SUBJECT TO THE ENCUMBRANCES AND OTHER INTERESTS AS SHOWN HEREON WITH AN  
ANNUITY OF ten cents (10c)

(a) TO BE PAID TO THE ENCUMBRANCEE if demanded in perpetuity

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

(b) AT THE TIMES AND IN THE MANNER FOLLOWING on the first day of July in each and  
every year commencing on the first day of July next after the execution  
hereof