

# 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:

[Empty text box for Purchaser name]

Address:

Street 1  
Street 2  
Suburb State Postcode

2 Purchaser's registered agent:

[Crossed out text box for Purchaser's registered agent]

Address:

Street 1  
Street 2  
Suburb State Postcode

3 Vendor:

Lindy Grace Mary O'Leary & Alan John O'Leary (deceased)

Address:

Street 1 38 SANCTUARY COURT  
Street 2  
Suburb MORPHETT VALE State SA Postcode 5162

4 Vendor's registered agent:

Magain Real Estate Morphett Vale- Craig Thomson

Address:

Street 1 52 HILLIER ROAD  
Street 2  
Suburb MORPHETT VALE State SA Postcode 5162

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

[Empty text box for Date of contract]

6 Description of the land: *[Identify the land including any certificate of title reference]*

Allotment 68 in Deposited Plan No. 110567 known as

Street 1 38 Sanctuary Court  
Street 2  
Suburb Morphett Vale State SA Postcode 5162  
being the \*whole / ~~portion~~ of the land comprised in Certificate of Title  
Volume 6161 Folio 98

## 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:

38 Sanctuary Court Morphett Vale, SA 5162

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

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

craig@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:

52 Hillier Road Morphett Vale, SA 5162

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

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

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

##### 5 - Effect of service

If you serve such cooling-off notice on the vendor, the contract will be taken to have been rescinded at the time when the notice was served.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

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

**Proceeding with the purchase**

If you wish to proceed with the purchase -

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

**Part C - Statement with respect to required particulars**

(section 7(1))

To the purchaser:

\*I/~~We~~,

of

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

Date:

Signed:   
0DD2FA5767A3432...

Date:

Signed:

Date:

Signed:

Date:

Signed:

**Part D - Certificate with respect to prescribed inquiries by registered agent**



(section 9)

To the purchaser:

I,

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:

Date:

Signed:

\*Vendor's / Purchaser's agent

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

## Schedule - Division 1

### Particulars of mortgages, charges and prescribed encumbrances affecting the land (section 7(1)(b))

#### Note -

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

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

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

## Table of particulars

Column 1

Column 2

Column 3

[If an item is applicable, ensure that the box for the item is ticked and complete the item.]

[If an item is not applicable, ensure that the box for the item is empty or else strike out the item or write "NOT APPLICABLE" or "N/A" in column 1.

Alternatively, the item and any inapplicable heading may be omitted, but not in the case of-

(a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and

(b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and

(c) the heading "6. Repealed Act conditions" and item 6.1; and

(d) the heading "29. Planning, Development and Infrastructure Act 2016" and items 29.1 and 29.2, which must be retained as part of this statement whether applicable or not.]

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

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

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

### 1. General

1.1 Mortgage of land

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

**Is this item applicable?**

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

**Are there attachments?**

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

Refer to attached Certificate of Title for further information

Number of mortgage (if registered):

12386347

Name of mortgagee:

Australia & New Zealand Banking Group Ltd.



YES

YES

**1.2 Easement**

(whether over the land or annexed to the land)

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

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

**Is this item applicable?**

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

**Are there attachments?**

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

Refer to attached Property Interest Report for further information

Description of land subject to easement:

Whole of the land in CT 6161/98

Nature of easement:

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

Are you aware of any encroachment on the easement?

NO

If YES, give details:

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

If YES, give details:

NO

YES

**1.3 Restrictive covenant**

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

**Is this item applicable?**

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

**Are there attachments?**

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

Refer to attached Certificate of Title & Encumbrance No. 12386346 for further information

Nature of restrictive covenant:

Refer to attached Encumbrance No. 12386346 for further information

Name of person in whose favour restrictive covenant operates:

Actium Land Developments Pty Ltd

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

YES

If NO, give details:

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

NO

NO

YES

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

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

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

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

~~[Empty box for attachments]~~

~~Name of parties:~~

~~[Large empty box for party names]~~

~~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:~~

~~[Empty box for Act details]~~

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

~~[Empty box for outstanding amounts]~~

[ ]  
[ ]  
[ ]

### 5. Development Act 1993 (repealed)

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

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

**Is this item applicable?**

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

**Are there attachments?**

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

Refer to attached Council Search for further information

Condition(s) of authorisation:

Refer to Application No. 145/2092/2015 dated 23/09/2015 in attached Council search for further information

## 6. Repealed Act conditions

6.1 Condition (that continues to apply) of an approval or authorisation granted under the *Building Act 1971* (repealed), the *City of Adelaide Development Control Act 1976* (repealed), the *Planning Act 1982* (repealed) or the *Planning and Development Act 1967* (repealed)

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

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

~~Nature of condition(s):~~

## 7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy

Is this item applicable?

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

Are there attachments?

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

Emergency Services Levy Certificate

Date of notice:

17/09/2025

Amount of levy payable:

\$54.80 (incl concession)

YES  
 YES

## 29. Planning, Development and Infrastructure Act 2016

**29.1** Part 5 - Planning and Design Code

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

**Is this item applicable?**

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

**Are there attachments?**

*If YES, identify the attachment(s)*

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

Refer to attached Property Interest Report & Council Search for further information

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

Zones: General Neighbourhood (GN)  
Subzones: No  
Overlays: Refer to Council Search attached for details of Overlays

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

Is the land designated as a local heritage place?

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?

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?

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

29.2 section 127 - Condition (that continues to apply) of a development authorisation

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

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

~~Date of authorisation:~~

~~Name of relevant authority that granted authorisation:~~

~~Condition(s) of authorisation:~~

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

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

~~Date of notice:~~

~~Name of person giving notice of proposed work:~~

~~Building work proposed (as stated in the notice):~~

~~Other building work as required pursuant to the Act:~~

29.4 section 140 - Notice requesting access

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

~~Date of notice:~~

~~Name of person requesting access:~~

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

~~Activity of work to be carried out:~~


29.5 section 141 - Order to remove or perform work

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

~~Date of order:~~

~~Terms of order:~~

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

~~Amount payable (if any):~~

29.6 section 142 - Notice to complete development

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

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

Date of notice:

Requirements of notice:

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

Amount payable (if any):

29.7 section 155 - Emergency order

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

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

Date of order:

Name of authorised officer who made order:

Name of authority that appointed the authorised officer:

Nature of order:

Amount payable (if any):

29.8 section 157 - Fire safety notice

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

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

Date of notice:

Name of authority giving notice:

Requirements of notice:

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

Amount payable (if any):

29.9 section 192 or 193 - Land management agreement

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

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

Date of agreement:

Names of parties:

Terms of agreement:

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

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

Date requirement given:

Name of body giving requirement:

Nature of requirement:

Contribution payable (if any):

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

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

Date of agreement:

Names of parties:

Terms of agreement:

Contribution payable (if any):

29.12 Part 16 Division 1 - Proceedings

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

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

~~Date of commencement of proceedings:~~

~~Date of determination or order (if any):~~

~~Terms of determination or order (if any):~~

29.13 section 213 - Enforcement notice

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

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

~~Date notice given:~~

~~Name of designated authority giving notice:~~

~~Nature of directions contained in notice:~~

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

~~Amount payable (if any):~~

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

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

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

Date order made:

Name of court that made order:

Action number:

Names of parties:

Terms of order:

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

**Particulars relating to aluminium composite panels**

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

- (a) as having aluminium composite panels installed on the exterior of the building; and
- (b) as constituting a moderate, high or extreme risk as a result of that installation; and
- (c) as requiring remediation to reduce the risk to an acceptable level; and
- (d) as not having had the necessary remedial work performed or a determination made by the appropriate authority of the relevant council (within the meaning of section 157 of the *Planning, Development and Infrastructure Act 2016*) that no further action is required?

If YES, give details of the following:

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

2. the estimated costs of remediation (if known):

**ANNEXURES**

~~\* There are no documents annexed hereto~~

\* The following documents are annexed hereto -

- Certificate of Title Volume 6161 Folio 98
- Property Interest Report
- Title and Valuation Package
- Council Search
- Emergency Services Levy Certificate
- Land Tax Certificate
- SA Water Certificate
- Deposited Plan No. 110567
- Encumbrance No. 12386346
- Code Register Amendment code
- Form R3
- Form R7

**ACKNOWLEDGEMENT OF RECEIPT**

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

**Dated** this \_\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_

Signed:

Date:

Signed:

Date:

Signed:

Date:

Signed:

Date:

(\*Strike out whichever is not applicable)

# Form R3

## Buyers information notice

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

Land and Business (Sale and Conveyancing) Regulations 2025 regulation 16

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

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

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

## Value

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

For more information on these matters visit Consumer and Business Advice section on the following website: [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.

# Form R7

## Warning Notice

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### Financial and Investment Advice

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

Land and Business (Sale and Conveyancing) Regulations 2025 regulation 21

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

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

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

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



Product Register Search (CT 6161/98)  
 Date/Time 16/09/2025 01:53PM  
 Customer Reference 5453  
 Order ID 20250916007147

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 6161 Folio 98

Parent Title(s) CT 6161/68  
 Creating Dealing(s) RTU 12367186  
 Title Issued 12/08/2015 Edition 2 Edition Issued 18/09/2015

### Estate Type

FEE SIMPLE

### Registered Proprietor

ALAN JOHN O'LEARY  
 LINDY GRACE MARY O'LEARY  
 OF 11 LANCASTER CIRCUIT OLD NOARLUNGA SA 5168  
 AS JOINT TENANTS

### Description of Land

ALLOTMENT 68 DEPOSITED PLAN 110567  
 IN THE AREA NAMED MORPHETT VALE  
 HUNDRED OF NOARLUNGA

### Easements

NIL

### Schedule of Dealings

Dealing Number	Description
12386346	ENCUMBRANCE TO ACTIUM LAND DEVELOPMENTS PTY. LTD. (ACN: 162 807 007)
12386347	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

### Notations

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

# Property Interest Report

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

<b>Title Reference</b>	CT 6161/98	<b>Reference No.</b> 2712193
<b>Registered Proprietors</b>	A J & L G*O'LEARY	<b>Prepared</b> 17/09/2025 09:17
<b>Address of Property</b>	38 SANCTUARY COURT, MORPHETT VALE, SA 5162	
<b>Local Govt. Authority</b>	CITY OF ONKAPARINGA	
<b>Local Govt. Address</b>	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)

<u>Prescribed encumbrance</u>	<u>Particulars</u> (Particulars in bold indicates further information will be provided)
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### 1. General

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

### 2. Aboriginal Heritage Act 1988

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

an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

**3. Burial and Cremation Act 2013**

- 3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

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

- 4.1 section 5 - Notice requiring payment

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

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

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

- 5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

- 5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

- 5.6 section 57 - Land management agreement

Refer to the Certificate of Title

- 5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

- 5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

- 5.9 section 71 - Fire safety notice

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

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

## 6. Repealed Act conditions

- 6.1 Condition (that continues to apply) of an approval or authorisation granted under the *Building Act 1971* (repealed), the *City of Adelaide Development Control Act, 1976* (repealed), the *Planning Act 1982* (repealed) or the *Planning and Development Act 1967* (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  
  
**An Emergency Services Levy Certificate will be forwarded. If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.**  
  
**Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates [www.revenuesaonline.sa.gov.au](http://www.revenuesaonline.sa.gov.au)**

## 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. <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. <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<br>Where the land is outside a council area, contact the vendor                               |
| <b>11. <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<br>also<br>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<br>also<br>Contact the Local Government Authority for other details that might apply |
| <b>12. <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. <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<br>also<br>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. <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. <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. <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 <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 also  
Refer to the Certificate of Title

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29.1 Part 5 - Planning and Design Code  
*[ Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*

Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.

also

Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title

also

For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority

also

Contact the Local Government Authority for other details that might apply to a place of local heritage value

also

For details of declared significant trees affecting this title, contact the Local Government Authority

also

**The Planning and Design Code (the Code) is a statutory instrument under the *Planning, Development and Infrastructure Act 2016* for the purposes of development assessment and related matters within South Australia. The Code contains the planning rules and policies that guide what can be developed in South Australia. Planning authorities use these planning rules to assess development applications. To search and view details of proposed statewide code amendments or code amendments within a local government area, please search the code amendment register on the SA Planning Portal: [https://plan.sa.gov.au/have\\_your\\_say/code-amendments/code\\_amendment\\_register](https://plan.sa.gov.au/have_your_say/code-amendments/code_amendment_register) or phone PlanSA on 1800 752 664.**

29.2 section 127 - Condition (that continues to apply) of a development authorisation  
*[ Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*

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

also

Contact the Local Government Authority for other details that might apply

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

Contact the vendor for these details

29.4 section 140 - Notice requesting access

Contact the vendor for these details

29.5 section 141 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

29.6 section 142 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

29.7 section 155 - Emergency order

State Planning Commission in the Department for Housing and Urban Development

- has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply
- 29.8 section 157 - Fire safety notice

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

also

Contact the Local Government Authority for other details that might apply
- 29.9 section 192 or 193 - Land management agreement

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

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

also

Contact the Local Government Authority for other details that might apply
- 29.11 section 198(2) - Agreement to vest land in a council or the Crown to be held as open space

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

also

Contact the Local Government Authority for other details that might apply
- 29.12 Part 16 Division 1 - Proceedings

Contact the Local Government Authority for details relevant to this item

also

Contact the vendor for other details that might apply
- 29.13 section 213 - Enforcement notice

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

also

Contact the Local Government Authority for other details that might apply
- 29.14 section 214(6), 214(10) or 222 - Enforcement order

Contact the Local Government Authority for details relevant to this item

also

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

**30. *Plant Health Act 2009***

- 30.1 section 8 or 9 - Notice or order concerning pests

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

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

- 31.1 Part 3 - Notice

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

also

Contact the Local Government Authority for other details that might apply
- 31.2 *Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)* (revoked) Part 2 - Condition (that continues to apply) of an approval

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

also

Contact the Local Government Authority for other details that might apply
- 31.3 *Public and Environmental Health (Waste Control) Regulations 2010* (revoked) regulation 19 - Maintenance order (that has not been complied with)

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

also

Contact the Local Government Authority for other details that might apply

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

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

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

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

**34. Water Industry Act 2012**

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

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

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

**36. Other charges**

- 36.1 Charge of any kind affecting the land (not included in another item) Refer to the Certificate of Title  
also  
Contact the vendor for these details  
also  
Contact the Local Government Authority for other details that might apply

## Other Particulars

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

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

## Additional Information

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

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

## Notices

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

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

#### Building restrictions

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

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

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

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

#### Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

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

Water Resources Management - Taking of underground water

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

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

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



**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Title and Valuation Package  
17/09/2025 09:17AM  
OR-1B3OWY6TAH82GB  
20250917001292

## Certificate of Title

**Title Reference** CT 6161/98  
**Status** CURRENT  
**Easement** NO  
**Owner Number** 16829614  
**Address for Notices** 11 LANCASTER CCT OLD NOARLUNGA, SA 5168  
**Area** 375m<sup>2</sup> (CALCULATED)

## Estate Type

Fee Simple

## Registered Proprietor

ALAN JOHN O'LEARY  
LINDY GRACE MARY O'LEARY  
OF 11 LANCASTER CIRCUIT OLD NOARLUNGA SA 5168  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 68 DEPOSITED PLAN 110567  
IN THE AREA NAMED MORPHETT VALE  
HUNDRED OF NOARLUNGA

## Last Sale Details

**Dealing Reference** TRANSFER (T) 12386345  
**Dealing Date** 20/08/2015  
**Sale Price** \$164,000  
**Sale Type** FULL VALUE / CONSIDERATION AND WHOLE OF LAND

## Constraints

### Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	12386346	ACTIUM LAND DEVELOPMENTS PTY. LTD. (ACN: 162 807 007)
MORTGAGE	12386347	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

### Stoppers

NIL

## Valuation Numbers

Valuation Number	Status	Property Location Address
8636763405	CURRENT	38 SANCTUARY COURT, MORPHETT VALE, SA 5162



**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Title and Valuation Package  
 17/09/2025 09:17AM  
 OR-1B3OWY6TAH82GB  
 20250917001292

## Notations

### Dealings Affecting Title

NIL

### Notations on Plan

NIL

### Registrar-General's Notes

NIL

### Administrative Interests

NIL

## Valuation Record

<b>Valuation Number</b>	8636763405
<b>Type</b>	Site & Capital Value
<b>Date of Valuation</b>	01/01/2025
<b>Status</b>	CURRENT
<b>Operative From</b>	01/07/2016
<b>Property Location</b>	38 SANCTUARY COURT, MORPHETT VALE, SA 5162
<b>Local Government</b>	ONKAPARINGA
<b>Owner Names</b>	LINDY GRACE MARY O'LEARY ALAN JOHN O'LEARY
<b>Owner Number</b>	16829614
<b>Address for Notices</b>	11 LANCASTER CCT OLD NOARLUNGA, SA 5168
<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>	4HDGV
<b>Local Government Description</b>	Residential

## Parcels

Plan/Parcel	Title Reference(s)
D110567 ALLOTMENT 68	CT 6161/98

## Values



**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Title and Valuation Package  
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 20250917001292

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$300,000	\$710,000			
Previous	\$230,000	\$620,000			

## Building Details

**Valuation Number** 8636763405  
**Building Style** Conventional  
**Year Built** 2016  
**Building Condition** Very Good  
**Wall Construction** Brick  
**Roof Construction** Galvanised Iron  
**Equivalent Main Area** 153 sqm  
**Number of Main Rooms** 4

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

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



Telephone (08) 8384 0666

**Certificate No: S75231/2025**

**IMPORTANT INFORMATION REGARDING SEARCHES**

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Searchlight Technology  
PO Box 232  
RUNDLE MALL SA 5000

**Attention Conveyancers**

○ **Section 187 certificate update request free of charge (One Update):**

- Penalties and interest, property charges, payments or dishonoured payments can impact account balances on a daily basis.

To assist with financial adjustments as close as practicable to the date of settlement, your **Section 187 certificate will now be valid for 90 days**. Within this period Council will offer one update request without charge. This update is to be obtained via the online portal.

It is important to note all searches advise when fines/interest will be applied. When receiving your update search, should it be evident that further penalties will be applied prior to settlement, you will need to still consider these additional amounts as part of your settlement statement calculations.

**Please Note: Section 7 certificates remain valid for a 30 day period only.**

○ **BPAY biller code added to searches to enable electronic settlement of funds**

- Our BPAY biller code is now detailed on each search, enabling settlement funds to be disbursed to Council electronically. Please note that this is Council's preferred method payment and we request that you cease the use of cheques to affect settlement.

○ **How to advise Council of change of ownership?**

To also assist with the reduction of duplication of information being received from various agencies i.e. conveyancers and the Lands Titles Office, we are advocating that the **Purchaser's Conveyancer** to advise the change of ownership by following the below:

- If you are using e-conveyancing to affect a sale, please **only issue advice to Council if the mail service address is different to what was lodged via the transfer at the LTO**. Council's new practice is to update ownership details including the mailing address in accordance with the advice provided by the Valuer General. Council has amended this change to align with SA Water practices and to provide an improved customer experience overall.
- If lodging in person at Lands Title Office – Please send the change of ownership advice to Council via [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au). Electronic settlement of funds is still preferred.

Yours sincerely

**City Of Onkaparinga**

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



**Certificate No: S75231/2025**

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**

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**TO:** Searchlight Technology  
 PO Box 232  
 RUNDLE MALL SA 5000

**DETAILS OF PROPERTY REFERRED TO:**

ASSESSMENT NO	:	112754
VALUER GENERAL NO	:	8636763405
VALUATION	:	\$710,000.00
OWNER	:	Estate of Alan John O'Leary & Mrs Lindy Grace Mary O'Leary
PROPERTY ADDRESS	:	38 Sanctuary Court MORPHETT VALE SA 5162
VOLUME/FOLIO	:	CT-6161/98
LOT/PLAN NUMBER	:	Allotment 68 DP 110567
WARD	:	03 Knox Ward

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

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

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

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

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

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

## INFORMATION NOTE

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

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

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

##### *Section 42*

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

Application Number	145/2092/2015
Description	Single storey dwelling
Decision	Approved
Decision Date	23 September 2015

##### Development Plan Consent Conditions

1. All development shall be completed and maintained in accordance with the plan(s) and documents submitted with and forming part of the development application except where varied by the following condition(s).
2. The front setback area (between the front property boundary and front of the dwelling) shall be landscaped with suitable trees, shrubs, lawn, and/or ground cover, and may include some paving, retaining and the like. Such landscaping shall be completed within 2 years of completion of the dwelling and shall be maintained in good condition at all times and seriously diseased, dying or dead vegetation shall be promptly replaced to the seasonable satisfaction of council.
3. The dwelling shall not be occupied until all necessary infrastructure has been provided to the site of the dwelling, including but not limited to a formed and sealed road and watertable, water supply and sewerage services, drainage/stormwater disposal and electricity services.
4. The road and driveway crossover between the back of kerb and the boundary shall be shaped to provide a minimum width of 2.0 metres on local roads (and 2.5 metres on higher order roads) measured from behind the back of kerb. Verge slope shall be no greater than 2.5 per cent fall towards the road, suitable for pedestrian traffic under the Disability Discrimination Act and in accordance with the current Australian Standard 2890.1.
5. During construction and at all times thereafter, stormwater generated from the development shall be diverted away from all buildings, shall not pond against or near the footings and shall not be discharged or flow onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a council approved stormwater drainage system.
6. That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
  - Prevent silt run-off from the land to adjoining properties, roads and drains.
  - Control dust arising from the construction and other activities, so as not to, in the opinion of council, be a nuisance to residents or occupiers on adjacent or nearby land.
  - Ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site.
  - Ensure that all litter and building waste is contained on the subject site in a suitable covered bin or enclosure.
  - Ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of council, to the occupiers of adjacent land.

#### **Planning Act 1982 (repealed)**

Condition (that continues to apply) of a development authorisation NO

#### **Building Act 1971 (repealed)**

Condition (that continues to apply) of a development authorisation NO

## Planning and Development Act 1966 (repealed)

Condition (that continues to apply) of a development authorisation

NO

## Planning, Development and Infrastructure Act 2016

*Part 5 – Planning and Design Code*

### Zones

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 (Flooding)

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

#### Hazards (Flooding - General)

The Hazards (Flooding - General) Overlay seeks to minimise impacts of general 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 NO

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

**Development Act 1993 (repealed)**

*Section 50(1)*

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

*Section 50(2)*

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

*Section 55*

Order to remove or perform work NO

*Section 56*

Notice to complete development NO

*Section 57*

Land management agreement NO

*Section 69*

Emergency order NO

*Section 71 (only)*

Fire safety notice NO

*Section 84*

Enforcement notice NO

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

Enforcement Order NO

*Part 11 Division 2*

Proceedings NO

**Fire and Emergency Services Act 2005**

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

Notice NO

*Section 56 (repealed)*

Notice issued NO

**Food Act 2001**

*Section 44*

Improvement notice *issued against the land* NO

*Section 46*

Prohibition order NO

**Housing Improvement Act 1940 (repealed)**

*Section 23*

Declaration that house is undesirable or unfit for human habitation NO

**Land Acquisition Act 1969**

*Section 10*

Notice of intention to acquire NO

**Local Government Act 1934 (repealed)**

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

**Local Government Act 1999**

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

Refer to separate attachment for Rates and Charges

**Local Nuisance and Litter Control Act 2016**

*Section 30*

Nuisance or litter abatement notice issued against the land NO

**Planning, Development and Infrastructure Act 2016**

*Section 139*

Notice of proposed work and notice may require access NO

*Section 140*

Notice requesting access NO

*Section 141*

Order to remove or perform work NO

*Section 142*

Notice to complete development NO

*Section 155*

Emergency order NO

*Section 157*

Fire safety notice NO

*Section 192 or 193*

Land Management Agreements NO

*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*

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

NO

**Particulars of building indemnity insurance**

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

NO

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

NO

*Caveat*

NO

## **Other**

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

NO

## **Flood Management Area**

This parcel is partially or fully prone to flooding, the extent (depth and velocity) may vary from minor to significant. For specific information on the impact of flooding on this property please contact Development Services on (08) 8384 0666.

### ***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 17 September 2025

Amy Watts

Team Leader – Development Support (Acting)

**AUTHORISED OFFICER**

City of Onkaparinga  
PO Box 1  
Noarlunga Centre, SA 5168



T: (08) 8384 0666  
E: [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au)

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## **For your information:**

### **Section 187 certificate update request free of charge (One Update):**

Penalties and interest, property charges, payments or dishonoured payments can impact account balances daily.

To assist with financial adjustments as close as practicable to the date of settlement, your Section 187 certificate will now be valid for 90 days. Within this period we will offer one update request without charge. This update is to be obtained via the online portal.

It is important to note all searches advise when fines/interest will be applied. When receiving your update search, should it be evident that further penalties will be applied prior to settlement, you will need to still consider these additional amounts as part of your settlement statement calculations.

Please Note: The above 90 day extension is applicable only to Section 187 certificates. Section 7 certificates still remain valid for a 30 day period only.

### **BPAY biller code added to searches to enable electronic settlement of funds**

Our BPAY biller code is now detailed on each search, enabling settlement funds to be disbursed to us electronically. Please note that this is our preferred method payment and we request that you cease the use of cheques to affect settlement.

### **How to advise us of change of ownership?**

To also assist with the reduction of duplication of information being received from various agencies i.e. conveyancers and the Lands Titles Office (LTO), we are advocating that the Purchaser's Conveyancer to advise the change of ownership by following the below:

If you are using e-conveyancing to affect a sale, please only issue advice to us if the mail service address is different to what was lodged via the transfer at the LTO. We update ownership details including the mailing address in accordance with the advice provided by the Valuer General. We have amended this change to align with SA Water practices and to provide an improved customer experience overall.

If lodging in person at the LTO – Please send the change of ownership advice to us via [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au).

Electronic settlement of funds is still preferred.

Certificate No: S75231/2025

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**LOCAL GOVERNMENT RATES SEARCH**

**TO:** Searchlight Technology  
PO Box 232  
RUNDLE MALL SA 5000

17 September 2025

**DETAILS OF PROPERTY REFERRED TO:**

Property ID : 77498  
 Valuer General No : 8636763405  
 Valuation : \$710,000.00  
 Owner : Estate of Alan John O'Leary & Mrs Lindy Grace Mary  
 O'Leary  
 Property Address : 38 Sanctuary Court MORPHETT VALE SA 5162  
 Volume/Folio : CT-6161/98  
 Lot/Plan No : Allotment 68 DP 110567  
 Ward : 03 Knox 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,  
and/or Block Clearing Charges -\$23.01

Postponed Amount in Arrears \$0.00

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

**Total Rates Levied 2025-2026 \$2,002.84**

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) \$0.00

Postponed Interest \$0.00

Less paid current financial year -\$477.00

Overpayment \$0.00

Legal Fees (current) \$0.00

Legal Fees (arrears) \$0.00

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

Balance - rates and other monies due and payable \$1,502.83

Property Related Debts \$0.00

**BPAY Biller Code:** 421503

**TOTAL BALANCE**

**\$1,502.83**

**Ref:** 1065400774983

**AUTHORISED OFFICER**

This statement is made the 17 September 2025

Kate Vonow



# CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

ABN 19 040 349 865  
Emergency Services Funding Act 1998

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

PIR Reference No: 2712193

SEARCHLIGHT TECHNOLOGY PTY LTD  
POST OFFICE BOX 232  
RUNDLE MALL SA 5000

**DATE OF ISSUE**  
17/09/2025

**ENQUIRIES:**  
Tel: (08) 8372 7534  
Email: [contactus@revenuesa.sa.gov.au](mailto:contactus@revenuesa.sa.gov.au)

<b>OWNERSHIP NUMBER</b>		<b>OWNERSHIP NAME</b>		
16829614		L G O'LEARY		
<b>PROPERTY DESCRIPTION</b>				
38 SANCTUARY CT / MORPHETT VALE SA 5162				
<b>ASSESSMENT NUMBER</b>	<b>TITLE REF.</b> <small>(A "+" indicates multiple titles)</small>	<b>CAPITAL VALUE</b>	<b>AREA / FACTOR</b>	<b>LAND USE / FACTOR</b>
8636763405	CT 6161/98	\$710,000.00	R4 1.000	RE 0.400
<b>LEVY DETAILS:</b>		<b>FIXED CHARGE</b>	\$	50.00
		<b>+ VARIABLE CHARGE</b>	\$	240.25
<b>FINANCIAL YEAR</b>		<b>- REMISSION</b>	\$	189.45
2025-2026		<b>- CONCESSION</b>	\$	46.00
		<b>+ ARREARS / - PAYMENTS</b>	\$	0.00
		<b>= AMOUNT PAYABLE</b>	\$	54.80

**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** 16/12/2025



**Government of South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



**PAYMENT REMITTANCE ADVICE**

**OWNERSHIP NUMBER**  
16829614

**OWNERSHIP NAME**  
L G O'LEARY

**ASSESSMENT NUMBER**  
8636763405

**AMOUNT PAYABLE**  
\$54.80

**AGENT NUMBER**  
100031295

**AGENT NAME**  
SEARCHLIGHT TECHNOLOGY PTY LTD

**EXPIRY DATE**  
16/12/2025

+70081787120022> +001571+ <0550706588> <0000005480> +444+

**OFFICIAL: Sensitive**

**Please Note:**

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

Visit: [www.revenuesa.sa.gov.au](http://www.revenuesa.sa.gov.au)  
 Email: [contactus@revenuesa.sa.gov.au](mailto:contactus@revenuesa.sa.gov.au)  
 Phone: (08) 8372 7534

**PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW**

 <p><b>Billers Code: 456285</b> <b>Ref: 7008178712</b></p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account.                  More info: <a href="http://www.bpay.com.au">www.bpay.com.au</a>                  © Registered to BPAY Pty Ltd                  ABN 69 079 137 518</p>	 <p><b>To pay via the internet go to:</b>  <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></p>	 <p>Send your cheque or money order, made payable to the <b>Community Emergency Services Fund</b>, along with this <b>Payment Remittance Advice</b> to:</p> <p><b>Please refer below.</b>  <b>Revenue SA</b>  <b>Locked Bag 555</b>  <b>ADELAIDE SA 5001</b></p>
---	--	---

**ACTION REQUIRED: In line with the Commonwealth Government's cheque phase-out, RevenueSA will stop accepting cheque payments after 30 June 2027. To ensure a smooth transition, we encourage you to switch to one of the other payment options listed above.**



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: 2712193

SEARCHLIGHT TECHNOLOGY PTY LTD  
POST OFFICE BOX 232  
RUNDLE MALL SA 5000

**DATE OF ISSUE**  
17/09/2025

**ENQUIRIES:**  
Tel: (08) 8372 7534  
Email: [contactus@revenuesa.sa.gov.au](mailto:contactus@revenuesa.sa.gov.au)

<b>OWNERSHIP NAME</b>		<b>FINANCIAL YEAR</b>	
L G O'LEARY		2025-2026	
<b>PROPERTY DESCRIPTION</b>			
38 SANCTUARY CT / MORPHETT VALE SA 5162			
<b>ASSESSMENT NUMBER</b>	<b>TITLE REF.</b> <small>(A "+" indicates multiple titles)</small>	<b>TAXABLE SITE VALUE</b>	<b>AREA</b>
8636763405	CT 6161/98	\$300,000.00	0.0375 HA
<b>DETAILS OF THE LAND TAX PAYABLE FOR THE ABOVE PARCEL OF LAND:</b>			
<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>	\$ <b>0.00</b>		

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

**ON OR BEFORE** 16/12/2025



**Government of South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Land Tax Act 1936

# CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

**No payment is required on this Certificate**

**OFFICIAL: Sensitive****Please Note:**

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

Visit: [www.revenuesa.sa.gov.au](http://www.revenuesa.sa.gov.au)  
 Email: [contactus@revenuesa.sa.gov.au](mailto:contactus@revenuesa.sa.gov.au)  
 Phone: (08) 8372 7534

**PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW**

 <p><b>Billers Code: 456293</b> <b>Ref: 7008178621</b></p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account.          More info: <a href="http://www.bpay.com.au">www.bpay.com.au</a>  <small>© Registered to BPAY Pty Ltd          ABN 69 079 137 518</small></p>	 <p><b>To pay via the internet go to:</b>  <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></p>	 <p>Send your cheque or money order, made payable to the <b>Commissioner of State Taxation</b>, along with this <b>Payment Remittance Advice to:</b>  <b>Please refer below.</b>  <b>Revenue SA</b>  <b>Locked Bag 555</b>  <b>ADELAIDE SA 5001</b></p>
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**ACTION REQUIRED: In line with the Commonwealth Government's cheque phase-out, RevenueSA will stop accepting cheque payments after 30 June 2027. To ensure a smooth transition, we encourage you to switch to one of the other payment options listed above.**



Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
86 36763 40 5	CT616198	17/9/2025	8623	2712193

SEARCHLIGHT TECHNOLOGY  
 16 BIRDWOOD ST  
 NETHERBY SA 5062  
 info@searchlighttechnology.com.au

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

Customer: AJ & LG O'LEARY  
 Location: 38 SANCTUARY CT MORPHETT VALE LT68 D110567  
 Description: 4HDGV Capital Value: \$ 710 000  
 Rating: Residential

### Periodic charges

Raised in current years to 30/9/2025

			\$
	Arrears as at: 30/6/2025	:	22.49CR
Water main available:	16/12/2015	Water rates	82.30
Sewer main available:	21/12/2015	Sewer rates	104.73
		Water use	100.21
		SA Govt concession	116.00CR
		Recycled Water Use	0.00
		Service Rent	0.00
		Recycled Service Rent	0.00
		Other charges	0.00
		Goods and Services Tax	0.00
		Amount paid	150.00CR
		Balance outstanding	1.25CR

Degree of concession: 100.00% Date granted: 30/10/2020

Recovery action taken: FULLY PAID

Next quarterly charges: Water supply: 82.30 Sewer: 104.73 Bill: 3/12/2025

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

The last Water Use Year ended on 29/05/2025.

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



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

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

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



## South Australian Water Corporation

Name: Water & Sewer Account  
AJ & LG O'LEARY Acct. No.: 86 36763 40 5 Amount: \_\_\_\_\_

Address:  
38 SANCTUARY CT MORPHETT VALE  
LT68 D110567

### Payment Options

**EFT**

EFT Payment

Bank account name: SA Water Collection Account  
BSB number: 065000  
Bank account number: 10622859  
Payment reference: 8636763405



Bill code: 8888  
Ref: 8636763405

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: 8636763405

PURPOSE: DIVISION  MAP REF: 6627/11/H  LAST PLAN: D110562	AREA NAME: MORPHETT VALE  COUNCIL: CITY OF ONKAPARINGA  DEVELOPMENT NO: 145/D190/14/002/42149	RE-APPROVED: TONY MATHER 07/08/2015  DEPOSITED: SANDY BEAGLEHOLE 07/08/2015	  <h1 style="margin: 0;">D110567</h1>  SHEET 1 OF 3  <small>47653_text_01_v06_Version_6</small>
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AGENT DETAILS: FYFE PTY LTD LEVEL 3, 80 FLINDERS STREET ADELAIDE SA 5000 PH: 82019600 FAX: 82019650  AGENT CODE: ALRF REFERENCE: 22317/7/5 DC5-R2	SURVEYORS CERTIFICATION: I CHRISTOPHER JOHN MILLETT, a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me or under my personal supervision and in accordance with the Survey Act 1992. 2) That the field work was completed on the 12th day of June 2015 7th day of August 2015 Christopher Millett Licensed Surveyor	
--	--	--

**SUBJECT TITLE DETAILS:**

PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
PT CT	6160	409		ALLOTMENT(S) COMPRISING PIECES	1001*-1007*	D	110562 ONKAPARINGA		

**OTHER TITLES AFFECTED:**

**EASEMENT DETAILS:**

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING	60	SERVICE	EASEMENT(S)	D	FOR DRAINAGE PURPOSES	THE COUNCIL FOR THE AREA	223LG RPA
EXISTING	50	SERVICE	EASEMENT(S)	E(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
EXISTING	42-44.46.48.49	SERVICE	EASEMENT(S)	H	FOR DRAINAGE PURPOSES	THE COUNCIL FOR THE AREA	223LG RPA

**ANNOTATIONS:**

# D110567

SHEET 2 OF 3

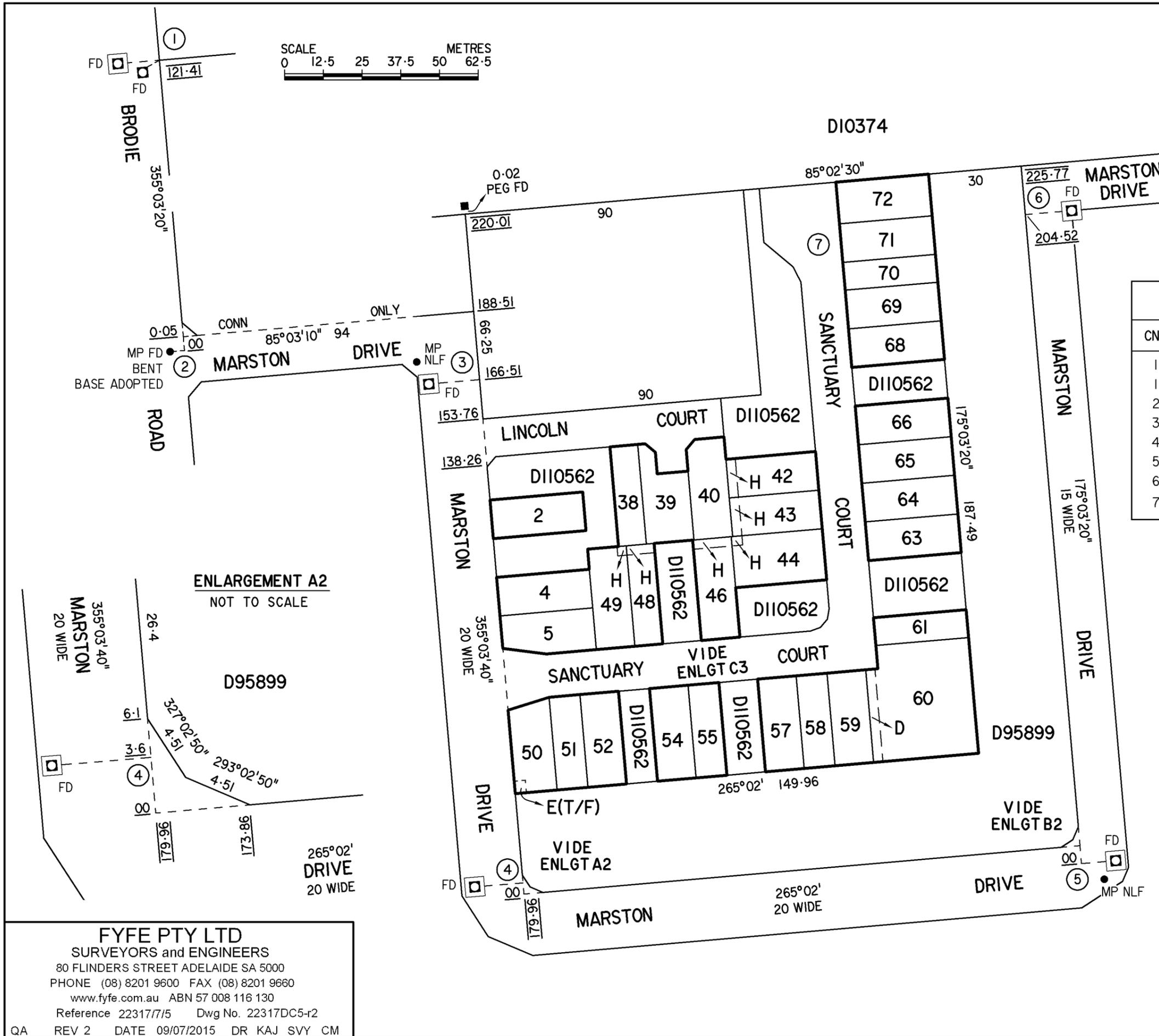
47653\_pland\_1\_V02\_Version\_6

BEARING DATUM: MGA 94 ZONE 54  
 DERIVATION: PSM 6627/7803 - 6627/11057

TOTAL AREA: 1.213 ha

### REFERENCE MARKS

CNR	BEARING	FROM	DIST	PM NUMBER
1	85°11'	PM FD	5.79	6627/7803
1	81°43'	PM FD	1	6627/11083
2	85°03'20"	MP FD	0.12	
3	85°03'40"	PM FD	19.75	6627/11055
4	85°03'40"	PM FD	19.75	6627/11056
5	265°03'20"	PM FD	14.75	6627/11058
6	265°03'20"	PM FD	14.75	6627/11057
7		PM FD		6627/28705



**ENLARGEMENT A2**  
NOT TO SCALE

**ENLARGEMENT B2**  
NOT TO SCALE

**FYFE PTY LTD**  
 SURVEYORS and ENGINEERS  
 80 FLINDERS STREET ADELAIDE SA 5000  
 PHONE (08) 8201 9600 FAX (08) 8201 9660  
 www.fyfe.com.au ABN 57 008 116 130  
 Reference 223177/5 Dwg No. 22317DC5-r2  
 QA REV 2 DATE 09/07/2015 DR KAJ SVY CM



LANDS TITLES REGISTRATION  
OFFICE  
SOUTH AUSTRALIA

MEMORANDUM OF  
ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR-GENERAL

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

RevenueSA - Stamp Duty - ABN 19 040 349 865 ©  
RevNetID/PRA Bundle No.: 133241505  
Orig/Copy 1 of/with 0copies  
Consideration/Value/Security: \$100.00  
SA Proportion (if applicable): \$ N/A  
SD: \$ EXEMPT LTO Fees: \$ \_\_\_\_\_  
Int: \$ N/A Pen/Add. Tax: \$ N/A  
Signature: [Signature] Date: 20/9/15

Orig. **E 12386346**



11:21 26-Aug-2015  
3 of 4

Prefix
<b>E</b>
Series No:
<b>3</b>

**\$188**

**BELOW THIS LINE FOR AGENT USE ONLY**

CERTIFIED CORRECT FOR THE PURPOSES  
OF THE REAL PROPERTY ACT 1886

[Signature]  
Solicitor / Registered Conveyancer / Encumbrancee

AV Pearson - 48310

AGENT CODE

Lodged by:

**SAIG14**

Correction to:

DUNCAN SANDE & ASSOCIATES DUSA

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

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

PLEASE ISSUE NEW CERTIFICATE(S) OF TITLE AS FOLLOWS

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

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

ITEM(S)	AGENT CODE

CORRECTION	PASSED <u>[Signature]</u>
REGISTERED <u>[Signature]</u> <b>PRO</b>	18 SEP 2015 REGISTRAR-GENERAL SOUTH AUSTRALIA

R-G 010709

IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE in accordance with the terms and conditions expressed \*herein / in Memorandum No. \_\_\_\_\_ subject to such exclusions and amendments specified herein.

\* Delete the inapplicable

DATED

2018/5

*A O'Leary*  
Signature of ENCUMBRANCER - A.J. O'Leary

*L.G.M. O'Leary*  
Signature of ENCUMBRANCER - L.G.M. O'Leary

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

**DARREN JAMES MEIJER**  
Print Full name of Witness (BLOCK LETTERS)

**134 FULLARTON RD**  
**ROSE PARK 5067**  
Address of Witness

Business Hours Telephone No **0411376207**

# MEMORANDUM OF ENCUMBRANCE

*Rev*

**CERTIFICATE(S) OF TITLE BEING ENCUMBERED**

THE WHOLE OF LAND COMPRISED IN CERTIFICATE OF TITLE REGISTER BOOK VOLUME 6161 FOLIO 98.

**ESTATE AND INTEREST**

ESTATE IN FEE SIMPLE.

**ENCUMBRANCES**

NIL

**ENCUMBRANCER (Full name and address)**

ALAN JOHN O'LEARY and LINDY GRACE MARY O'LEARY both of 11 Lancaster Circuit Old Noarlunga SA 5168

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

ACTIUM LAND DEVELOPMENTS PTY LTD (A.C.N. 162 807 007) of 110 - 114 Grange Road Allenby Gardens SA 5009.

**OPERATIVE CLAUSE**

THE ENCUMBRANCER ENCUMBERS THE ESTATE AND INTEREST IN THE LAND ABOVE DESCRIBED FOR THE BENEFIT OF THE ENCUMBRANCEE SUBJECT TO THE ENCUMBRANCES AND OTHER INTERESTS AS SHOWN HEREON WITH AN ANNUITY OR RENT CHARGE OF

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

(a) One Dollar (\$1.00) per annum if and when demanded

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

(b) TO BE PAID TO THE ENCUMBRANCEE  
For a term of one hundred years

(c) State the times appointed for payment of the annuity or rent charge. Any special covenants may be inserted on page 2.

(c) AT THE TIMES AND IN THE MANNER FOLLOWING  
Payable (if demanded by the Encumbrancee) on the 1st day of January in each year (starting on the 1st day of January in the next calendar year immediately following the date of execution of this instrument) to the intent:-

that the Encumbrancee shall hold the said annuity to secure the compliance, performance and observance by the Owner with the covenants, terms and conditions contained in this instrument; and,

that the Encumbrancee will not demand payment of the annuity if, and so long as, the Owner complies with all covenants.

**COVENANTS**

**COVENANTS COMMENCE OF PAGE 3 HEREOF**

The Encumbrancer (which expression includes when "the Encumbrancer" is a corporate body its successors and assigns and when "the Encumbrancer" is a person, that person's heirs, executors, administrators and transferees and where there is more than one corporate body and/or person comprised in the expression then all of them jointly and each of them severally and their respective successors, assigns, heirs, executors, administrators and transferees and all of them) encumbers the said land for the benefit of the Encumbrancee (which expression includes their respective successors and assigns) and covenants with the Encumbrancee (in addition to and without prejudice to the covenants on the part of the Encumbrancer and the powers rights remedies of the provisions of the Real Property Act 1886 as amended for the time being in force except insofar as the name are hereby expressed or implied, negated or modified) as follows:-

**DURING THE TERM OF THIS ENCUMBRANCE THE ENCUMBRANCER:-**

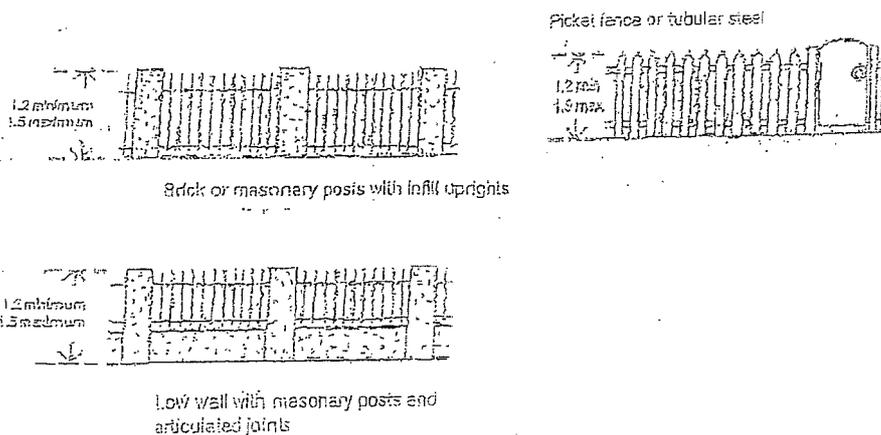
1. **SHALL NOT**, erect or permit to be erected on the said land any dwelling, building or any improvements, the exterior of which is or contains any brightly coloured and/or reflective galvanised iron or reflective material and **SHALL** be constructed of a material and style as follows :  
The external walls of dwellings may be constructed from the following range of building materials
  - a) Brick
  - b) Bagged or rendered brick
  - c) Cement rendered concrete or cement rendered block work
  - d) Stone
  - e) Tilt-up concrete slab panels (to be painted, rendered or texture coated)
  - f) Texture coated and or rendered lightweight construction materials.

The roof materials should be either

- a) Colour coated corrugated steel sheeting
  - b) Tiles
  - c) Slate or cement shingles
2. **SHALL NOT**, erect or permit to be erected white coloured roof materials. (Off-white is acceptable)
  3. **SHALL NOT**, erect or suffer to be erected roof pitches of less than 22.5 degrees in instances where the frontages are in excess of 12.5 metres AND in the event the frontages are 12.5 metres or less, the roof pitches must not be less than 25 degrees unless the architectural merits can be demonstrated and subsequently approved by the Encumbrancee or its duly appointed representative. (This is solely at the discretion of the Encumbrancee or its duly appointed representative)
  4. **SHALL NOT**, erect or permit to be erected on the said land any outbuilding or any improvements, the exterior of which is or contains any brightly coloured and/or reflective galvanised iron or any other reflective material or use second hand or recycled materials. (Colour coated corrugated steel sheeting to be used)

5. SHALL NOT, unless otherwise approved by the Encumbrancee or its duly appointed representative, erect or cause or permit to be erected any dwelling which does not provide accommodation for at least one vehicle either in the form of a garage or carport under the main roof or other suitable free-standing car accommodation which shall have a roof line similar in style and of the same roofing materials as that of the principal dwelling.
6. SHALL NOT, unless otherwise approved by the Encumbrancee or its duly appointed representative, erect or permit to be erected on the said land, front fencing forward of a dwelling UNLESS it is of a decorative nature incorporating pillars and open rails or pickets.  
 Front fences should conform to the following specifications :
  - a) Fencing post and pillars should have a minimum dimensions of 100mm X 100mm and be constructed of timber, brick or concrete.
  - b) Front fences incorporating tubular steel must incorporate a suitable plinth.
  - c) Tubular steel fences must use incorporate decorative caps such as spears etc.
  - d) Picket fences should incorporate a maximum of 20mm separation (gap) between uprights.

Examples of the aforesaid fences are as follows :



7. SHALL NOT, unless otherwise approved by the Encumbrancee or its duly appointed representative, erect or suffer to be erected on the said land, solid front fences and front fences higher than 1.5 metres
8. SHALL NOT, divide the Land or allow the Land to be divided without the prior written approval of the Encumbrancee. Notwithstanding the above, the Encumbrancee shall give or withhold such approval at its absolute discretion.
9. Notice to rectify breach
  - 9.1 The Encumbrancee, or a servant, agent or contractor of the Encumbrancee, may enter "the land" at any time, (after giving at least 24 hours notice to the Owner for the purpose of inspecting "the land"

to determine whether any of the Owner's obligations under this instrument has been breached. The Owner must not do (nor cause nor permit the doing of) anything to obstruct or hinder such entry of inspection.

- 9.2 If the Encumbrancee serves a written notice upon the Owner specifying a breach of any of the Owner's obligations under clause 1; and
- 9.3 the Owner fails to remedy the breach within one calendar month from the date of service of the notice; then
- 9.4 the Encumbrancee it's servants, agents and contractors may enter "the land" and may take such action as the Encumbrancee deems necessary to remedy the breach; and
- 9.5 the Encumbrancee may recover from the Owner, in any court of competent jurisdiction, the costs incurred in remedying the breach.

#### 10. Release of Owner upon sale

- 10.1 The rent charge and covenants contained in the instrument will be binding; only upon the registered proprietor for the time being of "the land".
- 10.2 Subject to clauses 9.3 and 15, each successive registered proprietor of "the land" will be released from the payment of the rent charge and from the performances to the covenants upon transferring the fee simple in "the land" to another person.
- 10.3 Despite a transfer as referred to in clause 10.2, the rights of the Encumbrancee will be preserved against any former registered proprietor, in relation to a breach of this Encumbrance which occurred either before the transfer or by reason of the transfer.

#### 11. Sunset clause

The rights and obligations of the Encumbrancee (but not those of any person claiming under the Encumbrance as purchasers of any land in the Development Zone) will cease as of three (3 years) after the date of the Encumbrance.

#### 12. Service of notices

- 12.1 A notice may be served on the Owner either:-
  - 12.1.1 by posting the notice in a prepaid envelope to the last known address of the Owner; or
  - 12.1.2 if a dwelling has been erected on "the land", by leaving the notice at or attached to the dwelling.

- 12.2 A Notice may be served on the Encumbrancee by being left at  
or  
posted in a prepaid envelope addressed to the Encumbrancee at  
its registered office in South Australia.
- 12.3 A notice served by post is deemed to have been served two(2)  
business days after posting.

### 13. Interpretation

- 13.1 a reference to gender includes all genders;
- 13.2 the singular includes the plural and vice versa;
- 13.3 a reference to a person includes a body corporate and vice  
versa;
- 13.4 a reference to a party includes the heirs, executors, successors  
or assigns of that party;
- 13.5 "the Owner" includes the Encumbrancer and each successive  
registered proprietor of "the land" (and, if there are two or more  
Owners at any time, the liability of those persons is joint and  
severable);
- 13.6 "the Development Zone" means the whole of "the land"  
comprised in allotment 19 in Filed Plan No. 157354 being  
the whole of land comprised in Certificate of Title  
Volume 5939 Folio 641
- 13.7 "the land" means the land subject to this instrument and  
includes every part of "the land";

### 14. Nothing in this instrument prejudices:-

- 14.1 the entitlement of the Encumbrancee to all the powers, rights  
and remedies given to Encumbrancees under statute law or  
common law, or
- 14.2 the rights of the Encumbrancee (or of any other person) to an  
injunction or to damages in respect of a breach of any covenant  
by the Owner (or a previous Owner).

15. The burden of proving compliance with the covenants in this instrument lies  
on the Owner.

16. Notwithstanding anything to the contrary hereinbefore contained, the  
Encumbrancer SHALL NOT, transfer any estate or interest in the said land (or any  
part thereof) without first causing the party in whose favour such estate or interest is  
to be transferred to execute a covenant under seal in favour of the Encumbrancee that  
such party will observe and perform all of the terms and conditions in this  
Memorandum of Encumbrance contained as if such party had been the original party  
to this Memorandum of Encumbrance as the Encumbrancer herein named and for the  
purposes hereof a contract of Sale and Purchase entered into by the Encumbrancer  
with a third party Purchaser and a subsequently executed and accepted Memorandum

of Transfer with both the Contract and the Transfer subject to the provisions hereof shall be complete satisfaction of the requirements under this covenant.

The Encumbrancer shall pay the costs of and incidental to the preparation, stamping and registration of this Encumbrance.

The Encumbrancer hereby covenants and agrees that notwithstanding anything to the contrary herein contained the Encumbrancee may from time to time in its absolute and unfettered discretion modify waive or release any of the covenants or stipulations expressed or implied in any Memorandum of Encumbrance or other instrument relating to any other land in the Plan of Division which created this allotment and whether the same were entered into or imposed before or at the same time as or after the date hereof and no modification or waiver or release shall release the Encumbrancer or his stipulations herein contained and Further if any covenant or stipulation of this Encumbrance shall for any reason be unlawful, void, invalid or unenforceable THEN such covenant or stipulation shall be severed here from without affecting the validity or the enforceability of the remainder AND IT IS HEREBY EXPRESSLY AGREED between the Encumbrancer and the Encumbrancee that this Encumbrance may be pleaded by the Encumbrancee by way of estoppel to any action claim or demand by the Encumbrancer and or any successors in title for damages, costs or otherwise however arising.

AND it is hereby acknowledged and agreed that the Encumbrancee will not be liable for any loss or damage suffered by the Encumbrancer for or on account of or in any way whatsoever arising out of or connected with any non-observance of or any failure to enforce any other provisions of this Encumbrance or of any other encumbrance and the Encumbrancer will indemnify and keep indemnified the Encumbrancee and their respective agents and servants from and against all claims for any such loss or damage.

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# Code Amendment register

We've found **22** Code Amendments that match your search.

- Pre-initiated Code Amendments are not included in search results.
- The register is refreshed on an hourly basis.
- Form 1 refers to the status of a code amendment for the purpose of completing the Form 1. Refer to [glossary](#) for further information.
- Search note – when the 'show code amendments on consultation' toggle is ON, using other filters will not refine / update search results

## Search for a Code Amendment

### Initiation Date

From

dd / mm / yyyy

To

dd / mm / yyyy

### Code Amendment (CA) ID

### Code Amendment (CA) Title

### Type

### Status

### Local Government Area (LGA)

### Show code amendments on consultation

Clear

Search

 **Launch CA Map Viewer**

 **Register Glossary**

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CA ID	CA Title	Proponent	Type	Initiation Date	LGA	Status	Form 1
<a href="#">10882</a>	Sellicks Beach Growth Area Joint Amendment	Chief Executive, Department for Housing and Urban Development	CE Led	21 August 2025	Onkaparinga	<b>Code Amendment Progressing</b>  <a href="#">Make a submission</a>  Started: 4 September 2025 Closes: 16 October 2025 at 11:59 pm	Yes
<a href="#">10193</a>	Aldinga Suburban Neighbourhood DPA	Minister for Planning and Local Government	CE Led	22 March 2019	Onkaparinga	<b>Policy Live</b>  Consultation Completed: 25 March 2021	No
<a href="#">10185</a>	Port Stanvac Mixed Use	MAB Property Developments Pty Ltd	Third Party	9 May 2025	Onkaparinga	<b>Code Amendment Progressing</b>	No
<a href="#">10152</a>	Thaxted Park Golf Club	Creation Homes (SA) Pty Ltd	Third Party	24 June 2021	Onkaparinga	<b>Policy Live</b>  Consultation Completed: 29 August 2022	No
<a href="#">10108</a>	Site Contamination Development Assessment Scheme	State Planning Commission	SPC Led	31 January 2024	State Wide	<b>Code Amendment Progressing</b>	No
<a href="#">10096</a>	Ancillary Accommodation and Student Accommodation Definitions Review	Chief Executive, Department for Housing and Urban Development	CE Led	5 December 2023	State Wide	<b>Policy Live</b>  Consultation Completed: 15 April 2024	No
<a href="#">10093</a>	City of Onkaparinga Local Heritage	City of Onkaparinga	Third Party	7 September 2024	Onkaparinga	<b>Code Amendment Progressing</b>  Consultation Completed: 17 March 2025	Yes
<a href="#">10061</a>	O'Sullivan Beach Residential	OSB Pty Ltd	Third Party	6 May 2021	Onkaparinga	<b>Policy Live</b>  Consultation Completed: 24 October 2021	No
<a href="#">10058</a>	McLaren Vale Township	City of Onkaparinga	Third Party	21 August 2023	Onkaparinga	<b>Code Amendment Progressing</b>	No

CA ID	CA Title	Proponent	Type	Initiation Date	LGA	Status	Form 1
10048	Assessment Improvements	State Planning Commission	SPC Led	19 August 2024	State Wide	<b>Code Amendment Progressing</b>  Consultation Completed: 11 March 2025	Yes
10047	Affordable Housing Overlay	State Planning Commission	SPC Led	17 October 2024	State Wide	<b>Code Amendment Progressing</b>	No
10045	Residential Driveway Crossovers Design Standard and Code Amendment	State Planning Commission	SPC Led	27 April 2023	State Wide	<b>Withdrawn</b>  Consultation Completed: 14 November 2023	No
10044	Miscellaneous Technical Enhancement	State Planning Commission	SPC Led	6 December 2021	State Wide	<b>Policy Live</b>  Consultation Completed: 23 September 2022	No
10042	State-Wide Flood Hazard	Chief Executive, Department for Housing and Urban Development	SPC Led	12 December 2023	State Wide	<b>Code Amendment Progressing</b>	No
10035	Local Design Review	State Planning Commission	SPC Led	17 May 2021	State Wide	<b>Policy Live</b>  Consultation Completed: 27 September 2021	No
10029	Hackham	Chief Executive, Department for Housing and Urban Development	CE Led	23 July 2021	Onkaparinga	<b>Policy Live</b>  Consultation Completed: 26 July 2022	No
10019	Sellicks Beach	Chief Executive, Department for Housing and Urban Development	CE Led	4 July 2023	Onkaparinga	<b>Withdrawn</b>	No
10018	Statewide Bushfire Hazards Overlay	State Planning Commission	SPC Led	4 February 2021	Multiple	<b>Code Amendment Progressing</b>  Consultation Completed: 5 April 2024	Yes
10016	Flooding Hazards Mapping Update	Chief Executive, Department for Trade and Investment	CE Led	28 October 2021	Multiple	<b>Policy Live</b>  Consultation Completed: 21 April 2023	No
10011	Accommodation Diversity	State Planning Commission	SPC Led	1 May 2024	State Wide	<b>Code Amendment Progressing</b>  Consultation Completed: 27 February 2025	Yes

CA ID	CA Title	Proponent	Type	Initiation Date	LGA	Status	Form 1
<a href="#">10005</a>	Tourism Development	State Planning Commission	SPC Led	29 October 2024	State Wide	<b>Code Amendment Progressing</b>	No
<a href="#">10002</a>	Interface Management	State Planning Commission	SPC Led	7 December 2023	State Wide	<b>Code Amendment Progressing</b>	No

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*For the purposes of section 48(1) of the Planning, Development and Infrastructure Act 2016 this web site has been established by the Chief Executive and forms part of the SA planning portal.*

The Department for Housing and Urban Development acknowledges and respects Aboriginal peoples as the state's First Peoples and nations and recognises Aboriginal peoples as Traditional Owners and occupants of lands and waters in South Australia.