The Form 1 Company™
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FORM 1 - VENDOR'S STATEMENT

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

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Preliminary

To the purchaser:

The purpose of a statement under section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* is to put you on notice of certain particulars concerning the land to be acquired. If you intend to carry out building work on the land, change the use of the land or divide the land, you should make further inquiries to determine whether this will be permitted. For example, building work may not be permitted on land not connected to a sewerage system or common drainage scheme if the land is near a watercourse, dam, bore or the River Murray and Lakes.

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

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

Instructions to the vendor for completing this statement:

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

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

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

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

PART A – PARTIES AND LAND

1. **Purchaser:** _____

   Address: _____

2. **Purchaser's registered agent:** _____ ☐

   Address: _____

3. **Vendor:** **DAVID MATTHEW ELIX AND EMMA ELIX**

   Address: **11 HEATHPOOL ROAD HEATHPOOL SA 5068 AND 3 RAINBOW STREET GRANGE SA 5022 RESPECTIVELY**

4. **Vendor's registered agent:** **FOX REAL ESTATE (SA) PTY LTD ACN 113 976 024** ☑

   Address: **192 MELBOURNE STREET NORTH ADELAIDE SA 5006**

5. **Date of Contract** (if made before this statement is served): _____

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

   10 BRIGALOW AVENUE KENSINGTON GARDENS SA 5068 BEING ALLOTMENT 12 IN DEPOSITED PLAN 55714 BEING THE WHOLE OF THE LAND IN CERTIFICATE OF TITLE VOLUME 5828 FOLIO 100

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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 – Forms 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:
11 HEATHPOOL ROAD HEATHPOOL SA 5068 AND 3 RAINBOW STREET GRANGE SA 5022 RESPECTIVELY
(being the vendor's last known address); or

(c) transmitted by fax or email to the following fax number or email address:
Email: fox@foxrealestate.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:
192 MELBOURNE STREET NORTH ADELAIDE SA 5006

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

Note –

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

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

5 – Effect of service

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

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

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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, **DAVID MATTHEW ELIX AND EMMA ELIX**

of **11 HEATHPOOL ROAD HEATHPOOL SA 5068 AND 3 RAINBOW STREET GRANGE SA 5022 RESPECTIVELY**

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: 02-Nov-2026 Signed: Signed on Greatforms by: PCRDABREQB1ANCBK0JZEF2CBFE

Date: 30-Oct-2026 Signed: Signed on Greatforms by: P6ADPFPZ1YPQPJ7IMZFQO0NP9C

Date: _____ Signed: _____

PART D – CERTIFICATE WITH RESPECT TO PRESCRIBED INQUIRIES BY REGISTERED AGENT ☑

(section 9)

To the purchaser:

I, **CHRISTOPHER GILL FOR AND ON BEHALF OF THE FORM 1 COMPANY PTY LTD**

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

Exceptions:

Nil

Date: 28/10/2026, Signed: _____

~~Vendor's/Purchaser's agent~~

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

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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, <u>but not</u> 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 <u>each</u> 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 <u>all</u> 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.]

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Column 1	Column 2	Column 3
1. General		
1.1 Mortgage of land *[**Note** – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	***Is this item applicable?*** ***Will this be discharged or satisfied prior to or at settlement?*** ***Are there attachments?*** *If **YES**, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):* **CERTIFICATE OF TITLE** Number of mortgage (if registered): **14112016** Name of mortgagee: **PEPPER FINANCE CORPORATION LTD**	☑ **YES** **YES**
1.1 Mortgage of land *[**Note** – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	***Is this item applicable?*** ***Will this be discharged or satisfied prior to or at settlement?*** ***Are there attachments?*** *If **YES**, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):* **CERTIFICATE OF TITLE** Number of mortgage (if registered): **14832843** Name of mortgagee: **LOAN FUNDER PTY 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. The item and its heading must be included in the statement even if not applicable.]*	***Is this item applicable?*** ***Will this be discharged or satisfied prior to or at settlement?*** ***Are there attachments?*** *If **YES**, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):* **PROPERTY INTEREST REPORT** Description of land subject to easement: **PORTION OF THE LAND IN THE SAID CERTIFICATE OF TITLE** Nature of easement: **REFER PAGE 12 IN THE PROPERTY INTEREST REPORT FOR DETAILS OF STATUTORY EASEMENTS** 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. The item and its heading must be included in the statement even if not applicable.]*	***Is this item applicable?*** ***Will this be discharged or satisfied prior to or at settlement?*** ***Are there attachments?*** *If **YES**, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):*	☐ **YES / NO** **YES / NO**

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Column 1		Column 2	Column 3
		Nature of restrictive covenant: Name of person in whose favour restrictive covenant operates: Does the restrictive covenant affect the whole of the land being acquired? (If **NO**, give details): Does the restrictive covenant affect land other than that being acquired?	
1.4	Lease, agreement for lease, tenancy agreement or licence (The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.) *[**Note** – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	***Is this item applicable?*** ***Will this be discharged or satisfied prior to or at settlement?*** ***Are there attachments?*** *If **YES**, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):* Names of parties: Period of lease, agreement for lease etc: From To Amount of rent or licence fee: $ per (period) Is the lease, agreement for lease etc in writing? If the lease or licence was granted under an Act relating to the disposal of Crown lands, specify: (a) the Act under which the lease or licence was granted: (b) the outstanding amounts due (including any interest or penalty):	☐ **YES / NO** **YES / NO**

5. *Development Act 1993* (repealed)

5.1	section 42 – 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.]*	***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):* **CITY OF BURNSIDE SEARCH** Condition(s) of authorisation: **REFER DEVELOPMENT NUMBER 180/00463/01/CA**	☑ **NO** **YES**
5.1	section 42 – 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.]*	***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):* **CITY OF BURNSIDE SEARCH** Condition(s) of authorisation: **REFER DEVELOPMENT NUMBER 180/01271/99/DL**	☑ **NO** **YES**
5.1	section 42 – Condition	***Is this item applicable?***	☑

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Column 1		Column 2	Column 3
	(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.]*	***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):* **CITY OF BURNSIDE SEARCH** Condition(s) of authorisation: **REFER DEVELOPMENT APPLICATION 180\0526\10**	**NO** **YES**
5.1	section 42 – 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.]*	***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):* **CITY OF BURNSIDE SEARCH** Condition(s) of authorisation: **REFER DEVELOPMENT APPLICATION 180\0756\07**	☑ **NO** **YES**
5.1	section 42 – 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.]*	***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):* **CITY OF BURNSIDE SEARCH** Condition(s) of authorisation: **REFER DEVELOPMENT APPLICATION 180\1022\07**	☑ **NO** **YES**

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. The item and its heading must be included in the statement even if not applicable.]*	***Is this item applicable?*** ***Will this be discharged or satisfied prior to or at settlement?*** ***Are there attachments?*** *If **YES**, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):* Nature of condition(s):	☐ **YES / NO** **YES / NO**

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):* **CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE ('ESL CERTIFICATE')** Date of notice:	☑ **YES** **YES**

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Column 1		Column 2	Column 3
		REFER REVENUESA Amount of levy payable: **REFER ESL CERTIFICATE**	
21. *Local Government Act 1999*			
21.1	Notice, order, declaration, charge, claim or demand given or made under the Act	***Is this item applicable?*** ***Will this be discharged or satisfied prior to or at settlement?*** ***Are there attachments?*** *If **YES**, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):* **CITY OF BURNSIDE RATES CERTIFICATE ('RATES CERTIFICATE')** Date of notice, order etc: **REFER CITY OF BURNSIDE** Name of council by which, or person by whom, notice, order etc is given or made: **CITY OF BURNSIDE** Land subject thereto: **10 BRIGALOW AVENUE KENSINGTON GARDENS SA 5068** Nature of requirements contained in notice, order etc: **PAYMENT OF RATES AND ASSOCIATED COSTS** Time for carrying out requirements: **REFER CITY OF BURNSIDE** Amount payable (if any): **REFER RATES CERTIFICATE**	☑ **YES** **YES**
29. *Planning, Development and Infrastructure Act 2016*			
29.1 *[**Note** – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	Part 5 – Planning and Design Code	***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):* **CITY OF BURNSIDE SEARCH AND PROPERTY INTEREST REPORT** Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code): **10 BRIGALOW AV KENSINGTON GARDENS SA 5068 LT 12 D55714** **ZONES** **SUBURBAN NEIGHBOURHOOD - SN** **OVERLAYS** **AIRPORT BUILDING HEIGHTS (REGULATED) - ALL STRUCTURES OVER 30 METRES** **THE AIRPORT BUILDING HEIGHTS (REGULATED) OVERLAY SEEKS TO ENSURE BUILDING HEIGHT DOES NOT POSE A HAZARD TO THE OPERATION AND SAFETY REQUIREMENTS OF COMMERCIAL AND MILITARY AIRFIELDS.** **HAZARDS (FLOODING - EVIDENCE REQUIRED)** **THE HAZARDS (FLOODING - EVIDENCE REQUIRED) OVERLAY**	☑ **NO** **YES**

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Column 1	Column 2	Column 3
	ADOPTS A PRECAUTIONARY APPROACH TO MITIGATE POTENTIAL IMPACTS OF POTENTIAL FLOOD RISK THROUGH APPROPRIATE SITING AND DESIGN OF DEVELOPMENT. **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.** **SIGNIF RETIREMENT FACILITY SUPPORTED ACCOM SITES** **THE SIGNIFICANT RETIREMENT FACILITY AND SUPPORTED ACCOMMODATION SITES OVERLAY SEEKS TO FACILITATE THE DEVELOPMENT OF SUPPORTED ACCOMMODATION AND/OR RETIREMENT FACILITIES ON SIGNIFICANT RETIREMENT FACILITY AND SUPPORTED ACCOMMODATION SITES TO PROVIDE ACCOMMODATION FOR THE COMMUNITIES' AGEING RESIDENTS.** **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 there a State heritage place on the land or is the land situated in a State heritage area? **NO** Is the land designated as a local heritage place? **NO** Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land? **NO** 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? **YES** 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 statement even if not applicable.]*	***Is this item applicable?*** ☐ ***Will this be discharged or satisfied prior to or at settlement?*** **YES / NO** ***Are there attachments?*** **YES / NO** *If **YES**, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):* Date of authorisation:	

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Column 1		Column 2	Column 3
		Name of relevant authority that granted authorisation: Condition(s) of authorisation:	
34. *Water Industry Act 2012*			
34.1	Notice or order under the Act requiring payment of charges or other amounts or making other requirement	***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):* **OFFICE OF THE TECHNICAL REGULATOR EMAIL** Date of notice or order: **28/10/2026** Name of person or body who served notice or order: **OFFICE OF THE TECHNICAL REGULATOR** Amount payable (if any) as specified in the notice or order: **NOT APPLICABLE** Nature of other requirement made (if any) as specified in the notice or order: **REFER ENCUMBRANCE NO. 251785, 251786 & 258183**	☑ **NO** **YES**

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ACKNOWLEDGEMENT OF RECEIPT OF FORM 1

The Purchaser hereby acknowledges receipt of the following:

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

the above being identified by page numbered 1 to 10 inclusive, together with the following annexures and supporting documents (if any):

CERTIFICATE OF TITLE VOLUME 5828 FOLIO 100
PROPERTY INTEREST REPORT
SA WATER, EMERGENCY SERVICES LEVY AND LAND TAX CERTIFICATES
CITY OF BURNSIDE SEARCH
OFFICE OF THE TECHNICAL REGULATOR EMAIL

SIGNED BY THE PURCHASER:

THIS _____ DAY OF _____

_____ (Signature)

_____ (Signature)

_____ (Signature)

_____ (Signature)

The Purchaser acknowledges and consents to the Vendor and Agent or their authorised representatives signing the Form 1 by electronic and/or digital signatures under the Electronic Transactions Act (Cth) and (SA).

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

Land and Business (Sale and Conveyancing) Regulations 2025 - regulation 17

Buyers information notice

Prescribed notice to be given to purchaser

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 (CBS) recommends you check the website: *www.cbs.sa.gov.au.*

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

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

Safety

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

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Enjoyment

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

Value

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

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

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

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LAND SERVICES SA

Product	Register Search (CT 5828/100)
Date/Time	20/10/2026 12:27PM
Customer Reference	
Order ID	20261020004578

REAL PROPERTY ACT, 1886
South Australia

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

Certificate of Title - Volume 5828 Folio 100

Parent Title(s)	CT 5682/549				
Creating Dealing(s)	RTC 8953009				
Title Issued	06/12/2000	**Edition**	9	**Edition Issued**	05/09/2023

Estate Type

FEE SIMPLE

Registered Proprietor

DAVID MATTHEW ELIX
OF 11 HEATHPOOL ROAD KENSINGTON GARDENS SA 5068
EMMA ELIX
OF 252 MILITARY ROAD HENLEY BEACH SA 5022
AS JOINT TENANTS

Description of Land

ALLOTMENT 12 DEPOSITED PLAN 55714
IN THE AREA NAMED KENSINGTON GARDENS
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
14112016	MORTGAGE TO PEPPER FINANCE CORPORATION LTD. (ACN: 094 317 647)
14832843	MORTGAGE TO LOAN FUNDER PTY. LTD. (ACN: 605 823 694)

Notations

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

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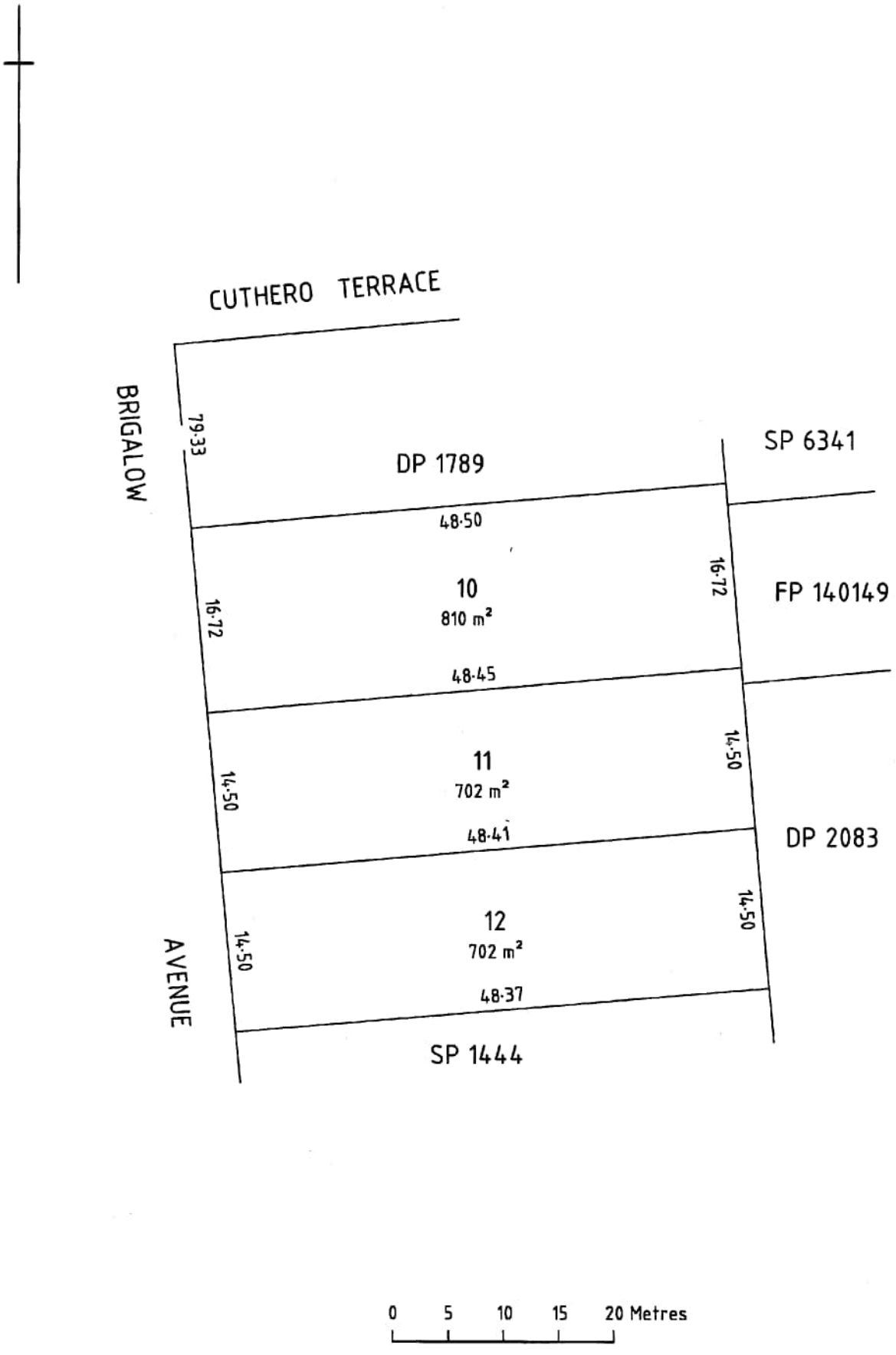
LAND SERVICES SA

Product	Register Search (CT 5828/100)
Date/Time	20/10/2026 12:27PM
Customer Reference	
Order ID	20261020004578



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Property Interest Report

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

Title Reference	CT 5828/100	**Reference No.** 2828300
Registered Proprietors	D M & E*ELIX	**Prepared** 20/10/2026 12:27
Address of Property	10 BRIGALOW AVENUE, KENSINGTON GARDENS, SA 5068	
Local Govt. Authority	CITY OF BURNSIDE	
Local Govt. Address	PO BOX 9 GLENSIDE 5065	

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

Table of Particulars

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

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

Prescribed encumbrance		Particulars (Particulars in bold indicates further information will be provided)
1.	**General**	
1.1	Mortgage of land *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	Refer to the Certificate of Title
1.2	Easement (whether over the land or annexed to the land) Note--"Easement" includes rights of way and party wall rights *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	Refer to the Certificate of Title
1.3	Restrictive covenant *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	Refer to the Certificate of Title for details of any restrictive covenants as an encumbrance
1.4	Lease, agreement for lease, tenancy agreement or licence (The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.) *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	Refer to the Certificate of Title also Contact the vendor for these details
1.5	Caveat	Refer to the Certificate of Title
1.6	Lien or notice of a lien	Refer to the Certificate of Title
2.	***Aboriginal Heritage Act 1988***	
2.1	section 9 - Registration in central archives of an Aboriginal site or object	Aboriginal Affairs and Reconciliation in AGD has no registered entries for Aboriginal sites or objects affecting this title
2.2	section 24 - Directions prohibiting or restricting access to, or activities on, a site or	Aboriginal Affairs and Reconciliation in AGD has no record of any direction affecting this title

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	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 *[**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
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) *[**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

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**

8. *Environment Protection Act 1993*

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

8.9	section 103P - Notation of site contamination audit report in relation to the land	EPA (SA) does not have any current Orders registered on this title
8.10	section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land	EPA (SA) does not have any current Orders registered on this title

9. *Fences Act 1975*

9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details

10. *Fire and Emergency Services Act 2005*

10.1	section 105F - (or section 56 or 83 (repealed)) - Notice to take action to prevent outbreak or spread of fire	Contact the Local Government Authority for other details that might apply Where the land is outside a council area, contact the vendor

11. *Food Act 2001*

11.1	section 44 - Improvement notice	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
11.2	section 46 - Prohibition order	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply

12. *Ground Water (Qualco-Sunlands) Control Act 2000*

12.1	Part 6 - risk management allocation	Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title
12.2	section 56 - Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property	DEW Water Licensing has no record of any notice affecting this title

13. *Heritage Places Act 1993*

13.1	section 14(2)(b) - Registration of an object of heritage significance	Heritage Branch in DEW has no record of any registration affecting this title
13.2	section 17 or 18 - Provisional registration or registration	Heritage Branch in DEW has no record of any registration affecting this title
13.3	section 30 - Stop order	Heritage Branch in DEW has no record of any stop order affecting this title
13.4	Part 6 - Heritage agreement	Heritage Branch in DEW has no record of any agreement affecting this title also Refer to the Certificate of Title
13.5	section 38 - "No development" order	Heritage Branch in DEW has no record of any "No development" order affecting this title

14. *Highways Act 1926*

14.1	Part 2A - Establishment of control of access from any road abutting the land	Transport Assessment Section within DIT has no record of any registration affecting this title

15. *Housing Improvement Act 1940* (repealed)

15.1	section 23 - Declaration that house is undesirable or unfit for human habitation	Contact the Local Government Authority for other details that might apply
15.2	Part 7 (rent control for substandard houses) - notice or declaration	Housing Safety Authority has no record of any notice or declaration affecting this title

16. *Housing Improvement Act 2016*

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

17. *Land Acquisition Act 1969*

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

18. *Landscape South Australia Act 2019*

18.1	section 72 - Notice to pay levy in respect of costs of regional landscape board	The regional landscape board has no record of any notice affecting this title
18.2	section 78 - Notice to pay levy in respect of right to take water or taking of water	DEW has no record of any notice affecting this title
18.3	section 99 - Notice to prepare an action plan for compliance with general statutory duty	The regional landscape board has no record of any notice affecting this title
18.4	section 107 - Notice to rectify effects of unauthorised activity	The regional landscape board has no record of any notice affecting this title
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
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 Act	The regional landscape board has no record of any notice affecting this title
18.18	section 209 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act	The regional landscape board has no record of any notice affecting this title

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

19. *Land Tax Act 1936*

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

20. *Local Government Act 1934* (repealed)

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

21. *Local Government Act 1999*

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

22. *Local Nuisance and Litter Control Act 2016*

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

23. *Metropolitan Adelaide Road Widening Plan Act 1972*

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

24. *Mining Act 1971*

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

25. *Native Vegetation Act 1991*

25.1	Part 4 Division 1 - Heritage agreement	DEW Native Vegetation has no record of any agreement affecting this title

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

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

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

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

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

28. *Phylloxera and Grape Industry Act 1995*

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

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29. *Planning, Development and Infrastructure Act 2016*

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

29.8	section 157 - Fire safety notice	Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.9	section 192 or 193 - Land management agreement	Refer to the Certificate of Title
29.10	section 198(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.11	section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.12	Part 16 Division 1 - Proceedings	Contact the Local Government Authority for details relevant to this item also Contact the vendor for other details that might apply
29.13	section 213 - Enforcement notice	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.14	section 214(6), 214(10) or 222 - Enforcement order	Contact the Local Government Authority for details relevant to this item also State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

30. *Plant Health Act 2009*

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

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

31.1	Part 3 - Notice	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
31.2	*Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)* (revoked) Part 2 - Condition (that continues to apply) of an approval	Public Health in DHW has no record of any condition affecting this title also Contact the Local Government Authority for other details that might apply
31.3	*Public and Environmental Health (Waste Control) Regulations 2010* (revoked) regulation 19 - Maintenance order (that has not been complied with)	Public Health in DHW has no record of any order affecting this title also Contact the Local Government Authority for other details that might apply

32. *South Australian Public Health Act 2011*

32.1	section 66 - Direction or requirement to avert spread of disease	Public Health in DHW has no record of any direction or requirement affecting this title
32.2	section 92 - Notice	Public Health in DHW has no record of any notice affecting this title

		also Contact the Local Government Authority for other details that might apply
32.3	*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 will respond with details relevant to this item** also Lightsview Re-Water Supply Co Pty Ltd has no record of any notice or order affecting this title. also Robusto Investments Pty. Ltd. trading as Compass Springs has no current record of any notice or order affecting this title. also Alano Utilities Pty. Ltd. has no record of any notice or order affecting this title.

35. *Water Resources Act 1997* (repealed)

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

36. Other charges

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

Other Particulars

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

1.	Particulars of transactions in last 12 months	Contact the vendor for these details
2.	Particulars relating to community lot (including strata lot) or development lot	Enquire directly to the Secretary or Manager of the Community Corporation
3.	Particulars relating to strata unit	Enquire directly to the Secretary or Manager of the Strata Corporation
4.	Particulars of building indemnity insurance	Contact the vendor for these details also Contact the Local Government Authority
5.	Particulars relating to asbestos at workplaces	Contact the vendor for these details
6.	Particulars relating to aluminium composite panels	Please note that the audit is limited to classes of buildings, and that this note does not confirm the presence or absence of Aluminium Composite Panelling. Contact the vendor for relevant details.
7.	Particulars relating to court or tribunal process	Contact the vendor for these details
8.	Particulars relating to land irrigated or drained under Irrigation Acts	SA Water will arrange for a response to this item where applicable
9.	Particulars relating to environment protection	Contact the vendor for details of item 2 also EPA (SA) has no record of any particulars relating to items 3, 4 or 5 affecting this title also Contact the Local Government Authority for information relating to item 6
10.	Particulars relating to *Livestock Act, 1997*	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 *(Dog Fence Act 1946)*	This title is not subject to Dog Fence rates or the Dog Fence outside levy. Accordingly, the Dog Fence Board holds no current rate or levy-related interest in the property.
9.	Pastoral Board *(Pastoral Land Management and Conservation Act 1989)*	The Pastoral Board has no current interest in this title
10.	Heritage Branch DEW *(Heritage Places Act 1993)*	Heritage Branch in DEW has no record of any World, Commonwealth or National Heritage interest affecting this title
11.	Health Protection Programs – Department for Health and Wellbeing	Health Protection Programs in the DHW has no record of a public health issue that currently applies to this title.

Notices

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

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

Building restrictions

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

In addition, if a building or structure is erected in proximity to a powerline of an electricity entity in contravention of the *Electricity Act*, the entity may seek a court order:
a) requiring the person to take specified action to remove or modify the building or structure within a specified period;
b) for compensation from the person for loss or damage suffered in consequence of the contravention; and/or
c) for costs reasonably incurred by the entity in relocating the powerline or carrying out other work.

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

Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

Landscape South Australia 2019

Water Resources Management - Taking of underground water

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

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

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

LAND SERVICES SA

Product	Title and Valuation Package
Date/Time	20/10/2026 12:27PM
Customer Reference	
Order ID	20261020004578

Certificate of Title

Title Reference	CT 5828/100
Status	CURRENT
Easement	NO
Owner Number	16282508
Address for Notices	10 BRIGALOW AVE KENSINGTON GARDENS 5068
Area	702m² (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

DAVID MATTHEW ELIX
OF 11 HEATHPOOL ROAD KENSINGTON GARDENS SA 5068
EMMA ELIX
OF 252 MILITARY ROAD HENLEY BEACH SA 5022
AS JOINT TENANTS

Description of Land

ALLOTMENT 12 DEPOSITED PLAN 55714
IN THE AREA NAMED KENSINGTON GARDENS
HUNDRED OF ADELAIDE

Last Sale Details

Dealing Reference	TRANSFER (T) 12038568
Dealing Date	15/11/2013
Sale Price	$1,094,500
Sale Type	TRANSFER FOR FULL MONETARY CONSIDERATION

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	14112016	PEPPER FINANCE CORPORATION LTD. (ACN: 094 317 647)
MORTGAGE	14832843	LOAN FUNDER PTY. LTD. (ACN: 605 823 694)

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
1843458305	CURRENT	10 BRIGALOW AVENUE, KENSINGTON GARDENS, SA 5068

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LAND SERVICES SA

Product	Title and Valuation Package
Date/Time	20/10/2026 12:27PM
Customer Reference	
Order ID	20261020004578

Notations

Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number	1843458305
Type	Site & Capital Value
Date of Valuation	01/01/2026
Status	CURRENT
Operative From	01/07/2001
Property Location	10 BRIGALOW AVENUE, KENSINGTON GARDENS, SA 5068
Local Government	BURNSIDE
Owner Names	EMMA ELIX DAVID MATTHEW ELIX
Owner Number	16282508
Address for Notices	10 BRIGALOW AVE KENSINGTON GARDENS 5068
Zone / Subzone	SN - Suburban Neighbourhood
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	6H DBG SP
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
D55714 ALLOTMENT 12	CT 5828/100

Values

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LAND SERVICES SA

Product	Title and Valuation Package
Date/Time	20/10/2026 12:27PM
Customer Reference	
Order ID	20261020004578

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	$1,400,000	$1,950,000			
Previous	$1,275,000	$1,775,000			

Building Details

Valuation Number	1843458305
Building Style	Architectural
Year Built	2002
Building Condition	Excellent
Wall Construction	Rendered
Roof Construction	Galvanised Iron
Equivalent Main Area	256 sqm
Number of Main Rooms	6

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

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LAND SERVICES SA

Product	Check Search
Date/Time	20/10/2026 12:27PM
Customer Reference	
Order ID	20261020004578

Certificate of Title

Title Reference: CT 5828/100

Status: CURRENT

Edition: 9

Dealings

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

Priority Notices

NIL

Registrar-General's Notes

No Registrar-General's Notes exist for this title

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Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 33 of 77

SA Water

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
18 43458 30 5	CT5828100	21/10/2026	7734	2828300

THE FORM 1 COMPANY
LEVEL 1, 3-5 MT BARKER RD
STIRLING SA 5152
form1@form1.net.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: DM & E ELIX
Location: 10 BRIGALOW AVE KENSINGTON GARDENS LT 12 D55714
Description: 6H DBG SP **Capital Value:** $1 950 000
Rating: Residential

Periodic charges

Raised in current years to 31/12/2026

				$
		Arrears as at: 30/6/2026	:	965.50
Water main available:	1/7/2001	Water rates	:	176.00
Sewer main available:	1/7/2001	Sewer rates	:	578.18
		Water use	:	49.53
		SA Govt concession	:	0.00
		Recycled Water Use	:	0.00
		Service Rent	:	0.00
		Recycled Service Rent	:	0.00
		Other charges	:	0.00
		Goods and Services Tax	:	0.00
		Amount paid	:	1,734.45CR
		Balance outstanding	:	34.76

Degree of concession: 00.00%
Recovery action taken: ACCOUNT SENT

Next quarterly charges: Water supply: 88.00 Sewer: 289.09 Bill: 13/1/2027

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

The last Water Use Year ended on 16/03/2026.

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.

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 34 of 77

SA Water

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.

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 35 of 77

SA Water

South Australian Water Corporation

Name:
DM & E ELIX

Water & Sewer Account
Acct. No.: **18 43458 30 5**

Amount: _____

Address:
10 BRIGALOW AVE KENSINGTON GARDENS LT 12 D55714

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	1843458305

BPAY

Biller code: 8888
Ref: 1843458305

Telephone and Internet Banking — BPAY®

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

Paying online

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

Paying by phone

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

SA Water account number: 1843458305

RevenueSA
DEPARTMENT OF TREASURY AND FINANCE
ABN 19 040 349 865
Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

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

PIR Reference No: 2828300

THE FORM 1 COMPANY
GPO BOX 1651
ADELAIDE SA 5001

DATE OF ISSUE
21/10/2026

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

OWNERSHIP NUMBER	OWNERSHIP NAME
16282508	D M & E ELIX

PROPERTY DESCRIPTION
10 BRIGALOW AVE / KENSINGTON GARDENS SA 5068 / LT 12 D55714

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
			R4	RE
1843458305	CT 5828/100	$1,950,000.00	1.000	0.400

LEVY DETAILS:

FINANCIAL YEAR
2026-2027

FIXED CHARGE	$	50.00
+ VARIABLE CHARGE	$	617.75
- REMISSION	$	365.05
- CONCESSION	$	0.00
+ ARREARS / - PAYMENTS	$	1,073.63
= AMOUNT PAYABLE	$	1,376.33

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 Certficate will be issued free of charge. **It is not the due date for payment.**

EXPIRY DATE 19/01/2027

Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

RevenueSA

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

PAYMENT REMITTANCE ADVICE

OWNERSHIP NUMBER
16282508

OWNERSHIP NAME
D M & E ELIX

ASSESSMENT NUMBER
1843458305

AMOUNT PAYABLE
$1,376.33

AGENT NUMBER
100019452

AGENT NAME
THE FORM 1 COMPANY

EXPIRY DATE
19/01/2027

+702590041100022> +001571+ <0550586796> <0000137633> +444+

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 37 of 77

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

Visit: www.revenuesa.sa.gov.au
Email: contactus@revenuesa.sa.gov.au
Phone: (08) 8372 7534

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

Biller Code: 456285 **Ref: 7025900411** Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au ® Registered to BPAY Pty Ltd ABN 69 079 137 518	**To pay via the internet go to:** www.revenuesaonline.sa.gov.au	Send your cheque or money order, made payable to the **Community Emergency Services Fund**, along with this **Payment Remittance Advice** to: **Please refer below.** **Revenue SA** **Locked Bag 555** **ADELAIDE SA 5001**

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.

RevenueSA
DEPARTMENT OF TREASURY AND FINANCE
ABN 19 040 349 865
Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

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

PIR Reference No: 2828300

THE FORM 1 COMPANY
GPO BOX 1651
ADELAIDE SA 5001

DATE OF ISSUE
21/10/2026

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

OWNERSHIP NAME
D M & E ELIX

FINANCIAL YEAR
2026-2027

PROPERTY DESCRIPTION
10 BRIGALOW AVE / KENSINGTON GARDENS SA 5068 / LT 12 D55714

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	TAXABLE SITE VALUE	AREA
1843458305	CT 5828/100	$1,400,000.00	0.0702 HA

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

CURRENT TAX	$	0.00	**SINGLE HOLDING**	$	0.00
- DEDUCTIONS	$	0.00			
+ ARREARS	$	0.00			
- PAYMENTS	$	0.00			
= AMOUNT PAYABLE	$	**0.00**			

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

ON OR BEFORE 19/01/2027

Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

RevenueSA
Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 39 of 77

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

Visit:	www.revenuesa.sa.gov.au
Email:	contactus@revenuesa.sa.gov.au
Phone:	(08) 8372 7534

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

Biller Code: 456293 **Ref: 7025900320** Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au ® Registered to BPAY Pty Ltd ABN 69 079 137 518	**To pay via the internet go to:** www.revenuesaonline.sa.gov.au	Send your cheque or money order, made payable to the **Commissioner of State Taxation**, along with this **Payment Remittance Advice** to: **Please refer below.** **Revenue SA** **Locked Bag 555** **ADELAIDE SA 5001**

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.

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 40 of 77

City of Burnside

LOCAL GOVERNMENT SEARCH

Cert1584\26

20/10/2026

The Form 1 Company
GPO Box 1651
ADELAIDE SA 5001

Billing number: 1105072 Valuer General No: 1843458305

Owner: David M Elix & Emma Elix
Property Address: 10 Brigalow Avenue KENSINGTON GARDENS SA 5068

Legal Description: ALLOT 12 Sec 271 DP 55714 Vol 5828 Fol 100

Pursuant to Section 187 of the Local Government Act 1999 (as amended), I certify that the following amounts are due and payable and are a charge against the above property:

Rates and Arrears - prior 30/06/2026	9,011.15
Legal Fees	161.00
Rates for current financial year, which fall due on 01/07/2026 and payable as four instalments on or before 01/09/2026, 01/12/2026, 01/03/2027, 01/06/2027	3,291.75
Fines and interest for current financial year (2% fine for each late instalment, and .75% interest rate per month on all other outstanding amounts). Fines and interest are incurred on day 1 of each month	290.00
Less Rate Capping Rebate	0.00
Less amount paid for current financial year	0.00
Balance of rates and other monies due and payable	$12,753.90

Arrears Overdue $9,462.15
Instalment/s Due:
Due 01/09/2026 $823.05
Due 01/12/2026 $822.90
Due 01/03/2027 $822.90
Due 01/06/2027 $822.90

ON BEHALF OF THE CITY OF BURNSIDE

Post PO Box 9, Glenside SA 5065
Civic Centre 401 Greenhill Road, Tusmore SA 5065
Phone (08) 8366 4200 **Fax** (08) 8366 4299
Email burnside@burnside.sa.gov.au **www.burnside.sa.gov.au**

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 41 of 77

Street Numbering

Please note Council's official street number for this property is **10 Brigalow Avenue KENSINGTON GARDENS SA 5068.***

Regulated and Significant Trees

Your attention is drawn to the requirement to obtain Development Approval before undertaking a Tree-damaging activity to a Regulated or Significant tree as defined by the Development Act 1993. Council has established the Regulated and Significant Tree Assistance Scheme which provides partial reimbursement of funds to approved works undertaken to maintain and provide for the ongoing health of Regulated and Significant Trees. Conditions apply. For more information please contact City Development and Safety on 8366 4244.

Waste Collection Service

On the 10 December 2012 the City of Burnside moved to a new 3 Bin and Food Waste Recycling system.

Each rateable property is eligible to receive a standard set of 3 bins: general waste (140L red lid), recycling (240L yellow lid) and organics (240L green lid), as well as a food waste kitchen basket and a new Waste Education Brochure and Calendar. Bins are also available in 140L and 360L (recycle) and 140L (green organics). For further information on the new system and all fees and charges, please refer to Council's web site.

All bins will be supplied by Council and remain the property of Council.

Additional bins for recycling and organic waste may be acquired through a lease agreement with Council. A pro rata charge for the collection of additional recycling and organic bins applies.

Refer to the Kerbside Waste Management Policy for further details.

Payment of Rates at Settlement

It is encouraged that payment of the full year's rates is made when a property is sold.

Section 178(3)(c) of the Local Government Act 1999, states that rates may be recovered as a debt from any other person who was at the ***time of the declaration of the rates an owner or occupier of the land***.

If you have any queries regarding this, please do not hesitate to contact the Rates Department on 8366 4200.

To pay these rates via PEXA

Bpay Biller Code: 8722

Reference Number: 1105072

Post PO Box 9, Glenside SA 5065
Civic Centre 401 Greenhill Road, Tusmore SA 5065
Phone (08) 8366 4200 **Fax** (08) 8366 4299
Email burnside@burnside.sa.gov.au **www.burnside.sa.gov.au**

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City of Burnside

Civic Centre: 401 Greenhill Road, Tusmore SA 5065
Postal Address: PO Box 9, Glenside SA 5065
ABN: 66 452 640 504
Telephone: (08) 8366 4200
Fax: (08) 8366 4299

Land and Business (Sale and Conveyancing) Act

Property Interest Report

Request No.:	Cert1584\26	**Date of Issue:**	22/10/2026
Applicant:	The Form 1 Company GPO Box 1651 ADELAIDE SA 5001	**CT No.:**	ALLOT 12 Sec 271 DP 55714 Vol 5828 Fol 100
Property:	10 Brigalow Avenue KENSINGTON GARDENS SA 5068		

Pursuant to the provisions of the regulations under the Land and Business (Sale and Conveyancing) Act, 1994, Council hereby provides particulars and documentary material in response to your enquiry.

PRESCRIBED ENCUMBRANCES AND PARTICULARS REQUIRED

Part 3 – Development Plan, Development Act 1993	
• Title or other brief description of zone or policy area in which the land is situated (per the Development Plan):	N/A
• Is the land situated in a designated state heritage area?	N/A
• Is the land designated as a place of local heritage value?	N/A
• Is there a Development Plan Amendment released for public consultation by the Council on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	No
• If Yes, state the name of the Council:	N/A
• Is there a Development Plan Amendment released for public consultation by the Minister on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	No
Section 42 *– condition (that continues to apply) of a development authorisation (refer attached for details if applicable):*	Yes **180/00463/01/CA** **180/01271/99/DL** **180\0526\10** **180\0756\07** **180\1022\07**
Part 5 - PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016	
• Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code)	Z5707 (SN) Suburban Neighborhood Refer to PlanSA Section 7 Report for further information.
• Is the land situated in a designated state heritage area?	No
• Is the land designated as a place of local heritage value?	Refer to PlanSA Section 7 Report for further information.
• Is there a tree declared to be a significant tree or a stand of trees declared to be significant on the land?	Refer to PlanSA Section 7 Report for further information.
• Is there a Planning and Design Code amendment released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Yes

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REPEALED ACT CONDITIONS	
Condition (that continues to apply) of an approval or authorisation granted under the following Acts (refer attached for details if applicable): o Building Act 1971 o City of Adelaide Development Control Act 1976 o Planning and Development Act 1966 o Planning Act 1982	No
DEVELOPMENT ACT 1993	
Section 50(1) – requirement to vest land in a Council or the Crown to be held as open space	No
Section 50(2) – agreement to vest land in a Council or the Crown to be held as open space	No
Section 55 – order to remove work or perform work	No
Section 56 – notice to complete development	No
Section 57 – land management agreement	No
Section 48 or 58 – for the destruction or control of animal or plants	No
Section 69 – emergency order	No
Section 71 – fire safety notice	No
Section 84 – enforcement notice	No
Section 85(6), 85(10) or 106 – enforcement order	No
Part 11 Division 11 – proceedings	No
FIRE AND EMERGENCY SERVICES ACT 2005	
Section 105F – fire prevention or notice to prevent fires on private land	No
HEALTH – FOOD ACT 2001	
Section 44 – improvement notice	No
Section 46 – prohibition order	No
LOCAL NUISANCE AND LITTER CONTROL ACT 2016	
Section 30 – Nuisance or Litter abatement notice	No
SOUTH AUSTRALIAN PUBLIC HEALTH ACT 2011	
Section 92 Notice	No
LAND ACQUISITION ACT 1969	
Section 10 – Notices of intention to acquire	No
HOUSING IMPROVEMENT ACT 1940	
Section 23 – declaration that house is undesirable or unfit for human habitation	No
LOCAL GOVERNMENT ACT 1934	
Notice, order, declaration, charge, claim or demand given/made under the Act	No
LOCAL GOVERNMENT ACT 1999	
Notice, order, declaration, charge, claim or demand given/made under the Act	No
PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016	
Section 141 – order to remove work or perform work	No
Section 142 – notice to complete development	No
Section 155 – emergency order	No
Section 157 – fire safety notice	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, 214(6), 214(10), 222 – enforcement notice	No

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PUBLIC AND ENVIRONMENTAL HEALTH ACT 1987

Notice or declaration of insanitary conditions	No

BUILDING INDEMNITY INSURANCE

Approval No.	Insurer	Policy Issued	Contract Date	Builder
Nil				

#INDEMNITY ATTRIBUTE RECORD MAY BE MISSING FROM APPLICATION, SEE CERTIFICATES MANUAL FOR MORE INFORMATION!

ENVIRONMENT PROTECTION

• Does the council hold details of any development approvals relating to	
(a) commercial or industrial activity at the land; or	No
(b) change in the use of the land or part of the land (per the Development Act 1993)?	No

Notes:

Swimming Pools (if applicable)

On or before any settlement takes place with respect to any transfer of title to the land, the vendor is required to install, replace or upgrade any prescribed designated swimming pool safety features that are required in relation to any swimming pool (including any spa pool) that is located on the land. After settlement, the purchaser (new owner) will then be required to ensure that those safety features have been so installed, replaced or upgraded as necessary on the land (and if they have not been installed, replaced or upgraded, the new owner will be required to install, replace or upgrade those designated safety features in accordance with the relevant prescribed requirements) and thereafter the new owner must ensure that those designated safety features are maintained in accordance with the relevant prescribed requirements.

APPROVAL NOTICES WITHOUT ON-GOING CONDITIONS

No

Authorised Officer
City of Burnside

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.*
- *The Property Interest Report discloses prescribed information that Council has a statutory obligation to disclose.*
- *Refer to attached Decision Notification Forms for details of development authorisation(s) granted.*

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Data Extract for Section 7 search purposes

Valuation ID 1843458305

Data Extract Date: 22/10/2026

Important Information

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

Parcel ID: D55714 AL12

Certificate Title: CT5828/100

Property Address: 10 BRIGALOW AV KENSINGTON GARDENS SA 5068

Zones

Suburban Neighbourhood (SN)

Subzones

No

Zoning overlays

Overlays

Airport Building Heights (Regulated) (All structures over 30 metres)

The Airport Building Heights (Regulated) Overlay seeks to ensure building height does not pose a hazard to the operation and safety requirements of commercial and military airfields.

Hazards (Flooding - Evidence Required)

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

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.

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Signif Retirement Facility Supported Accom Sites

The Significant Retirement Facility and Supported Accommodation Sites Overlay seeks to facilitate the development of supported accommodation and/or retirement facilities on significant retirement facility and supported accommodation sites to provide accommodation for the communities' ageing residents.

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 State Heritage Place/Area

No

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

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

Is the land designated as a Local Heritage Place

No

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

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

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

No

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

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

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

Associated Development Authorisation Information

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

No

Land Management Agreement (LMA)

No

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DECISION NOTIFICATION FORM

Development Number
180/00463/01/CA

FOR DEVELOPMENT APPLICATION

REGISTERED ON **14/05/2001**
DATED **17/05/2001**

To **LONGRIDGE SARAH HOUSING GROUP 515 GRAND JUNCTION ROAD WINGFIELD SA 5013**

LOCATION OF PROPOSED DEVELOPMENT:

Location of Development : **10 Brigalow Avenue Kensington Gardens SA 5068**

Section No (full/part): _____ Hundred: _____ Volume: _____ Folio: _____

Nature of Proposed Development: **TWO STOREY DETACHED DWELLING INCLUDING DOUBLE GARAGE**

From **CITY OF BURNSIDE**

In respect of this proposed development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Consent Refused	Not Applicable /Required
Provisional Development Plan Consent	**02/08/01**	**2**		
Land Division				**N/A**
Land Division (Strata)				**N/A**
Provisional Building Rules Consent (Privately Certified by Rocco Crancio)	**21/09/2001**	**6**		
Public Space				**N/A**
Other				**N/A**
DEVELOPMENT APPROVAL	**15/10/2001**	**8**		

Building Classification Granted: Class 1a & 10a.

Details of any conditions imposed on this consent/ approval or the reasons for its refusal are set out on the attached sheet.

Any consent/ approval is not operative until the period specified in the Development Act, 1993 in respect if any relevant appeals by third parties to the Environment, Resources and Development Court have expired *(15 business days* from the date of this decision).

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

Date of Decision: **15/10/2001** — **Council Chief Executive Officer or delegate**

Signed: ..... — **Development Officer, Planning**

Signed:. ..... — **Development Officer, Building**

Dated: **15/10/2001**

☐ **Private Certifier**

☐ **Sheets Attached**

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DEVELOPMENT APPROVAL

DEVELOPMENT APPLICATION NO. 180/463/01/CA

CONDITION/S (PROVISIONAL DEVELOPMENT PLAN CONSENT)

1. The proposal shall be developed in accordance with the details of Development Application 180/463/01/CA and the approved plans, drawing prepared by Longridge Sarah Housing Group and received by Council on 20 and 27 July 2001.

2. The boundaries of the subject land are to be located by a licensed surveyor. Prior to the pouring of concrete, a certified plan illustrating the location of existing buildings and the footings of the approved building(s), as identified in Development Application 180/463/01/CA, is to be provided to Council. Any variation to the siting of the approved building within the site is to be approved, in writing, by Council prior to the pouring of concrete. The siting of the approved building(s) shall not encroach on the adjacent property.

ADDITIONAL NOTE:

PLEASE REFER TO ATTACHED SHEET FOR SEVERAL IMPORTANT ADVISORY NOTES DESIGNED TO ASSIST YOU TO FULFILL ALL OF YOUR OBLIGATIONS AND ACHIEVE A SUCCESSFUL DEVELOPMENT.

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DECISION NOTIFICATION FORM

Development Number
180/01271/99/DL
Development Assessment Commission Number
180/D088/99

FOR DEVELOPMENT APPLICATION DATED / REGISTERED ON **26/10/1999**

To **MR C MINCHIN 87 THIRD AVENUE JOSLIN SA 5070**

LOCATION OF PROPOSED DEVELOPMENT:

Location of Development : **10 Brigalow Avenue Kensington Gardens SA 5068**

Section No (full/part): _____ Hundred: _____ Volume: **5682** Folio: **549**

Nature of Proposed Development: **LAND DIVISION CREATING THREE ALLOTMENTS FROM TWO EXISTING**

From **CITY OF BURNSIDE**

In respect of this proposed development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Consent Refused	Not Applicable /Required
Provisional Development Plan Consent	**08/02/2000**	**1**		
Land Division	**08/02/2000**	**2**		
Land Division (Strata)				**N/A**
Provisional Building Rules Consent				**N/A**
Public Space				**N/A**
Other				**N/A**
DEVELOPMENT APPROVAL	**08/02/2000**	**3**		

Building Classification Granted: N/A .

If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions are set out on the attached sheet.

The Applicant may appeal this decision within two months of the date of the decision and formal third party representors may appeal within 15 business days of this decision to the Environment, Resources and Development Court.

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

Date of Decision: **08/02/2000**

Signed: .....

Date: **08/02/2000**

- [ ] Development Assessment Commission or delegate
- [√] Council Chief Executive Officer or delegate
- [ ] Private Certifier
- [√] Sheets Attached

Internal ref:devserv\wp\LANDDIV

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LAND DIVISION - DEVELOPMENT APPROVAL

DEVELOPMENT APPLICATION NO. 180/01271/99/DL
DEVELOPMENT ASSESSMENT COMMISSION NO. 180/D088/99

CONDITION/S

1. A covered area sufficient for the parking of one vehicle shall be provided on-site. The Development Application is to be approved and the car parking constructed, or a bank guarantee provided to the value of the work, prior to clearance for section 51 Certificates.

2. The financial, easement and internal drain requirements for water and sewerage services of the SA Water Corporation, if any, being met.

3. Payment of $1500.00 into the Planning and Development fund (1 allotment @ 1500.00/allotment). Cheques to be made payable and marked 'Not Negotiable' to the Development Assessment Commission and payment made at Level 5, 136 North Terrace, Adelaide, or sent to GPO Box 1815, Adelaide 5001.

PROPOSED NEW IDENTIFIERS

Lot 10 –810m^2 - 8 Brigalow Avenue, Kensington Gardens
Lot 11 – 702m^2 - 8A Brigalow Avenue, Kensington Gardens
Lot 12 – 701m^2 - 10 Brigalow Avenue, Kensington Gardens

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City of Burnside

Decision Notification Form

Development Application:	180\0526\10
Applicant:	A J Hehir
Nature of Development:	Tree removal (one) Monterey Pine (Pinus radiata)
Location	10 Brigalow Avenue KENSINGTON GARDENS SA 5068

Application Received:	31/05/2010	DAC Reference:	
Application Lodged:	31/05/2010	ERD Court Reference:	

In respect of this proposed development you are informed that:

NATURE OF CONSENT	Consent Status	Date of Decision	No. of Conditions
Development Plan Consent	**Granted**	**22.06.2010**	**2**
Land Division Consent	-	-	-
Land Division Community Title Consent	-	-	-
Building Rules Consent	-	-	-
Public Space	-	-	-
Other	-	-	-
DEVELOPMENT APPROVAL	**Granted**	**22.06.2010**	**2**

Building Classification Granted: N/A .

Details of any conditions imposed on this consent/approval or the reasons for its refusal are set out on the attached sheet.

The applicant may lodge an appeal with the Environment, Resources and Development Court against this decision within (2) months of the date of this decision.

~~..... representation(s) from third parties concerning your category 3 were received.~~

~~Any consent/approval is not operative until the period specified in the Development Act, 1993 in respect if any relevant appeals by third parties to the Environment, Resource and Development Court have expired (*15 business days* from the date of this decision).~~

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

Signed: .....

Dated: .....

☑ **Council Chief Executive Officer or Delegate**

☐ **ERD Court**

☑ **Sheets Attached**

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\0526\10

Development Plan Consent Conditions

1 The development granted Development Approval shall be undertaken in accordance with the stamped approved plans and details submitted with the application and contained in Development Application 180/0526/10, except where varied by conditions below (if any).

Reason:

To ensure that the development is undertaken in accordance with the application details.

2 One (1) advanced growth tree of greater than 1m metres in height at planting shall be planted on site within 3 months of the date of removal. Council shall be advised at the time of planting. The trees shall be retained and maintained in good condition at all times, to the reasonable satisfaction of Council and will be inspected after one year of planting by a Council Officer. Any dead or diseased plants or trees would be replaced to the reasonable satisfaction of Council.

Reason:

To provide amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development.

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\0526\10

Advisory Notes

1 **Expiration Time of Approval**
Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent / approval will lapse at the expiration of 12 months from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

2 **Boundaries**
It is recommended that as the Applicant is undertaking work on or near the boundary, the Applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

3 **Other Authorities**
The Applicant must ensure that any consent from other authorities (including but not limited to SA Water, Telstra, Native Vegetation Board, ETSA, AGL, Australia Post) that may be required to undertake the development, has been granted by that authority prior to the commencement of the development and any alterations that may be required are to be at the Applicant's expense.

4 **Crossing Places**
Any variation to the crossing places, including modifications to existing crossing places, redundant crossing places or new crossing places, must be approved by Council.

Any work required in relation to crossing places will be undertaken by Council and the Applicant will be charged directly for the work. A quotation for the work will be provided by Council to the Applicant prior to the work being undertaken.

For further information in relation to crossing places, please contact Council's Customer Service Centre on 8366 4200. Application forms are available from our webpage: www.burnside.sa.gov.au

5 **Drainage Water**
Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and air conditioning units must be discharged to the sewer.

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\0526\10

Advisory Notes (continued)

6 **Street Trees**
In relation to any street trees adjacent to the proposed development:

- The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the Sewerage Act, 1929;
- No existing street tree(s) will be pruned to maintain lines of sight to the proposed sign or the building / façade. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the structure shall only be carried out by Council;
- No street tree(s) will be removed; and
- Should the Applicant wish to remove a street tree, a separate approval is required.

For further information in relation to street trees, please contact Council's Customer Service Centre on 8366 4200.

7 **Stormwater Discharge**
In relation to any proposed stormwater discharge from the property, the following requirements shall be complied with:

- The Applicant must ensure that stormwater run off from the proposed development is collected and discharged to the building stormwater system. All down pipes required to discharge the stormwater run off must be installed within the property boundary.
- All car parks, driveways and vehicle manoeuvring areas shall be graded to ensure that no surface water or rubble from within the property is transported across the footpath.
- The connection of any building stormwater system to any part of Council's underground drainage system shall be in accordance with Council guidelines.

For further information in relation to stormwater discharge, please contact Council's Customer Service Centre on 8366 4200.

8 **Noise**
The emission of noise is subject to control under the Environment Protection Act and Regulations, 1993 and the Applicant (or person with the benefit of this consent) should comply with those requirements.

9 **Fences Act 1975**
The Applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be served to adjoining Owners. Please contact the Legal Services Commission for further advice on 8463 3555.

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\0526\10

Advisory Notes (continued)

10 **Consultation with Adjoining Owners**
In addition to notification and other requirements under the Development Act and Fences Act, it is recommended that the Applicant/Owner consult with adjoining Owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues needed resolution such as boundary fencing, retaining walls, trees / roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

11 **Building Site Management**
Upon granting of Development Approval, any person undertaking the development shall be required to conform to the following guidelines:

Construction Hours
That construction shall take place between 7am and 7pm Monday to Saturday and between 9am and 6pm on Sundays and public holidays. All such work shall be undertaken in such a manner so as not to cause any nuisance or annoyance to any of the occupiers of buildings within the locality.

Dust Emissions
That dust emissions from the site shall be controlled by a dust suppressant or by watering regularly.

Waste Receptacle
That the builder shall at all times provide and maintain a waste receptacle on the site for the storage of builder's waste. This receptacle shall be located on site for the duration of the construction period and be emptied as required.

Stormwater Runoff
That all runoff and stormwater from the subject site during the construction period must be either contained on site or directed through a temporary sediment trap, prior to discharge to the stormwater system.

Hard Waste Litter Storage
That all hard building materials be stored in a manner that secures it on site during the construction works.

Site Security
That the site shall be secured at all times to prevent unauthorised access and that adjoining properties are secure at all times during the period of construction works where fences have been removed.

Public Realm
That any work in the public realm requiring street occupation or hoardings requires Council consent, which must be granted prior to the commencement of the construction works.

Damage to Council's Footpath/Kerbing/Road Pavement/Verge
Section 779 of the Local Government Act provides that where damage to Council footpath/kerbing/road pavement/verge occurs as a result of the construction, the Owner/Applicant shall be responsible for the cost of Council repairing the damage.

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\0526\10

Advisory Notes (continued)

Right of Way
The Applicant shall ensure that any rights of way that may be associated with the site are not blocked or access restricted during the construction of the development.

Asbestos Removal
For information in relation to the removal and disposal of asbestos, please contact Safework SA's Mineral Fibres Unit on 8303 0405 or the EPA on 8204 2004.

Water Restrictions
Water must not be used for dust suppression and compaction unless from a hand held hose fitted with a trigger nozzle or directly from a motor designed and approved to carry/ deposit water.

Water Restrictions Penalties:
People who fail to comply with restrictions will be issued with a notice reminding them of their responsibilities. If non-compliance continues, a $315 expiation notice will be issued. Serious and ongoing breaches could result in court action and fines of up to $5000 for individuals or $10,000 for businesses.

Water Restrictions Exemptions & Permits
Exemptions and permits may be available under certain circumstances. Contact SA Water for details.

For further information in relation to the above, please call either Council, the EPA or SafeWork SA.

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City of Burnside

Decision Notification Form

Development Application:	180\0756\07
Applicant:	Elite Pool Construction
Nature of Development:	Swimming pool with adjoining gazebo
Location	10 Brigalow Avenue KENSINGTON GARDENS SA 5068

Application Received:	04/07/2007	DAC Reference:	
Application Lodged:	04/07/2007	ERD Court Reference:	

In respect of this proposed development you are informed that:

NATURE OF CONSENT	Consent Status	Date of Decision	No. of Conditions
Development Plan Consent	**Granted**	**09/07/2007**	**2**
Land Division Consent	-	-	-
Land Division Community Title Consent	-	-	-
Building Rules Consent	**Granted**	**17/08/2007**	**2**
Public Space	-	-	-
Other	-	-	-
DEVELOPMENT APPROVAL	**Granted**	**17/08/2007**	**4**

Building Classification Granted: 10b

Details of any conditions imposed on this approval or the reasons for its refusal are set out on the attached sheet.

The applicant may lodge an appeal with the Environment, Resources and Development Court against this decision within (2) months of the date of this decision.

~~..... representation(s) from third parties concerning your category 3 were received.~~

~~Any consent/approval is not operative until the period specified in the Development Act, 1993 in respect if any relevant appeals by third parties to the Environment, Resource and Development Court have expired (*15 business days* from the date of this decision).~~

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

Signed: Tracy Watts

Dated: 17/8/2007

☑ **Council Chief Executive Officer or Delegate**

☐ **ERD Court**

☑ **Sheets Attached**

cc Owner

Document Set ID: 679361
Version: 1, Version Date: 27/08/2007

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 58 of 77

City of Burnside

DEVELOPMENT APPLICATION NO. 180\0756\07

Development Plan Consent Conditions

1 The development granted Development Plan Consent for Development Application 180\756\07 shall be undertaken in accordance with the plans / amended plans received by Council on 4 July 2007 to the satisfaction of Council except where varied by conditions below (if any).

Reason:
To ensure that the development is undertaken in accordance with the application details.

2 The noise generated from the pool plant equipment shall not exceed 45 dB(A) when measured from the boundary of the subject land.

An acoustic enclosure shall be installed around the pool plant and equipment to ensure that the noise level does not exceed 45 dB (A) when measured at the boundary of the subject land.

Reason:
To ensure minimal amenity loss of adjacent properties.

Document Set ID: 679361
Version: 1, Version Date: 27/08/2007

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 59 of 77

City of Burnside

DEVELOPMENT APPLICATION NO. 180\0756\07

Building Rules Consent Conditions

1 The proposed Gazebo dimensions shall be in accordance with the engineer's plans and not as shown on the architectural floor plan and elevations.

Reason:
To ensure the gazebo remains structurally adequate.

2 The swimming pool water re-circulation and filtration system shall comply with the requirements of Australian Standard 1926.3 and have at least two pumps intakes not less than 800mm apart.

Reason:
Pump intakes to swimming pools must have such dimensions and safety protection measures so as to prevent injury to a young child due to entrapment by suction.

Document Set ID: 679361
Version: 1, Version Date: 27/08/2007

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\0756\07

Advisory Notes

1 **Building Consent**
Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.

2 **Expiration Time of Approval**
Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent / approval will lapse at the expiration of 12 months from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

3 **Boundaries**
It is recommended that as the Applicant is undertaking work on or near the boundary, the Applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

4 **Other Authorities**
The Applicant must ensure that any consent from other authorities (including but not limited to SA Water, Telstra, Native Vegetation Board, ETSA, AGL, Australia Post) that may be required to undertake the development, has been granted by that authority prior to the commencement of the development and any alterations that may be required are to be at the Applicant's expense.

5 **Crossing Places**
Any variation to the crossing places, including modifications to existing crossing places, redundant crossing places or new crossing places, must be approved by Council.

Any work required in relation to crossing places will be undertaken by Council and the Applicant will be charged directly for the work. A quotation for the work will be provided by Council to the Applicant prior to the work being undertaken.

For further information in relation to crossing places, please contact Council's Customer Service Centre on 8366 4200. Application forms are available from our webpage: www.burnside.sa.gov.au

6 **Drainage Water**
Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and air conditioning units must be discharged to the sewer.

Document Set ID: 679361
Version: 1, Version Date: 27/05/2007

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 61 of 77

City of Burnside

DEVELOPMENT APPLICATION NO. 180\0756\07

Advisory Notes (continued)

7 **Street Trees**
In relation to any street trees adjacent to the proposed development:

- The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the Sewerage Act, 1929;
- No existing street tree(s) will be pruned to maintain lines of sight to the proposed sign or the building / façade. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the structure shall only be carried out by Council;
- No street tree(s) will be removed; and
- Should the Applicant wish to remove a street tree, a separate approval is required.

For further information in relation to street trees, please contact Council's Customer Service Centre on 8366 4200.

8 **Stormwater Discharge**
In relation to any proposed stormwater discharge from the property, the following requirements shall be complied with:

- The Applicant must ensure that stormwater run off from the proposed development is collected and discharged to the building stormwater system. All down pipes required to discharge the stormwater run off must be installed within the property boundary.
- All car parks, driveways and vehicle manoeuvring areas shall be graded to ensure that no surface water or rubble from within the property is transported across the footpath.
- The connection of any building stormwater system to any part of Council's underground drainage system shall be in accordance with Council guidelines.

For further information in relation to stormwater discharge, please contact Council's Customer Service Centre on 8366 4200.

9 **Noise**
The emission of noise is subject to control under the Environment Protection Act and Regulations, 1993 and the Applicant (or person with the benefit of this consent) should comply with those requirements.

10 **Fences Act 1975**
The Applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be served to adjoining Owners. Please contact the Legal Services Commission for further advice on 8463 3555.

Document Set ID: 5793361
Version: 1, Version Date: 27/08/2007

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\0756\07

Advisory Notes (continued)

11 **Consultation with Adjoining Owners**
In addition to notification and other requirements under the Development Act and Fences Act, it is recommended that the Applicant/Owner consult with adjoining Owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues needed resolution such as boundary fencing, retaining walls, trees / roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

12 **Building Site Management**
Upon granting of Development Approval, any person undertaking the development shall be required to conform to the following guidelines:

Construction Hours
That construction shall take place between 7am and 7pm Monday to Saturday and between 9am and 6pm on Sundays and public holidays. All such work shall be undertaken in such a manner so as not to cause any nuisance or annoyance to any of the occupiers of buildings within the locality.

Dust Emissions
That dust emissions from the site shall be controlled by a dust suppressant or by watering regularly.

Waste Receptacle
That the builder shall at all times provide and maintain a waste receptacle on the site for the storage of builder's waste. This receptacle shall be located on site for the duration of the construction period and be emptied as required.

Stormwater Runoff
That all runoff and stormwater from the subject site during the construction period must be either contained on site or directed through a temporary sediment trap, prior to discharge to the stormwater system.

Hard Waste Litter Storage
That all hard building materials be stored in a manner that secures it on site during the construction works.

Site Security
That the site shall be secured at all times to prevent unauthorised access and that adjoining properties are secure at all times during the period of construction works where fences have been removed.

Public Realm
That any work in the public realm requiring street occupation or hoardings requires Council consent, which must be granted prior to the commencement of the construction works.

Damage to Council's Footpath/Kerbing/Road Pavement/Verge
Section 779 of the Local Government Act provides that where damage to Council footpath/kerbing/road pavement/verge occurs as a result of the construction, the Owner/Applicant shall be responsible for the cost of Council repairing the damage.

Document Set ID: 6793651
Version: 1, Version Date: 27/08/2007

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\0756\07

Advisory Notes (continued)

Right of Way
The Applicant shall ensure that any rights of way that may be associated with the site are not blocked or access restricted during the construction of the development.

Asbestos Removal
For information in relation to the removal and disposal of asbestos, please contact Safework SA's Mineral Fibres Unit on 8303 0405 or the EPA on 8204 2004.

Water Restrictions
Water must not be used for dust suppression and compaction unless from a hand held hose fitted with a trigger nozzle or directly from a motor designed and approved to carry/ deposit water.

Water Restrictions Penalties:
People who fail to comply with restrictions will be issued with a notice reminding them of their responsibilities. If non-compliance continues, a $315 expiation notice will be issued. Serious and ongoing breaches could result in court action and fines of up to $5000 for individuals or $10,000 for businesses.

Water Restrictions Exemptions & Permits
Exemptions and permits may be available under certain circumstances. Contact SA Water for details.

For further information in relation to the above, please call either Council, the EPA or SafeWork SA.

Document Set ID: 679361
Version: 1, Version Date: 27/08/2007

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City of Burnside

P/FILE

Decision Notification Form

Development Application:	180\1022\07
Applicant:	Vergola Pty Ltd
Nature of Development:	Verandah
Location	10 Brigalow Avenue KENSINGTON GARDENS SA 5068

Application Received:	18/09/2007	DAC Reference:	
Application Lodged:	19/09/2007	ERD Court Reference:	

SCANNED
30 NOV 2007
City of Burnside

In respect of this proposed development you are informed that:

NATURE OF CONSENT	Consent Status	Date of Decision	No. of Conditions
Development Plan Consent	**Granted**	**21/09/2007**	**2**
Land Division Consent	-	-	-
Land Division Community Title Consent	-	-	-
Building Rules Consent (Privately Certified by Nikias Certification)	**Granted**	**09/10/2007**	**0**
Public Space	-	-	-
Other	-	-	-
DEVELOPMENT APPROVAL	**Granted**	**13/11/2007**	**2**

Building Classification Granted: 10a

Details of any conditions imposed on this approval or the reasons for its refusal are set out on the attached sheet.

The applicant may lodge an appeal with the Environment, Resources and Development Court against this decision within (2) months of the date of this decision.

..... representation(s) from third parties concerning your category 3 were received.

Any consent/approval is not operative until the period specified in the Development Act, 1993 in respect if any relevant appeals by third parties to the Environment, Resource and Development Court have expired (*15 business days* from the date of this decision).

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

Signed: .....

Dated: 20/11/2007

☑ **Council Chief Executive Officer or Delegate**

☐ **ERD Court**

☑ **Sheets Attached**

cc Owner

Document Set ID: 717467
Version: 1, Version Date: 30/11/2007

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 65 of 77

City of Burnside

DEVELOPMENT APPLICATION NO. 180\1022\07

Development Plan Consent Conditions

1 The development granted Development Plan Consent for Development Application 180\1022\07 shall be undertaken in accordance with the plans received by Council on 14 September 2007 to the satisfaction of Council except where varied by conditions below (if any).

Reason:

To ensure that the development is undertaken in accordance with the application details.

2 Details and location of a storm water detention tank shall be submitted and approved by Council prior to or at the time of Building Rules Consent to allow for the collection, detention, retention and use without causing nuisance or damage to the site or adjacent sites.

Note: Pursuant to the above condition, Council will consider the installation of a three module rainwater tank connected to the roof water disposal as an appropriate means to satisfy this requirement, with overflow capacity connected to the Councils storm water system.

Reason:

To ensure that adequate provision is made for the connection of stormwater.

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\1022\07

Advisory Notes

1 **Expiration Time of Approval**
Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent / approval will lapse at the expiration of 12 months from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

2 **Boundaries**
It is recommended that as the Applicant is undertaking work on or near the boundary, the Applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

3 **Other Authorities**
The Applicant must ensure that any consent from other authorities (including but not limited to SA Water, Telstra, Native Vegetation Board, ETSA, AGL, Australia Post) that may be required to undertake the development, has been granted by that authority prior to the commencement of the development and any alterations that may be required are to be at the Applicant's expense.

4 **Crossing Places**
Any variation to the crossing places, including modifications to existing crossing places, redundant crossing places or new crossing places, must be approved by Council.

Any work required in relation to crossing places will be undertaken by Council and the Applicant will be charged directly for the work. A quotation for the work will be provided by Council to the Applicant prior to the work being undertaken.

For further information in relation to crossing places, please contact Council's Customer Service Centre on 8366 4200. Application forms are available from our webpage: www.burnside.sa.gov.au

5 **Drainage Water**
Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and air conditioning units must be discharged to the sewer.

Document Set ID: 717497
Version: 1, Version Date: 30/11/2007

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\1022\07

Advisory Notes (continued)

6 **Street Trees**
In relation to any street trees adjacent to the proposed development:

- The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the Sewerage Act, 1929;
- No existing street tree(s) will be pruned to maintain lines of sight to the proposed sign or the building / façade. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the structure shall only be carried out by Council;
- No street tree(s) will be removed; and
- Should the Applicant wish to remove a street tree, a separate approval is required.

For further information in relation to street trees, please contact Council's Customer Service Centre on 8366 4200.

7 **Stormwater Discharge**
In relation to any proposed stormwater discharge from the property, the following requirements shall be complied with:

- The Applicant must ensure that stormwater run off from the proposed development is collected and discharged to the building stormwater system. All down pipes required to discharge the stormwater run off must be installed within the property boundary.
- All car parks, driveways and vehicle manoeuvring areas shall be graded to ensure that no surface water or rubble from within the property is transported across the footpath.
- The connection of any building stormwater system to any part of Council's underground drainage system shall be in accordance with Council guidelines.

For further information in relation to stormwater discharge, please contact Council's Customer Service Centre on 8366 4200.

8 **Noise**
The emission of noise is subject to control under the Environment Protection Act and Regulations, 1993 and the Applicant (or person with the benefit of this consent) should comply with those requirements.

9 **Fences Act 1975**
The Applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be served to adjoining Owners. Please contact the Legal Services Commission for further advice on 8463 3555.

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\1022\07

Advisory Notes (continued)

10 **Consultation with Adjoining Owners**
In addition to notification and other requirements under the Development Act and Fences Act, it is recommended that the Applicant/Owner consult with adjoining Owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues needed resolution such as boundary fencing, retaining walls, trees / roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

11 **Building Site Management**
Upon granting of Development Approval, any person undertaking the development shall be required to conform to the following guidelines:

Construction Hours
That construction shall take place between 7am and 7pm Monday to Saturday and between 9am and 6pm on Sundays and public holidays. All such work shall be undertaken in such a manner so as not to cause any nuisance or annoyance to any of the occupiers of buildings within the locality.

Dust Emissions
That dust emissions from the site shall be controlled by a dust suppressant or by watering regularly.

Waste Receptacle
That the builder shall at all times provide and maintain a waste receptacle on the site for the storage of builder's waste. This receptacle shall be located on site for the duration of the construction period and be emptied as required.

Stormwater Runoff
That all runoff and stormwater from the subject site during the construction period must be either contained on site or directed through a temporary sediment trap, prior to discharge to the stormwater system.

Hard Waste Litter Storage
That all hard building materials be stored in a manner that secures it on site during the construction works.

Site Security
That the site shall be secured at all times to prevent unauthorised access and that adjoining properties are secure at all times during the period of construction works where fences have been removed.

Public Realm
That any work in the public realm requiring street occupation or hoardings requires Council consent, which must be granted prior to the commencement of the construction works.

Damage to Council's Footpath/Kerbing/Road Pavement/Verge
Section 779 of the Local Government Act provides that where damage to Council footpath/kerbing/road pavement/verge occurs as a result of the construction, the Owner/Applicant shall be responsible for the cost of Council repairing the damage.

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City of Burnside

DEVELOPMENT APPLICATION NO. 180\1022\07

Advisory Notes (continued)

Right of Way
The Applicant shall ensure that any rights of way that may be associated with the site are not blocked or access restricted during the construction of the development.

Asbestos Removal
For information in relation to the removal and disposal of asbestos, please contact Safework SA's Mineral Fibres Unit on 8303 0405 or the EPA on 8204 2004.

Water Restrictions
Water must not be used for dust suppression and compaction unless from a hand held hose fitted with a trigger nozzle or directly from a motor designed and approved to carry/ deposit water.

Water Restrictions Penalties:
People who fail to comply with restrictions will be issued with a notice reminding them of their responsibilities. If non-compliance continues, a $315 expiation notice will be issued. Serious and ongoing breaches could result in court action and fines of up to $5000 for individuals or $10,000 for businesses.

Water Restrictions Exemptions & Permits
Exemptions and permits may be available under certain circumstances. Contact SA Water for details.

For further information in relation to the above, please call either Council, the EPA or SafeWork SA.

Document Set ID: 717467
Version: 1, Version Date: 30/11/2007

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DA/FILE COPY

NIKIAS CERTIFICATION

Building Surveyors Building Regulation Consultants Private Certifiers (Reg No. 027)

11 Railway Terrace South Goodwood S A 5034 Phone 0418 846 192 / Fax 08 83579216

DECISION NOTIFICATION FORM

For Development Application Dated: 18. 9. 07 Registered On: 19. 9. 07 Development No. : 180/1022/07

To: VERGOLA PTY LTD
101 PORT ROAD
THEBARTON
S A 5031

City of Burnside
16 OCT 2007

LOCATION OF PROPOSED DEVELOPMENT:
House No: : 10 Street: BRIGALOW AVENUE Suburb: KENSINGTON GARDENS
Section No: FP: Volume: Folio:

NATURE OF PROPOSED DEVELOPMENT: VERANDAH

In respect of this proposed development you are informed that:

NATURE OF CONSENT	CONSENT GRANTED	NUMBER OF CONDITIONS
Development Plan Consent	Yes 21.9.07	2
Building Rules Consent	Yes	NIL
Land Division (Torrens/Strata)		
Public Space		
Other		
DEVELOPMENT APPROVAL	To Be Granted By Local Council	

THIS IS TO CERTIFY THAT THE BUILDING RULES CONSENT ARE CONSISTENT WITH THE DEVELOPMENT PLAN CONSE NT AND ANY CONDITIONS THAT APPLY IN RELATION TO THE DEVELOPMENT PLAN CONSENT.

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

If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act have expired. Reasons for this decision, any conditions imposed and the reasons for imposing those conditions are set out on the attached sheet.

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

*Signed: * PRIVATE CERTIFIER

Date: 9.10. 07 [2] Sheets Attached Ref: 0709:4

Document Set ID: 717467
Version: 1, Version Date: 30/11/2007

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NIKIAS CERTIFICATION

Building Surveyors Building Regulation Consultants Private Certifiers (Reg No. 027)

11 Railway Terrace South Goodwood S A 5034 Phone 0418 846 192 / Fax 08 83579216

Conditions of Building Rules Consent

BUILDING WORK : Verandah

SITE ADDRESS : 10 Brigalow Avenue Kensington Gardens 5068

APPLICANT : Vergola Pty Ltd 101 Port Road Thebarton 5031

OWNER : B Mortimer 10 Brigalow Avenue Kensington Gardens 5068

CLASSIFICATION : 10a

DEVELOPMENT No : 180/1022/07

Site Parameters Provided by: Applicant

Wind Classification: N1

Conditions:

NIL

NOTES:

1. Pursuant to Part4 of the Development Regulations 1993 , Reg 21 (2) (b) a Certificate of Building Indemnity Insurance as required under Division 3 of Part 5 of the Building Work Contractors Act 1995 must be taken out by the Builder contracted to perform any domestic building work exceeding $12000 and must be lodged by the owner with Council before any work commences on site.

2 I recommend that the person proposing to undertake building work on land (or who is in charge of such work) be warned of their obligation to give the Council notice at stages prescribed in Regulation 74. If the building owner is giving notice the notice must include the name , address and telephone number of the person responsible for undertaking or in charge of the building work (a registered Building Work Supervisor or Private Certifier) and addresses and telephone numbers of the persons proposed to sign Part A and Part B of the Statement of Compliance under Schedule 19A and regulation 83 AB (8) of the Development Regulations 1993.

3 For building work prescribed in regulation 75,(excavation or filling affecting other land) the building owner, must, at least 28 days before the building work is commenced cause to be served on the owner of the affected land or premises a notice of intention to perform the building work and the nature of that work, as required by Section 60 of the Development Act 1993.

4. A person must not occupy a Class 1a building under the Building Code (or an addition to a Class 1a building) that has not been completed in accordance with the development authorisation insofar as it relates to the performance of building work unless it complies with the requirements prescribed in Regulation 83AB(8). Regulation 83AB(8) requires a written Statement of Compliance(Part A) for Class 1a buildings to be provided by the Builder/Registered Building Work Supervisor/ Private Certifier to the relevant authority together with The Owner's Statement (Part B) in accordance with Schedule 19A of the Building Regulations 1993 to be sent to the Private Certiifier within 10 days of Occupation of the building or part thereof.
The statements certify that the completed building work was carried in accordance with the approved documents (disregarding any approved variations or variations of a minor nature).
(The requirements of this section do not apply to class 10a buildings and structures)

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Version: 1, Version Date: 30/11/2007

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NIKIAS CERTIFICATION

Building Surveyors Building Regulation Consultants Private Certifiers (Reg No. 027)

11 Railway Terrace South Goodwood S A 5034 Phone 0418 846 192 / Fax 08 83579216

Notes Continued :

5. The location, design and capacity of the stormwater discharge at the property alignment should be approved by council prior to siteworks commencing. The drainage system should be completed by the finish of construction of the building. (Clause 5.5.3, AS 2870 - 96).

6. The owners attention should be drawn to Appendix A & B of AS 2870 - 1996 'Performance Requirements and Foundation Maintenance'. Particular care should be exercised to ensure that the plumbing and perimeter paving is installed in accordance with the requirements of AS 2870 - 1996 and engineer's details.

7. The owners attention is drawn to the requirement for strict compliance with S A Water Regulations for the Installation of all fixtures, appliances, pipes and fittings regarding supply, drainage and waste management.

IMPORTANT: This approval does not imply compliance with the Electricity Act, 1996 as amended or the regulations thereunder. It is the responsibility of the owner and the person/ company erecting the building to ensure compliance with the same. It is also the owners responsibility to ensure that all installations and development complies with the requirements of othe utility authorities such as S A Water, Telstra and Origin Energy.

WARNING: AS 3660.1 - 'Protection of new buildings from subterranean termites', sets out methods for implementation during construction, for minimising the risk to new buildings from damage to their structural members by subterranean termites. The protection methods will not provide a total guarantee against attack. The owner must be aware that regular inspections for termite activity will need to be carried out, at intervals not exceeding 12 months, to further reduce the risk of termite damage.



Sozo Nikias
Building Surveyor
Private Certifier
9. 10. 07

Ref: 0710:4

Document Set ID: 717457
Version: 1, Version Date: 30/11/2007

Office of the Technical Regulator Email

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 74 of 77

Outlook

PIR: 1843458305 Reference: 0002828300

From DEM:OTR Plumbing Conveyancing <DEMOTRPlumbingConveyancing@sa.gov.au>
Date Wed 28-Oct-26 10:19 AM
To form1 <form1@form1.net.au>

1 attachment (317 KB)
10 BRIGALOW AVENUE, KENSINGTON GARDENS, SA 5068.pdf;

OFFICIAL

Please find attached the OTR record pertaining to the requested property, 10 BRIGALOW AVENUE, KENSINGTON GARDENS, SA 5068

Note: This statement may have been recreated from the original data transferred from SA Water under the Sewerage and Waterworks Acts. The OTR inherited this data on 10/04/2013 and cannot be held responsible for errors created in records prior to this date. We do endeavour to rectify these issues as soon as they are brought to our attention.

Rebecca Smith | Senior Regulatory Compliance Administrator

The Office of the Technical Regulator | Plumbing
Department for Energy and Mining
T 1300 760 311 | E DEMOTRPlumbingConveyancing@sa.gov.au | W www.energymining.sa.gov.au

GPO Box 618, Adelaide, South Australia 5001
Level 4, 11 Waymouth Street, Adelaide SA 5000

DISCLAIMER:
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Government of South Australia
Department for Energy and Mining

Encumbrance No.: 251785
Assessment No.: 1843458305
Office Hours: 8:30am – 4:30pm
Enquiries: 1300 760 311
E-mail: OTR.PlumbBackflow@sa.gov.au
Date: 28/10/2026

DM & E ELIX
10 BRIGALOW AVE, KENSINGTON GARDENS, SA

BACKFLOW PREVENTION DEVICE NOTICE

Retain this notice in your records

The Office of the Technical Regulator (OTR) has received notification that the testable backflow prevention device (the device) listed below has been installed, commissioned and tested by a licensed plumber on the 02 June, 2010 at 10 BRIGALOW AVE, KENSINGTON GARDENS, SA 5068.

The OTR has registered the notification in the form of a 'Notice of Encumbrance' on the above property.

Device Model Number: RPZ FEBCO 20MM 860L
Device Serial Number: H10375
Location of Device: BACK YARD NORTHERN SIDE. LHS OF HOUSE - REAR GARDEN - NEXT TO GARAGE ROLLER DOOR. FOR IRRIGATION

Under the *Water Industry Act 2012* (the Act), the device is required to be tested annually be a licensed plumber.

As the owner of the property, you will receive a 'Notice of Annual Device Retest' from the OTR that advises of your obligation to have the device tested in the timeframe indicated above. The purpose of the test is to ensure the protection of the drinking water supply.

If you fail to comply with a 'Notice of Annual Device Retest', the OTR may take further action, including issuing an expiation fee, or court action seeking a maximum penalty of up to $2,500.

Once the device is tested, the licensed plumber must, within 7 days, forward a complete 'Commission, Inspection and Maintenance Report' to the OTR.

Further information is overleaf. If you require clarification on the above please do not hesitate to contact the OTR on 1300 760 311.

Rob Faunt
TECHNICAL REGULATOR

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 76 of 77

Government of South Australia
Department for Energy and Mining

Encumbrance No.: 251786
Assessment No.: 1843458305
Office Hours: 8:30am – 4:30pm
Enquiries: 1300 760 311
E-mail: OTR.PlumbBackflow@sa.gov.au
Date: 28/10/2026

DM & E ELIX
10 BRIGALOW AVE, KENSINGTON GARDENS, SA

BACKFLOW PREVENTION DEVICE NOTICE

Retain this notice in your records

The Office of the Technical Regulator (OTR) has received notification that the testable backflow prevention device (the device) listed below has been installed, commissioned and tested by a licensed plumber on the 02 June, 2010 at 10 BRIGALOW AVE, KENSINGTON GARDENS, SA 5068.

The OTR has registered the notification in the form of a 'Notice of Encumbrance' on the above property.

Device Model Number: RPZ FEBCO 20MM 860L
Device Serial Number: H10415
Location of Device: FRONT YARD BY WATER METER

Under the *Water Industry Act 2012* (the Act), the device is required to be tested annually be a licensed plumber.

As the owner of the property, you will receive a 'Notice of Annual Device Retest' from the OTR that advises of your obligation to have the device tested in the timeframe indicated above. The purpose of the test is to ensure the protection of the drinking water supply.

If you fail to comply with a 'Notice of Annual Device Retest', the OTR may take further action, including issuing an expiation fee, or court action seeking a maximum penalty of up to $2,500.

Once the device is tested, the licensed plumber must, within 7 days, forward a complete 'Commission, Inspection and Maintenance Report' to the OTR.

Further information is overleaf. If you require clarification on the above please do not hesitate to contact the OTR on 1300 760 311.

Rob Faunt
TECHNICAL REGULATOR

Greatforms Signing Session ID: 8aba3feb-a2df-46ae-8ce4-f3ede16399c5, Executed: 02-Nov-2026 17:26 (ACDT), Page 77 of 77

Government of South Australia
Department for Energy and Mining

Encumbrance No.: 258183
Assessment No.: 1843458305
Office Hours: 8:30am – 4:30pm
Enquiries: 1300 760 311
E-mail: OTR.PlumbBackflow@sa.gov.au
Date: 28/10/2026

DM & E ELIX
10 BRIGALOW AVE, KENSINGTON GARDENS, SA

BACKFLOW PREVENTION DEVICE NOTICE

Retain this notice in your records

The Office of the Technical Regulator (OTR) has received notification that the testable backflow prevention device (the device) listed below has been installed, commissioned and tested by a licensed plumber on the 25 May, 2011 at 10 BRIGALOW AVE, KENSINGTON GARDENS, SA 5068.

The OTR has registered the notification in the form of a 'Notice of Encumbrance' on the above property.

Device Model Number: RPZ FEBCO 860L 20MM
Device Serial Number: H10372
Location of Device: NEXT TO IRRIGATION

Under the *Water Industry Act 2012* (the Act), the device is required to be tested annually be a licensed plumber.

As the owner of the property, you will receive a 'Notice of Annual Device Retest' from the OTR that advises of your obligation to have the device tested in the timeframe indicated above. The purpose of the test is to ensure the protection of the drinking water supply.

If you fail to comply with a 'Notice of Annual Device Retest', the OTR may take further action, including issuing an expiation fee, or court action seeking a maximum penalty of up to $2,500.

Once the device is tested, the licensed plumber must, within 7 days, forward a complete 'Commission, Inspection and Maintenance Report' to the OTR.

Further information is overleaf. If you require clarification on the above please do not hesitate to contact the OTR on 1300 760 311.

Rob Faunt
TECHNICAL REGULATOR