



THE LAW SOCIETY
OF SOUTH AUSTRALIA

FORM 1

VENDOR'S STATEMENT UNDER SECTION 7
(Section 7 Land and Business (Sale and Conveyancing) Act 1994)

36 LONGVIEW AVENUE, BELAIR SA 5052

Form 1**Vendor's Statement (Section 7)***(Land and Business (Sale and Conveyancing) Act 1994)***Contents**

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Schedule**Preliminary****To the purchaser:**

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

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

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

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

Instructions to the vendor for completing this statement:

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

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

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

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

All questions must be answered with a YES or NO (inserted in the place indicated by 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: **TOBY JOSEPH OAKLEY AS EXECUTOR OF THE ESTATE OF THE LATE PETRA MARSCHNER**
Address: **C/- WAKEFUL PARTNERS, LEVEL 1, 66 RUNDLE STREET, KENT TOWN SA 5067**
4. Vendor's registered agent: **FOX REAL ESTATE**
Address: **192 MELBOURNE STREET, NORTH ADELAIDE SA 5006**
5. Date of contract (if made before this statement is served): **N/A**
6. Description of the land: **WHOLE OF THE LAND COMPRISED IN CERTIFICATE OF TITLE VOLUME 6141 FOLIO 668 BEING ALLOTMENT 1 DEPOSITED PLAN 92946 IN THE AREA NAMED BELAIR HUNDRED OF ADELAIDE AND MORE COMMONLY KNOWN AS 36 LONGVIEW AVENUE, BELAIR SA 5052**

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

To the purchaser:

**Right to cool-off
(section 5)**

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

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

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

2. Time for service

The cooling-off notice must be served—

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

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

3. Form of cooling-off notice

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

4. Methods of service

The cooling-off notice must be—

- (a) given to the vendor personally; or
- (b) posted by registered post to the vendor at the following address: **C/- WAKEFUL PARTNERS, LEVEL 1, 66 RUNDLE STREET, KENT TOWN SA 5067** (being the vendor's last known address); or
- (c) transmitted by fax or email to the following fax number or email address: **nick@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: **C/- FOX REAL ESTATE, 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 a cooling-off notice on the vendor, the contract will be taken to have been rescinded at the time when the notice was served. You are then entitled to the return of any money you paid under the contract other than—

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

Proceeding with the purchase

If you wish to proceed with the purchase—

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

Part C – Statement with respect to required particulars (section 7(1))

To the purchaser:

I/We **TOBY JOSEPH OAKLEY AS EXECUTOR OF THE ESTATE OF THE LATE PETRA MARSCHNER**

of **C/- WAKEFUL PARTNERS, LEVEL 1, 66 RUNDLE STREET, KENT TOWN SA 5067**

being the vendor(s) 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: **5/9/2025**

Signed by:
Signed: 

2438ABB627EB4E2...

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

To the purchaser:

I/We **DIMITRIS PARHAS**

of **WRP LEGAL, LEVEL 1, 153 FLINDERS STREET, ADELAIDE SA 5000**

certify that, the responses 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: **5/09/2025**

Signed: 

Person authorised to act on behalf of Vendor's agent

Schedule - Division 1

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

NOTE

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

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

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

Table of particulars

Column 1

Column 2

Column 3

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

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

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

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

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

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

[If requested particulars are set out in the item and then continued on an attachment due to insufficient space, identify the attachment in the place provided in column 2. If all of the requested particulars are contained in an attachment (instead of

in the item) in accordance with the Note preceding this table, identify the attachment in the place provided in column 2 and (if required by the Note) identify the parts of the attachment that contain the particulars.]

1. General

<p>1.1 Mortgage of land</p> <p>NOTE Do not omit this item. The item and its heading must be included in the statement even if not applicable</p>	<p><i>Is this item applicable?</i> <input checked="" type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> YES</p> <p><i>Are there any attachments?</i> YES <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> SEE CERTIFICATE OF TITLE</p> <p>Number of mortgage (if registered): 12206247</p> <p>Name of mortgagee: AUSTRALIA & NEW ZEALAND BANKING GROUP LTD (ACN: 005 357 522)</p>
<p>1.2 Easement (whether over the land or annexed to the land)</p> <p>NOTE "Easement" includes rights of way and party wall rights</p> <p>NOTE Do not omit this item. The item and its heading must be included in the statement even if not applicable</p>	<p><i>Is this item applicable?</i> <input checked="" type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> NO</p> <p><i>Are there any attachments?</i> YES <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> SEE CERTIFICATE OF TITLE</p> <p>Description of land subject to easement: LAND MARKED B ON DP 92946</p> <p>Nature of easement: SUBJECT TO EASEMENT(S) TO THE MINISTER FOR INFRASTRUCTURE (T 4742705)</p> <p>Are you aware of any encroachment on the easement? N/A</p> <p>(If YES, give details):</p> <p>If there is an encroachment, has approval for the encroachment been given? N/A</p> <p>(If YES, give details):</p>
<p>1.3 Restrictive covenant</p> <p>NOTE Do not omit this item. The item and its heading must be included in the statement even if not applicable</p>	<p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p><i>Are there any attachments?</i> N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Nature of restrictive covenant: _____</p> <p>Name of person in whose favour restrictive covenant operates: _____</p>

	<p>Does the restrictive covenant affect the whole of the land being acquired? <i>N/A</i></p> <p>If NO, give details: _____</p> <p>Does the restrictive covenant affect land other than that being acquired? <i>N/A</i></p>
<p>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.)</p> <p>NOTE Do not omit this item. The item and its heading must be included in the statement even if not applicable</p>	<p><i>Is this item applicable?</i> _____ <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> _____ <i>N/A</i></p> <p><i>Are there any attachments?</i> _____ <i>N/A</i> If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): _____</p> <p>Names of parties: _____</p> <p>Period of lease, agreement for lease etc: From _____ to _____</p> <p>Amount of rent or licence fee: \$ _____ per _____</p> <p>Is the lease, agreement for lease etc in writing? _____</p> <p>If the lease or licence was granted under an Act relating to disposal of Crown lands, specify—</p> <p>(a) the Act under which the lease or licence was granted: _____</p> <p>(b) the outstanding amounts due (including any interest or penalty): _____</p>

5. Development Act 1993 (repealed)

<p>5.1 Section 42—Condition (that continues to apply) of a development authorisation</p> <p>NOTE Do not omit this item. The item and its heading must be included in the statement even if not applicable</p>	<p><i>Is this item applicable?</i> _____ <input checked="" type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> _____ NO</p> <p><i>Are there any attachments?</i> _____ YES If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): SEE DECISION NOTIFICATION(S) WITHIN COUNCIL SEARCH</p> <p>Development Number: 080/0771/15 Nature of Development: CONSTRUCT A DWELLING, FREESTANDING GARAGE/STORE ROOM (FWD OF DWELLING), PORTICO, DECKS AND RETAINING WALLS – STAGE 2 – SUPERSTRUCTURE TO COMPLETION – FINAL CONSTRUCT A DWELLING, FREESTANDING GARAGE/STORE ROOM (FWD OF DWELLING), PORTICO, DECKS AND RETAINING WALLS – STAGE</p>
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	<p>1 – FOOTINGS, DEWLLING FLOOR FRAME AND ASSOCIATED SITE WORKS Condition(s) of authorisation: SEE DECISION NOTIFICATION FORM WITHIN COUNCIL SEARCH</p> <p>Development Number: 080/0900/11 Nature of Development: DEMOLISH ALL EXISTING STRUCTURES Condition(s) of authorisation: SEE DECISION NOTIFICATION FORM WITHIN COUNCIL SEARCH</p> <p>Development Number: 080/0580/10 Nature of Development: DIVIDE LAND TO CREATE ONE (1) ADDITIONAL ALLOTMENT Condition(s) of authorisation: SEE DECISION NOTIFICATION FORM WITHIN COUNCIL SEARCH</p>
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6. Repealed Act conditions

<p>6.1 Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971 (repealed)</i>, the <i>City of Adelaide Development Control Act 1976 (repealed)</i>, the <i>Planning Act 1982 (repealed)</i> or the <i>Planning and Development Act 1966 (repealed)</i></p> <p>NOTE Do not omit this item. The item and its heading must be included in the statement even if not applicable</p>	<p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there any attachments? N/A If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): _____</p> <p>Nature of condition(s): _____</p>
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7. Emergency Services Funding Act 1998

<p>7.1 Section 16—Notice to pay levy</p>	<p>Is this item applicable? <input checked="" type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? YES</p> <p>Are there any attachments? YES If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): SEE CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE</p> <p>Date of notice: 22/07/2025</p> <p>Amount of levy payable: \$159.15 (N.B. RATES WILL BE ADJUSTED AND PAID AT SETTLEMENT)</p>
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19. Land Tax Act 1936

<p>19.1 Notice, order or demand for payment of land tax</p>	<p>Is this item applicable? <input checked="" type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? YES</p> <p>Are there any attachments? YES</p>
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	<p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> SEE CERTIFICATE OF LAND TAX PAYABLE</p> <p>Date of notice, order or demand: 22/07/2025</p> <p>Amount payable (as stated in the notice): \$0.00</p>
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21. Local Government Act 1999

<p>21.1 Notice, order, declaration, charge, claim or demand given or made under the Act</p>	<p><i>Is this item applicable?</i> <input checked="" type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> YES</p> <p><i>Are there any attachments?</i> YES <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> SEE COUNCIL SEARCH</p> <p>Date of notice, order etc: 21/07/2025</p> <p>Name of council by which, or person by whom, notice, order etc is given or made: CITY OF MITCHAM</p> <p>Land subject thereto: WHOLE OF THE LAND COMPRISED IN CERTIFICATE OF TITLE VOLUME 6141 FOLIO 668 AND MORE COMMONLY KNOWN AS 36 LONGVIEW AVENUE, BELAIR SA 5052</p> <p>Nature of requirements contained in notice, order etc: LIABILITY OF RATES AND CHARGES ON THE LAND</p> <p>Time for carrying out requirements: ALL OF THE ABOVE IS DUE AND PAYABLE ON TRANSFER OR AT SETTLEMENT EITHER IN FULL OR AS PER THE DATES SET OUT</p> <p>Amount payable (if any): \$1,807.35 (N.B. RATES WILL BE ADJUSTED AND PAID AT SETTLEMENT)</p>
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29. Planning, Development and Infrastructure Act 2016

<p>29.1 Part 5—Planning and Design Code</p> <p>NOTE Do not omit this item. The item and its heading must be included in the statement even if not applicable</p>	<p><i>Is this item applicable?</i> <input checked="" type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> NO</p> <p><i>Are there any attachments?</i> YES <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> SEE PROPERTY INTEREST REPORT AND PLANS SECTION 7 RESPONSE WITHIN COUNCIL SEARCH</p>
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	<p>Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):</p> <p>Zone(s): HILLS NEIGHBOURHOOD (HN)</p> <p>Subzone(s): NO</p> <p>Overlay(s):</p> <p>AIRPORT BUILDING HEIGHTS (REGULATED) (ALL STRUCTURES OVER 30 METRES)</p> <p>CHARACTER AREA (MITC3)</p> <p>HAZARDS (BUSHFIRE – HIGH RISK) (HIGH)</p> <p>HAZARDS (FLOODING – GENERAL)</p> <p>NATIVE VEGETATION</p> <p>PRESCRIBED WELLS AREA</p> <p>REGULATED AND SIGNIFICANT TREE</p> <p>STORMWATER MANAGEMENT</p> <p>URBAN TREE CANOPY</p> <p>Is there a State heritage place on the land or is the land situated in a State heritage area? NO</p> <p>Is the land designated as a local heritage place? NO</p> <p>Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land? NO</p> <p>Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? YES</p> <p>Note---</p> <p>For further information about the Planning and Design Code visit www.code.plan.sa.gov.au.</p>
<p>29.2 Section 127 – Condition (that continues to apply) of a development authorization</p> <p>NOTE Do not omit this item. The item and its heading must be included in the statement even if not applicable</p>	<p><i>Is this item applicable?</i> _____ <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> _____ N/A</p> <p><i>Are there any attachments?</i> _____ N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> _____</p> <p>Date of authorisation: _____</p> <p>Name of relevant authority that granted authorisation: _____</p> <p>Condition(s) of authorisation: _____</p>

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34. Water Industry Act 2012

<p>34.1 Notice or order under the Act requiring payment of charges or other amounts or making other requirement</p>	<p><i>Is this item applicable?</i> <input checked="" type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> YES</p> <p><i>Are there any attachments?</i> YES <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> SEE CERTIFICATE OF WATER AND SEWER CHARGES & ENCUMBRANCE INFORMATION</p> <p>Date of notice or order: 22/07/2025</p> <p>Name of person or body who served notice or order: SA WATER</p> <p>Amount payable (if any) as specified in the notice or order: \$0.00</p> <p>Nature of other requirement made (if any) as specified in the notice or order: QUARTERLY CHARGES</p>
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36. Other charges

<p>36.1 Charge of any kind affecting the land (not included in another item)</p>	<p><i>Is this item applicable?</i> <input checked="" type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> NO</p> <p><i>Are there any attachments?</i> YES <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> SEE APPEAL OF DEVELOPMENT APPLICATION</p> <p>JE MITSON (APPELLANT) CITY OF MITCHAM (RESPONDENT)</p> <p>BEFORE THE ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT</p> <p>Person or body in whose favour charge exists:</p> <p>Nature of charge:</p> <p>Amount of charge (if known):</p>
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Schedule - Division 2



Other particulars (section 7(1)(b))

~~Particulars of transactions in last 12 months~~ ~~If the vendor, within 12 months before the date of the contract of sale—~~

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

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

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

~~The above particulars must be provided for each transaction.~~~~Particulars relating to community lot (including strata lot) or development lot~~

- ~~1. — Name of community corporation: —
Address of community corporation: —~~
- ~~2. — Application must be made in writing to the community corporation for the particulars and documents referred to in 3 and 4. Application must also be made in writing to the community corporation for the documents referred to in 6 unless those documents are obtained from the Lands Titles Registration Office.~~
- ~~3. — Particulars supplied by the community corporation or known to the vendor:

 - ~~(a) — particulars of contributions payable in relation to the lot (including details of arrears of contributions related to the lot): —~~
 - ~~(b) — particulars of the assets and liabilities of the community corporation: —~~
 - ~~(c) — particulars of expenditure that the community corporation has incurred, or has resolved to incur, and to which the owner of the lot must contribute, or is likely to be required to contribute: —~~
 - ~~(d) — if the lot is a development lot, particulars of the scheme description relating to the development lot and particulars of the obligations of the owner of the development lot under the development contract: —~~
 - ~~(e) — if the lot is a community lot, particulars of the lot entitlement of the lot: —~~~~

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

4. Documents supplied by the community corporation that are enclosed:

- (a) a copy of the minutes of the general meetings of the community corporation and management committee since the deposit of the community plan; *(*include whichever is the shortest period)*
- (b) a copy of the statement of accounts of the community corporation last prepared;
- (c) a copy of current policies of insurance taken out by the community corporation.

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

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

6. The following documents are enclosed:

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

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

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

Name: _____
Address: _____

NOTE

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

~~Particulars relating to strata unit~~ _____

- ~~1. Name of strata corporation: _____
Address of strata corporation: _____~~

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

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

 - ~~(a) a particulars of contributions payable in relation to the unit (including details of arrears of contributions related to the unit): _____~~
 - ~~(b) particulars of the assets and liabilities of the strata corporation: _____~~
 - ~~(c) particulars of expenditure that the strata corporation has incurred, or has resolved to incur, and to which the unit holder of the unit must contribute, or is likely to be required to contribute: not known~~
 - ~~(d) particulars of the unit entitlement of the unit: not known~~

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

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

 - ~~(a) a copy of the minutes of the general meetings of the strata corporation and management committee for the 2 years preceding this statement ; _____~~
 - ~~(b) a copy of the statement of accounts of the strata corporation last prepared; _____~~
 - ~~(c) a copy of current policies of insurance taken out by the strata corporation. _____~~

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

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

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

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

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

~~Name: _____
Address: _____~~

NOTE

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

- ~~2. Copies of the articles of the strata corporation may also be obtained from the Lands Titles Registration Office.~~
- ~~3. All owners of a strata unit are bound by the articles of the strata corporation. The articles regulate the rights and liabilities of owners of units in relation to their units and the common property and matters of common concern.~~
- ~~4. For a brief description of some of the matters that need to be considered before purchasing a strata unit, see Division 3 of this Schedule.~~

Particulars of building indemnity insurance



NOTE

Building indemnity insurance is not required for—

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

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

1. Name(s) of person(s) insured: **PETRA MARSHNER**
2. Name of insurer: **QBE INSURANCE (AUSTRALIA) LTD**
3. Limitations on the liability of the insurer: **SUBJECT TO THE BUILDING WORK CONTRACTORS ACT 1995 AND REGULATIONS AND THE CONDITIONS OF THE INSURANCE CONTRACT, COVER WILL BE PROVIDED TO THE BUILDING OWNER NAMED IN THE DOMESTIC BUILDING CONTRACT AND TO THE SUCCESSORS IN TITLE TO THE BUILDING OWNER**
4. Name of builder: **CANVAS CONSTRUCTIONS PTY LTD**
5. Builder's licence number: **BLD 237114**
6. Date of issue of insurance: **11/11/2015**
7. Description of insured building work: **NEW SINGLE DWELLING CONSTRUCTION CONTRACT**

Exemption from holding insurance

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

If YES, give details:

- (a) Date of the exemption:
- (b) Name of builder granted the exemption:
- (c) Licence number of builder granted the exemption:
- (d) Details of building work to which the exemption applies:

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

Particulars relating to asbestos at workplaces _____

1. ~~In these particulars—~~

~~**asbestos** and **asbestos containing material** have the same meaning as in the *Work Health and Safety Regulations 2012*;~~

~~**workplace** has the same meaning as in the *Work Health and Safety Act 2012*.~~

2. ~~Is there a workplace on the land? N/A~~

3. ~~If YES, is there an asbestos register for the workplace? N/A~~

4. ~~If YES, does that register record any asbestos or asbestos containing material at the workplace (or likely to be present at the workplace from time to time) and specify the location, type and condition of that asbestos or asbestos containing material? N/A~~

5. ~~IF YES—~~

(a) ~~give details of the location, type and condition of that asbestos or asbestos containing material: _____~~

(b) ~~has a plan been prepared for the management of asbestos at the workplace? N/A~~

~~If YES, give details: _____~~

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

~~If YES, give details: _____~~

NOTE

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

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

(b) ~~if—~~

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

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

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

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

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

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

Particulars relating to aluminium composite panels _____

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

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

If YES, give details of the following:

- 1 _____ the actions required to remediate the risk (if known): _____
- 2 _____ the estimated costs of remediation (if known): _____

Particulars relating to court or tribunal process _____

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

- (a) _____ that is stated to affect the land or the value of which is \$5 000 or more; and _____
- (b) _____ that presently affects (or may prospectively affect) title to, or the possession or enjoyment of, the land, the vendor must provide the following particulars:
 - 1. _____ Name of court or tribunal: _____
 - 2. _____ Names of parties: _____
 - 3. _____ Nature of claim: _____
 - 4. _____ Amount of claim (if applicable): _____
 - 5. _____ Amount of judgment (if applicable): _____
 - 6. _____ Name of judgment creditor (if applicable): _____

~~Particulars relating to land irrigated or drained under Irrigation Acts~~

~~1. Land irrigated or drained under Irrigation Act 2009~~

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

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

~~If YES, specify: _____~~

~~(i) the date on which notice was given: _____~~

~~(ii) the requirements of the notice: _____~~

~~(iii) the amount (if any) payable under section 40(7) of that Act: _____~~

~~(b) has the trust given notice under section 50 of that Act? N/A~~

~~If YES, specify: _____~~

~~(i) the date on which notice was given: _____~~

~~(ii) the amount payable (including interest, if any): _____~~

~~2. Land irrigated or drained under Renmark Irrigation Trust Act 2009~~

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

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

~~If YES, specify: _____~~

~~(i) the date on which notice was given: _____~~

~~(ii) the requirements of the notice: _____~~

~~(iii) the amount (if any) payable under section 41(7) of that Act: _____~~

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

~~If YES, specify: _____~~

~~(i) the date on which notice was given: _____~~

~~(ii) the amount payable (including interest, if any): _____~~

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

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

domestic activity has the same meaning as in the [Environment Protection Act 1993](#);

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

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

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

EPA means the Environment Protection Authority established under the [Environment Protection Act 1993](#);

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

- (a) the nature and extent of contamination of the land by chemical substances present or remaining on or below the surface of the land; and
- (b) the suitability of the land for a particular use; and
- (c) what remediation is or remains necessary for a particular use, but does not include a site contamination audit (as defined below) completed on or after 1 July 2009;

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

prescribed commercial or industrial activity—see [item 1\(2\)](#);

prescribed fee means the fee prescribed under the [Environment Protection Act 1993](#) for inspection of, or obtaining copies of information on, the public register;

public register means the public register kept by the EPA under section 109 of the [Environment Protection Act 1993](#);

site contamination audit has the same meaning as in the [Environment Protection Act 1993](#);

site contamination audit report has the same meaning as in the [Environment Protection Act 1993](#).

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

abrasive blasting	acid sulphate soil generation	agricultural activities
airports, aerodromes or aerospace industry	animal burial	animal dips or spray race facilities
animal feedlots	animal saleyards	asbestos disposal
asphalt or bitumen works	battery manufacture, recycling or disposal	breweries
brickworks	bulk shipping facilities	cement works
ceramic works	charcoal manufacture	coal handling or storage
coke works	compost or mulch production or storage	concrete batching works
curing or drying works	defence works	desalination plants
dredge spoil disposal or storage	drum reconditioning or recycling works	dry cleaning
electrical or electronics component manufacture	electrical substations	electrical transformer or capacitor works
electricity generation or power plants	explosives or pyrotechnics facilities	fertiliser manufacture
fibreglass manufacture	fill or soil importation	fire extinguisher or retardant manufacture
fire stations	fire training areas	foundry
fuel burning facilities	furniture restoration	gasworks
glass works	glazing	hat manufacture or felt processing
incineration	iron or steel works	laboratories
landfill sites	lime burner	metal coating, finishing or spray painting
metal forging	metal processing, smelting, refining or metallurgical works	mineral processing, metallurgical laboratories or mining or extractive industries
mirror manufacture	motor vehicle manufacture	motor vehicle racing or testing venues
motor vehicle repair or maintenance	motor vehicle wrecking yards	mushroom farming
oil recycling works	oil refineries	paint manufacture
pest control works	plastics manufacture works	printing works
pulp or paper works	railway operations	rubber manufacture or processing
scrap metal recovery	service stations	ship breaking
spray painting	tannery, fellmongery or hide curing	textile operations
transport depots or loading sites	tyre manufacture or retreading	vermiculture
vessel construction, repair or maintenance	waste depots	wastewater storage, treatment or disposal
water discharge to underground aquifer	wetlands or detention basins	wineries or distilleries
wood preservation works	woolscouring or wool carbonising works	works depots (operated by councils or utilities)

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

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

NO

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

- (2) Is the vendor aware of any prescribed commercial or industrial activities (see [item 1\(2\)](#) above) ever having taken place at the land? **NO**

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

- (3) Is the vendor aware of any dangerous substances ever having been kept at the land pursuant to a licence under the *Dangerous Substances Act 1979*? **NO**

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

- (4) Is the vendor aware of the sale or transfer of the land or part of the land ever having occurred subject to an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the [Environment Protection Act 1993](#) applies? **NO**

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

- (5) Is the vendor aware of an environmental assessment of the land or part of the land ever having been carried out or commenced (whether or not completed)? **NO**

If YES, give details of all environmental assessments that the vendor is aware of and whether they were carried out or commenced before or after the vendor acquired an interest in the land:

NOTE—

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

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

3. Licences and exemptions recorded by EPA in public register

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

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

N/A

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

N/A

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

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

- (e) details of a licence issued under the repealed [South Australian Waste Management Commission Act 1979](#) to operate a waste depot at the land? N/A

- (f) details of a licence issued under the repealed [Waste Management Act 1987](#) to operate a waste depot at the land? N/A

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

- (h) details of a licence issued under the repealed [Waste Management Act 1987](#) to produce prescribed waste (within the meaning of that Act) at the land? N/A

NOTE—

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

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

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

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

The EPA will not provide details about exemptions relating to—

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

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

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

- details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the [Environment Protection Act 1993](#))? N/A
- details of site contamination notified to the EPA under section 83A of the [Environment Protection Act 1993](#)? N/A
- a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register? N/A
- a copy of a site contamination audit report? N/A
- details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the [Environment Protection Act 1993](#) applies? N/A
- details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the [Environment Protection Act 1993](#)? N/A
- details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the [Environment Protection Act 1993](#)? N/A
- details of a notification under section 103Z(1) of the [Environment Protection Act 1993](#) relating to the commencement of a site contamination audit? N/A
- details of a notification under section 103Z(2) of the [Environment Protection Act 1993](#) relating to the termination before completion of a site contamination audit? N/A
- details of records, held by the former South Australian Waste Management Commission under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995? N/A

NOTE—

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

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

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

- a copy of a report known as a "Health Commission Report" prepared by or on behalf of the South Australian Health Commission (under the repealed [South Australian Health Commission Act 1976](#))? N/A
- details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the [Environment Protection Act 1993](#)? N/A

- (c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the [Environment Protection Act 1993](#)? N/A
- (d) a copy of a pre-1 July 2009 site audit report? N/A
- (e) details relating to the termination before completion of a pre-1 July 2009 site audit? N/A

NOTE—

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

6. Further information held by councils

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

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

NO

NOTE—

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

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

It should be noted that –

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

7. Further information for purchasers

NOTE—

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

- details relating to environmental authorisations such as applications, applicants, locations of activities, conditions, suspension, cancellation or surrender of authorisations, disqualifications, testing requirements and test results;
- details relating to activities undertaken on the land under licences or other environmental authorisations no longer in force;

- written warnings relating to alleged contraventions of the [Environment Protection Act 1993](#);
- details of prosecutions and other enforcement action;
- details of civil proceedings;
- other details prescribed under the [Environment Protection Act 1993](#) (see section 109(3)(1)).

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

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

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

~~Particulars relating to Livestock Act 1997~~ _____

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

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

~~Date of notice: _____~~

~~Terms of notice: _____~~

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

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

~~Date of order or notice: _____~~

~~Terms of order or notice: _____~~

Annexures

The following documents are annexed hereto –

- Annexure A – Copy of Certificate(s) of title to the land;
- Annexure B: – Copy of Council Search;
- Annexure C: – Copy of Certificate of Emergency Services Levy Payable;
- Annexure D: – Copy of Certificate of Land Tax Payable;
- Annexure E: – Copy of SA Water Certificate of Charges;
- Annexure F: – Copy of Property Interest Report;
- Annexure G: – Prescribed Notice; and
- Annexure H: – Smoke Alarm Fire Safety Fact Sheet.

**Acknowledgement of Receipt of Form 1
Statement Under Section 7**

*I/We , the abovementioned Purchaser, hereby acknowledge having received this day the Form 1 with the annexures as set out above.

Dated this day of

Signed: _____
(Purchaser)

ANNEXURE A

Copy of Certificate(s) of Title to the Land



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 6141/668)
21/07/2025 12:34PM
13128
20250721005268

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 6141 Folio 668

Parent Title(s) CT 5217/120
 Creating Dealing(s) RTC 12154533
 Title Issued 17/07/2014 Edition 2 Edition Issued 21/10/2014

Estate Type

FEE SIMPLE

Registered Proprietor

PETRA MARSCHNER
OF 138 LONGWOOD ROAD HEATHFIELD SA 5153

Description of Land

ALLOTMENT 1 DEPOSITED PLAN 92946
IN THE AREA NAMED BELAIR
HUNDRED OF ADELAIDE

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B ON DP 92946 TO THE MINISTER FOR INFRASTRUCTURE (T 4742705)

Schedule of Dealings

Dealing Number	Description
12206247	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

Notations

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



Product
Date/Time
Customer Reference
Order ID

Check Search
21/07/2025 12:34PM
13128
20250721005268

Certificate of Title

Title Reference: CT 6141/668
Status: CURRENT
Edition: 2

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



Product
Date/Time
Customer Reference
Order ID

Title and Valuation Package
21/07/2025 12:34PM
13128
20250721005268

Certificate of Title

Title Reference CT 6141/668
Status CURRENT
Easement YES
Owner Number 12431895
Address for Notices CARE WRP LEGAL & ADVISORY LEVEL 1 153 FLINDERS STREET ADELAIDE SA 5000, AUS
Area 1204m² (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

PETRA MARSCHNER
OF 138 LONGWOOD ROAD HEATHFIELD SA 5153

Description of Land

ALLOTMENT 1 DEPOSITED PLAN 92946
IN THE AREA NAMED BELAIR
HUNDRED OF ADELAIDE

Last Sale Details

Dealing Reference TRANSFER (T) 12206246
Dealing Date 30/09/2014
Sale Price \$410,000
Sale Type TRANSFER FOR FULL MONETARY CONSIDERATION

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	12206247	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
0821279010	CURRENT	36 LONGVIEW AVENUE, BELAIR, SA 5052

Notations

Dealings Affecting Title



Product
Date/Time
Customer Reference
Order ID

Title and Valuation Package
 21/07/2025 12:34PM
 13128
 20250721005268

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number 0821279010
Type Site & Capital Value
Date of Valuation 01/01/2025
Status CURRENT
Operative From 01/07/2015
Property Location 36 LONGVIEW AVENUE, BELAIR, SA 5052
Local Government MITCHAM
Owner Names PETRA MARSCHNER
Owner Number 12431895
Address for Notices CARE WRP LEGAL & ADVISORY LEVEL 1 153 FLINDERS STREET ADELAIDE SA 5000, AUS
Zone / Subzone HN - Hills Neighbourhood
Water Available Yes
Sewer Available Yes
Land Use 1100 - House
Description 4H IG
Local Government Description Residential

Parcels

Plan/Parcel	Title Reference(s)
D92946 ALLOTMENT 1	CT 6141/668

Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$465,000	\$810,000			
Previous	\$415,000	\$760,000			



Product
Date/Time
Customer Reference
Order ID

Title and Valuation Package
21/07/2025 12:34PM
13128
20250721005268

Building Details

Valuation Number	0821279010
Building Style	Conventional
Year Built	2016
Building Condition	Good
Wall Construction	Cement Sheet; Weatherbrd; Log
Roof Construction	Galvanised Iron
Equivalent Main Area	95 sqm
Number of Main Rooms	4

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



Product
Date/Time
Customer Reference
Order ID

Historical Search
21/07/2025 12:34PM
13128
20250721005268

Certificate of Title

Title Reference: CT 6141/668
Status: CURRENT
Parent Title(s): CT 5217/120
Dealing(s) Creating Title: RTC 12154533
Title Issued: 17/07/2014
Edition: 2

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
01/10/2014	21/10/2014	12206247	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
01/10/2014	21/10/2014	12206246	TRANSFER	REGISTERED	PETRA MARSCHNER
01/10/2014	21/10/2014	12206245	DISCHARGE OF MORTGAGE	REGISTERED	11711247
02/02/2012	27/02/2012	11711247	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

ANNEXURE B

Copy of Council Search Information

CITY OF



MITCHAM

131 Belair Road Torrens Park SA 5062
 PO Box 21 Mitcham Shopping Centre SA 5062
 Telephone 1300 133 466

Email mitcham@mitchamcouncil.sa.gov.au

Web site <http://www.mitchamcouncil.sa.gov.au>

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

Land and Business (Sale and Conveyancing) Act Section 7 Statement Prescribed Encumbrances for 36 Longview Avenue BELAIR SA 5052			
Applicant	WRP Legal & Advisory Level 1 153 Flinders Street ADELAIDE SA 5000		
Certificate Number	CERT1057/25	Date received	21/07/2025
Property Address	36 Longview Avenue BELAIR SA 5052		
Property Description	LOT 1 TYP DP SEC 936 PLN 92946 C/T 6141/668		
Property ID	29773	Parcel number	parcel number
Schedule – Division 1 – Particulars of Prescribed Encumbrances affecting the land at 36 Longview Avenue BELAIR SA 5052			
Development Act 1993			
Part 3 - Development Plan			
Title or other brief description of zone or policy area in which the land is situated (as shown in the Development Plan):	Hills Neighbourhood (HN)		
Is the land situated in a designated State Heritage Area?	NO		
Is the land designated as a place of local heritage value?	NO		
Is there a current Development Plan Amendment released for public consultation by a council on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	NIL		
If YES, state the name of the council:	NIL		

Land and Business (Sale and Conveyancing) Act Section 7 Statement Prescribed Encumbrances for 36 Longview Avenue BELAIR SA 5052	
Is there a current Development Plan Amendment released for public consultation by the Minister on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Current and previous Minister-initiated Development Plan Amendments can be accessed via the SA Government Portal at: https://plan.sa.gov.au/resources/resources_library/development_plans/minister-initiated_development_plan_amendments For any queries regarding current or previous Minister-initiated Development Plan Amendments, please see the contact details provided in the above link.
Section 42 - Condition (that continues to apply) of a development authorisation List relevant development applications	080/0771/15 080/0900/11 080/0580/10
Planning, Development and Infrastructure Act 2016	
Part 5 – Planning and Design Code	
Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code)	Hills Neighbourhood (HN)
Is the land situated in a designated State Heritage Place?	NO
Is the land designated as a place of local heritage value?	NO
Is there a tree or a stand of trees declared in Part 10 of the Planning and Design Code to be significant tree or trees on the land?	NO
Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operations?	YES https://plan.sa.gov.au/have_your_say/code-amendments/on-consultation
Section 127 – Condition (that continues to apply) of a development authorisation Copies of Decision Notification Forms can be downloaded from the PlanSA website – Development application register PlanSA	Refer to the PlanSA Data Extract
Repealed Act conditions	
Condition (that continues to apply) of an approval or authorisation granted under the Building Act 1971 (repealed), the City of Adelaide Development Control Act 1976 (repealed), the Planning Act 1982 (repealed) or the Planning and Development Act 1966 (repealed)	
Refer to note in section 33 (Further Information Held By Councils)	
Development Act 1993	
Section 50(1)—Requirement to vest land in a council or the Crown to be held as open space	NIL
Section 50(2)—Agreement to vest land in a council or the Crown to be held as open space	NIL
Section 55—Order to remove or perform work	NIL
Section 56—Notice to complete development	NIL
Section 57—Land management agreement	NIL

Land and Business (Sale and Conveyancing) Act Section 7 Statement Prescribed Encumbrances for 36 Longview Avenue BELAIR SA 5052	
Section 60 – Notice of intention by building owner	If applicable Notice of Intention by building owner will be contained in the Conditions on attached Decision Notification forms.
Section 69—Emergency order	NIL
Section 71—Fire safety notice	NIL
Section 84—Enforcement notice	NIL
Section 85(6), 85(10) or 106—Enforcement order	NIL
Part 11 Division 2—Proceedings	NIL
Planning and Development Act 1966	NIL
Building Act 1971	NIL
Planning Act 1982	NIL
Court Order	080/0580/10
Fire and Emergency Services Act 2005	
Section 105F (or section 56 or 83 (repealed))—Notice to take action to prevent outbreak or spread of fire	NIL
Food Act 2001	
Section 44—Improvement notice	NIL
Section 46—Prohibition order	NIL
Housing Improvement Act 1940	
Section 23 —declaration that house is undesirable or unfit for human habitation	NIL
Land Acquisitions Act 1969	
Section 10 Notice of intention to acquire	Refer to Land Services – Certificate of Title
Local Government Act 1934	
Notice, order, declaration, charge, claim or demand given or made under the Act	NIL
Local Government Act 1999	
Notice, order, declaration, charge, claim or demand given or made under the Act	NIL
Local Nuisance and Litter Control Act 2016	
Section 30 – Nuisance or litter abatement notice	NIL
Planning, Development and Infrastructure Act 2016	
Section 141 – Orders to remove or perform work	NIL
Section 142 – Notice to complete development	NIL
Emergency Order	NIL
Section 157 – Fire Safety Notice	NIL
Section 192 or 193 – Land management agreement	NIL
Section 198(1) – Requirements to vest in a council or the crown to be held as open space	NIL
Section 198(2) – Agreement to vest land in a council or Crown to be held as open space	NIL
Part 16 Division 1 Proceedings	NIL
Section 213 – Enforcement notice	NIL
Section 214(6), 214(10) – Applications to Court	NIL
Section 222 – Enforcement order to rectify breach	NIL
Public and Environmental Health Act 1987 (Repealed)	
Part 3—Notice	NIL

Land and Business (Sale and Conveyancing) Act Section 7 Statement Prescribed Encumbrances for 36 Longview Avenue BELAIR SA 5052	
Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) (revoked) Part 2 - Condition (that continues to apply) of an approval	NIL
Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19 - Maintenance order (that has not been complied with)	NIL
South Australian Public Health Act 2011	
section 66—Direction or requirement to avert spread of disease	NIL
section 92-Notice	NIL
South Australian Public Health (Wastewater) Regulations 2013 Part 4-Condition (that continues to apply) of an approval	NIL
Water Industry Act 2012	
Notice or order under the Act requiring payment of charges or other amounts or making other requirement	NIL
33 Other Charges	
Charges of any kind affecting the land (not included in another item)	NIL
Schedule – division 2 – other particulars	
Particulars of Building Indemnity Insurance	080/0771/15
Further information held by Councils	NIL
Does the council hold details of any development approvals relating to:	
(a) Commercial or industrial activity at the land; or	NO
(b) A change in the use of the land or part the land (within the meaning of the Development Act 1993)?	NO

Note—

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

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

It should be noted that—

It should be noted that—

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

CERTIFIED

28 July 2025
DATE



21 July 2025

**WRP Legal & Advisory
Level 1
153 Flinders Street
ADELAIDE SA 5000**

LOCAL GOVERNMENT SECTION 187 CERTIFICATE

Certificate No: **CERT1057/25**
Previous Cert No:

Receipt No:

Reference No: **297734**
Valuer General No: **0821279010**
Property Description: **LOT 1 TYP DP SEC 936 PLN 92946 C/T 6141/668**
Property Address: **36 Longview Avenue BELAIR SA 5052**
Owner: **Petra Marschner**

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

General Rate/Water Catchment Levy:	Total
General Rate	\$1,752.55
Natural Resources Management Levy	\$54.80
Less 12.5% Capping (If applicable)	\$0.00
<Rates for the current year 2025/2026>	\$1,807.35
<Balance Brought Forward 30/6>	\$0.87
Less Payments Received	\$0.00
<Debtor: Monies outstanding in addition to Rates>	\$0.00
<UNKNOWN Charge/Trans - CHECK PROPERTY>	\$-0.87
<TOTAL BALANCE OUTSTANDING>	\$1,807.35

Discount:-A discount of \$17.50 can be deducted from the general rate raised if paid in full by 15/09/2025.

Please be advised: A fine of **2%** will be added to any current amount not paid by the due date. Interest is calculated monthly on arrears. Four quarterly instalments fall due on 15/09/25, 15/12/25, 15/3/26 and 15/6/26.

If you wish to pay Council Rates settlements by BPay please use the BPay biller code 3186 and the reference number shown on this certificate.

UPDATES OF RATING INFORMATION CAN BE PROVIDED BY TELEPHONE

The Rates team may be contacted for a free Section 187 update by calling (08) 8372 8844 or by emailing rates@mitchamcouncil.sa.gov.au with the property address and certificate number. Free updates for the same financial year will be provided for up to 6 months from the date of the original search.

Authorised Officer

CITY OF MITCHAM - DECISION NOTIFICATION FORM

DEVELOPMENT NUMBER
080/771/2015
Dated: 25/06/2015 Registered: 26/06/2015

To: TS4 Architecture
14 Tucker Street
ADELAIDE SA 5000

LOCATION OF PROPOSED DEVELOPMENT:

36 LONGVIEW AVENUE BELAIR
LOT: 1 TYP: 92946 SEC: 936 PLN: 92946 C/T: 6141/668

NATURE OF PROPOSED DEVELOPMENT
CONSTRUCT A DWELLING, FREESTANDING GARAGE/STORE ROOM (FWD OF DWELLING) , PORTICO, DECKS & RETAINING WALLS – **STAGE 2 - SUPERSTRUCTURE TO COMPLETION - FINAL**

In respect of this proposed development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Consent Refused	Not Applicable
Development Plan Consent	16/09/2015	11 + 2 NOTES		
Building Rules Consent STAGE 1 - Footings, dwelling floor frame and associated site works	13/11/2015	1 + NOTES AS ISSUED BY PRIVATE CERTIFIER		
Building Rules Consent STAGE 2 - Superstructure To Completion - Final	11/02/2016	Nil + NOTES AS ISSUED BY PRIVATE CERTIFIER		
DEVELOPMENT DECISION	11/02/2016	12 + NOTES		

Building Classifications Assigned: 1A, 10A, 10B

Three representation(s) from third parties concerning your category 2 proposal were received.

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.

You may have a right under Section 86(1)(f) of the Development Act 1993 to apply to a court to review the Council's decisions as to the nature of the development, whether the development is seriously at variance, the status of the development (complying, merit, or non-complying), and the category of the development (1, 2A, 2, 3, or no category), and any other decision that is relevant to Section 35 of the Development Act 1993. These rights of review are subject to quite short time limits.

The Council cannot advise you as to your rights nor court processes, and recommends that you promptly seek professional advice from a town planning consultant or lawyer experienced in such matters if you are interested in exercising any right of review.

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

Date of Decision: 11/02/2016 () Development Assessment Commission or delegate

Signed:.....  (✓) Council Chief Executive Officer or delegate

Date: 12 February 2016 (✓) Private Certifier
(5) Sheet(s) Attached

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

The following conditions apply to this application:-

DEVELOPMENT PLAN CONSENT CONDITIONS:

- (1) The proposal must be developed in accordance with the details submitted to the Council and approved plans relating to Development Application Number 080/771/2015 except where varied by the following conditions.

Reason: To ensure the proposal is established in accordance with the plans and details submitted

- (2) All works detailed in the approved plans and required by any condition of approval must be completed prior to the occupation of the development.

Reason: To ensure that all works and conditions are completed in a timely manner

- (3) The privacy screens as shown on the side elevations must be installed prior to occupation of the dwelling and must be maintained in good condition at all times.

Reason: To minimise the impact on privacy to the residents of adjacent dwellings

- (4) The proposed landscaping must be established on the site in accordance with the approved plan within six (6) months of occupation of the building and must be maintained in good condition at all times. Any such landscaping must be replaced if it dies or becomes seriously diseased.

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated

(5) **HIGH BUSHFIRE**

A supply of water independent of reticulated mains supply must be available at all times for fire-fighting purposes.

- A supply of 22 000 litres of water, independent of reticulated mains supply must be available at all times for fire-fighting purposes. Where the water supply is an above ground tank, the tank (including any support structure) must be constructed of non combustible material.
- This supply must be fitted with a fuel driven pump or an equivalent system that operates independent of mains electricity and is capable of pressurising the water for fire-fighting purposes.
- All non-metal fire-fighting water supply pipes other than flexible connections to fire-fighting pumps must be buried at least 300mm below finished ground level.
- A hose and nozzle capable of withstanding the pressures of the supplied water of max length 36 metres (to reach all parts of the building) must be readily available at all times. Refer to Minister Specification for further detail.
- The diameter of all fittings and flexible reinforced suction hose connecting the water supply to the fuel driven pump, must be no smaller than the diameter of the pump inlet valve.

Reason: To minimise the risks of damage to life and property in the event of a bushfire and comply with Ministers Code for bushfire protection areas.

Signed.....



..... Page 2

Date Approved: 11 February 2016

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

NOTE - The water supply and any other associated fixtures and fittings must comply with the Ministers Specification SA-78 "Additional requirements in designated bushfire prone areas"

- (6) Any additional excavated material not required as fill for the site must be removed immediately after excavation to prevent bogging and soil washing away.

Reason: To protect the natural environment and to minimise erosion

DEVELOPMENT PLAN CONSENT – ENGINEERING CONDITIONS:

- (1) Stormwater connections to the street water table, must be in accordance with Council’s Engineering Detail **SD-600, Sheet 19**. Pipes through the Council verge area must be constructed of galvanized steel, **not PVC**. Trench reinstatements beneath the footpath area must be in accordance with Council’s Engineering Detail **SD-600 Sheets 14 B & 15 B**.

Reason: To comply with Council policy and to ensure uniformity with stormwater connections from the property boundary to the kerb and gutter

- (2) Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties

- (3) Temporary debris and sediment control measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments, and litter from the construction site must not enter Council’s drainage system, Council’s road network, or neighbouring properties.

NOTE: Pollution prevention measures must be in accordance with the Environmental Protection Authority’s “Stormwater Pollution Prevention Codes of Practice”;

- For the Community;
- For Local, State and Federal Government; and
- For the Building and Construction Industry

Reason: To inform owners, developers, builders etc of their obligation in regard to the environment and to the appropriate measures of stormwater disposal from building sites

- (4) The driveway must be constructed and sealed with bound appropriate to the grade, providing both structural integrity and traction in both wet and dry conditions.

Reason: To ensure appropriate materials are used in driveways to provide sufficient traction to those driveways identified as being excessively steep

- (5) All earthworks associated with the development must be stabilized in accordance with standard engineering design and practices against erosion and failure.

Signed..... 

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

NOTE: The applicant is reminded that earthworks must not encroach across neighbouring property boundaries.

Reason: To ensure that all necessary measures are undertaken to stabilize all earthworks on site

NOTES

- (1) Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.
- (2) Due to possible encroachment issues it is strongly recommended that a survey be carried out by a licensed land surveyor prior to the work commencing on the boundary and when the wall is complete.

BUILDING RULES CONSENT CONDITIONS:

Please refer to the attached Privately Certified Building Rules Consent for Building Rules Conditions and Notes.

NOTES

- (1) **BUILDING RULES CONSENT - PRIVATE CERTIFICATION**
The Building Rules Consent for Stage 2 issued by Tecon Australia of 5/126 Carrington Street Adelaide on 9 February 2016 who is the Private Certifier has been relied upon for granting this Development Approval. There has been no assessment by Council of the submitted documents in relation to any of the building matters.
- (2) **INDEMNITY INSURANCE**
The owner of the land on which domestic building work is to be performed must ensure that a copy of a certificate of indemnity insurance in accordance with the Building Work Contractors Act in relation to that work is lodged with the Council prior to the commencement of work. This applies where the contract is valued at \$12,000 or more, and you engage a licensed Building Work Contractor.

Owner builders entering into an individual contract valued at \$12,000 or more, including a registered building work supervisor engaged to supervise the work are required to lodge a copy of each certificate of insurance to Council prior to commencing building work.
- (3) **MANDATORY NOTIFICATIONS**
Pursuant to the provisions of Regulation 74 of the Development Regulations 2008 the Council requires that the person proposing to undertake the building work must give the Council:
 - (a) one business day's notice of commencement of building works on the site; and
 - (b) one business day's notice of completion of structural steel reinforcement for concrete footings or other floors; and

Signed..... 

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

- (c) one business day's notice of completion of all roof framing forming part of the building work (including top and bottom chord restraints, bracing and tie-downs); and
- (d) one business day's notice of completion of any fire walls, fire rated separation or smoke barriers, prior to the installation of linings or other building components rendering inspection not possible; and
- (e) one business day's notice of completion of the building work.

A person who breaches a requirement under Regulations 74 (1), (5) or (6) is guilty of an offence.

Maximum penalty: \$10,000

Expiation fee: \$500.

The applicant is advised to ensure that ALL required notifications are given. It is recommended that notifications be submitted to Council's preferred email address: mitcham@mitchamcouncil.sa.gov.au or via fax on 8372 8101.

When the applicant provides notice of commencement of building work, the applicant must also provide to the Council, the name, address and telephone number of the persons who are proposed to sign parts A and B of the "Statement of Compliance" under Regulation 83AB.

For the purpose of this note the person proposing to undertake the building work is the licensed building work contractor who is carrying out the work or if there is none, the owner builder.

(4) **ROOF FRAMING**

Regulation 74(5) - If notice is given of the completion of all roof framing forming part of the building work, the person who gives the notice must, within 1 business day after the notice is given, provide to the council a duly, completed supervisor's checklist relating to the roof framing, signed by a registered building work supervisor, being a registered building work supervisor who has undertaken any training required and recognised under a scheme approved by the Minister.

A Supervisor's checklist is available to download at <http://www.mitachamcouncil.sa.gov.au/developmentinformationsheets>

Regulation 74(6) - A person must not conceal any completed roof framing until after the expiration of 2 *clear business days* of council receiving the above notice of completion (with the person being able to assume receipt of the notice in the ordinary course of business or transmission).

A person who breaches a requirement under Regulation 74(5) or (6) is guilty of an offence.

Maximum penalty: \$10 000

Expiation fee: \$500

The applicant is advised to ensure that ALL required notifications are given. It is recommended that notifications be submitted to Council's preferred email address: mitcham@mitchamcouncil.sa.gov.au or via fax on 8372 8101.

Signed.....



..... Page 5

Date Approved: 11 February 2016

CITY OF MITCHAM

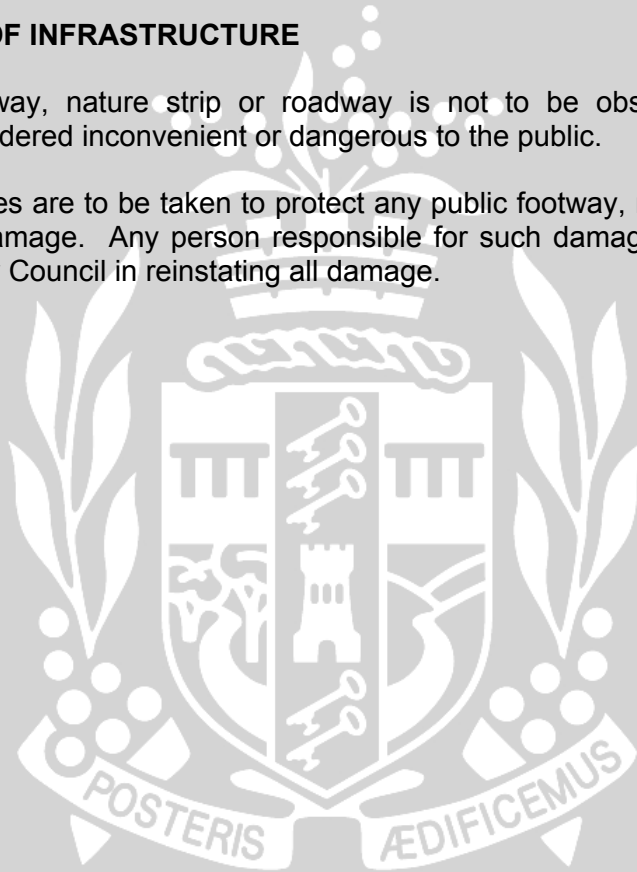
DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

(5) PROTECTION OF INFRASTRUCTURE

Any public footway, nature strip or roadway is not to be obstructed by vehicles and machinery or rendered inconvenient or dangerous to the public.

Suitable measures are to be taken to protect any public footway, nature strip, street tree or roadway from damage. Any person responsible for such damage will be required to pay costs incurred by Council in reinstating all damage.



CITY OF
MITCHAM

Signed..... 

..... Page 6

Date Approved: 11 February 2016

CITY OF MITCHAM - DECISION NOTIFICATION FORM

DEVELOPMENT NUMBER
080/771/2015
 Dated: 25/06/2015 Registered: 26/06/2015

To: TS4 Architecture
 14 Tucker Street
 ADELAIDE SA 5000

LOCATION OF PROPOSED DEVELOPMENT:
 36 LONGVIEW AVENUE BELAIR
 LOT: 1 TYP: 92946 SEC: 936 PLN: 92946 C/T: 6141/668

NATURE OF PROPOSED DEVELOPMENT
 CONSTRUCT A DWELLING, FREESTANDING GARAGE/STORE ROOM (FWD OF DWELLING) , PORTICO, DECKS & RETAINING WALLS – **STAGE 1 – FOOTINGS, DWELLING FLOOR FRAME AND ASSOCIATED SITE WORKS**

In respect of this proposed development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Consent Refused	Not Applicable
Development Plan Consent	16/09/2015	11 + 2 NOTE		
Land Division				N/A
Building Rules Consent STAGE 1 - Stage 1 - Footings, dwelling floor frame and associated site works	12/11/2015	1 + NOTES AS ISSUED BY PRIVATE CERTIFIER		
DEVELOPMENT DECISION	13/11/2015	12 + NOTES		

Building Classifications Assigned: 1a, 10a, 10b

3 representation(s) from third parties concerning your category 2 proposal were received.

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.

You may have a right under Section 86(1)(f) of the Development Act 1993 to apply to a court to review the Council's decisions as to the nature of the development, whether the development is seriously at variance, the status of the development (complying, merit, or non-complying), and the category of the development (1, 2A, 2, 3, or no category), and any other decision that is relevant to Section 35 of the Development Act 1993. These rights of review are subject to quite short time limits.

The Council cannot advise you as to your rights nor court processes, and recommends that you promptly seek professional advice from a town planning consultant or lawyer experienced in such matters if you are interested in exercising any right of review.

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

Date of Decision: 13/11/2015

- Development Assessment Commission or delegate
- Council Chief Executive Officer or delegate

Signed:.....
 Date: 13 November 2015



- Private Certifier
- (4) Sheet(s) Attached

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

The following conditions apply to this application:-

DEVELOPMENT PLAN CONSENT CONDITIONS:

- (1) The proposal must be developed in accordance with the details submitted to the Council and approved plans relating to Development Application Number 080/771/2015 except where varied by the following conditions.

Reason: To ensure the proposal is established in accordance with the plans and details submitted

- (2) All works detailed in the approved plans and required by any condition of approval must be completed prior to the occupation of the development.

Reason: To ensure that all works and conditions are completed in a timely manner

- (3) The privacy screens as shown on the side elevations must be installed prior to occupation of the dwelling and must be maintained in good condition at all times.

Reason: To minimise the impact on privacy to the residents of adjacent dwellings

- (4) The proposed landscaping must be established on the site in accordance with the approved plan within six (6) months of occupation of the building and must be maintained in good condition at all times. Any such landscaping must be replaced if it dies or becomes seriously diseased.

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated

(5) **HIGH BUSHFIRE**

A supply of water independent of reticulated mains supply must be available at all times for fire-fighting purposes.

- A supply of 22 000 litres of water, independent of reticulated mains supply must be available at all times for fire-fighting purposes. Where the water supply is an above ground tank, the tank (including any support structure) must be constructed of non combustible material.
- This supply must be fitted with a fuel driven pump or an equivalent system that operates independent of mains electricity and is capable of pressurising the water for fire-fighting purposes.
- All non-metal fire-fighting water supply pipes other than flexible connections to fire-fighting pumps must be buried at least 300mm below finished ground level.
- A hose and nozzle capable of withstanding the pressures of the supplied water of max length 36 metres (to reach all parts of the building) must be readily available at all times. Refer to Minister Specification for further detail.
- The diameter of all fittings and flexible reinforced suction hose connecting the water supply to the fuel driven pump, must be no smaller than the diameter of the pump inlet valve.

Reason: To minimise the risks of damage to life and property in the event of a bushfire and comply with Ministers Code for bushfire protection areas.



Signed.....

..... Page 2

Date Approved 13 Nov 2015

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

NOTE - The water supply and any other associated fixtures and fittings must comply with the Ministers Specification SA-78 "Additional requirements in designated bushfire prone areas"

- (6) Any additional excavated material not required as fill for the site must be removed immediately after excavation to prevent bogging and soil washing away.

Reason: To protect the natural environment and to minimise erosion

DEVELOPMENT PLAN CONSENT – ENGINEERING CONDITIONS:

- (7) Stormwater connections to the street water table, must be in accordance with Council's Engineering Detail **SD-600, Sheet 19**. Pipes through the Council verge area must be constructed of galvanized steel, **not PVC**. Trench reinstatements beneath the footpath area must be in accordance with Council's Engineering Detail **SD-600 Sheets 14 B & 15 B**.

Reason: To comply with Council policy and to ensure uniformity with stormwater connections from the property boundary to the kerb and gutter

- (8) Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties

- (9) Temporary debris and sediment control measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments, and litter from the construction site must not enter Council's drainage system, Council's road network, or neighbouring properties.

NOTE: Pollution prevention measures must be in accordance with the Environmental Protection Authority's "Stormwater Pollution Prevention Codes of Practice";

- For the Community;
- For Local, State and Federal Government; and
- For the Building and Construction Industry

Reason: To inform owners, developers, builders etc of their obligation in regard to the environment and to the appropriate measures of stormwater disposal from building sites

- (10) The driveway must be constructed and sealed with bound appropriate to the grade, providing both structural integrity and traction in both wet and dry conditions.

Reason: To ensure appropriate materials are used in driveways to provide sufficient traction to those driveways identified as being excessively steep

- (11) All earthworks associated with the development must be stabilized in accordance with standard engineering design and practices against erosion and failure.

NOTE: The applicant is reminded that earthworks must not encroach across neighbouring property boundaries.



Signed.....

..... Page 3

Date Approved 13 Nov 2015

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

Reason: To ensure that all necessary measures are undertaken to stabilize all earthworks on site

NOTES

- (1) Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.
- (2) Due to possible encroachment issues it is strongly recommended that a survey be carried out by a licensed land surveyor prior to the work commencing on the boundary and when the wall is complete.

BUILDING RULES CONSENT CONDITIONS:

Please refer to the attached Privately Certified Building Rules Consent for Building Rules Conditions and Notes.

NOTES

- (1) **BUILDING RULES CONSENT - PRIVATE CERTIFICATION**
The Building Rules Consent issued by Tecon Australia of 5/126 Carrington Street Adelaide on 12 November 2015 who is the Private Certifier has been relied upon for granting this Development Approval. There has been no assessment by Council of the submitted documents in relation to any of the building matters.
- (2) **INDEMNITY INSURANCE**
The owner of the land on which domestic building work is to be performed must ensure that a copy of a certificate of indemnity insurance in accordance with the Building Work Contractors Act in relation to that work is lodged with the Council prior to the commencement of work. This applies where the contract is valued at \$12,000 or more, and you engage a licensed Building Work Contractor.

Owner builders entering into an individual contract valued at \$12,000 or more, including a registered building work supervisor engaged to supervise the work are required to lodge a copy of each certificate of insurance to Council prior to commencing building work.
- (3) **MANDATORY NOTIFICATIONS**
Pursuant to the provisions of Regulation 74 of the Development Regulations 2008 the Council requires that the person proposing to undertake the building work must give the Council:
 - (a) one business day's notice of commencement of building works on the site; and
 - (b) one business day's notice of completion of structural steel reinforcement for concrete footings or other floors; and
 - (c) one business day's notice of completion of all roof framing forming part of the building work (including top and bottom chord restraints, bracing and tie-downs); and
 - (d) one business day's notice of completion of any fire walls, fire rated separation or smoke barriers, prior to the installation of linings or other building components rendering inspection not possible; and
 - (e) one business day's notice of completion of the building work.

A person who breaches a requirement under Regulations 74 (1), (5) or (6) is guilty of an offence.



Signed.....

..... Page 4

Date Approved 13 Nov 2015

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/771/2015

Maximum penalty: \$10,000
Expiation fee: \$500.

The applicant is advised to ensure that ALL required notifications are given. It is recommended that notifications be submitted to Council's preferred email address: mitcham@mitchamcouncil.sa.gov.au or via fax on 8372 8101.

When the applicant provides notice of commencement of building work, the applicant must also provide to the Council, the name, address and telephone number of the persons who are proposed to sign parts A and B of the "Statement of Compliance" under Regulation 83AB.

For the purpose of this note the person proposing to undertake the building work is the licensed building work contractor who is carrying out the work or if there is none, the owner builder.

(4) ROOF FRAMING

Regulation 74(5) - If notice is given of the completion of all roof framing forming part of the building work, the person who gives the notice must, within 1 business day after the notice is given, provide to the council a duly, completed supervisor's checklist relating to the roof framing, signed by a registered building work supervisor, being a registered building work supervisor who has undertaken any training required and recognised under a scheme approved by the Minister.

A Supervisor's checklist is available to download at <http://www.mitchamcouncil.sa.gov.au/developmentinformationsheets>

Regulation 74(6) - A person must not conceal any completed roof framing until after the expiration of 2 clear business days of council receiving the above notice of completion (with the person being able to assume receipt of the notice in the ordinary course of business or transmission).

A person who breaches a requirement under Regulation 74(5) or (6) is guilty of an offence.
Maximum penalty: \$10 000
Expiation fee: \$500

The applicant is advised to ensure that ALL required notifications are given. It is recommended that notifications be submitted to Council's preferred email address: mitcham@mitchamcouncil.sa.gov.au or via fax on 8372 8101.

(5) PROTECTION OF INFRASTRUCTURE

Any public footway, nature strip or roadway is not to be obstructed by vehicles and machinery or rendered inconvenient or dangerous to the public.

Suitable measures are to be taken to protect any public footway, nature strip, street tree or roadway from damage. Any person responsible for such damage will be required to pay costs incurred by Council in reinstating all damage.



Signed.....

..... Page 5

Date Approved 13 Nov 2015

**DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM**



Our Ref.: 15/0700.1

DA No.: 080/771/2015

12 November, 2015

BUILDING RULES CONSENT

TS4 Living
14 Tucker Street
ADELAIDE SA 5000

Location of proposed development: 36 Longview Avenue, Belair SA 5052

**Nature of proposed development: Single storey detached dwelling - Stage 1:
Footings, dwelling floor frame and
associated site works**

In respect of this development you are informed that building rules consent has been granted on 12 November, 2015 and is subject to 1 condition.

The building has been assigned the following classifications: 1a, 10a

The details granted building rules consent in respect of this development are listed below:-

- Architectural drawings numbered A0.0 – A6.3 by TS4 Architecture
- Standard specification by TS4 Architecture
- Standard schedule by TS4 Architecture
- Footing construction report by 615/4300 by CORE Engineering
- Structural design calculations numbered 615/4300 by CORE Engineering

No work can commence on this site 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 of use of the land until you have also received notification of a Development Approval



TROY OLDS
Private Certifier (SA Reg. No.: 061)

DEVELOPMENT ACT, 1993
SECTION 42
BUILDING RULES CONSENT

12 November, 2015

Our Ref.: 15/0700.1

DA No.: 080/771/2015

Project Name: Single storey detached dwelling - Stage 1: Footings, dwelling floor frame and associated site works

Project Address: 36 Longview Avenue, Belair SA 5052

Applicant: TS4 Living

Name of Owner: Petra Marschner

Conditions for building rules consent

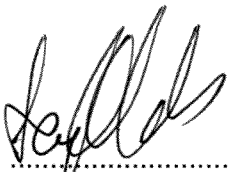
1. The Certificate of Indemnity Insurance in the form prescribed in Part 5 of the Building Work Contractors Act, 1995.
(To comply with Regulation 21 of the Development Regulations 2008.)

Notes for building rules consent

1. This application does not include the **Superstructure to completion** which shall be the subject of a separate stage of the application.
2. The applicant will be required to notify the adjoining owner of the intention to undertake building work as prescribed in Regulation 75 of the Development Regulations 2008, This notification must be at least 28 days before the building work is commenced.
3. Pursuant to Regulation 74 Development Regulations 2008 the applicant or builder proposing to undertake the development is advised of their obligation to give the Council 1 days' notice of the commencement and completion of the development and at the stages notified by council with the Development Approval. The notice of commencement shall include the names of the persons who will be signing the Statement of Compliance required by Regulation 83AB(8) of the Development Regulations 2008.
4. Pursuant to Regulation 83AB(8) of the Development Regulations 2008 a person must not occupy a new dwelling or addition to a new dwelling unless it has been completed in accordance with the development approval and a written Statement Of Compliance for dwelling or addition has been provided to the relevant authority by:
 - the licensed building work contractor who has carried out the relevant work, or who was in charge of carrying out the relevant work, to which the statement relates; or
 - if there is no such licensed work contractor, a registered building work supervisor or private certifier.
5. The plumbing of the rainwater tank to the dwelling is to comply with the Waterworks Act 1932 and the Waterworks Regulations 1996.

6. The owners should be made aware of the general requirements for maintenance of the footings and site management set out in appendix B of AS2870 Residential Slabs and Footings and the information available in the CSIRO pamphlet 10-91.
7. This report based on the building rules assessment only and does not suggest or infer compliance with any other legislation.
8. This site is located in a Bush Fire Prone Area, the building shall be constructed in accordance with the details required BAL19 construction detailed in AS3959-2009 - Construction of Buildings in Bushfire Prone Areas and BCA Part 3.7.4 relevant for this category of bushfire attack.
9. The proposed method of disposal of the roof water or stormwater from this development must not result in the entry of water into any building or on to the land of any adjoining owner without their prior consent.

Tecon Australia
Building Surveyors



.....
TROY OLDS
12 November, 2015

**DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM**

Our Ref.: 15/0700.2

DA No.: 080/771/2015

9 February, 2016

BUILDING RULES CONSENTTS4 Living
14 Tucker Street
ADELAIDE SA 5000**Location of proposed development: 36 Longview Avenue, Belair SA 5052****Nature of proposed development: Single storey detached dwelling - Stage 2 - Superstructure to completion**

In respect of this development you are informed that building rules consent has been granted on 9 February, 2016.

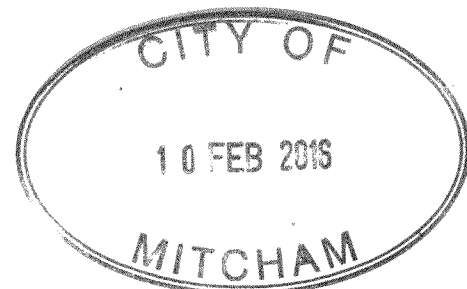
The building has been assigned the following classifications: 1a, 10a & 10b

The details granted building rules consent in respect of this development are listed below:-

- Architectural drawings numbered 1503: A0.0, A1.0, A1.3 – A1.5, A2.0 – A2.3, A3.0, A4.0, A4.2, A4.3, A5.0 & A5.1 by TS4 Architecture
- Specification dated 03/11/2015 by TS4 Architecture
- Schedule dated 02/02/2016 by TS4 Architecture
- Structural design calculations numbered 615/4300-1 by Core Engineering
- Structural drawings numbered 615/4300-1 by Core Engineering
- Timber roof truss design numbered 9247 by Banner Mitre 10 Trade & Truss
- Standard roof connection details by Pryda
- Energy efficiency report numbered SDO91U403N by Create a Sustainable Home

No work can commence on this site 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 of use of the land until you have also received notification of a Development Approval

TROY OLDS
Private Certifier (SA Reg. No.: 061)



DEVELOPMENT ACT, 1993

SECTION 42

BUILDING RULES CONSENT

9 February, 2016

Our Ref.: 15/0700.2

DA No.: 080/771/2015

Project Name: Single storey detached dwelling - Stage 2 - Superstructure to completion

Project Address: 36 Longview Avenue, Belair SA 5052

Applicant: TS4 Living

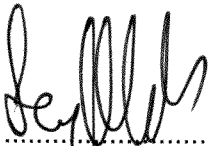
Name of Owner: Petra Marschner

Notes for building rules consent

1. Pursuant to Regulation 74 Development Regulations 2008 the applicant or builder proposing to undertake the development is advised of their obligation to give the Council 1 days' notice of the commencement and completion of the development and at the stages notified by council with the Development Approval. The notice of commencement shall include the names of the persons who will be signing the Statement of Compliance required by Regulation 83AB(8) of the Development Regulations 2008.
2. Pursuant to Regulation 83AB(8) of the Development Regulations 2008 a person must not occupy a new dwelling or addition to a new dwelling unless it has been completed in accordance with the development approval and a written Statement Of Compliance for dwelling or addition has been provided to the relevant authority by:
 - the licensed building work contractor who has carried out the relevant work, or who was in charge of carrying out the relevant work, to which the statement relates; or
 - if there is no such licensed work contractor, a registered building work supervisor or private certifier.
3. The plumbing of the rainwater tank to the dwelling is to comply with the Waterworks Act 1932 and the Waterworks Regulations 1996.
4. The owners should be made aware of the general requirements for maintenance of the footings and site management set out in appendix B of AS2870 Residential Slabs and Footings and the information available in the CSIRO pamphlet 10-91.
5. This report based on the building rules assessment only and does not suggest or infer compliance with any other legislation.
6. This site is located in a Bush Fire Prone Area, the building shall be constructed in accordance with the details required BAL19 construction detailed in AS3959-2009 - Construction of Buildings in Bushfire Prone Areas and BCA Part 3.7.4 relevant for this category of bushfire attack.
7. The proposed method of disposal of the roof water or stormwater from this development must not result in the entry of water into any building or on to the land of any adjoining owner without their prior consent.

8. The methods of protection against termite attack listed in AS3660.1 - "Termite Management - New Building Work" rely on regular inspection and maintenance to remain effective. The construction of the building on or adjacent to a property boundary, another structure, tank, gas bottle, water heater or other equipment may impede the inspection process and reduce the effectiveness of the termite barrier.
9. A durable notice must be placed in a prominent location, such as the meter box or the like in accordance with Appendix A of AS3660.1.

Tecon Australia
Building Surveyors



.....
TROY OLDS
9 February, 2016

DECISION NOTIFICATION FORM

DEVELOPMENT NUMBER
080/900/2011

FOR DEVELOPMENT APPLICATION:

DATED: 20/06/2011
REGISTERED ON: 23/06/2011

To: Ms J E Mitson
c/- Access SDM
PO Box 1700
MT BARKER SA 5251

LOCATION OF PROPOSED DEVELOPMENT:

38 Longview Avenue BELAIR 5052
LOT: 319 TYP: DP SEC: 936 PLN: 3981 C/T: 5217/120

NATURE OF PROPOSED DEVELOPMENT
DEMOLISH ALL EXISTING STRUCTURES

FROM: CITY OF MITCHAM

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	NO. OF CONDITIONS	CONSENT REFUSED	NOT APPLICABLE
Planning Rules Consent				N/A
Land Division				N/A
Land Division (Strata)				N/A
Building Rules Consent	05/07/2011	2 + 2 NOTES		
Public Space				N/A
Other				N/A
DEVELOPMENT APPROVAL	05/07/2011	2 + 2 NOTES		

NIL representation(s) from third parties concerning your category 1 proposal were received.

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.

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on the 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: 05/07/2011

Development Assessment Commission or delegate

Signed: 

Council Chief Executive Officer or delegate

Date: 6 July 2011

Private Certifier

(1) Sheet(s) Attached

DECISION NOTIFICATION FORM

DEVELOPMENT NUMBER
080/580/2010

FOR DEVELOPMENT APPLICATION:

DATED: 12/04/2010
REGISTERED ON: 12/04/2010

To: Ms J E Mitson
C/- Access SDM Pty Ltd
PO BOX 1700 MT BARKER SA 5251

LOCATION OF PROPOSED DEVELOPMENT:

40 Longview Avenue BELAIR 5052
LOT: 318 TYP: DP SEC: 936 PLN: 3981 C/T: 5488/511

NATURE OF PROPOSED DEVELOPMENT
DIVIDE LAND TO CREATE ONE(1) ADDITIONAL ALLOTMENT

FROM: CITY OF MITCHAM

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	NO. OF CONDITIONS	CONSENT REFUSED	NOT APPLICABLE
Development Plan Consent		1 NOTE	02/03/2011	
Land Division				N/A
Land Division (Strata)				N/A
Building Rules Consent				N/A
Public Space				N/A
Other				N/A
DEVELOPEMENT APPROVAL		1 NOTE	02/03/2011	

No representation(s) from third parties concerning your category 1 proposal were received.

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.

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on the 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: 02/03/2011

() Development Assessment Commission or delegate

Signed: 

(✓) Council Chief Executive Officer or delegate

Date: 7 March 2011

() Private Certifier

(1) Sheet(s) Attached

CITY OF MITCHAM

DECISION NOTIFICATION FORM

APPLICATION NO: 080/580/2010

Reasons for Refusal:

- Does not meet with desired character of the Zone which requires very high open space to built form ratio;
- Contrary to the following objectives and principles:-
 - CW Obj12 – is not of a scale form density or appearance that maintains or achieves the desired character of specific zones;
 - R(H) PDC3 – as the allotments are undersize and do not meet minimum frontage requirements; and
 - PDC 187 & PDC 192 – as the allotments are in the centre of a High Bushfire Risk Area (figure Mit (BPA)/9)

Signed.......... Page 2

Date Refused 02/03/2011

In the matter of an Appeal between:

JE Mitson
(Appellant)

And

City of Mitcham
(Respondent)

before the Environment, Resources and Development Court
(Action No. 113 of 2011)

STATEMENT OF: DENNIS JAMES BATGE

OCCUPATION: Planning Consultant



1. QUALIFICATIONS and EXPERIENCE

In 1987, I was awarded a Graduate Diploma in Regional and Urban Planning by the South Australian Institute of Technology.

I have had continuous experience of planning in Local Government from 1979 to 2002.

Experience

- Development Assessment
- Policy Development
- Appeals
- Strategic Planning

Positions Held:

- | | |
|----------------|---|
| 1979 - 1981 | Planning Inspector – District Councils of Coonahpyn Downs, Pinnaroo, Lameroo, Peake & Karoonda East Murray.
Assessment & reporting on development applications to Councils. |
| 1981 – 1984 | Planning Inspector – District Council of Strathalbyn.
Assessment & reporting of development applications, contributing to Development Plan amendments & representing Council at appeal hearings. |
| 1984 – 1988 | Planning Officer, District Council of Mount Barker.
Assessment & reporting of development applications, preparation of Development Plan amendments & representing Council at appeal hearings. |
| 1988 – 1996 | Principal Planner, City of Burnside.
Acting Director from time to time, development assessment including heritage matters, represent Council at appeals, policy development & preparation of Development Plan amendments, strategic planning and community consultation on planning matters. |
| 1996 – 2002 | Manager Planning & Environmental Services, Town of Walkerville.
Oversight of planning & development functions of Council including heritage, policy development, community consultation, strategic planning and planning appeals. |
| 2002 - Present | Commencement of own practice trading as dB Planning undertaking private and local government urban & regional planning work. |
| 2005 - Present | Part Time appointment with KBR Pty Ltd as Consultant Planner. |

I am a Corporate Member of the Planning Institute of Australia, and a Certified Practicing Planner, entitling me to provide advice in respect to the preparation of Plan Amendment Reports and applications for non-complying development.

2. EXPERT'S INSTRUCTIONS

I was requested by the City of Mitcham to consider a proposal for land division at No.s 38 & 40 Longview Avenue, Belair for a land division creating 3 allotments from two, for acceptability or otherwise of the proposal.

I have viewed the subject land and the locality, considered the relevant provisions of the Development Plan and the book of documents as provided to the Court together with the version of the plans provided by the applicants on 29 August 2011. The opinions I have formed from this process are set out in this statement.

3. SUBJECT LAND

3.1 Legal Description

The subject allotments are legally described as follows:

Number 38 is described in Certificate of Title Volume 5488 Folio 511 as allotment 318 in Deposited Plan 3981 in the area named Belair, Hundred of Adelaide: and

Number 40 is described in Certificate of Title Volume 5217 Folio 120 as allotment 319 in Deposited Plan 3981, in the area named Belair, Hundred of Adelaide.

A 4 metre wide easement is registered on each of the titles to the Minister for Infrastructure. The easement runs along the whole of the rear boundary of each allotment.

A copy of the Certificates of Title is included in the books of documents at pages 1 to 4.

3.2 Physical Description

The subject land comprises two allotments with the following dimensions and areas:

	Width (m)	Depth (m)	Area (m ²)
Lot 318 (No.38)	29.57	60.22	1780.7
Lot 319 (No.40)	30.48	60.22	1835.5

Allotment 318 contains a detached dwelling setback approximately 9 metres from the street frontage approximately 17 to 18 metres from the north-eastern side boundary and 2 metres from the south-western side boundary. It also contains an old steel clad single width garage close to the north-eastern side boundary 3 to 4 metres from the street frontage.

Allotment 319 also contains a detached dwelling, sited approximately 11 metres from the street frontage, approximately 7.5 metres from the north-eastern side boundary and 5 metres from the south-western side boundary.

Each allotment is similar to its neighbours in that it contains significant stands of native vegetation.

The land form of the subject allotments slopes from the Longview Avenue frontage downwards to the north-west producing a slope from the front to the rear of the allotments. The contours are slightly wider on those parts of the allotment that are close to Longview Avenue where the existing dwellings are located indicates that those parts of the allotments where the dwellings are sited are not quite as steep as the other parts of the land. This appears to result partly from natural ground level and partly from some benching under taken for the construction of the existing dwellings.

The contours over that part of the subject land is generally steep, relatively consistent and indicate a slope of approximately 1 in 4.25 over the majority of Lot 1, and 1 in 4.6 for most of Lot 2 and 1 in 4.93 for over half of Lot 3.

From my calculations I have determined that the variation in gradients on the land as measured for each of the proposed allotments is as follows:

Lot 1

Rear to front 1:4.52

Rear to 96m contour 1:3.8

Rear to 99m contour 1:4.2

Between the 99 and 100m contours at the front of the allotment, gradient varies across the allotment from 1:3.9 to 1:6.8 to 1:6.

Lot 2

Rear to front 1:4.8

Rear to 96m contour 1:4.29

Rear to 98m contour 1:4.5

Between the 98 and 99m contours at the front of the allotment the gradient is 1:9.6 on the north-eastern side and flattening out to 1:12 over the south-western half of the allotment. This extends between approximately 10 and 18 metres into that allotment.

Lot 3

Rear to front 1:5.3

Rear to 97m contour 1:4.47

Rear to 97.5m contour

(southern boundary) 1: 4.18

The contours at the front of this allotment have been partially altered to accommodate the existing dwelling however, the contours indicate that the gradient varies between 1:4.5 and approximately 1:14 where a driveway has been constructed into the carport.



Figure 1: The frontage of Number 40 Longview Avenue and looking past Number 38 on the right hand side of the photo.



Figure 2: The frontage of Number 38 Longview Avenue showing the existing dwelling and garage fronting the street.

3.3 Land Use

The existing use of Number 38 appears to be a small poor quality detached dwelling with a small, second storey room with a single width garage steel clad garage on the north-eastern corner of the land close to the street boundary.

Number 40 contains a single storey hipped roof detached dwelling with associated carport setback approximately 10m from the Longview Avenue boundary.

4.0 THE LOCALITY

The locality in which the subject allotments are located comprises variable terrain comprising a series of ridges and gullies, the whole of which is, for an urban environment, densely covered with vegetation. The bulk of the vegetation appears to be native to the area.

Longview Avenue runs along the top of a ridge line. In the area between Longview Avenue and Gloucester Avenue to the north-west the terrain is in the form of a gully, the bottom of which in general terms is parallel to the alignment of these roads. To the south-east of Longview Avenue the land falls away into another gully.

The area comprises low density residential development of predominantly one and two storey detached dwellings on large allotments. The high levels of vegetation together with the undulating terrain is a dominant characteristic of the area and the locality in which the subject land is situated. The vegetation tends to restrict views of the built form and provide much higher levels of privacy than is usually the case on steeply undulating terrain.

It is a reasonable assumption in my view, that the presence of the gullies and the relatively steeply sloping landform, at the time of establishment as an urban area, determined the alignment of the roads, the distances between them and the depth and size of the allotments on sloping land that is necessary to create acceptable transitions between levels and to retain elements of the natural beauty of the area. In this location the road network is in general terms, established along the ridge tops and in the base or lower part of the gullies.

The road network is meandering and in some sections of road tends to restrict vehicles speeds due to the number of curves and an approximate road width of 6 metres.

Government mapping indicates a watercourse running through the base of the gully approximately 180 metres north west of the subject land.

The allotment pattern varies, to some extent due to the manner in which roads in the roads follow

the ridge lines, although in the centre section of Longview Avenue the allotments are consistently rectangular with straight line frontages to the road.

In the core of the locality that I have adopted for the purpose of my assessment of this matter, the prominent pattern is one comprising large, wide fronted allotments. Along Longview Avenue either side of the subject allotments from Number 38 to 46, the allotments are large ranging in area from 1765 to 2025 square metres. On this side of the road and extending to Ash Grove and across the gully towards Gloucester Avenue, the terrain is steep and the density of dwellings is very low with only ten dwellings or thereabouts in that area. This pattern of development can be seen in figure 3.

The allotments on the south-eastern side of Longview Avenue are smaller with the areas of Numbers 33 to 49 ranging between 1058 and 1527 square metres. The allotments are not small with an average size of 1223 square metres and relatively wide frontages ranging between 23.5 and 29.9 m for the non-corner allotments. The corner allotments include Number 50 which has a frontage 32.3 m, and Number 51 has a frontage of 16.7 m plus an angled frontage of 15.6m. These allotments are primarily developed with detached dwellings located relatively close to their street frontages. The lot areas map in Attachment 3 demonstrates the differences between each side of Longview Avenue.

Other features of the locality include:

- Generally large and deep allotments on the north-western side of Longview Avenue with the subject allotments forming part of this grouping. Dwellings on these allotments are set in very spacious surroundings with substantial distances ranging between 6 and 34m approximately.
- Smaller allotments on the south-eastern side of the road with detached dwellings located at front setback distances of between 4 and 10 metres approximately with varying spaces between the dwellings.
- In the same manner as in the wider area that extends beyond the immediate locality, housing and urban forms of development is concentrated along ridgelines and the areas where the land form is relatively gently sloping.
- Vegetation, primarily indigenous, is evident to across the locality and the wider area among the buildings along the streets. The extent of vegetation is one of the most striking features of the locality in terms of proliferation across the landscape. The vegetation is randomly located forward of the building alignments, between and around buildings and even more densely in the rear portions of virtually all premises. The vegetation only starts to reduce in density in close proximity to Gloucester Avenue further to the north and north-west.
- Allotment frontages are wide ranging predominantly between 19 and 32 metres approximately.

The locality that I have adopted is shown in Attachment 2. The extent of that locality goes slightly beyond what might be seen if the proposed allotments are developed, however, I consider it appropriate to extend a little further than that to illustrate the pattern of development around the subject land.



Figure 3: The predominant pattern of development in Belair, comprises a series of gullies and ridges. Source: Google Earth

5.0 DEVELOPMENT PROPOSAL

The proposal that is the subject of this appeal is for the creation of three allotments from two.

The division is intended to create three rectangular allotments of equal size and dimensions, each with a frontage to Longview Avenue.

A brief statistical summary of the development is set out in the following table.

	Proposed			Development Plan Policy for detached dwelling
	Lot 1	Lot 2	Lot 3	
Frontage	20.01m	20.01m	20.01	21m
Depth	60.22m	60.22m	60.22m	Not specified
Area	1205m ²	1205m ²	1205m ²	1500m ² between 1:4 and 1:8

6.0 DEVELOPMENT CONSIDERATIONS

6.1 Zoning and Land Use

The subject land is shown on Map Mit/15 as being located in the Residential (Hills) Zone.

The proposal involves a land division for residential purposes. To that extent, the proposal is consistent with the objective for the Zone however this is subject to assessment against all of the relevant provisions of the Development Plan including the impacts of residential development on the Desired Character for the area.

6.2 Development Plan Provisions

Where I have referred to any provisions that I have quoted as relevant but have not commented on such provisions, this indicates that I have not identified any significant issues of either compliance or non-compliance with those provisions.

The application for the division of the land was lodged on the EDALA electronic lodgement system on 12 April 2010. Accordingly the relevant version of the Development Plan is that consolidated on 24 December 2009.

6.3 Assessment Against Relevant Development Plan Provisions

I consider the following provisions of the Development Plan are most relevant in the assessment of the proposals.

Metropolitan

Form of Development

Objective 1.

Land Division

Objective 5.

Residential Development

Objective 6, 7, 8, 9.

Transportation (Movement of People and Goods)

Objective 24.

Public Utilities

Objective 30.

Conservation

Objective 33, 35, 37.

Appearance of Land and Buildings

Objective 43.

Residential Development

Principles 3, 4, 8, 9, 14, 15, 16.

Council Wide

Objective 3, 4 (d)(i), (e) & (f) (g), 8.

Bushfire Protection

Objective 10, 11.

Residential Development

Objectives 12, 13, 14, 15.

Significant Trees

Objective 25

Residential Development

Form of Development

Principles 1, 2, 3, 6, 11.

Site Area and Dimensions

Principle 16.

Driveways and Access

Principle 22.

Vegetation and Landscaping

Principle 33 (a) & (c).

Land Division

Principles 43, 44, 45, 46, 48, 49, 52, 53, 54, 57, 58, 59, 62.

Movement of People and Goods

Principle 78.

Conservation

Principles 134, 135, 137, 146, 148.

Appearance of Land and Buildings

Principles 149, 150, 154.

Significant Trees

Principles 182, 183, 184, 185, 186.

Bushfire Protection

Principles 187, 188 (a) & (b), 191, 192, 194.

Residential (Hills) Zone

Objective 1.

Desired Character Statement

Form of Development

Principles 1, 3, 4, 7, 8.

6.3.1 Seriously at Variance

In my assessment, although the proposals does not warrant consent, it is for the creation of residential allotments within a residential zone. I therefore conclude that the proposal, although on balance is at variance with the relevant provisions of the Development Plan, it is not seriously at variance for the purposes of Section 35 of the Development Act.

6.3.2 Generally Acceptable Aspects of the Proposal

The following aspects of the proposals I consider either satisfactory or able to be satisfactorily managed for both proposals.

1. There would be sufficient space on the land to detain, retain and manage stormwater so as to prevent erosion and flooding.
2. The land is apparently stable.
3. Having been used for residential purposes there is no reason to suspect that the land would have been contaminated.
4. Utilities and services are available on the land.

6.3.3 Desired Character

The desired character for the Residential (Hills) Zone is set out in the objective for zone and in the desired character statement that follows it.

"Development comprising detached dwellings on large allotments that maintains and enhances the natural vegetation and features of the Mount Lofty Ranges."

The objective quoted above, contemplates residential development comprising detached dwellings on large allotments in a manner that maintains and enhances the natural vegetation and features of the Mount Lofty Ranges. This is reinforced by the following quotations from the Desired Character statement for the Zone set out below. This approach to development is reinforced by Zone Principle 1 which states *"Development should be in accordance with the objective and desired character of the zone."*

Relevant aspect of the Desired Character statement:

"The zone generally comprises the residential suburbs of the City of Mitcham that are situated in the Mount Lofty Ranges. The area has developed a special character in response to a range of physical and environmental attributes including generally rugged topography, an abundance of vegetation, the absence of a deep drainage sewer system in the early years of settlement, the relatively low availability of and access to a range of services and facilities, and a relatively limited road system in terms of capacity and convenience.

As a result of the above factors, the area has developed a unique character typified by generally large to very large allotments mainly accommodating detached dwellings, thus resulting in a very high open space to built-form ratio. This has enabled many areas to remain relatively densely vegetated and the area as a whole to maintain a distinctive natural character.

Subdivision of land and the development of housing have occurred over a long period of time. This, together with the physical constraints of the land, has resulted in a diverse range of subdivision patterns, housing development and streetscapes that together contribute to the area's overall low-density and highly landscaped character. For example, some areas have developed in a traditional grid pattern with straight roads and regular dwelling set-backs representing a relatively formal pattern of development. Other areas have developed with winding roads, irregular allotment patterns and a much less formal streetscape dominated by open spaces that have been left in a more natural or random state.

It is clear both from observations of the area, mapping and from the Desired Character (the most relevant of which I have underlined for emphasis) that the Zone comprises areas and localities or parts of the Zone which vary in terms of terrain, allotment pattern, road pattern and streetscapes. Such variation is both recognised, and, in accordance with the Desired Character is valued and intended to be retained and protected. This requires recognition of the variation in the terrain, density of development and landscape characteristics that occur across the Zone. This is also recognised in the commentary that follows Metropolitan Objective 6 which states *"While a compact form of development is generally desirable, recognition must be given to areas of particular character or amenity, or to specific constraint such as environmental or historical value, water catchment areas and areas of bushfire hazard."* (my underling)

The subject land is located on a road that follows a ridgeline between two heavily vegetated gullies. The allotments are wide to very wide and in addition to the dwellings built upon them, contain substantial amounts of native vegetation. Much of the vegetation is tall rising well above the built form and dominates the skyline. It is the density and extensive nature of vegetation over the terrain that is a key component of the natural character of the area. It creates streetscapes that retain a character akin to that of rural settlements rather than suburbia.

The locality and the wider area possesses the kind of character that is recognised in the Desired Character statement and sought to be protected in Principle 1 of the Residential (Hills) Zone. The low density, highly vegetated steeply undulating characteristics create in my opinion, the special character referred to in the Desired Character Statement. In my opinion it is an area in which

recognition must be given to its particular characteristics when determining the suitability or otherwise of development.

Further relevant aspects of the Desired Character include "A large portion of the zone is within a Bushfire Protection Area shown on Figures Mit(BPA)/1 to 17 of the Development Plan. This area requires special consideration due to the potential conflict between the need to modify the natural environment to afford adequate bushfire protection and the consequent impact such action potentially has on the overall landscape quality of the area. (my underlining)"

In addition to the above, the road network and water supply service would be affected by any substantial increase in population in the zone whereby either the level of service would deteriorate or become inadequate, or such services would need to be substantially upgraded to maintain existing levels.

It is desirable that the existing open and landscape character of land within the zone be retained. Creation of new residential allotments that are substantially smaller than existing allotments could potentially dramatically alter the essential elements that comprise the existing character, through the removal of significant amounts of vegetation, alterations to landform, and impacts on creeks and drainage lines. Such development should therefore not occur. This is particularly relevant in the bushfire protection area and any development in this area should be carefully assessed and if necessary restricted to ensure the overall character of the zone is maintained." (my underlining)

The subject land is in an area of high bushfire risk (see Figure Mit(BPA)/9) and therefore the above quoted extracts with reference to bushfire risk from the Desired Character Statement are relevant. The statement establishes a direct link between the bushfire protection area and protection of the natural hills character. It is an area within which the natural character and bushfire risk are linked but the character is to be maintained rather than allowing new, more development that is adverse to that character.

I note that the Country Fire Service in their letter dated 5 April 2011 have assessed the bushfire hazard as high to extreme (my underlining). This in my experience is an assessment that I would expect in a terrain that comprises a series of heavily vegetated gullies and ridgelines where bushfire is a serious risk that could result in extensive damage to property and safety hazard to residents. Such areas, in accordance with the Desired Character statement warrant special consideration (cautionary in my opinion) to avoid the conflicts between the natural environments and human settlements. In my view it is only proper and sensible town planning to reduce such risks and hazards and to avoid actions that would intensify development in such areas.

In my opinion, large allotments are a key component to maintaining the desired character of the Residential (Hills) Zone. The minimum size and allotment frontage width that has been adopted in the Development Plan is 1500 square metres and 21 metres for land with a gradient between 1:8 and 1:4 and 2000 square metres where the gradient is greater than 1:4. This proposal does not create for example, one allotment in a group that is below the minimum requirements, but in fact creates all three allotments well below the minimum size and is 0.98 metres narrower than the minimum width. It would therefore create a group of undersized allotments. The effect of this would be:

- The allotments would have their most useable building envelope close the road frontage where there is a limited area of lesser slope.
- In order to take advantage of the lesser slope it is in my experience likely that new dwellings of contemporary size would extend as close as possible to the side boundaries to place as much of the building footprint as possible parallel to and on the more gently sloping area. This will create a tighter appearance than that which is appropriate in this very low density hills environment. The built form is therefore likely to more dominant in the landscape.

- The smaller the allotments, the less space that is available for dwellings and a cleared buffer around the dwellings will restrict the ability to retain and replant vegetation consistent with the existing and Desired Character.
- The allowance for larger allotments to be divide to sizes below the minimum called for by the provisions of the Zone, will undermine its objectives and the character sought.

6.3.4 Allotment Size and Pattern of Division

Council Wide Land Division Principle 43 calls for land division to occur in a form that is consistent with the existing pattern of division in the locality and in accordance with the relevant provisions of the Development Plan. The pattern of division within the locality varies to some extent although the allotments along Longview Avenue (except for each end) are nominally rectangular in shape. The locality in which the subject land is located has a substantially intact group of large allotments with the two allotments that comprise the subject land forming part of that group.

The proposed division will create a pattern that is at odds with that which is established in the locality. The proposed allotments would be substantially narrower than the existing allotments along the north-western side of the street and 2.5 to 8.9 metres (approx.) narrower than the allotments on the south-eastern side.

The Residential (Hills) Zone provisions as set out in Principle 3 calls for large allotments as follows:

3 Sites for detached dwellings and land division creating residential allotments should satisfy the following minimum site dimensions applicable to the gradient of each proposed site -

Gradient of Site	Minimum Width of Site (metres)	Minimum Area of Site (square metres)
<i>1:8 or less</i>	12	1200
<i>between 1:8 and 1:4</i>	21	1500
<i>greater than 1:4</i>	30	2000

This principle establishes differing requirements according to the slope of the land.

Whilst there are parts at the front of the of the allotments that are less than 1:8 these areas are limited, located at the front of the allotments, and much of which is located in the street setback area. The vast majority of the land is closer to 1:4 than 1:8. I therefore conclude that on the basis of these gradients, the zone calls for allotments of not less than 1500 square metres. Each of the proposed allotments are 1205 square metres which is 295 square metres (19.6%) below that minimum area.

The creation of the three smaller allotments will create a situation where:

- The new allotments will be substantially smaller than the pattern of allotments along the north-western side of Longview Avenue and substantially smaller than the applicable policy calls for.
- The allotments will be uncharacteristically narrower than the allotment widths that predominate in the street and approximately 1 metre narrower than the minimum area for the Zone (noting that it is a minimum, not a standard).
- The allotments will have reduced areas of relatively gentle gradients that are not only narrower, but shallow at only 12 to 14 metres deep. The effect of which is to encourage building footprints forward or to create cuts or filled areas creating a greater impact on the landform. Further clearance of native vegetation may also be required to develop the allotments.
- The development of the allotments will produce a tighter appearance of the built form along the north-western side of the road.

- The size of the allotments will create conflict between the construction of dwellings, the removal of trees to reduce bushfire hazard and the maintenance of the natural character in accordance with the Desired Character. There will also be a reduced opportunity to accommodate the Minister's Code "Undertaking development in Bushfire Protection Areas". The Minister's Code has a greater emphasis on bushfire safety than has been the case in the past when the majority or possibly the entire locality was developed.

6.3.5 Bushfire Protection

As mentioned earlier in this statement the CFS has assessed the bushfire risk for the subject land as having a "high to extreme" bushfire risk. (my underlining)

Council Wide Objectives 10 and 11 call for development that minimises the threat and impact of bushfires on life and property and buildings and the intensification of non-rural land uses should be directed away from areas of high bushfire risk. Metropolitan Principle 16 under the heading of Residential Development, calls for residential development minimises the potential for personal and property damage arising from natural hazards including landslip, bushfires, and flooding. Any increase in the number of dwellings in places such as the subject locality, that increases the number and density of dwellings creates a greater number of households to be protected in the event of a bushfire. This places greater demands on emergency services and increases the potential risk to life and property damage.

Council Wide Principles 187, 188, 191 & 192 are also relevant to the proposal.

Council Wide Principle 62(c) calls for the provision of "fire hazard separation zones" to isolate residential allotments from areas that pose an unacceptable fire risk. It is not possible in the subdivision of two existing allotments to create space or a separation area around the proposed allotments. To create any kind of meaningful buffer zone to the rear of future building would require all or most of the vegetation at the rear of the land to be removed. Vegetation on land either side or the rear of the land is in separate ownership and vegetation could not be cleared or managed on such land.

Principle 187 calls for buildings and structures to be located away from areas that pose an unacceptable bushfire risk due to risk from vegetation, poor access, rugged terrain or an inability to provide an adequate building protection zone. Principle 188 requires habitable buildings to be sited where northerly or westerly slopes aspects are avoided and where there is low bushfire hazard vegetation and setback at least 20 metres from existing hazardous vegetation.

The subject land is in a location where the bushfire risk from vegetation, the terrain on a north-westerly slope all combine in a manner that is contrary to Principle 187. The creation of an additional dwelling site within a group of undersized allotments is inconsistent with the approach espoused by this principle.

Principle 194 says "*Development in a Bushfire Protection Area should be in accordance with those provisions of the Minister's Code: Undertaking development in Bushfire Protection Areas that are designated as mandatory for Development Plan Consent purposes.*" The Code requires:

The Minister's Code at paragraph 2.2.1 requires that land division applications in a Bushfire Protection Area also need to show:

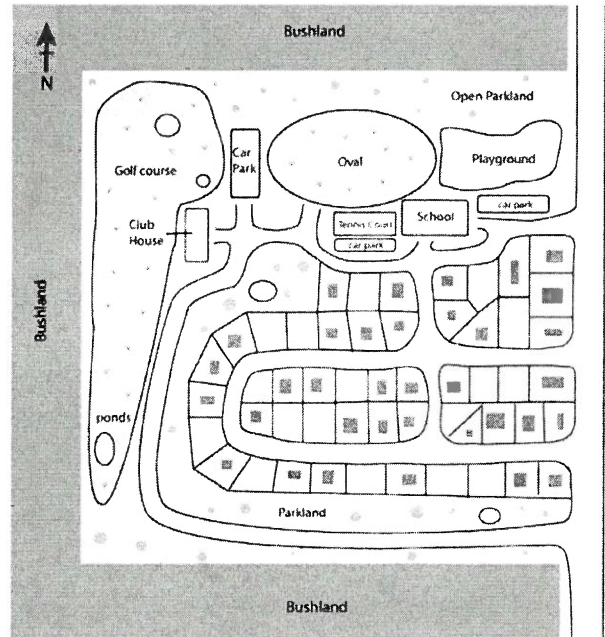
- the area to be covered by any proposed buildings
- the location of entry and exit points to public roads
- the condition of the public roads - formed, all weather surfaces
- the location and nature of existing trees and vegetation

- the slope of the land
- the nature and location of bushfire buffer and asset protection zones
- the location of water supply for fire-fighting purposes.

The land division plan shows all of these features except for the location of water supply for fire-fighting purposes.

The application will create one additional allotment, but three smaller ones in an area where conditions in a bushfire event are likely to be very hazardous (Ref CFS letter).

Figure 3 of the Code illustrates an example (see figure opposite) of desirable situations for the location of allotments, buffers and road access in areas containing hazardous bushland conditions where allotments receive protection from roads and other significant features. These conditions do not exist with respect to the subject land and its locality. This kind of separation is not achievable on the subject land.



It would not be possible to site a dwelling on the subject land so as to provide a 20 metre cleared buffer around a dwelling on all sides. It would be possible to the front and rear of the allotments but only at the cost of removing most of the vegetation. This potentially could leave only a strip at the rear of the land which would be at a level well below road level where it would not contribute to the streetscape character in a manner consistent with the existing or desired character. This would be contrary to the provisions relating to the conservation of native vegetation and the maintenance of the highly vegetated and natural character as sought as the Desired Character for the Zone.

The creation of an additional residential allotment in a vegetated gully with a north/north-westerly aspect is in my view, contrary to Principle 192 (a) which calls for a minimisation of danger to residents and fire fighting personnel. In addition Principle 191 states that "Land division for residential or tourist accommodation purposes within areas of high bushfire risk should be limited to those areas specifically set aside for these uses." My reading of the provisions of the Development Plan is that it takes a very precautionary approach to the division and development of land within the Residential (Hills) Zone. This is emphasised in the Desired Character Statement where it says "A large portion of the zone is within a Bushfire Protection Area shown on Figures Mit(BPA)/1 to 17 of the Development Plan. This area requires special consideration due to the potential conflict between the need to modify the natural environment to afford adequate bushfire protection and the consequent impact such action potentially has on the overall landscape quality of the area." (my underlining) In my view the further division of land in the locality, including the proposed division of the subject land is contrary to the approach established in the Development Plan for the Residential (Hills) Zone. The division of larger allotments with dimensions below that established by the Zone provisions will in my opinion undermine the Desired Character. This is contrary to the intention of the zone to protect the natural hills and to increase the level of conflict between the minimisation of bushfire hazard and the retention of the natural character.

6.3.6 Conservation

Council Wide Conservation Principles 134, 135, 137, 146 (c) & (d), 148 (a)(ii) are relevant. The creation of the proposed smaller allotments is likely to lead to the construction of at least one dwelling on each of the proposed allotments. It is noted in the arborist's report for the applicant that the removal of 9 trees is recommended and on the plans that some removal of vegetation is either proposed or foreseen.

The clearance of trees to construct a dwelling on each allotment and to limit bushfire risk would inevitably lead to a reduction of native vegetation. In addition, once a dwelling is in place it would be possible under the Native Vegetation Act legislation to remove native vegetation within a radius of 20 metres from the dwelling without approval. This would be inconsistent with the conservation of native vegetation and the habitat that it provides. It is the vegetation in the locality that is a very significant component of its high level of amenity.

6.3.7 Population Maintenance

Council Wide Objective 15 seeks an increase in the number of dwellings within the Council area in order to maintain population numbers. In my view to be consistent with the overall intent of the Development Plan, an increase in population density must happen in suitable locations on suitable land. In my opinion, this is not such a place. In any event the addition of one allotment is not likely to have a measureable or significant impact on the ability of the City of Mitcham to maintain or increase its population.

6.3.8 Vehicular Access

The front of the proposed allotments and the level of the road carriageway and lines of site allow for sufficiently safe and convenient vehicular access to all of the proposed allotments. There are no street trees or other infrastructure that would be adversely affected by vehicular access.

6.3.9 Orderly Development

The proposal will create three allotments that are substantially smaller than the allotments along the north-western side of Longview Avenue and narrower than all regular shaped allotments in the street. This is inconsistent with, and disruptive to the pattern and character of that development. The creation of allotments smaller than those called for in the Zone, may encourage or justify further divisions that would detract from the natural character of the locality and increase the number of dwellings at risk in an area of high to extreme bushfire hazard. This is not consistent with an orderly approach to planning and development in the area and the locality in particular.

7.0 CONCLUSIONS

The proposal is for the creation of an additional allotment

The subject land and locality is located in the Residential (Hills) Zone and in an area where character and the pattern of development is varied in response to the substantial variation in the terrain. The subject land is located in an area of predominantly detached dwellings at very low densities with the built form aggregated on the flatter parts of the terrain along ridge lines and where the more significant gullies are form the rear section of large and deep allotments. The Desired Character for the Zone seeks to maintain this character and takes a precautionary and limiting approach to further development in areas of high bushfire risk.

In my opinion:

1. The proposed allotments are substantially smaller than the Zone requirement for a minimum of 1500 square metres on allotments with a gradient between 1 in 8 and 1 in 4.
2. The smaller proposed allotments being both smaller than other allotments in the locality and being located in an area where the Minister's Code applies means that it is necessary for vegetation to be cleared around dwellings. This will lead to a reduction in the ability to maintain the highly landscaped character of the locality which is contrary to the Desired Character for the Zone.
3. The division of the land in the manner proposed is inconsistent with the existing and Desired Character for the subject land, locality and the Zone more generally and would be likely to encourage or justify further such division of a size that is below the minimum policy settings.
4. The land is in an area of high bushfire risk and any increase in the number of residential premises creates additional dwellings and their occupants that are put at risk and increases the demands on emergency services personnel in a bushfire event.
5. The division of the land is likely to lead to a significant reduction in the amount of native vegetation on the land and to a lesser extent within the locality due to a need or desire to reduce bushfire risk. Such an outcome is contrary to the Desired Character for the Residential (Hills) Zone.
6. The division would create a group of allotments, all of which fail to meet the minimum allotment area and width provisions of the Zone.
7. Division of the subject land is likely to encourage and/or justify the division of other large allotments thereby undermining the natural character of the locality.

Accordingly I do not support the proposal.

8.0 Declaration

I believe that I, Dennis James Batge have made all the enquiries desirable and appropriate for the consideration and determination of this matter. There are no matters of significance of which I am aware, that have been withheld from the Court.

A handwritten signature in black ink, appearing to read 'Dennis Batge', with a long horizontal stroke extending to the right.

Dennis Batge MPIA, CPP

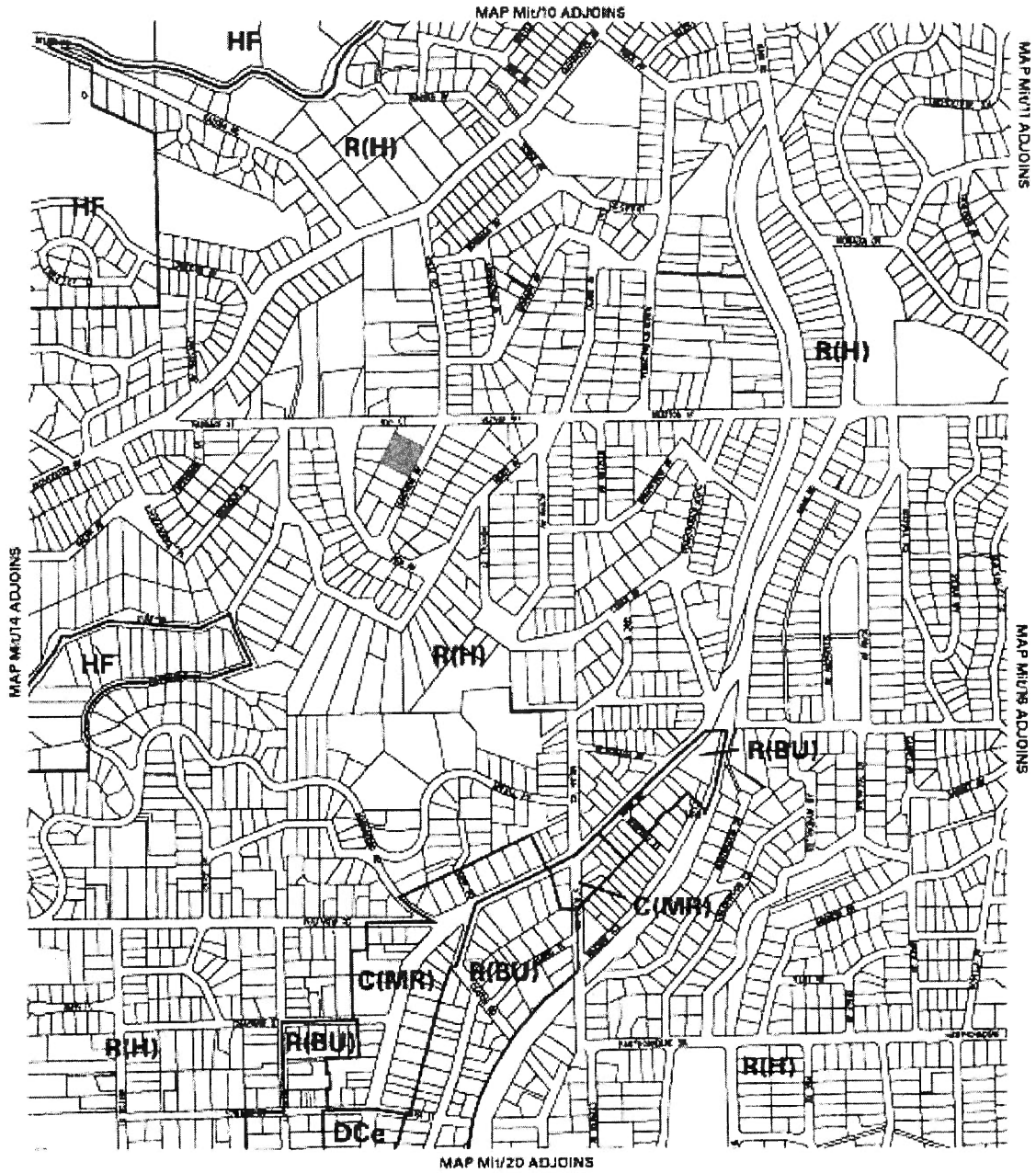
Grad, Dip Regional & Urban Planning

31 August 2011


Attachments:



- 1 Zone Map
- 2 Locality Map
- 3 Lot Areas and Widths Map

ATTACHMENT 1
ZONING MAP



C(MR) Commercial (Main Road)
DCe District Centre
HF Hills Face
R(BU) Residential (Blackwood Urban)
R(H) Residential (Hills)

 **Subject Land**

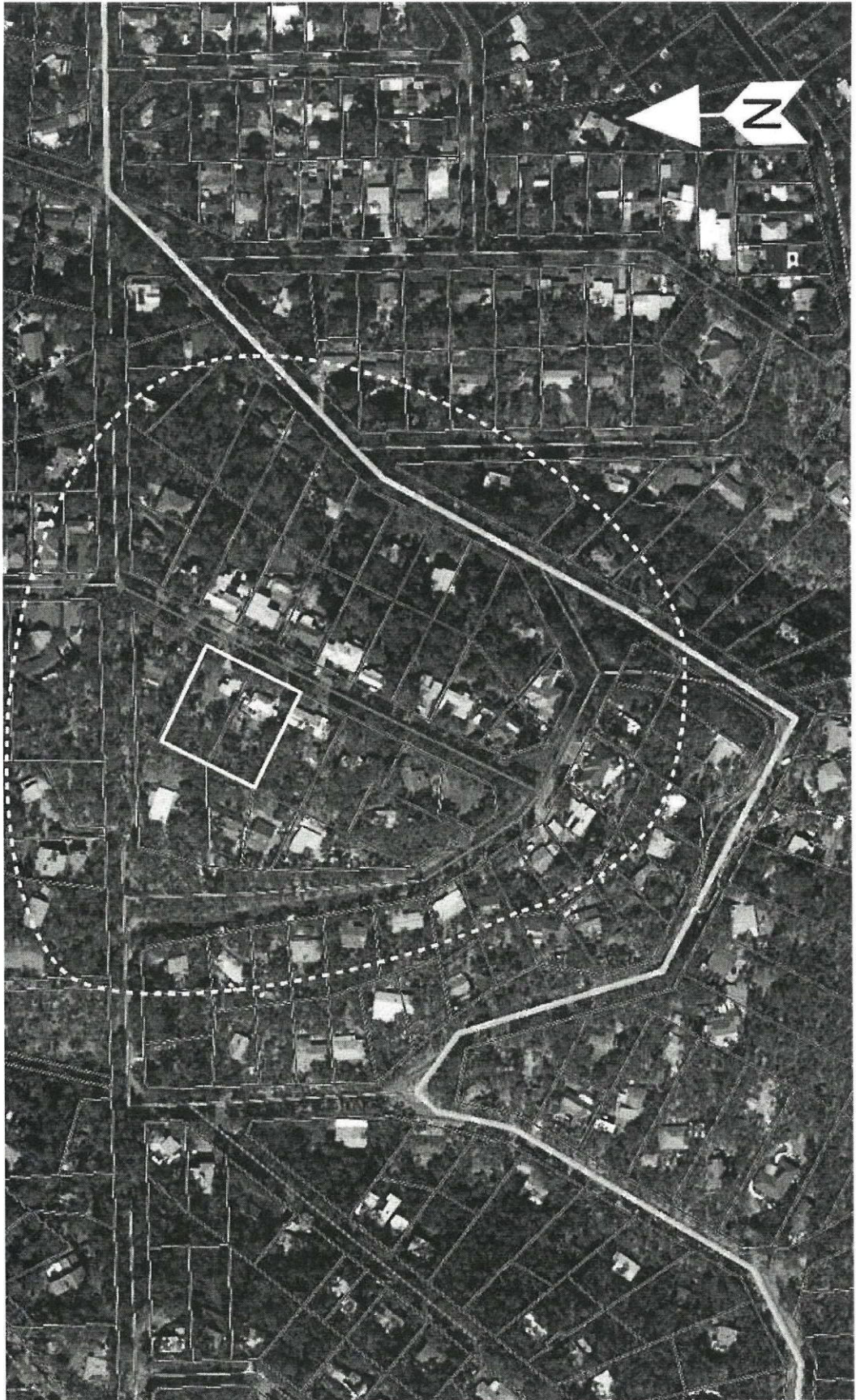
 Zone Boundary
 Development Plan Boundary



MITCHAM (CITY)
ZONES
MAP Mit/15

ATTACHMENT 2

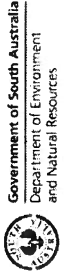
LOCALITY MAP



Extent of locality shown as yellow dashed line. The subject land is outlined in solid yellow.

ATTACHMENT 3

LOT AREAS AND WIDTHS MAP



Geocentric Datum of Australia, 1984

Datum:

160 Metres



**Residential Builders' Warranty
Insurance
Certificate of Insurance**

QBE Insurance (Australia) Ltd
628 BOURKE STREET
MELBOURNE VIC 3000
Phone: (03) 9246 2666
Fax: (03) 9246 2611
ABN: 78 003 191 035
AFS License No: 239545



Policy Number 600064845BWI-2

PETRA MARSHNER
138 LONGWOOD RD
HEATHFIELD 5153

Name of Intermediary
WEBBER INSURANCE UNIT TRUST
WEBBER INSURANCE SERVICES
PO BOX 245 KENT TOWN DC 5071

Account Number
600008048
Date Issued
11/11/2015

Policy Schedule Details

Certificate in Respect of Insurance

Domestic Building Contract

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

In Respect of	NEW SINGLE DWELLING CONSTRUCTION CONTRACT
At	36 LONGVIEW AVENUE BELAIR SA 5052
Carried Out By	BUILDER CANVAS CONSTRUCTIONS PTY LTD ABN: 99 171 124 720
Declared Contract Price	\$452,316.00
Contract Date	16/11/2015
Builders Registration No.	UBLD237114
Building Owner / Beneficiary	PETRA MARSHNER

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

For and behalf of

QBE Insurance (Australia) Limited.

IMPORTANT NOTICE:

This Certificate must be read in conjunction with the Policy Wording and kept in a safe place. These documents are very important and must be retained by you and any successive owners of the property for the duration of the statutory period of cover.

**Residential Builders' Warranty
Insurance
Certificate of Insurance**

QBE Insurance (Australia) Ltd
628 BOURKE STREET
MELBOURNE VIC 3000
Phone: (03) 9246 2666
Fax: (03) 9246 2611
ABN: 78 003 191 035
AFS License No: 239545



Policy Number 600064845BWI-2

WEBBER INSURANCE UNIT TRUST
WEBBER INSURANCE SERVICES
PO BOX 245 KENT TOWN DC 5071

Account Number
600008048
Date Issued
11/11/2015

Builder CANVAS CONSTRUCTIONS PTY LTD
ABN/ACN 99 171 124 720
Business Address 7 FOX HILL ROAD
MOUNT GEORGE 5155
Type of Insurance RESIDENTIAL BUILDERS' WARRANTY INSURANCE
Construction Works NEW SINGLE DWELLING CONSTRUCTION CONTRACT
At 36 LONGVIEW AVENUE
BELAIR SA 5052
State SA

Declared Construction Value	Contract Date	Estimated Construction Completion Date
\$452,316.00	16/11/2015	30/06/2016

Building Owner / Beneficiary PETRA MARSHNER

For and behalf of

QBE Insurance (Australia) Limited.

This notice will become a "Tax Invoice" when the amount payable is paid in full. Should changes be made, then the new schedule issued will become your Tax Invoice.

Total Premium and Charges

Premium	\$2,347.50
Levies	\$0.00
GST	\$234.75
Stamp Duty	\$284.04

Total Premium **\$2,866.29**

The amount of stamp duty paid is calculated under the relevant States/Territory Duties Act, based on where the risks, properties, contingencies or events are located.

Data Extract for Section 7 search purposes

Valuation ID 0821279010

Data Extract Date: 28/07/2025

Important Information

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

Parcel ID: D92946 AL1

Certificate Title: CT6141/668

Property Address: 36 LONGVIEW AV BELAIR SA 5052

Zones

Hills Neighbourhood (HN)

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.

Character Area (MitC3)

The Character Area Overlay aims to reinforce valued streetscape characteristics through contextually responsive development, design and adaptive reuse that responds to the attributes expressed in the Character Area Statement.

Hazards (Bushfire - High Risk) (High)

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

Hazards (Flooding - General)

The Hazards (Flooding - General) Overlay seeks to minimise impacts of general flood risk through appropriate siting and design of development.

Native Vegetation

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

Prescribed Wells Area

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

Regulated and Significant Tree

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

Stormwater Management

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

Urban Tree Canopy

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

Is the land situated in a 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).

(Council input required)

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

ANNEXURE C

Certificate of Emergency Services Levy Payable



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: 2694913

W LEGAL PTY. LTD.
WRP LEGAL & ADVISORY
LEVEL 1
153 FLINDERS STREET
ADELAIDE SA 5000

DATE OF ISSUE
22/07/2025

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

OWNERSHIP NUMBER		OWNERSHIP NAME		
12431895		ESTATE OF P MARSCHNER		
PROPERTY DESCRIPTION				
36 LONGVIEW AVE / BELAIR SA 5052 / LT 1 D92946				
ASSESSMENT NUMBER	TITLE REF. <small>(A "+" indicates multiple titles)</small>	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
0821279010	CT 6141/668	\$810,000.00	R4 1.000	RE 0.400
LEVY DETAILS:		FIXED CHARGE	\$	50.00
		+ VARIABLE CHARGE	\$	274.10
FINANCIAL YEAR		- REMISSION	\$	164.95
2025-2026		- CONCESSION	\$	0.00
		+ ARREARS / - PAYMENTS	\$	0.00
		= AMOUNT PAYABLE	\$	159.15

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

EXPIRY DATE 20/10/2025



Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

PAYMENT REMITTANCE ADVICE

OWNERSHIP NUMBER
12431895

OWNERSHIP NAME
ESTATE OF P MARSCHNER

ASSESSMENT NUMBER
0821279010

AMOUNT PAYABLE
\$159.15

AGENT NUMBER
100019552

AGENT NAME
W LEGAL PTY. LTD.

EXPIRY DATE
20/10/2025

+70053011190022> +001571+ <0550308329> <0000015915> +444+

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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




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

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

For more information:

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

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 <p>Biller Code: 456285 Ref: 7005301119</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au © Registered to BPAY Pty Ltd ABN 69 079 137 518</p>	 <p>To pay via the internet go to: www.revenuesaonline.sa.gov.au</p>	 <p>Send your cheque or money order, made payable to the Community Emergency Services Fund, along with this Payment Remittance Advice to:</p> <p>Revenue SA Locked Bag 555 ADELAIDE SA 5001</p>
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ANNEXURE D

Certificate of Land Tax Payable



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: 2694913

DATE OF ISSUE

22/07/2025

W LEGAL PTY. LTD.
WRP LEGAL & ADVISORY
LEVEL 1
153 FLINDERS STREET
ADELAIDE SA 5000

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

OWNERSHIP NAME		FINANCIAL YEAR	
ESTATE OF P MARSCHNER		2025-2026	
PROPERTY DESCRIPTION			
36 LONGVIEW AVE / BELAIR SA 5052 / LT 1 D92946			
ASSESSMENT NUMBER	TITLE REF. <small>(A "+" indicates multiple titles)</small>	TAXABLE SITE VALUE	AREA
0821279010	CT 6141/668	\$465,000.00	0.1204 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 20/10/2025



Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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




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

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

For more information:

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

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 <p>Billers Code: 456293 Ref: 7005301028</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au © Registered to BPAY Pty Ltd ABN 69 079 137 518</p>	 <p>To pay via the internet go to: www.revenuesaonline.sa.gov.au</p>	 <p>Send your cheque or money order, made payable to the Commissioner of State Taxation, along with this Payment Remittance Advice to:</p> <p>Revenue SA Locked Bag 555 ADELAIDE SA 5001</p>
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ANNEXURE E

SA Water Certificate of Charges



Account Number 08 21279 01 0	L.T.O Reference CT6141668	Date of issue 22/7/2025	Agent No. 7938	Receipt No. 2694913
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WRP LEGAL AND ADVISORY
LEVEL 1, 153 FLINDERS ST
ADELAIDE SA 5000
reception@wrplegal.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: EST OF P MARSCHNER C/- WRP LEGAL
Location: 36 LONGVIEW AVE BELAIR LT 1 D92946
Description: 4H IG **Capital Value:** \$ 810 000
Rating: Residential

Periodic charges

Raised in current years to 30/6/2025

			\$
	Arrears as at: 30/6/2025	:	196.78
Water main available:	1/7/2015	Water rates	: 0.00
Sewer main available:	1/7/2015	Sewer rates	: 0.00
		Water use	: 0.00
		SA Govt concession	: 0.00
		Recycled Water Use	: 0.00
		Service Rent	: 0.00
		Recycled Service Rent	: 0.00
		Other charges	: 10.20
		Goods and Services Tax	: 0.00
		Amount paid	: 206.98CR
		Balance outstanding	: 0.00

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

Next quarterly charges: Water supply: 82.30 Sewer: 119.48 Bill: 13/8/2025

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

The last Water Use Year ended on 10/05/2025.

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



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

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

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



South Australian Water Corporation

Name:

EST OF P MARSCHNER
LEGAL

C/- WRP

Water & Sewer Account

Acct. No.: **08 21279 01 0**

Amount: _____

Address:

36 LONGVIEW AVE BELAIR LT 1 D92946

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	0821279010



Bill code: 8888
Ref: 0821279010

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: 0821279010



ANNEXURE F

Property Interest Report

Property Interest Report

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

Title Reference	CT 6141/668	Reference No. 2694913
Registered Proprietors	P*MARSCHNER	Prepared 21/07/2025 12:34
Address of Property	36 LONGVIEW AVENUE, BELAIR, SA 5052	
Local Govt. Authority	CITY OF MITCHAM	
Local Govt. Address	GPO BOX 21 MITCHAM SHOP CEN TORRENS PARK SA 5062	

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

<u>Prescribed encumbrance</u>	<u>Particulars</u> (Particulars in bold indicates further information will be provided)
-------------------------------	---

1. General

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

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

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

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

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

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

also

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

2. Aboriginal Heritage Act 1988

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

an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

3. **Burial and Cremation Act 2013**

- 3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

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

- 4.1 section 5 - Notice requiring payment

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

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

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

- 5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

- 5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

- 5.6 section 57 - Land management agreement

Refer to the Certificate of Title

- 5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

- 5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

- 5.9 section 71 - Fire safety notice

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

- 5.10 section 84 - Enforcement notice
State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply
- 5.11 section 85(6), 85(10) or 106 - Enforcement order
State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply
- 5.12 Part 11 Division 2 - Proceedings
Contact the Local Government Authority for other details that might apply

also

Contact the vendor for these details

6. Repealed Act conditions

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

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

also

Contact the Local Government Authority for other details that might apply

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

7. Emergency Services Funding Act 1998

- 7.1 section 16 - Notice to pay levy

An Emergency Services Levy Certificate will be forwarded. If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.

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

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

Act

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

19. Land Tax Act 1936

- | | | |
|------|---|---|
| 19.1 | Notice, order or demand for payment of land tax | <p>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.</p> <p>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au</p> |
|------|---|---|

20. Local Government Act 1934 (repealed)

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

21. Local Government Act 1999

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

22. Local Nuisance and Litter Control Act 2016

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

23. Metropolitan Adelaide Road Widening Plan Act 1972

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

24. Mining Act 1971

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

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

25. Native Vegetation Act 1991

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

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

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

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

26. Natural Resources Management Act 2004 (repealed)

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

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

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

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

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

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

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

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

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

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

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

27. Outback Communities (Administration and Management) Act 2009

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

28. *Phylloxera and Grape Industry Act 1995*

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

29. *Planning, Development and Infrastructure Act 2016*

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

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

also

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

also

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

also

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

also

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

also

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

Contact the vendor for these details

29.4 section 140 - Notice requesting access

Contact the vendor for these details

29.5 section 141 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

29.6 section 142 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

29.7 section 155 - Emergency order

State Planning Commission in the Department for Housing and Urban Development

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

also

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

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

also

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

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

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

also

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

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

also

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

Contact the Local Government Authority for details relevant to this item

also

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

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

also

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

Contact the Local Government Authority for details relevant to this item

also

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

30. Plant Health Act 2009

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

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

31. Public and Environmental Health Act 1987 (repealed)

- 31.1 Part 3 - Notice

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

also

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

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

also

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

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

also

Contact the Local Government Authority for other details that might apply

32. South Australian Public Health Act 2011

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

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

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

34. Water Industry Act 2012

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

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

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

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

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

35. Water Resources Act 1997 (repealed)

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

36. Other charges

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

also
Contact the vendor for these details

also
Contact the Local Government Authority for other details that might apply

Other Particulars

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

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

Additional Information

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

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

Notices

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

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

Building restrictions

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

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

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

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

Statutory easements

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

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

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

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

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

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

Land Tax Act 1936 and Regulations thereunder

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

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

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

Information should be obtained from:

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

Landscape South Australia 2019

Water Resources Management - Taking of underground water

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

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

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

ANNEXURE G

Prescribed Notice

PRESCRIBED NOTICE TO BE GIVEN TO PURCHASER

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

Land and Business (Sale and Conveyancing) Regulations 1995 regulation 15A

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, the Office of Consumer and Business Affairs recommends that you check the website: www.ocba.sa.gov.au/consumeradvice/realestate

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

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

Safety

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

Enjoyment

- Does the property have any **stormwater** problems?
- Is the property in a **flood prone** area? Is the property prone to coastal flooding?

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

Value

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

For more information on these matters visit: www.ocba.sa.gov.au/consumeradvice/realestate

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.

ANNEXURE H

Smoke Alarm Fire Safety Fact Sheet



Home fire safety fact sheet



Smoke Alarms

General Information

Legislative Requirements

In South Australia, legislation is in place to make domestic smoke alarms compulsory for all residential buildings. In some situations the smoke alarms need to be interconnected. See “Interconnecting smoke alarms” below.

Home owners are required, by Regulation 76B under the Development Act 1993, to install battery powered or hard-wired (240 volt mains powered) smoke alarms*.

* Houses built since 1 January 1995 must be equipped with hard-wired smoke alarms. All other houses must be equipped with at least replaceable battery powered smoke alarms. From 1 Feb 1998 when a house with replaceable battery powered smoke alarms is sold the new owner has six months to install alarms which are hard-wired to the 240 volt power supply or powered by 10 year life, non-replaceable, non-removable batteries.

Penalties apply for non-compliance.

In rented homes the owner of the property is responsible for the installation of working smoke alarms and must ensure that they are maintained. The minimum maintenance required under Australian Standard 1851 – 2012 is detailed in the SA Metropolitan Fire Service (MFS) Home Fire & Life Safety fact sheet [Smoke Alarm Servicing Schedule](#). This schedule, appropriately signed and dated, can be kept as a record of maintenance. The MFS recommends a more rigorous maintenance regime (see below “Maintenance of Smoke Alarms”) and suggests that more frequent maintenance instructions and responsibilities are included in leasing agreements as the responsibility of the tenant.

Why Do You Need A Smoke Alarm?

Smoke obscures vision and causes intense irritation to the eyes. This, combined with the effects of the poisons in the smoke, can cause disorientation, impaired judgement and panic, reducing the victim's ability to find an exit.

Most fire-related deaths result from the inhalation of toxic fire gases rather than from direct contact with flame or exposure to heat.

Home fire safety fact sheet

Correctly located smoke alarms in your home give early warning of fire, providing you with the precious time which may be vital to your survival.

Home Fire Escape Plan

The installation of smoke alarms forms one part of a Home Fire Escape Plan. It is vitally important that every family has a complete Home Fire Escape Plan which is practised and understood by all occupants. Advice on the development of a Home Fire Escape Plan is available from the MFS by telephoning 8204 3611 or visiting our website <http://www.mfs.sa.gov.au>.

Types Of Smoke Alarms

Ionisation Smoke Alarms

Ionisation smoke alarms detect small diameter smoke particles, the invisible products of combustion, and are most effective in the case of flaming fires. They are not suitable for locations affected by cooking, combustion heating appliances or open fires.

Photo-Electric Smoke Alarms

Photo-electric smoke alarms detect larger smoke particles, the visible products of combustion, and are most effective in the case of smouldering fires. They are suitable for installation near kitchens or in areas containing combustion heaters or open fires.

Best Protection

Research indicates that photo-electric alarms provide the best detection across a range of fires.

For homes which already have ionisation alarms, we recommend that they be supplemented with additional, interconnected photo-electric alarms. When existing ionisation alarms reach 10 years of age, they should be replaced with photo-electric alarms.

The MFS recommends that the best protection is provided by photo-electric smoke alarms which are hard-wired to the 240 volt power supply and interconnected to give the earliest warning possible.

Interconnectable Alarms

The interconnection of multiple alarms ensures that if one alarm detects smoke, all interconnected alarms will activate to sound the warning. Alarms can be interconnected by wires in the ceiling space or by wireless interconnection.

From 1 May 2014 multiple smoke alarms must be interconnected in all new Class 1 and Class 2 buildings and in any new extensions to buildings which require more than one alarm.

“Class 1 and 2 buildings” means:

- Any single dwelling including detached houses or attached houses such as row houses, terrace houses, town houses, villa units, etc.
- A boarding house, guest house, hostel or the like with a total floor area not exceeding 300m² and in which not more than 12 persons would ordinarily reside.

Note: Larger buildings of these types will require a commercial type fire alarm system.

Home fire safety fact sheet

- Any building containing two or more sole-occupancy units each being a separate dwelling (i.e. flats, motel units, apartments and the like) where the building is not required to be fitted with a commercial type fire alarm system.

Regardless of when your house was built, the MFS recommends that if you have multiple smoke alarms they should be interconnected. Both the ionisation and the photo-electric types of smoke alarm are available as interconnectable alarms.

Quality Assurance

For assurance of quality in manufacture, the MFS recommends that you buy smoke alarms which comply with Australian Standard 3786.

Look for 'AS 3786' and/or the Standards Australia 'five ticks' symbol on the packaging. (Pictured right)



Fire Detection Systems

In a large domestic dwelling, it is advantageous to have the domestic smoke alarms interfaced to a Residential Fire Alarm Indicator Panel. The occupants, and the fire service on their arrival, will then know exactly where the fire has been detected in the house.

Residential Fire Alarm Indicator Panels are also an advantage in lodging houses, blocks of flats or apartments.

Note: Residential alarms may only be used where the Building Code of Australia does not call for an Australian Standard 1670 system.

Some monitored security alarms are only equipped with smoke detectors. These detectors may not comply with AS 3786 (Smoke Alarms) and therefore may not comply with Regulation 76B of the Development Regulations 2008 or the Building Code of Australia. Where a monitored security system with non-compliant smoke detectors is installed, owners need to install one or more smoke alarms that are AS 3786 compliant.

Smoke Alarms For Impaired Persons

For those who are deaf or hard of hearing, there are smoke alarm systems available that incorporate strobe lights and vibrating elements in addition to the audible alert signal.

If you are dependent on others for movement (e.g. paraplegic), a smoke alarm system may be interfaced with equipment that will send a pre-recorded message or signal to the service provider so that the fire service and a designated carer can be immediately notified to respond.

Power Supply Options

Hard wired - 240 volt power supply with battery backup.

Battery Operated - Replaceable battery with low power warning signal.

Lithium Battery - Built in, non-replaceable, non-removable battery with a 10 year life.

Interfaced with Domestic Security System - Some smoke alarms are connected via a domestic security system. It is critical that the smoke alarms in such a system are AS 3786 compliant.

Home fire safety fact sheet

Installation

Legislation requires that a qualified electrician install hard-wired (240 volt) smoke alarms.

Battery-powered alarms may be installed by the householder, carefully following the manufacturer's instructions.

Maintenance Of Smoke Alarms

The maintenance of domestic smoke alarms is covered by Australian Standard 1851-2012 which states that the maintenance of smoke alarms may be carried out by the occupant in accordance with the manufacturer's recommended procedure and need not be recorded.

Australian Standard 1851-2012 recommends a minimum standard for maintenance procedures. The MFS recommends more frequent maintenance in some instances to ensure that smoke alarms operate at their maximum efficiency.

Changing The Battery

Change the battery once a year or if a 'battery low' warning 'beep' is emitted. Ensure that the appropriate battery is used for the smoke alarm you have installed. (Refer to the manufacturer's instructions.)

It is strongly recommended that batteries are changed each year. An ideal time to do this is when you change your clocks back at the end of daylight saving.

Change Your Clock; Change Your Smoke Alarm Batteries.

Remember: Hard-wired (240 volt) smoke alarms may also have backup batteries which must be changed regularly.

Testing Smoke Alarms

Press the test button once a month, and when you return from an extended absence, to ensure that the smoke alarm is working. Test the backup battery of a hard-wired (240 volt) alarm by isolating the power supply (main switch or circuit breaker) before pushing the test button.

If the smoke alarms are interconnected make sure that the interconnected smoke alarms also sound when you press the test button.

To test the alarms which are connected to a security system, refer to the owner instruction manual or follow the testing advice which is displayed on the control panel.

Cleaning Smoke Alarms

At least every six months, remove dust, lint or cobwebs from the outside of the alarm using the soft brush attachment of your vacuum cleaner. Any other cleaning should be done in accordance with the manufacturer's instructions.

Test the alarm after cleaning.

Home fire safety fact sheet

Replacing Smoke Alarms – Life Expectancy

All smoke alarms that comply with AS 3786 have a recommended service life of 10 years under normal operating conditions. After that time smoke alarms may malfunction and their efficiency may be compromised with accumulated dust, insects, airborne contaminants and corrosion of electrical circuitry. They should be replaced at least every 10 years. The MFS strongly recommends they should be replaced with hard wired, interconnected (240v) photo-electric smoke alarms.

The limited lifespan of smoke alarms applies to ALL smoke alarms regardless of power source (battery or 240 volt) or the type of smoke alarm (ionisation or photo-electric/photo-optical).

Ionisation smoke alarms contain a minute particle of radioactive material. (Ionisation type smoke alarms can be identified by the black and yellow radiation symbol which appears on the smoke alarm casing.) An exemption under the Radiation Protection Control Act 1982 permits up to two domestic ionisation smoke alarms to be disposed into domestic waste during any period of seven days. For more information go to the EPA website at:

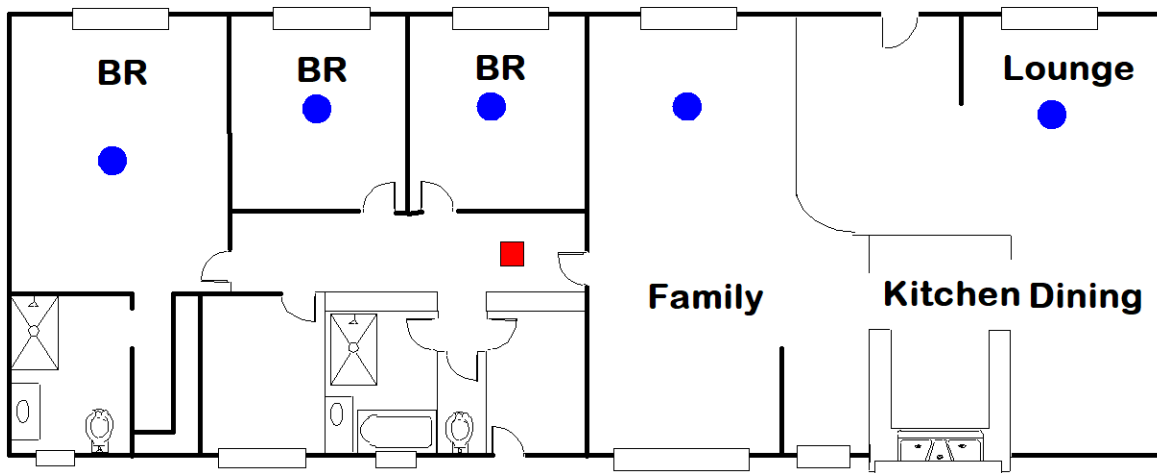
<http://www.epa.sa.gov.au/> and search 'smoke alarms'.

Old photo-electric smoke alarms (no radiation symbol) can be discarded with normal domestic rubbish.

Location Of Smoke Alarms

If you have a passageway leading to the bedrooms install the alarm at the end closer to the living area.

If you sleep with your bedroom doors closed the MFS recommends additional alarms in the bedrooms, interconnected with those located in passageways and other parts of the dwelling, to ensure that you are alerted by the activation of any alarm.



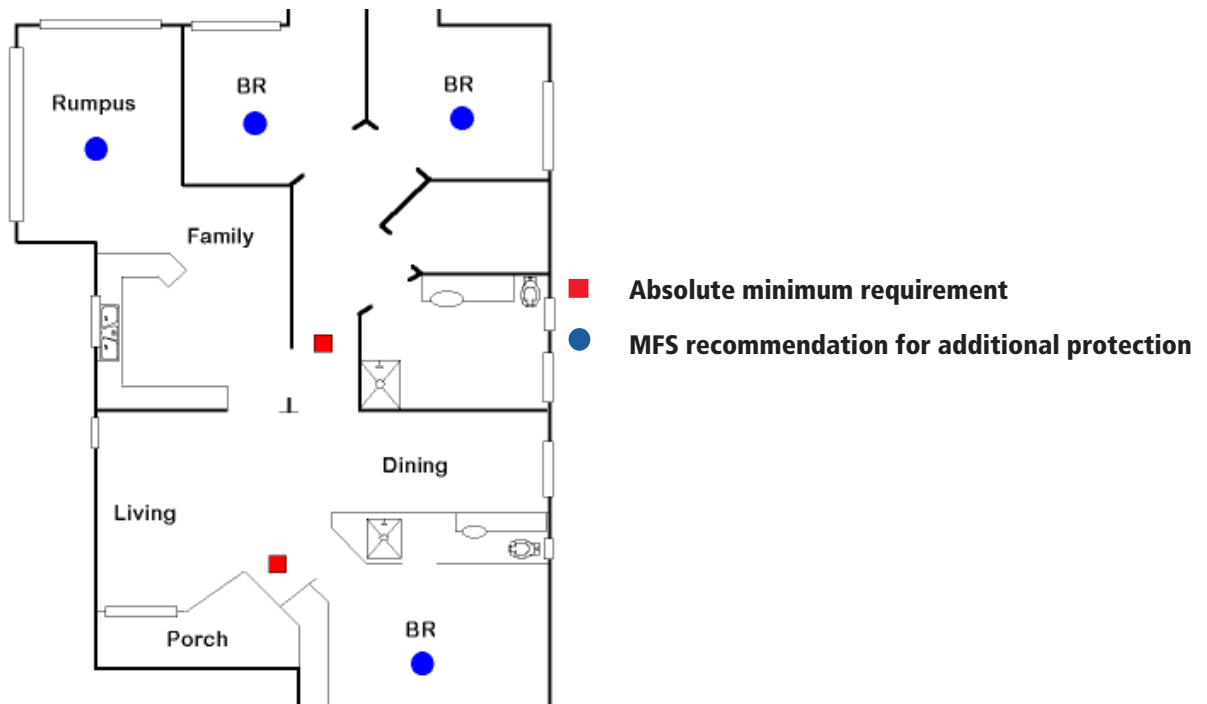
- Absolute minimum requirement
- MFS recommendation for additional protection

Home fire safety fact sheet

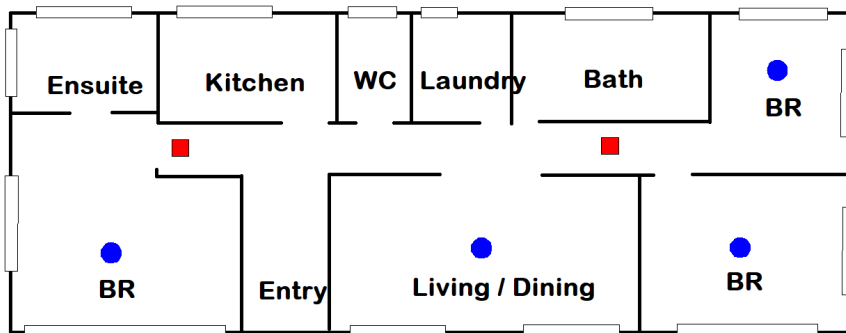
If there is no passageway but the bedrooms are accessed directly from the living area, install the alarm outside each bedroom 900mm from the doorway.

For additional protection, also install alarms in each bedroom. Install them as close as practicable to the centre of the room and interconnect them with the alarms located in other parts of the dwelling.

Consider the installation of photo-electric alarms in the living area to reduce the incidence of nuisance alarms.



If there are bedrooms at both ends of the house install interconnected alarms in the passageway to each of these areas.



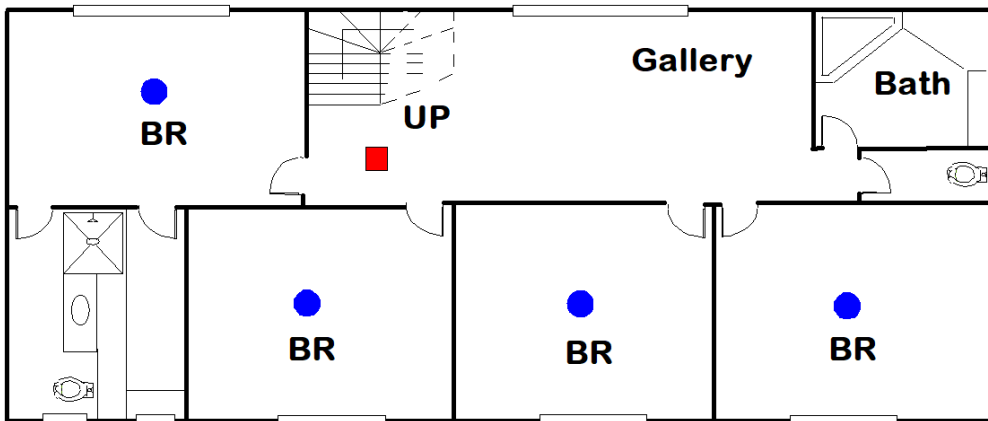
- Absolute minimum requirement
- MFS recommendation for additional protection

Home fire safety fact sheet

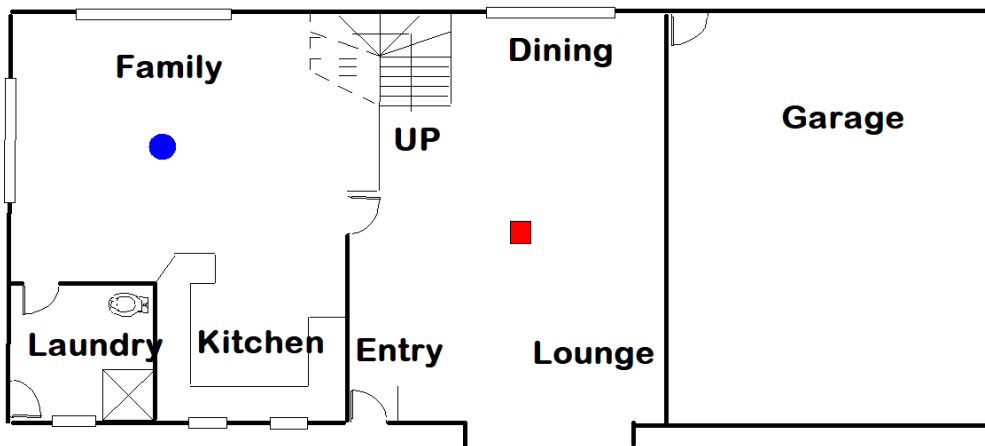
In passageways, the installation point should be at the end closest to the living area and certainly before the first bedroom is reached so that when the alarm sounds, there will be sufficient time to allow evacuation by normal exit routes e.g. doors.

If you have two or more storeys, smoke alarms should be installed on each level and the MFS recommends that they be interconnected.

Upper level:



Lower level:



- Absolute minimum requirement
- MFS recommendation for additional protection

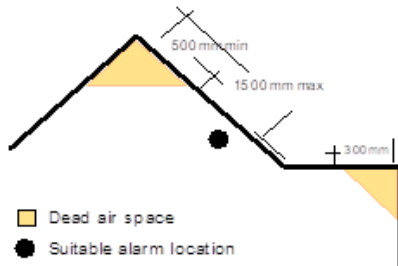
Home fire safety fact sheet

Dead Air Spaces

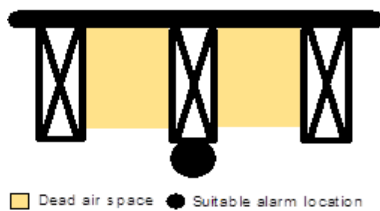
Corners between walls, between a wall and ceiling and at the apex of a sloping ceiling contain dead air space which smoke may not readily penetrate.

Alarms placed in these spaces may not activate.

On a sloping ceiling the alarm should be installed between 500 and 1500mm down the slope from the apex.



If a flat or sloping ceiling has closely spaced exposed beams the areas in between the beams should be considered as dead air space and the alarm should be attached to the bottom of a beam.



Note: The MFS does not recommend side wall installation.

Always Ensure That Smoke Alarms:

- Are not painted over - this may restrict the airflow into the alarm.
- Are located where there are no continual drafts - dust or lint may cause the alarm to activate.
- Are located away from the bathroom and laundry - steam may activate the alarm.
- Are not disconnected from the electrical supply to overcome nuisance alarms from cooking or smoke from an open fire. Instead, seek advice from the MFS and install the appropriate type of alarm in the right place.
- Are replaced within 10 years of installation. Check the manufacturer's instructions.

Ducted Air Conditioning Systems

The MFS recommends that factors such as ducted air conditioning systems may require additional interconnected smoke alarms to be installed.