

# MAGAIN

Denham Property Sales Pty Ltd T/A Magain Real Estate  
Shop 2, 515 Brighton Road, Brighton 5048  
Tel: 08 8398 1494 Agent No: 299713

## FORM 1 - Vendor's Statement

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

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### Preliminary

#### To the purchaser:

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

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

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

#### Instructions to the vendor for completing this statement:

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

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

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

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

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

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

### PART A – PARTIES AND LAND

#### 1 Purchaser:

Address:

#### 2 Purchaser's registered agent:

Address:

#### 3 Vendor:

Melissa Kaye Whiteford and Robert William Whiteford

Address:

148 Sand Road, Kangarilla SA 5157

#### 4 Vendor's registered agent:

Denham Property Sales Pty Ltd T/A Magain Real Estate

Address:

Shop 2, 515 Brighton Road, Brighton 5048

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

#### 6 Description of the land:

[Identify the land including any certificate of title reference]

The land situated at 11 Charlson Rise, Happy Valley SA 5159 and being whole of the land in Certificate of Title  
Volume 5065 Folio 249 and being whole of Allotment 3 on Deposited Plan 33625 in the Area named Happy  
Valley in the Hundred of Noarlunga

## PART B – PURCHASER'S COOLING-OFF RIGHTS AND PROCEEDING WITH THE PURCHASE

To the purchaser:

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

#### 1 – Right to cool-off and restrictions on that right

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

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

#### 2 – Time for service

The cooling-off notice must be served–

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

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

#### 3 – Form of cooling-off notice

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

#### 4 – Methods of service

The cooling-off notice must be–

- (a) given to the vendor personally; or
- (b) posted by registered post to the vendor at the following address:

148 Sand Road, Kangarilla SA 5157 and 148 Sand Road, Kangarilla SA 5157, Australia

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

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

nathan@magain.com.au

(being a number or address provided to you by the vendor for the purpose of service of the notice); or

- (d) left for the vendor's agent (with a person apparently responsible to the agent) at, or posted by registered post to the agent at, the following address:

Shop 2, 515 Brighton Road, Brighton 5048

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

#### Note–

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

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

#### 5 – Effect of service

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

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

**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:**

\* / We,

Melissa Kaye Whiteford and Robert William Whiteford

of

148 Sand Road, Kangarilla SA 5157 and 148 Sand Road, Kangarilla SA 5157, Australia

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

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

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



**To the purchaser:**

I,

Nathan Brown

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

Exceptions:

NIL

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

\*Vendor's agent / Purchaser's agent

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

**SCHEDULE – DIVISION 1**

**PARTICULARS OF MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES AFFECTING THE LAND**

(section 7(1)(b))

Note –

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

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

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

**TABLE OF PARTICULARS**

Column 1	Column 2	Column 3
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*[If an item is applicable, ensure that the box for the item is ticked and complete the item.]*

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

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

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

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

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

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

Column 1	Column 2	Column 3
<b>1. General</b>		
<p><b>1.1 Mortgage of land</b></p> <p><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><b>Is this item applicable?</b></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b></p> <p><b>Are there attachments?</b></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer to Certificate of Title</p> <p>Number of mortgage (if registered): 14682527</p> <p>Name of mortgagee: BEYOND BANK AUSTRALIA LTD. (ACN: 087 651 143)</p>	<p><input checked="" type="checkbox"/></p> <p><b>YES</b></p> <p><b>YES</b></p>
<p><b>1.2 Easement</b></p> <p>(whether over the land or annexed to the land)</p> <p><b>Note -</b> "Easement" includes rights of way and party wall rights.</p> <p><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><b>Is this item applicable?</b></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b></p> <p><b>Are there attachments?</b></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer to Certificate of Title &amp; Property Interest Report (Page 12)</p> <p>Description of land subject to easement: Refer to Certificate of Title &amp; Property Interest Report (Page 12)</p> <p>Nature of easement: SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED A FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)</p> <p>Electricity and Telecommunications Infrastructure - Building Restrictions and Statutory Easements (including those related to gas, water and sewage)</p> <p>Are you aware of any encroachment on the easement? NO</p> <p>(If YES, give details):</p> <p>If there is an encroachment, has approval for the encroachment been given?  (If YES, give details):</p>	<p><input checked="" type="checkbox"/></p> <p><b>NO</b></p> <p><b>YES</b></p>
<p><b>1.3 Restrictive covenant</b></p> <p><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><b>Is this item applicable?</b></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b></p> <p><b>Are there attachments?</b></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer to Certificate of Title &amp; Memorandum of Encumbrance</p> <p>Nature of restrictive covenant: Refer to Certificate of Title &amp; Memorandum of Encumbrance</p> <p>Name of person in whose favour restrictive covenant operates: Refer to Certificate of Title &amp; Memorandum of Encumbrance</p> <p>Does the restrictive covenant affect the whole of the land being acquired? YES</p> <p>(If NO, give details):</p> <p>Does the restrictive covenant affect land other than that being acquired? NO</p>	<p><input checked="" type="checkbox"/></p> <p><b>NO</b></p> <p><b>YES</b></p>

Column 1	Column 2	Column 3
<p><b>1.4 Lease, agreement for lease, tenancy agreement or licence</b></p> <p>(The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.)</p> <p><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i> If <b>YES</b>, 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: Amount of rent or licence fee:  per (period)</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 the disposal of Crown lands, specify- (a) the Act under which the lease or licence was granted:  (b) the outstanding amounts due (including any interest or penalty):</p>	<p><input type="checkbox"/></p> <p>YES/NO</p> <p>YES/NO</p>
<p><b>5. Development Act 1993 (repealed)</b></p>		
<p><b>5.1 section 42 - Condition (that continues to apply) of a development authorisation</b></p> <p><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i> If <b>YES</b>, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Refer to City of Onkaparinga Council Searches Condition(s) of authorisation: Refer to City of Onkaparinga Council Searches</p>	<p><input checked="" type="checkbox"/></p> <p>NO</p> <p>YES</p>
<p><b>6. Repealed Act conditions</b></p>		
<p><b>6.1 Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed)</b></p> <p><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i> If <b>YES</b>, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Nature of condition(s):</p>	<p><input type="checkbox"/></p> <p>YES/NO</p> <p>YES/NO</p>
<p><b>7. Emergency Services Funding Act 1998</b></p>		
<p><b>7.1 section 16 - Notice to pay levy</b></p>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i> If <b>YES</b>, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Refer to Certificate of Emergency Services Levy Payable Date of notice: 28/01/2026 Amount of levy payable: \$0.00</p>	<p><input checked="" type="checkbox"/></p> <p>YES</p> <p>YES</p>

Column 1	Column 2	Column 3
<b>19. Land Tax Act 1936</b>		
19.1 Notice, order or demand for payment of land tax	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer to Certificate of Land Tax Payable</p> <p>Date of notice, order or demand:</p> <p>28/01/2026</p> <p>Amount payable (as stated in the notice):</p> <p>\$0.00</p>	<input checked="" type="checkbox"/> YES YES
<b>29. Planning, Development and Infrastructure Act 2016</b>		
29.1 Part 5 - Planning and Design Code	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer to City of Onkaparinga Council Searches &amp; Property Interest Report</p> <p>Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):</p> <p>Refer to City of Onkaparinga Council Searches &amp; Property Interest Report</p> <p>Is there a State heritage place on the land or is the land situated in a State heritage area?</p> <p>NO</p> <p>Is the land designated as a local heritage place?</p> <p>NO</p> <p>Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land?</p> <p>NO</p> <p>Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?</p> <p>YES</p> <p><b>Note-</b></p> <p>For further information about the Planning and Design Code visit <a href="https://code.plan.sa.gov.au">https://code.plan.sa.gov.au</a>.</p>	<input checked="" type="checkbox"/> NO YES
<p>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</p>		
29.2 section 127 - Condition (that continues to apply) of a development authorisation	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of authorisation:</p> <p>Name of relevant authority that granted authorisation:</p> <p>Condition(s) of authorisation:</p>	<input type="checkbox"/> YES/NO YES/NO
<p>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</p> <p style="font-size: 2em; text-align: center;">N/A</p>		

Column 1	Column 2	Column 3
<b>34. Water Industry Act 2012</b>		
34.1 Notice or order under the Act requiring payment of charges or other amounts or making other requirement	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Refer to Certificate of Water and Sewer Charges &amp; Encumbrance Information</p> <p>Date of notice or order: 28/01/2026</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: \$477.46</p> <p>Nature of other requirement made (if any) as specified in the notice or order: Refer to Certificate of Water and Sewer Charges &amp; Encumbrance Information</p>	<input checked="" type="checkbox"/> <b>YES</b> <b>YES</b>

## 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:  
Refer to CT - Historical Search (relating to particulars of transactions within 12 months)
- 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:  
Refer to CT - Historical Search (relating to particulars of transactions within 12 months)
- 3 Particulars of the consideration provided for the purposes of the transaction:  
Refer to CT - Historical Search (relating to particulars of transactions within 12 months)

The above particulars must be provided for each transaction.



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

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

## Buyers information notice

Prescribed notice to be given to purchaser

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

The following questions may help you to identify if a property is appropriate to purchase. In many cases the questions relate to a variety of laws and standards. These laws and standards change over time, so it is important to seek the most up to date information. Various government agencies can provide up to date and relevant information on many of these questions. To find out more, Consumer and Business Services (CBS) recommends you check the website: [www.cbs.sa.gov.au](http://www.cbs.sa.gov.au).

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

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

### Safety

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



## Enjoyment

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

## Value

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

For more information on these matters visit [www.cbs.sa.gov.au](http://www.cbs.sa.gov.au)

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

REAL PROPERTY ACT, 1886



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



## Certificate of Title - Volume 5065 Folio 249

Parent Title(s) CT 4277/368  
Creating Dealing(s) RTD 7234922  
Title Issued 10/03/1992 Edition 7 Edition Issued 17/12/2025

### Estate Type

FEE SIMPLE

### Registered Proprietor

MELISSA KAYE WHITEFORD  
ROBERT WILLIAM WHITEFORD  
OF 148 SAND ROAD KANGARILLA SA 5157  
AS JOINT TENANTS

### Description of Land

ALLOTMENT 3 DEPOSITED PLAN 33625  
IN THE AREA NAMED HAPPY VALLEY  
HUNDRED OF NOARLUNGA

### Easements

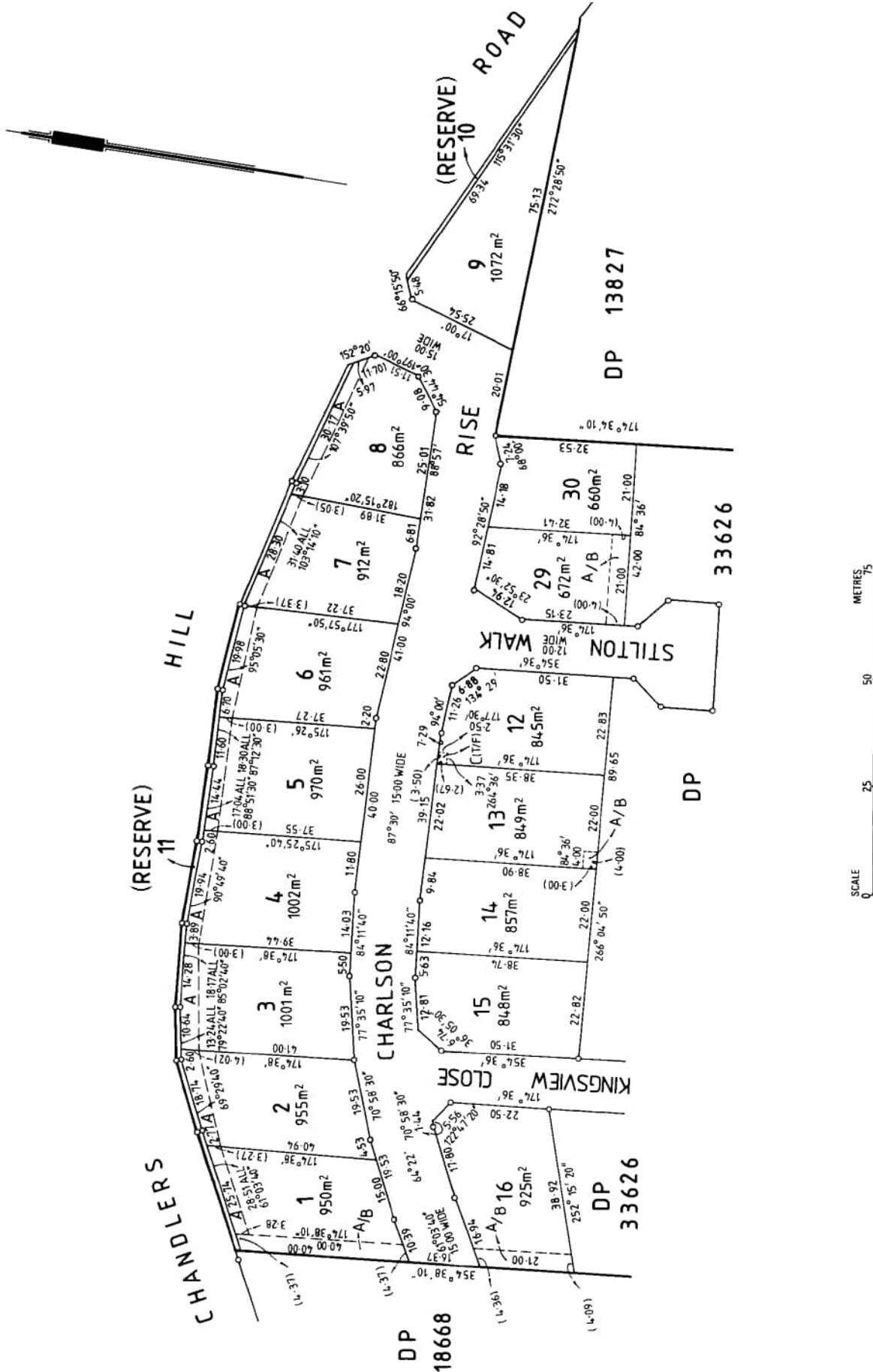
SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED A FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

### Schedule of Dealings

Dealing Number	Description
7258028	ENCUMBRANCE TO NANTES PTY. LTD. AND BLOCK DEVELOPMENTS PTY. LTD. AS TO THE SHARES SPECIFIED THEREIN (SINGLE COPY ONLY)
14682527	MORTGAGE TO BEYOND BANK AUSTRALIA LTD. (ACN: 087 651 143)

### Notations

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



# Property Interest Report

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

Title Reference	CT 5065/249	Reference No. 2749811
Registered Proprietors	R W & M K*WHITEFORD	Prepared 27/01/2026 14:42
Address of Property	11 CHARLSON RISE, HAPPY VALLEY, SA 5159	
Local Govt. Authority	CITY OF ONKAPARINGA	
Local Govt. Address	PO BOX 1 NOARLUNGA CENTRE SA 5168	

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

## Table of Particulars

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

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

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

### 1. General

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

### 2. Aboriginal Heritage Act 1988

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

an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement  
Aboriginal Affairs and Reconciliation in AGD has no record of any agreement affecting this title  
also  
Refer to the Certificate of Title
- 3. Burial and Cremation Act 2013**
- 3.1 section 8 - Human remains interred on land  
Births, Deaths and Marriages in AGD has no record of any gravesites relating to this title  
also  
contact the vendor for these details
- 4. Crown Rates and Taxes Recovery Act 1945**
- 4.1 section 5 - Notice requiring payment  
Crown Lands Program in DEW has no record of any notice affecting this title
- 5. Development Act 1993 (repealed)**
- 5.1 section 42 - Condition (that continues to apply) of a development authorisation  
State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title  
*[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*  
also  
Contact the Local Government Authority for other details that might apply
- 5.2 section 50(1) - Requirement to vest land in a council or the Crown to be held as open space  
State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- 5.3 section 50(2) - Agreement to vest land in a council or the Crown to be held as open space  
State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- 5.4 section 55 - Order to remove or perform work  
State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- 5.5 section 56 - Notice to complete development  
State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- 5.6 section 57 - Land management agreement  
Refer to the Certificate of Title
- 5.7 section 60 - Notice of intention by building owner  
Contact the vendor for these details
- 5.8 section 69 - Emergency order  
State Planning Commission in the Department for Housing and Urban Development has no record of any order affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- 5.9 section 71 - Fire safety notice  
Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any notice affecting this title

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

## 6. Repealed Act conditions

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

## 7. Emergency Services Funding Act 1998

- |     |                                 |  |
|-----|---------------------------------|--|
| 7.1 | section 16 - Notice to pay levy | <p><b>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.</b></p> <p><b>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></b></p> |
|-----|---------------------------------|--|

## 8. Environment Protection Act 1993

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

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

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

**17. Land Acquisition Act 1969**

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

**18. Landscape South Australia Act 2019**

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

Act

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

## 19. **Land Tax Act 1936**

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

## 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
<b>25. <i>Native Vegetation Act 1991</i></b>		
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
<b>26. <i>Natural Resources Management Act 2004 (repealed)</i></b>		
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
<b>27. <i>Outback Communities (Administration and Management) Act 2009</i></b>		
27.1	section 21 - Notice of levy or contribution payable	Outback Communities Authority has no record affecting this title

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

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

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

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

has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.8 section 157 - Fire safety notice

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

also

Contact the Local Government Authority for other details that might apply

29.9 section 192 or 193 - Land management agreement

Refer to the Certificate of Title

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

29.12 Part 16 Division 1 - Proceedings

Contact the Local Government Authority for details relevant to this item

also

Contact the vendor for other details that might apply

29.13 section 213 - Enforcement notice

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

also

Contact the Local Government Authority for other details that might apply

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

Contact the Local Government Authority for details relevant to this item

also

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

### 30. *Plant Health Act 2009*

30.1 section 8 or 9 - Notice or order concerning pests

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

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

31.1 Part 3 - Notice

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

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

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

### 34. *Water Industry Act 2012*

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

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

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

### 36. **Other charges**

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

## Other Particulars

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

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

## Additional Information

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

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

## Notices

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

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

#### Building restrictions

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

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

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

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

#### Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

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

Water Resources Management - Taking of underground water

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

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

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

## Certificate of Title

Title Reference CT 5065/249  
Status CURRENT  
Easement YES  
Owner Number 13131122  
Address for Notices 148 SAND RD KANGARILLA, SA 5157  
Area 1000m<sup>2</sup> (APPROXIMATE)

## Estate Type

Fee Simple

## Registered Proprietor

MELISSA KAYE WHITEFORD  
ROBERT WILLIAM WHITEFORD  
OF 148 SAND ROAD KANGARILLA SA 5157  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 3 DEPOSITED PLAN 33625  
IN THE AREA NAMED HAPPY VALLEY  
HUNDRED OF NOARLUNGA

## Last Sale Details

Dealing Reference TRANSFER (T) 13051539  
Dealing Date 16/01/2019  
Sale Price \$715,000  
Sale Type FULL VALUE / CONSIDERATION AND WHOLE OF LAND

## Constraints

### Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	7258028	BLOCK DEVELOPMENTS PTY. LTD. NANTES PTY. LTD. (ACN: 000 901 904)
MORTGAGE	14682527	BEYOND BANK AUSTRALIA LTD. (ACN: 087 651 143)

### Stoppers

NIL

## Valuation Numbers

Valuation Number	Status	Property Location Address
1461365808	CURRENT	11 CHARLSON RISE, HAPPY VALLEY, SA 5159

## Notations

### Dealings Affecting Title

NIL

### Notations on Plan

NIL

### Registrar-General's Notes

NIL

### Administrative Interests

NIL

## Valuation Record

Valuation Number	1461365808
Type	Site & Capital Value
Date of Valuation	01/01/2025
Status	CURRENT
Operative From	01/07/1992
Property Location	11 CHARLSON RISE, HAPPY VALLEY, SA 5159
Local Government	ONKAPARINGA
Owner Names	MELISSA KAYE WHITEFORD ROBERT WILLIAM WHITEFORD
Owner Number	13131122
Address for Notices	148 SAND RD KANGARILLA, SA 5157
Zone / Subzone	HN - Hills Neighbourhood
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	10HDG DIG SP
Local Government Description	Residential

## Parcels

Plan/Parcel	Title Reference(s)
D33625 ALLOTMENT 3	CT 5065/249

## Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$610,000	\$1,425,000			
Previous	\$460,000	\$1,250,000			

## Building Details

Valuation Number	1461365808
Building Style	Colonial
Year Built	1995
Building Condition	Good
Wall Construction	Bluestone; Slate Tile
Roof Construction	Galvanised Iron
Equivalent Main Area	340 sqm
Number of Main Rooms	10

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

## Certificate of Title

Title Reference: CT 5065/249  
Status: CURRENT  
Parent Title(s): CT 4277/368  
Dealing(s) Creating Title: RTD 7234922  
Title Issued: 10/03/1992  
Edition: 7

## Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
12/12/2025	17/12/2025	14682527	MORTGAGE	REGISTERED	BEYOND BANK AUSTRALIA LTD. (ACN: 087 651 143)
12/12/2025	17/12/2025	14682526	DISCHARGE OF MORTGAGE	REGISTERED	13051540
16/01/2019	24/01/2019	13051540	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION (ACN: 007 457 141)
16/01/2019	24/01/2019	13051539	TRANSFER	REGISTERED	MELISSA KAYE WHITEFORD, ROBERT WILLIAM WHITEFORD
16/01/2019	24/01/2019	13051538	DISCHARGE OF MORTGAGE	REGISTERED	12930351
28/05/2018	12/06/2018	12930351	MORTGAGE	REGISTERED	BENDIGO & ADELAIDE BANK LTD. (ACN: 068 049 178)
28/05/2018	12/06/2018	12930349	DISCHARGE OF MORTGAGE	REGISTERED	12383728
20/08/2015	15/09/2015	12383728	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)
20/08/2015	15/09/2015	12383727	TRANSFER	REGISTERED	DANIEL ROBERT WINGER SIMS, TANYA JANE SIMS
20/08/2015	15/09/2015	12383726	DISCHARGE OF MORTGAGE	REGISTERED	11530662
01/02/2011	14/02/2011	11530662	MORTGAGE	REGISTERED	NATIONAL AUSTRALIA BANK LTD.
01/02/2011	14/02/2011	11530661	TRANSFER	REGISTERED	LINDA DIANNE MOSS
01/02/2011	14/02/2011	11530660	DISCHARGE OF MORTGAGE	REGISTERED	7258029
06/03/1992	09/04/1992	7258029	MORTGAGE	REGISTERED	NATIONAL AUSTRALIA BANK

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
				D	LTD.
06/03/1992	09/04/1992	7258028	ENCUMBRANCE	REGISTERED	NANTES PTY. LTD. (ACN: 000 901 904), BLOCK DEVELOPMENTS PTY. LTD.
06/03/1992	09/04/1992	7258027	TRANSFER	REGISTERED	MARK RAYMOND MOSS, LINDA DIANNE MOSS
06/03/1992	09/04/1992	7258022	DISCHARGE OF MORTGAGE	REGISTERED	6982128 7169421
11/09/1991	11/10/1991	7169421	MORTGAGE	REGISTERED	
14/09/1990	05/11/1990	6982128	MORTGAGE	REGISTERED	

## Certificate of Title

Title Reference: CT 5065/249  
Status: CURRENT  
Edition: 7

## Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Status
12/12/2025	17/12/2025	14682526	DISCHARGE OF MORTGAGE	REGISTERED
12/12/2025	17/12/2025	14682527	MORTGAGE	REGISTERED

Data Available - Dealings completed since 29/10/2025 and unregistered Dealings

## Priority Notices

NIL

## Registrar-General's Notes

No Registrar-General's Notes exist for this title

#### **For your information:**

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

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

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

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

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

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

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

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

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

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

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

Electronic settlement of funds is still preferred.

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**LOCAL GOVERNMENT RATES SEARCH**

**TO:** Adelaide Hills Conveyancers  
51 Mount Barker Rd  
STIRLING SA 5152

02 February 2026

**DETAILS OF PROPERTY REFERRED TO:**

Property ID : 13768  
 Valuer General No : 1461365808  
 Valuation : \$1,425,000.00  
 Owner : Ms Melissa Kaye Whiteford & Mr Robert William Whiteford  
 Property Address : 11 Charlson Rise HAPPY VALLEY SA 5159  
 Volume/Folio : CT-5065/249  
 Lot/Plan No : Allotment 3 Sec 259 DP 33625  
 Ward : 04 Pimpala Ward

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

Opening balance (as of 30 Jun 2025) including rates, fines and interest, block clearing charges and legal fees	\$0.00
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Postponed Amount in Arrears	\$0.00
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**Rates for the current 2025-2026 Financial Year applicable from 01 July 2025:**

<b>Total Rates Levied 2025-2026</b>	<b>\$3,224.22</b>
-------------------------------------	-------------------

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

Fines and interest charged in the current financial year (2% fine when rates first become overdue and interest applied per month thereafter at LGA-prescribed rate)	\$0.00
---	--------

Postponed Interest	\$0.00
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Less paid current financial year	-\$3,224.22
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Overpayment	\$0.00
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Legal Fees (current)	\$0.00
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Refunds, Rates Remitted, Small Balance Adjustments or Rate Capping Rebate	\$0.00
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Balance - rates and other monies due and payable	\$0.00
--	--------

Property Related Debts	\$0.00
------------------------	--------

**BPAY Biller Code:** 421503

**TOTAL BALANCE**

**\$0.00**

**Ref:** 1451090137689

**AUTHORISED OFFICER**  
Liam Humphries

This statement is made the 02 February 2026

**IMPORTANT INFORMATION REGARDING SEARCHES**

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Adelaide Hills Conveyancers  
51 Mount Barker Rd  
STIRLING SA 5152

**Attention Conveyancers**

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

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

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

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

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

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

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

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

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

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

Yours sincerely

**City Of Onkaparinga**

Telephone (08) 8384 0666

Certificate No: S70547/2026

**Property Information And Particulars**

In response to an enquiry pursuant to Section 7 of the

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

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**TO:** Adelaide Hills Conveyancers  
51 Mount Barker Rd  
STIRLING SA 5152

**DETAILS OF PROPERTY REFERRED TO:**

ASSESSMENT NO	:	16242
VALUER GENERAL NO	:	1461365808
VALUATION	:	\$1,425,000.00
OWNER	:	Ms Melissa Kaye Whiteford & Mr Robert William Whiteford
PROPERTY ADDRESS	:	11 Charlson Rise HAPPY VALLEY SA 5159
VOLUME/FOLIO	:	CT-5065/249
LOT/PLAN NUMBER	:	Allotment 3 Sec 259 DP 33625
WARD	:	04 Pimpala Ward

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

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

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

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

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

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

## INFORMATION NOTE

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

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

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

##### *Section 42*

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

Application Number	140/732/1995
Description	Garage
Decision	Approved
Decision Date	08 November 1995

##### Development Plan Consent Conditions

1. The external cladding of the garage hereby approved shall be painted in a colour in keeping with the character of the locality within twelve months of construction, to the satisfaction of the Manager, Planning & Environment.
2. The proposed garage shall be provided with a complete roof stormwater disposal system in accordance with Regulation Part F1 of the Building Code of Australia.
3. This consent is granted pursuant to the Development Act, 1993, and approves the proposed development only for the purposes of that Act. You are advised to contact the Electricity Trust of South Australia regarding the location of public and private electrical supply lines in relation to the proposed building.

Application Number	145/2354/2001
Description	Addition to Dwelling (Enclosed Swimming Pool)
Decision	Approved
Decision Date	23 July 2002

##### Development Plan Consent Conditions

1. All development shall be completed in accordance with the plan(s) and documents submitted with and forming part of the development application except where varied by the following condition(s).
2. All stormwater drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or in the opinion of Council detrimentally affect structures on this site or any adjoining land.
3. That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
  - prevent silt run-off from the land to adjoining properties, roads and drains;
  - control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent land;
  - ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
  - ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
  - ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.

##### Building Rules Consent Conditions

1. Stormwater shall be diverted away from the building and shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a Council approved storm water drainage system.
2. Back flush water from the pool shall be piped to the sewer, common effluent connection or other approved methods of disposal. Consequently, back flush water from the pool shall not be pumped into Councils stormwater system or a septic system on the subject site.

3. A swimming pool water recirculation and filtration system must comply with AS 1926.3 and have at least two pump intakes not less than 800mm apart.
4. The proposed upper level balcony structure shall not be enclosed at any time without the prior consent of Council.
5. Steps, handrails and balustrading to the building shall comply with Part 3.9 of the Building Code of Australia 1996. Treads shall have a non-slip finish or a suitable non-skid strip near the edge of the nosings.
6. All external paving shall be a minimum of 75mm below the bottom course of the brickwork and shall be graded at a minimum of 50mm over the first 1000mm from the building.

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

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

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

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

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

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

## **Planning, Development and Infrastructure Act 2016**

*Part 5 – Planning and Design Code*

### **Zones**

Hills Neighbourhood (HN)

### **Subzones**

NO

### **Zoning overlays**

#### **Overlays**

##### **Affordable Housing**

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

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

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

##### **Hazards (Flooding - Evidence Required)**

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

##### **Native Vegetation**

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

##### **Prescribed Wells Area**

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

##### **Regulated and Significant Tree**

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

##### **Stormwater Management**

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

##### **Traffic Generating Development**

The Traffic Generating Development Overlay aims to ensure safe and efficient vehicle movement and access along urban transport routes and major urban transport routes.

#### **Urban Tree Canopy**

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

Is the land situated in a designated State Heritage Place/Area? NO

Is the land designated as a Local Heritage Place? NO

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

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

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

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

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

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

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

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

#### *Section 127*

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

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

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

#### *Section 50(1)*

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

#### *Section 50(2)*

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

#### *Section 55*

Order to remove or perform work NO

#### *Section 56*

Notice to complete development NO

#### *Section 57*

Land management agreement NO

#### *Section 69*

Emergency order NO

<i>Section 71 (only)</i> Fire safety notice	NO
<i>Section 84</i> Enforcement notice	NO
<i>Section 85(6), 85(10) or 106</i> Enforcement Order	NO
<i>Part 11 Division 2</i> Proceedings	NO
<b>Fire and Emergency Services Act 2005</b>	
<i>Section 105F (or section 56 or 83 (repealed))</i> Notice	NO
<i>Section 56 (repealed)</i> Notice issued	NO
<b>Food Act 2001</b>	
<i>Section 44</i> Improvement notice <u>issued against the land</u>	NO
<i>Section 46</i> Prohibition order	NO
<b>Housing Improvement Act 1940 (repealed)</b>	
<i>Section 23</i> Declaration that house is undesirable or unfit for human habitation	NO
<b>Land Acquisition Act 1969</b>	
<i>Section 10</i> Notice of intention to acquire	NO
<b>Local Government Act 1934 (repealed)</b>	
<i>Notice, order, declaration, charge, claim or demand given or made under the Act</i>	NO
<b>Local Government Act 1999</b>	
<i>Notice, order, declaration, charge, claim or demand given or made under the Act</i>	NO
Refer to separate attachment for Rates and Charges	

## **Local Nuisance and Litter Control Act 2016**

### *Section 30*

Nuisance or litter abatement notice *issued against the land* NO

## **Planning, Development and Infrastructure Act 2016**

### *Section 139*

Notice of proposed work and notice may require access NO

### *Section 140*

Notice requesting access NO

### *Section 141*

Order to remove or perform work NO

### *Section 142*

Notice to complete development NO

### *Section 155*

Emergency order NO

### *Section 157*

Fire safety notice NO

### *Section 192 or 193*

Land Management Agreements NO

### *Section 198(1)*

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

### *Section 198(2)*

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

### *Part 16 - Division 1*

Proceedings NO

### *Section 213*

Enforcement notice NO

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

Enforcement order NO

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

### *Part 3*

Notice NO

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

Part 2 – Condition (that continues to apply) of an approval NO

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

Regulation 19 - Maintenance order (that has not been complied with) NO

## South Australian Public Health Act 2011

### Section 92

Notice

NO

### South Australian Public Health (Wastewater) Regulations 2013

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

NO

## Particulars of building indemnity insurance

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

NO

## Particulars relating to environment protection

### Further information held by council

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

NO

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

(b) a change in the use of the land or part of the land (within the meaning of the

*Development Act 1993*) or the *Planning, Development and Infrastructure Act 2016*?

### Note –

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

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

It should be noted that –

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

## General

### Easement

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

NO

Are you aware of any encroachment on the Council easement?

NO

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

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

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

NO

### Caveat

NO

**Other**

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

NO

***PLEASE NOTE:***

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

This statement is made the 02 February 2026

Thomas Caiapich  
Project Officer – Development Support  
**AUTHORISED OFFICER**

REGISTRAR-GENERAL'S OFFICE

SOUTH AUSTRALIA

MEMORANDUM OF ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR-GENERAL

CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT, 1886, AS AMENDED

(SIGNED) *[Signature]*

D. C. THOMAS Solicitor/Licensed Land Broker/Encumbrancer

N  
E NO

7258028


(SEE NOTE 2)

SERIES NO. TO BE COMPLETED BY AGENT

**SINGLE COPY ONLY**

NOTES

- Organisations which prefer to have Encumbrance forms printed privately may do so, but proposed forms must be submitted to the Registrar-General and will not be acceptable for registration unless the format is approved.
- Format 26 is to be completed by the agent. The prefix C.T. C.L. etc. in the 2 panel box and the volume and folio reference in the 4 panel boxes respectively. Commence with the first digit of each reference in the left hand box and list multiple references horizontally e.g. C.T. 1234 221
- State whether the whole or portion only of the land comprised in the Certificate of Title. (If portion only, describe precisely.)
- Insert estate in fee simple, estate as Crown Lessee. (As the case may be.)
- List encumbrances which affect the state being mortgaged only.
- If address and/or occupation has changed identify as "formerly ....."
- If tenants in common in unequal shares, then specify.
- If an executing party is a natural person execution should read: "SIGNED by the encumbrancer in the presence of ..... The witness must be a disinterested person. If an executing party is a body corporate execution should conform to any prescribed formalities relating to the affixing of the common seal.
- The short form of proof is applicable where the witness is an authorised functionary.
- The long form of proof is applicable where the witness is not an authorised functionary. His address and occupation must be stated.

6 MAR 1992	TIME 11:30
FEES	\$
R.G.O.	55-
POSTAGE	
ADVERTISING	
NEW C.T. TO ISSUE	

OFFICE NOTES:

**SINGLE COPY ONLY**

BELOW THIS LINE FOR OFFICE USE ONLY

EXAMINATION

CORRECTION		PASSED
O.D.R. No.		EXAMINER TO INITIAL
REFERRED	RETURNED	
		<i>[Signature]</i>

BELOW THIS LINE FOR AGENT USE ONLY

Lodged by: 22-28 KING WILLIAM STREET ADELAIDE  
Address: STRACHAN THOMAS SOLICITORS 3RD FLOOR, 86 GAWLER PLACE ADELAIDE S.A. 5000 TELEPHONE: (08) 224 0211 FACSIMILE: (08) 232 2367

Correction to *S.T.T.H.*

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

- |        |   |          |
|--------|---|----------|
| 1..... | } | Received |
| 2..... |   | Items    |
| 3..... |   | No.      |
| 4..... |   |          |
| 5..... |   | Assessor |

REGISTERED ON 8.4.1992 AT 11:00 AM/PM BY ENTRY OF A MEMORIAL OF THIS INSTRUMENT IN THE REGISTER BOOK. VOL. 5065 FOLIO 249

*[Signature]* PRO  
REGISTRAR-GENERAL

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

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

ITEM(S) DELIVERED—POSTED

IN ACCORDANCE WITH DELIVERY INSTRUCTIONS

DELIVERY INSTRUCTIONS: PLEASE DELIVER THE FOLLOWING ITEM(S) TO THE UNDERMENTIONED AGENT(S)

ITEM	AGENT/RGO BOX No.	DELIVERY DATE	*POSTAGE DATE	INITIALS	ITEM: CT/CL REF.	AGENT'S NAME	AGENT/RGO BOX No.	POSTAL ADDRESS*
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4								
5								

\*FILL OUT POSTAGE DATE ONLY IF ITEMS ARE RETURNED BY CERTIFIED MAIL

\*FILL OUT POSTAL ADDRESS ONLY IF ITEMS ARE TO BE RETURNED BY CERTIFIED MAIL

AGENT'S INITIALS

DATED THIS 2ND DAY OF MARCH 1992

SIGNED by the )  
Encumbrancer )  
in the presence of: )

*[Handwritten signature]*

*[Signature]* B.M. Harrison  
PROCLAIMED BANK MANAGER  
HAPPY VALLEY S.A.

EXECUTION AND ATTESTATION (See Note 8)

SIGNED by the )  
Encumbrancer )  
in the presence of: )

*[Handwritten signature]*

*[Signature]* B.M. Harrison  
PROCLAIMED BANK MANAGER  
HAPPY VALLEY S.A.

SHORT FORM OF PROOF (See Note 9)

Appeared before me at HARRY J. KELLY the 2ND day of MARCH 1992  
MARK RAYMOND MOSS & LINDA DIANNE MOSS  
the encumbrancer, within described the party executing the within instrument being a person well known to me and did freely and voluntarily sign the same.

*[Signature]* B.M. Harrison  
PROCLAIMED BANK MANAGER  
HAPPY VALLEY S.A.

Appeared before me at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
the encumbrancer, within described the party executing the within instrument being a person well known to me and did freely and voluntarily sign the same.

(SIGNED)

LONG FORM OF PROOF (See Note 10)

Appeared before me at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

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

(SIGNED)

Appeared before me at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

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

(SIGNED)

# MEMORANDUM OF ENCUMBRANCE

Form M.2

Lot 3 in Deposited Plan 33625 being portion of the land comprised in Certificate of Title Register Book Volume 4277 Folio 368

01352358

COMMISSIONER OF STAMPS  
NOW WHOLE OF THE LAND IN S.A. STAMP DUTY  
ADJUDGED  
C.T. VOL. 5065 FOL. 249 NOT CHARGEABLE  
04/03/92 10:03

DESCRIPTION OF LAND  
(See Note 3)

ESTATE AND INTEREST  
(See Note 4)

An estate in fee simple

841992

ENCUMBRANCES  
(See Note 5)

Nil

ENCUMBRANCER  
(Full name, address and occupation.)  
(See Note 6)

MARK RAYMOND MOSS Builder and LINDA DIANNE MOSS Director both of 15 Booth Street, Happy Valley 5159

ENCUMBRANCEE  
(Full name, address and occupation.)  
(See Note 7)

A.C.N. 007 810 095  
NANTES PTY. LTD. of 90 Rundle Street, Kent Town 5067 of 99  
Undivided 100th Parts and BLOCK DEVELOPMENTS PTY. LTD. of 90  
Rundle Street, Kent Town 5067 of 1 Undivided 100th Part

THE ENCUMBRANCER HEREBY ENCUMBERS THE ESTATE AND INTEREST HEREIN SPECIFIED IN THE LAND ABOVE DESCRIBED FOR THE BENEFIT OF THE ENCUMBRANCEE SUBJECT HOWEVER TO THE ENCUMBRANCES AS SHOWN HEREON WITH AN ANNUITY OF TO BE PAID TO THE ENCUMBRANCEE (a).

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

AT THE TIMES AND IN THE MANNER FOLLOWING (b)

An annual sum of ten cents as a rent charge (if demanded) by the encumbrancee

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

On the 1st day of January in each and every year commencing on the 1st day of January next after the date of this memorandum of encumbrance.

IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE AS FOLLOWS:—

COVENANTS—continued

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COVENANTS

GRANT

1. The encumbrancer for himself and his successors in title grant this memorandum of encumbrance and covenants as follows:
  - (a) for the benefit of each of the registered proprietors of the land comprised in all of the allotments in Deposited Plan No. 33625 at the Lands Titles Office at Adelaide ~~in this memorandum of encumbrance called (" ")~~ and
  - (b) for the benefit of all the successors in title of the registered proprietors of the land ~~in~~ and
  - (c) with the intent that these covenants shall run with and bind the land and
  - (d) for the benefit of the encumbrancee with the payment of the yearly rent charge.

h  
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INTERPRETATION

2. In this memorandum of encumbrance, unless the contrary intention appears:
  - (a) "develop" includes:
    - (i) the construction or alteration of any building, structure, fence, wall or other external fixture or fitting;
    - (ii) the erection, installation or alteration of any rainwater tank, solar water heating unit, air conditioning unit, sign, hoarding, tank, clothesline, letter box, mast, pole, television antenna, radio aerial, satellite receiving dish, garden ornament, floodlight, spotlight, or any light illuminating any pool, tennis court, berth facility or other area;
    - (iii) the excavation, grading, levelling or removal of rock, stone, sand or soil;
    - (iv) any other site works or landscaping or
    - (v) any change to any improvement on the landand "development" has a corresponding meaning,
  - (b) "landscaping" includes the provision and arrangement on the land of trees, shrubs, ground covers, grassed areas, paving and site works which are appropriate to the condition and use of the land;
  - (c) "improvement" means anything which has been done to the land by the development of the land;
  - (d) "to undertake" in relation to the acts referred to in paragraphs (a), (b) or (c) above means to commence or proceed with such an act or to allow such an act to be commenced or proceeded with;
  - (e) "plans" means a document showing the proposed development and in particular illustrating:

- (i) proposed access to the land;
  - (ii) on site parking provision on the land;
  - (iii) storm water drainage system for the land;
  - (iv) elevations and other details of the proposed development sufficient to indicate the architectural theme of the proposed development;
  - (v) the construction materials and colours;
  - (vi) the location of the proposed development in relation to the boundaries of the land and any easements on the land;
  - (vii) the proposed landscaping for the proposed development; and
  - (viii) the location and type of fence or wall involved in the proposed development
- and be in a form (where appropriate) suitable for presentation to a Local Government authority for approval under the Planning Act 1982 or the Building Act 1970;
- (f) where the encumbrancer comprises two or more persons, the covenants contained in this encumbrance bind such persons jointly and each of such persons severally;
  - (g) a reference to any statute, regulation or by-law includes all amendments consolidations or replacements of them;
  - (h) one gender includes all other genders;
  - (i) the singular includes the plural and vice versa;
  - (j) "business day" shall mean the day on which the banks are open for business in the City of Adelaide;
  - (k) a reference to a person shall if such person is a natural person, include such person's executors, administrators and assigns and where such person is a body corporate, include the successors and permitted assigns of such person;
  - (l) the expression "person" includes a body corporate.

ENCUMBRANCEE'S  
APPROVAL TO  
DEVELOPMENT

- 3. The encumbrancer must obtain the prior written approval of the encumbrancee if he wishes to undertake any development on the land.

DEVELOPMENT  
GUIDELINES

- 4. If the encumbrancer wishes to undertake any development on the land then he must follow the development guidelines hereunder (in this memorandum of encumbrance called "the development guidelines"), that is to say:-
  - (a) any external building materials for any dwelling erected on the land shall comprise principally concrete,

- clay, stone or brick (hereinafter called "the Principal External Building Materials");
- (b) no external building materials other than those in (a) above shall be used without the prior written consent of the encumbrancee which consent may be withheld in the encumbrancees unfettered discretion;
  - (c) no roof shall be constructed of plain galvanised iron, zincalume or corrugated asbestos sheeting but shall only be constructed of ceramic or cement tiles, slate, shingles or colourbond coated pressed steel;
  - (d) no main roof of any dwelling or addition thereto shall have a pitch of less than fifteen (15) degrees unless prior written approval has been offered from the encumbrancee which consent may be withheld in the encumbrancees unfettered discretion;
  - (e) outbuildings erected on the land shall be constructed of external materials selected from glass, tiles, stone, slate, brick, shingles, timber and/or colourbond coated pressed steel material and shall be of such colour so as to blend in with the dwelling erected on the same allotment upon which such outbuilding is erected and the general surrounds thereof, and shall not be constructed of galvanised iron, asbestos, or fibro cement roof sheeting ;
  - (f) all buildings erected on the land shall as far as practicable be sited so as to minimise the necessity for any cut and fill and shall blend with the natural slope and topography of the land on which the building is erected;
  - (g) all dwellings and other buildings erected on each allotment shall be sited in so far as the same shall be practicable so as to maximise privacy of adjoining allotments and avoiding the obstruction of views from nearby allotments or dwellings;
  - (h) all fencing shall be of brick, stone, timber, brushwood or colourbond type material and shall be of such colours as shall be compatible with the natural features of the landscape and the general surrounds thereof;
  - (i) all external finishes and materials in respect of any dwelling and/or other building erected on each allotment comprising the land shall be of such colours as shall be complimentary to the natural

- features of the landscape and general surrounds thereof and the dwelling erected thereon;
- (j) all rainwater tanks shall be constructed and erected using a colourbond material or shall be painted so as to be compatible with the dwelling erected on the allotment upon which the rainwater tank is erected and the surrounds thereof and shall be sited unobtrusively on such allotment as far as the same shall be possible;
  - (k) the dwelling erected on the land shall be connected to the E & W S Department underground sewerage system and no other method to deal with sewerage shall be used;
  - (l) where the engineering report for the dwelling so recommends the footings of the dwelling shall be built on the land so as to extend to intact rock and shall be designed to account for lateral loading and the dwelling shall be so sited as to minimise risk or damage of land slippage;
  - (m) the living area of the dwelling under the main roof shall be not less than 150 square metres and the plans and specifications shall be approved by the encumbrancee;
  - (n) the dwelling shall be used only for private residential purposes;
  - (o) that without the approval in writing of the encumbrancee no fences or walls shall be constructed along any boundary of the said land from a point level with the front building line of any residence thereon down to the boundary with a roadway and no wall or fence shall be constructed along the front boundary.

DIVISION OF  
LAND

5. The encumbrancee shall not further divide the land except in the following circumstances:-
- (a) where division is necessary to make a minor adjustment to allotment boundaries to resolve an encroachment issue;
  - (b) where division is required to create a separate allotment for each of a pair of semi-detached dwellings;

CUT AND FILL  
PROVISION

6. Where it is necessary for any allotment to be cut, cut and filled or filled and in any such case retaining walls are required pursuant to any Act or regulation or at the direction of the encumbrancee the owner shall comply with such Act, regulation or direction by not later than:-

- 2.13.1. the expiration of six (6) calendar months from the date of first occupation of the dwelling erected on the relevant allotment; or
  - 2.13.2. the expiration of twelve (12) calendar months from the date of such cut and fill;
- whichever shall first occur.

MISCELLANEOUS  
PROVISIONS

- 7. 7.1 The encumbrancee and any employee or agent of the encumbrancee authorised by the encumbrancee may at any reasonable time enter the land for the purpose of:-
  - 7.1.1. inspecting the land and any building or structure thereupon;
  - 7.1.2. exercising any other powers of the encumbrancee under this encumbrance or pursuant to law.
- 7.2 If the encumbrancer is undertaking any building work or development on the land without the written approval of the encumbrancee pursuant to this encumbrance or otherwise than strictly in accordance with the written approval given by the encumbrancee pursuant to this encumbrance the encumbrancee may, by notice in writing served on the encumbrancer require the encumbrancer to desist forthwith from undertaking such building work and the encumbrancer shall comply strictly with the requirements of such notice.
- 7.3 If the encumbrancer is in breach of any provision of this encumbrance, the encumbrancee may, by notice in writing served on the encumbrancer, specify the nature of the breach and require the encumbrancer to remedy the breach within such time as may be nominated by the encumbrancee in the notice (being not less than twenty eight (28) days from the date of service of the notice) and if the encumbrancer fails so to remedy the breach the encumbrancee or its servants or agents may carry out the requirements of the notice and in doing so may enter and perform any necessary works upon the land and recover any costs thereby incurred from the owner.
- 7.4. If in a notice referred to in clause 7.2 hereof the encumbrancee required the removal of the building or structure from the land the encumbrancee and its servants or agents are hereby authorised and empowered by the encumbrancer to enter and remove the building or

structure from the land and to dispose of it in any manner determined by the encumbrancee provided that if the building or structure shall have any monetary value then the encumbrancee shall use its best endeavours to realise that monetary value and shall after the disposal account to the encumbrancor and pay to him the realised value less all expenses incurred.

- 7.5 This encumbrance may not be varied except with the consent of the encumbrancee who may from time to time in its absolute discretion modify waive or vary the provisions of this encumbrance.
- 7.6 This encumbrance contains the whole agreement between the parties in respect of the matters referred to herein.
- 7.7 Notice shall for the purposes of this encumbrance be properly served on the encumbrancor if it is:-
  - 7.7.1. posted to the encumbrancor's last address known to the encumbrancee; or
  - 7.7.2. affixed in a prominent position on the land.
- 7.8 The encumbrancee may delegate any of its powers under this encumbrance to any person.
- 7.9 The encumbrancor hereby indemnifies the encumbrancee and agrees to keep it forever indemnified in respect of the whole of its costs and expenses of and incidental to the negotiations preparation stamping and registration of this encumbrance and the implementation of its terms.
- 7.10 The requirements of this encumbrance are at all times to be construed as additional to the requirements of the Planning Act, 1982 and any other legislation affecting the land.
- 7.11 Each party shall do and execute all such acts documents and things as shall be necessary to ensure that this encumbrance is registered and, a memorial thereof entered on the certificate of title for the land pursuant to the Real Property Act, in priority to any other registrable interest in the land save and except for the estate and interest of the encumbrancer therein.
- 7.12 The encumbrancor consents to the encumbrancee lodging a caveat upon the certificate of title for the land at any time after the execution of this encumbrance by the encumbrancor.
- 7.13 The encumbrancor shall not transfer the land without causing the

transferee of the land to execute in favour of the encumbrancee a memorandum of encumbrance substantially in the same form as this encumbrance and to cause it to be registered in priority to the transfer of the land to the transferee.

7.14 This encumbrance shall expire on the 31st day of December 2001.



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: 2749811

ADELAIDE HILLS CONVEYANCERS PTY LTD  
POST OFFICE BOX 750  
STIRLING SA 5152

DATE OF ISSUE

28/01/2026

**ENQUIRIES:**

Tel: (08) 8372 7534

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

OWNERSHIP NUMBER	OWNERSHIP NAME			
13131122	R W & M K WHITEFORD			
PROPERTY DESCRIPTION				
11 CHARLSON RISE / HAPPY VALLEY SA 5159 / LT 3				
ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
1461365808	CT 5065/249	\$1,425,000.00	R4 1.000	RE 0.400
LEVY DETAILS:				
	FIXED CHARGE	\$	50.00	
	+ VARIABLE CHARGE	\$	482.20	
FINANCIAL YEAR	- REMISSION	\$	290.15	
2025-2026	- CONCESSION	\$	0.00	
	+ ARREARS / - PAYMENTS	\$	-242.05	
	= <u>AMOUNT PAYABLE</u>	\$	0.00	

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

EXPIRY DATE 28/04/2026



Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Emergency Services Funding Act 1998

## CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

**OFFICIAL: Sensitive**

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

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

## PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 <p>Billor Code: 456285 Ref: 7013863712</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: <a href="http://www.bpay.com.au">www.bpay.com.au</a> <small>® Registered to BPAY Pty Ltd ABN 69 079 137 518</small></p>	 <p>To pay via the internet go to: <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></p>	 <p>Send your cheque or money order, made payable to the Community Emergency Services Fund, along with this Payment Remittance Advice to: <b>Please refer below.</b> Revenue SA Locked Bag 555 ADELAIDE SA 5001</p>
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**ACTION REQUIRED:** In line with the Commonwealth Government's cheque phase-out, RevenueSA will stop accepting cheque payments after 30 June 2027. To ensure a smooth transition, we encourage you to switch to one of the other payment options listed above.



RevenueSA

DEPARTMENT OF TREASURY AND FINANCE

ABN 19 040 349 865  
Land Tax Act 1936

# CERTIFICATE OF LAND TAX PAYABLE

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

PIR Reference No: 2749811

DATE OF ISSUE

28/01/2026

ADELAIDE HILLS CONVEYANCERS PTY LTD  
POST OFFICE BOX 750  
STIRLING SA 5152

**ENQUIRIES:**

Tel: (08) 8372 7534

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

**OWNERSHIP NAME**

R W & M K WHITEFORD

**FINANCIAL YEAR**

2025-2026

**PROPERTY DESCRIPTION**

11 CHARLSON RISE / HAPPY VALLEY SA 5159 / LT 3

**ASSESSMENT NUMBER**

1461365808

**TITLE REF.**  
(A "+" indicates multiple titles)

CT 5065/249

**TAXABLE SITE VALUE**

\$610,000.00

**AREA**

0.1001 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			
= <u>AMOUNT PAYABLE</u>	\$	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 28/04/2026



Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



RevenueSA

DEPARTMENT OF TREASURY AND FINANCE

Land Tax Act 1936

# CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

**OFFICIAL: Sensitive**

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

## PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 <p>Billers Code: 456293 Ref: 7013863621</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: <a href="http://www.bpay.com.au">www.bpay.com.au</a> <small>© Registered to BPAY Pty Ltd ABN 69 079 137 518</small></p>	 <p>To pay via the internet go to: <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></p>	 <p>Send your cheque or money order, made payable to the Commissioner of State Taxation, along with this Payment Remittance Advice to: <b>Please refer below.</b> Revenue SA Locked Bag 555 ADELAIDE SA 5001</p>
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**ACTION REQUIRED:** In line with the Commonwealth Government's cheque phase-out, RevenueSA will stop accepting cheque payments after 30 June 2027. To ensure a smooth transition, we encourage you to switch to one of the other payment options listed above.

Account Number <b>14 61365 80 8</b>	L.T.O Reference CT5065249	Date of issue 28/1/2026	Agent No. 221	Receipt No. 2749811
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ADELAIDE HILLS CONVEYANCERS PTY LTD  
 PO BOX 750  
 STIRLING SA 5152  
 sandra@adelaidehillsconveyancers.com.au

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

**Customer:** M K & R W WHITEFORD  
**Location:** 11 CHARLSON RISE HAPPY VALLEY LT 3  
**Description:** 10HDG DIG SP      **Capital Value:** \$1 425 000  
**Rating:** Residential

### Periodic charges

Raised in current years to 31/3/2026

			\$
	Arrears as at: 30/6/2025	:	0.00
Water main available:	1/7/1992	Water rates	246.90
Sewer main available:	1/7/1992	Sewer rates	630.57
		Water use	437.96
		SA Govt concession	0.00
		Recycled Water Use	0.00
		Service Rent	0.00
		Recycled Service Rent	0.00
		Other charges	0.00
		Goods and Services Tax	0.00
		Amount paid	837.97CR
		<b>Balance outstanding</b>	<b>477.46</b>

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

**Next quarterly charges:** Water supply: 82.30      Sewer: 210.19      Bill: 8/4/2026

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

The last Water Use Year ended on 18/06/2025.

The property owner is currently using SA Water Corporation's direct debit system to pay water and sewer charges. Please advise the customer to make arrangements to cease the current direct debit payment method prior to property settlement.

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:**

M K &amp; R W WHITEFORD

**Water & Sewer Account**Acct. No.: **14 61365 80 8****Amount:** \_\_\_\_\_**Address:**

11 CHARLSON RISE HAPPY VALLEY LT 3

### Payment Options

**EFT****EFT Payment**

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	1461365808

**Bill code: 8888**  
**Ref: 1461365808**

Telephone and Internet Banking — BPAY®

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

**Paying online**

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

**Paying by phone**

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

SA Water account number: 1461365808

