

# Form 1 - Vendor's statement

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

## Contents

Preliminary

Part A - Parties and land

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

Part C - Statement with respect to required particulars

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

Schedule

## Preliminary

### To the purchaser:

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

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

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

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

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

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

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

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

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

All questions must be answered with a YES or NO (inserted in the place indicated by parentheses 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:

Street 1: \_\_\_\_\_

Suburb: \_\_\_\_\_

State: \_\_\_\_\_

Postcode: \_\_\_\_\_

2. Purchaser's registered agent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address:

Street 1: \_\_\_\_\_

Suburb: \_\_\_\_\_

State: \_\_\_\_\_

Postcode: \_\_\_\_\_

3. Vendor:

AART CHRISTIAAN DENHERDER (deceased) and MARIE MAGDALENE DENHERDER

\_\_\_\_\_  
\_\_\_\_\_

Address:

Street 1: MOANA MEWS RETIREMENT EST UNIT 24 / 499 GRAND BOULEVARD

Suburb: SEAFORD RISE State: SA Postcode: 5169

4. Vendor's registered agent:

MAGAIN REAL ESTATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address:  
Street 1: 52 HILLIER ROAD

Suburb: MORPHETT VALE State: SA Postcode: 5162

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*)

34 EREBUS CIRCUIT MORPHETT VALE SA 5162

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address:  
Street 1: 34 EREBUS CIRCUIT

Suburb: MORPHETT VALE State: SA Postcode: 5162

being the \*whole / portion of the land comprised in Certificate of Title  
Register Book Volume 5903 Folio 442 Being Allotment 55 in Deposited Plan 62897

## 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:  
MOANA MEWS RETIREMENT EST, UNIT 24 / 499 GRAND BOULEVARD SEAFORD SA 5169  
(being the vendor's last known address); or
- (c) transmitted by fax or email to the following fax number or email address:  
craig@magain.com.au  
(being a number or address provided to you by the vendor for the purpose of service of the notice); or
- (d) left for the vendor's agent (with a person apparently responsible to the agent) at, or posted by registered post to the agent at, the following address:  
52 HILLIER ROAD MORPHETT VALE SA 5162  
(being \*the agent's address for service under the *Land Agents Act 1994* / an address nominated by the agent to you for the purpose of service of the notice).

###### Note:

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

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

###### 5. Effect of service

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

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

## Proceeding with the purchase

If you wish to proceed with the purchase:

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

## Part C—Statement with respect to required particulars

(section 7(1))

To the purchaser:

\*I/We, MARIE MAGDALENE DENHERDER

of MOANA MEWS RETIREMENT EST, UNIT 24 / 499 GRAND BOULEVARD SEAFORD SA 5169

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: 18/01/2026

Signed: *Marie Magdalene Denherder*

Date:

Signed:

Date:

Signed:

Date:

Signed:

## Part D—Certificate with respect to prescribed inquiries by registered agent

(section 9)



To the purchaser:

I, Deana Sizer of Fentons Forms Pty. Ltd.

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

Exceptions: Nil

Date: 16/01/2026

Signed:



\*Vendor's / Purchaser's agent

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

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

### **Note:**

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

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

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

## Table of particulars

### Column 1

### Column 2

### Column 3

(If an item is applicable, ensure that the box for the item is ticked and complete the item.)

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

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

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

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

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

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

### 1. General

#### 1.1 Mortgage of land

**(Note:** Do not omit this item. The item and its heading must be included in the statement even if not applicable.)

**Is this item applicable?**

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

YES

**Are there attachments?**

YES

If YES, identify the attachment(s):

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

Refer Annexure A - Certificate of Title

Number of mortgage: (if registered)

10090822

Name of mortgagee:

AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

## 1.2 Easement

(whether over the land or annexed to the land)

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

**(Note:** Do not omit this item. This item and its heading must be included in the statement even if not applicable.)

**Is this item applicable?**

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

NO

**Are there attachments?**

YES

If YES, identify the attachment(s):

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

Refer Annexure E - PIR (Statutory Easement - SA Power Networks)

Refer Annexure A - Certificate of Title

Description of land subject to easement:

1. Portion of the land in said Certificate of Title

2. Land Marked H

Nature of easement:

1. Statutory Easement to SA Power Networks, Refer Annexure E - Property Interest Report

2. SUBJECT TO SERVICE EASEMENT(S) FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Are you aware of any encroachment on the easement?

YES

If YES, give details:

Outbuildings, Refer Annexure F - Council Search

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

NO

If YES, give details:

## 1.3 Restrictive covenant

**(Note:** Do not omit this item. This item and its heading must be included in the statement even if not applicable.)

**Is this item applicable?**

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

NO

**Are there attachments?**

YES

If YES, identify the attachment(s):

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

Refer Annexure G - Memorandum of Encumbrance No. 9693540

Nature of restrictive covenant:

Refer Annexure G - Memorandum of Encumbrance No. 9693540

Name of person in whose favour restrictive covenant operates:

ISNA Pty. Ltd.

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

YES

If NO, give details:

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

NO

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

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

**(Note:** Do not omit this item. This item and its heading must be included in the statement even if not applicable.)

**Is this item applicable?** \_\_\_\_\_

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

**Are there attachments?**

If YES, identify the attachment(s):

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

Name of parties:

Period of lease, agreement for lease etc

From \_\_\_\_\_ to \_\_\_\_\_

Amount of rent or licence fee:

\$ \_\_\_\_\_ per \_\_\_\_\_ (period)

Is the lease, agreement for lease etc in writing?

If the lease or licence was granted under an Act relating to the disposal of Crown lands, specify -

(a) the Act under which the lease or licence was granted:

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

## 5. Development Act 1993 (repealed)

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

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

**Is this item applicable?**



NO

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

YES

**Are there attachments?**

If YES, identify the attachment(s)  
(and, if applicable, the part(s) containing the particulars):  
Refer Annexure F - Council Search

Condition(s) of authorisation:

Application Number: 145/2399/2003  
Application Number: 145/2854/2004

## 6. Repealed Act conditions

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

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

<b>Is this item applicable?</b>	<input type="checkbox"/>
<b>Will this be discharged or satisfied prior to or at settlement?</b>	
<b>Are there attachments?</b>	
If YES, identify the attachment(s): (and, if applicable, the part(s) containing the particulars)	

Nature of condition(s):

## 7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy

<b>Is this item applicable?</b>	<input checked="" type="checkbox"/>
<b>Will this be discharged or satisfied prior to or at settlement?</b>	YES
<b>Are there attachments?</b>	YES
If YES, identify the attachment(s): (and, if applicable, the part(s) containing the particulars)	

Refer Annexure B - Emergency Services Levy Certificate

Date of notice:

09/01/2026

Amount of levy payable:

\$0.00

## 29. Planning, Development and Infrastructure Act 2016

### 29.1 Part 5 - Planning and Design Code

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

**Is this item applicable?**

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

NO

**Are there attachments?**

YES

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

Refer Annexure E - Property Interest Report (PIR)  
Refer Annexure F - Council Search

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

Zoned General Neighbourhood (GN)

Refer Annexure F - Council Search

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

NO

Is the land designated as a local heritage place?

NO

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

UNKNOWN

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

YES

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

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

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

**Is this item applicable?**

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

**Are there attachments?**

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

---

Date of authorisation:

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Name of relevant authority that granted authorisation:

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Condition(s) of authorisation:

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

**Is this item applicable?**

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

**Are there attachments?**

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

---

Date of notice:

---

Name of person giving notice of proposed work:

---

Building work proposed: (as stated in the notice)

---

Other building work as required pursuant to the Act:

---

29.4 section 140 - Notice requesting access

*Is this item applicable?* \_\_\_\_\_

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

*Are there attachments?*

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

---

Date of notice:

---

Name of person requesting access:

---

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

---

Activity of work to be carried out:

---

29.5 section 141 - Order to remove or perform work

*Is this item applicable?* \_\_\_\_\_

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

*Are there attachments?*

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

---

Date of order:

---

Terms of order:

---

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

---

Amount payable: (if any)

---

29.6 section 142 - Notice to complete development

*Is this item applicable?*

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

*Are there attachments?*

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

---

Date of notice:

---

Requirements of notice:

---

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

---

Amount payable: (if any)

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---

29.7 section 155 - Emergency order

*Is this item applicable?*

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

*Are there attachments?*

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

---

Date of order:

---

Name of authorised officer who made order:

---

Name of authority that appointed the authorised officer:

---

Nature of order:

---

Amount payable: (if any)

---

29.8 section 157 - Fire safety notice

**Is this item applicable?** \_\_\_\_\_

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

**Are there attachments?**

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

---

Date of notice:

---

Name of authority giving notice:

---

Requirements of notice:

---

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

---

Amount payable: (if any)

---

29.9 section 192 or 193 - Land management agreement

**Is this item applicable?** \_\_\_\_\_

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

**Are there attachments?**

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

---

Date of agreement:

---

Names of parties:

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Terms of agreement:

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

*Is this item applicable?*

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

*Are there attachments?*

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

---

Date requirement given:

---

Name of body giving requirement:

---

Nature of requirement:

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Contribution payable: (if any)

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

*Is this item applicable?*

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

*Are there attachments?*

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

---

Date of agreement:

---

Names of parties:

---

Terms of agreement:

---

Contribution payable: (if any)

---

29.12 Part 16 Division 1 - Proceedings

**Is this item applicable?**

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

**Are there attachments?**

*If YES, identify the attachment(s):*

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

---

Date of commencement of proceedings:

---

Date of determination or order: (if any)

---

Terms of determination or order: (if any)

---

29.13 section 213 - Enforcement notice

**Is this item applicable?**

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

**Are there attachments?**

*If YES, identify the attachment(s):*

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

---

Date notice given:

---

Name of designated authority giving notice:

---

Nature of directions contained in notice:

---

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

---

Amount payable: (if any)

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

**Is this item applicable?** \_\_\_\_\_

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

**Are there attachments?**

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

---

Date order made:

---

Name of court that made order:

---

Action number:

---

Names of parties:

---

Terms of order:

---

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

---

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## ANNEXURES

\* There are no documents annexed hereto

\* The following documents are annexed hereto -

Annexure A - Certificate of Title  
Annexure B - Emergency Services Levy Certificate  
Annexure C - Land Tax Certificate  
Annexure D - SA Water Certificate  
Annexure E - Property Interest Report  
Annexure F - Council Search  
Annexure G - Memorandum of Encumbrance No. 9693540

## ACKNOWLEDGEMENT OF RECEIPT

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

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

### Signature of purchaser(s)

Signature

Signature

Date

Signature

Date

Signature

Date

(\*Strike out whichever is not applicable)

# Form R3

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

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

## Buyers information notice

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

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

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

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

### Safety

- Is there **asbestos** in any of the buildings or elsewhere on the property 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 Consumer and Business Advice section on the following website:  
[www.cbs.sa.gov.au](http://www.cbs.sa.gov.au).

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

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 5903 Folio 442

Parent Title(s) CT 5893/938

Creating Dealing(s) RTU 9659834

Title Issued 02/10/2003 Edition 3 Edition Issued 26/10/2004

### Estate Type

FEE SIMPLE

### Registered Proprietor

AART CHRISTIAAN DENHERDER  
MARIE MAGDALENE DENHERDER  
OF 34 EREBUS CIRCUIT MORPHETT VALE SA 5162  
AS JOINT TENANTS

### Description of Land

ALLOTMENT 55 DEPOSITED PLAN 62897  
IN THE AREA NAMED MORPHETT VALE  
HUNDRED OF NOARLUNGA

### Easements

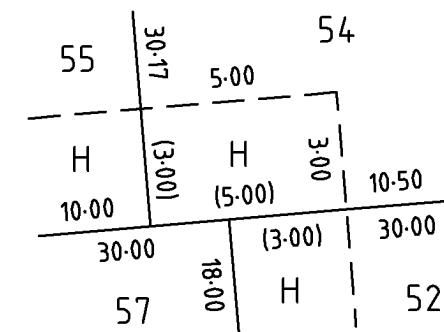
SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED H FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

### Schedule of Dealings

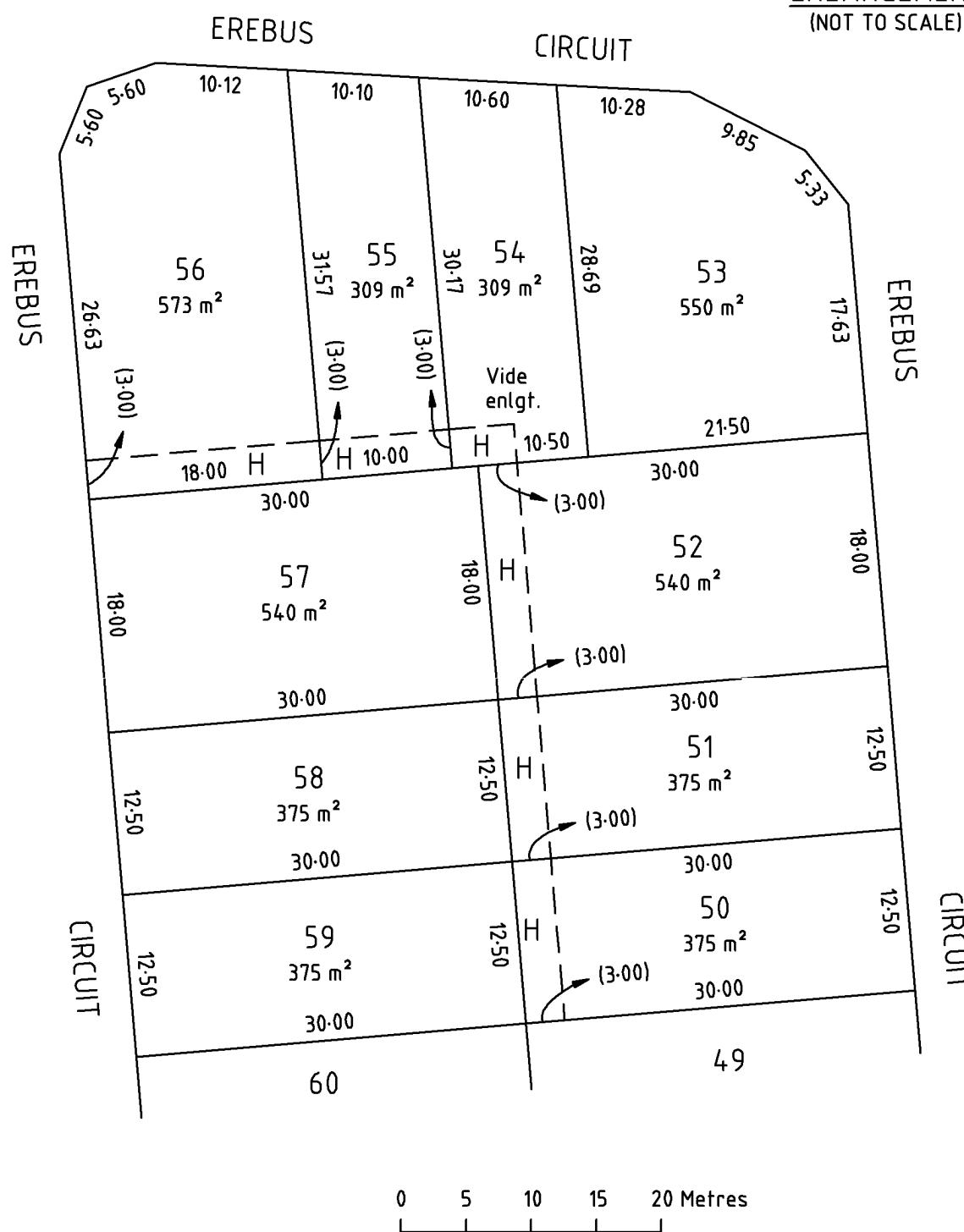
Dealing Number	Description
9693540	ENCUMBRANCE TO ISNA PTY. LTD. (SINGLE COPY ONLY)
10090822	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

### Notations

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



ENLARGEMENT  
(NOT TO SCALE)





**RevenueSA**  
DEPARTMENT OF TREASURY AND FINANCE

ABN 19 040 349 865  
Emergency Services Funding Act 1998

# CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

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

PIR Reference No:

2744516

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

DATE OF ISSUE

09/01/2026

ENQUIRIES:

Tel: (08) 8372 7534

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

OWNERSHIP NUMBER	OWNERSHIP NAME			
09648559	A C & M M DENHERDER			
<strong>PROPERTY DESCRIPTION</strong>				
34 EREBUS CCT / MORPHETT VALE SA 5162 / LT 55 D62897				
ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
8632795741	CT 5903/442	\$680,000.00	R4 1.000	RE 0.400
<strong>LEVY DETAILS:</strong>				
<strong>FINANCIAL YEAR</strong>				
2025-2026				
<strong>FIXED CHARGE</strong>				
<strong>+ VARIABLE CHARGE</strong>				
<strong>- REMISSION</strong>				
<strong>- CONCESSION</strong>				
<strong>+ ARREARS / - PAYMENTS</strong>				
<strong>= AMOUNT PAYABLE</strong>				
\$ 50.00				
\$ 230.10				
\$ 138.45				
\$ 0.00				
\$ -141.65				
\$ 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

09/04/2026



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>Biller Code: 456285 Ref: 7013147215</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: <a href="http://www.bpay.com.au">www.bpay.com.au</a> © Registered to BPAY Pty Ltd ABN 69 079 137 518</p>	 <p>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 <b>Community Emergency Services Fund</b>, along with this <b>Payment Remittance Advice</b> to: <b>Please refer below.</b></p> <p>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: 2744516

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

DATE OF ISSUE

09/01/2026

**ENQUIRIES:**

Tel: (08) 8372 7534

Email: contactus@revenuesa.sa.gov.au

**OWNERSHIP NAME**  
A C & M M DENHERDER

**FINANCIAL YEAR**  
2025-2026

**PROPERTY DESCRIPTION**

34 EREBUS CCT / MORPHETT VALE SA 5162 / LT 55 D62897

<b>ASSESSMENT NUMBER</b>	<b>TITLE REF.</b> (A "+" indicates multiple titles)	<b>TAXABLE SITE VALUE</b>	<b>AREA</b>
8632795741	CT 5903/442	\$275,000.00	0.0309 HA

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

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

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

**ON OR BEFORE** 09/04/2026



**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>Biller Code: 456293 Ref: 7013147124</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: <a href="http://www.bpay.com.au">www.bpay.com.au</a> © Registered to BPAY Pty Ltd ABN 69 079 137 518</p>	 <p>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 <b>Commissioner of State Taxation</b>, along with this <b>Payment Remittance Advice</b> 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 LTO Reference Date of issue Agent No. Receipt No.  
86 32795 74 1 CT5903442 9/1/2026 8278 2744516

FENTONS FORMS PTY LTD  
PO BOX 298  
CHRISTIES BEACH SA 5165  
admin@fentonsforms.com.au

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

Customer: AC & MM DENHERDER  
Location: 34 EREBUS CLOTHMORPHETTVALE LT55 D62897  
Description: 4HG Capital \$ 680 000  
Value:  
Rating: Residential

### Periodic charges

Raised in current years to 31/12/2025

		\$
	Arrears as at: 30/6/2025	: 0.00
Water main available:	16/7/2003	Water rates : 164.60
Sewer main available:	1/7/2004	Sewer rates : 200.60
		Water use : 225.06
		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 : 590.26CR
		Balance outstanding : 0.00

Degree of concession: 00.00%

Recovery action taken: FULLY PAID

Next quarterly charges: Water supply: 82.30 Sewer: 100.30 Bill: 11/3/2026

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

The last Water Use Year ended on 02/06/2025.

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



Government of  
South Australia

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

1300 SA WATER  
(1300 729 283)  
ABN 69 336 525 019  
sawater.com.au

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:  
AC & MM DENHERDER

Water & Sewer Account  
Acct. No.: 86 32795 74 1

Amount: \_\_\_\_\_

Address:  
34 EREBUS CCT MORNHEIT VALE LT 55  
D62897

### Payment Options

#### EFT

##### EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	8632795741



Biller code: 8888  
Ref: 8632795741

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: 8632795741



Government of  
South Australia

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

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

## Property Interest Report

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

<b>Title Reference</b>	CT 5903/442	<b>Reference No.</b> 2744516
<b>Registered Proprietors</b>	A C & M M*DENHERDER	<b>Prepared</b> 08/01/2026 13:11
<b>Address of Property</b>	34 EREBUS CIRCUIT, MORPHETT VALE, SA 5162	
<b>Local Govt. Authority</b>	CITY OF ONKAPARINGA	
<b>Local Govt. Address</b>	PO BOX 1 NOARLUNGA CENTRE SA 5168	

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

### Table of Particulars

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

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

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

#### 1. General

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

5.6 section 57 - Land management agreement

Refer to the Certificate of Title

5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

5.9 section 71 - Fire safety notice

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

5.10 section 84 - Enforcement notice  
State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title  
also  
Contact the Local Government Authority for other details that might apply

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

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

## 6. Repealed Act conditions

6.1 Condition (that continues to apply) of an approval or authorisation granted under the *Building Act 1971* (repealed), the *City of Adelaide Development Control Act, 1976* (repealed), the *Planning Act 1982* (repealed) or the *Planning and Development Act 1967* (repealed)  
State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title  
also  
Contact the Local Government Authority for other details that might apply

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

## 7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy  
An Emergency Services Levy Certificate will be forwarded.  
If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.  
Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates [www.revenuesaonline.sa.gov.au](http://www.revenuesaonline.sa.gov.au)

## 8. Environment Protection Act 1993

8.1 section 59 - Environment performance agreement that is registered in relation to the land  
EPA (SA) does not have any current Performance Agreements registered on this title

8.2 section 93 - Environment protection order that is registered in relation to the land  
EPA (SA) does not have any current Environment Protection Orders registered on this title

8.3 section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land  
EPA (SA) does not have any current Orders registered on this title

8.4 section 99 - Clean-up order that is registered in relation to the land  
EPA (SA) does not have any current Clean-up orders registered on this title

8.5 section 100 - Clean-up authorisation that is registered in relation to the land  
EPA (SA) does not have any current Clean-up authorisations registered on this title

8.6 section 103H - Site contamination assessment order that is registered in relation to the land  
EPA (SA) does not have any current Orders registered on this title

8.7 section 103J - Site remediation order that is registered in relation to the land  
EPA (SA) does not have any current Orders registered on this title

8.8 section 103N - Notice of declaration of special management area in relation to the land (due to possible existence of site contamination)  
EPA (SA) does not have any current Orders registered on this title

8.9	section 103P - Notation of site contamination audit report in relation to the land	EPA (SA) does not have any current Orders registered on this title
8.10	section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land	EPA (SA) does not have any current Orders registered on this title
<b>9. Fences Act 1975</b>		
9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details
<b>10. Fire and Emergency Services Act 2005</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. Food Act 2001</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. Ground Water (Qualco-Sunlands) Control Act 2000</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. Heritage Places Act 1993</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. Highways Act 1926</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. Housing Improvement Act 1940 (repealed)</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. Housing Improvement Act 2016</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 also Contact the Local Government Authority for other details that might apply
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## 18. *Landscape South Australia Act 2019*

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

Act

18.18 section 209 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act  
The regional landscape board has no record of any notice affecting this title

18.19 section 211 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act  
The regional landscape board has no record of any notice affecting this title

18.20 section 215 - Orders made by ERD Court  
The regional landscape board has no record of any notice affecting this title

18.21 section 219 - Management agreements  
The regional landscape board has no record of any notice affecting this title

18.22 section 235 - Additional orders on conviction  
The regional landscape board has no record of any notice affecting this title

## 19. *Land Tax Act 1936*

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

## 20. *Local Government Act 1934 (repealed)*

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

## 21. *Local Government Act 1999*

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

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

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

## 23. *Metropolitan Adelaide Road Widening Plan Act 1972*

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

## 24. *Mining Act 1971*

24.1 Mineral tenement (other than an exploration licence)  
Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title

24.2 section 9AA - Notice, agreement or order to waive exemption from authorised operations  
Contact the vendor for these details

24.3 section 56T(1) - Consent to a change in authorised operations  
Contact the vendor for these details

24.4 section 58(a) - Agreement authorising tenement holder to enter land  
Contact the vendor for these details

24.5 section 58A - Notice of intention to commence authorised operations or apply for lease or licence  
Contact the vendor for these details

24.6 section 61 - Agreement or order to pay compensation for authorised operations  
Contact the vendor for these details

24.7 section 75(1) - Consent relating to extractive minerals  
Contact the vendor for these details

24.8 section 82(1) - Deemed consent or agreement  
Contact the vendor for these details

24.9 Proclamation with respect to a private mine

Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title

## 25. *Native Vegetation Act 1991*

25.1 Part 4 Division 1 - Heritage agreement

DEW Native Vegetation has no record of any agreement affecting this title  
also

Refer to the Certificate of Title

25.2 section 25C - Conditions of approval regarding achievement of environmental benefit by accredited third party provider

DEW Native Vegetation has no record of any agreement affecting this title  
also

Refer to the Certificate of Title

25.3 section 25D - Management agreement

DEW Native Vegetation has no record of any agreement affecting this title  
also

Refer to the Certificate of Title

25.4 Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation

DEW Native Vegetation has no record of any refusal or condition affecting this title

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

26.1 section 97 - Notice to pay levy in respect of costs of regional NRM board

The regional landscape board has no record of any notice affecting this title

26.2 section 123 - Notice to prepare an action plan for compliance with general statutory duty

The regional landscape board has no record of any notice affecting this title

26.3 section 134 - Notice to remove or modify a dam, embankment, wall or other obstruction or object

The regional landscape board has no record of any notice affecting this title

26.4 section 135 - Condition (that remains in force) of a permit

The regional landscape board has no record of any notice affecting this title

26.5 section 181 - Notice of instruction as to keeping or management of animal or plant

The regional landscape board has no record of any notice affecting this title

26.6 section 183 - Notice to prepare an action plan for the destruction or control of animals or plants

The regional landscape board has no record of any notice affecting this title

26.7 section 185 - Notice to pay costs of destruction or control of animals or plants on road reserve

The regional landscape board has no record of any notice affecting this title

26.8 section 187 - Notice requiring control or quarantine of animal or plant

The regional landscape board has no record of any notice affecting this title

26.9 section 193 - Protection order to secure compliance with specified provisions of the Act

The regional landscape board has no record of any order affecting this title

26.10 section 195 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act

The regional landscape board has no record of any order affecting this title

26.11 section 197 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act

The regional landscape board has no record of any authorisation affecting this title

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

27.1 section 21 - Notice of levy or contribution payable

Outback Communities Authority has no record affecting this title

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

28.1 section 23(1) - Notice of contribution payable

The Phylloxera and Grape Industry Board of South Australia has no vineyard registered against this title. However all properties with greater than 0.5 hectares of planted vines are required to be registered with the board

## 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
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## 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	<i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)</i> (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	<i>Public and Environmental Health (Waste Control) Regulations 2010</i> (revoked) regulation 19 - Maintenance order (that has not been complied with)	Public Health in DHW has no record of any order affecting this title
		also
		Contact the Local Government Authority for other details that might apply

## 32. South Australian Public Health Act 2011

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

32.2 section 92 - Notice Public Health in DHW has no record of any notice affecting this title  
also  
Contact the Local Government Authority for other details that might apply

32.3 *South Australian Public Health (Wastewater) Regulations 2013 Part 4 - Condition (that continues to apply) of an approval* Public Health in DHW has no record of any condition affecting this title  
also  
Contact the Local Government Authority for other details that might apply

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

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

## 34. Water Industry Act 2012

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

## 35. Water Resources Act 1997 (repealed)

35.1 section 18 - Condition (that remains in force) of a permit DEW has no record of any condition affecting this title

35.2 section 125 (or a corresponding previous enactment) - Notice to pay levy DEW has no record of any notice affecting this title

## 36. Other charges

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

## Other Particulars

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

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

## Additional Information

The following additional information is provided for your information only.

These items are not prescribed encumbrances or other particulars prescribed under the Act.

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

## Notices

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

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

#### Building restrictions

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

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

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

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

#### Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

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

Water Resources Management - Taking of underground water

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

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

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

## Certificate of Title

**Title Reference:** CT 5903/442

**Status:** CURRENT

**Edition:** 3

## Dealings

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

## Priority Notices

NIL

## Registrar-General's Notes

No Registrar-General's Notes exist for this title

## Certificate of Title

**Title Reference:** CT 5903/442

**Status:** CURRENT

**Parent Title(s):** CT 5893/938

**Dealing(s) Creating Title:** RTU 9659834

**Title Issued:** 02/10/2003

**Edition:** 3

## Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
18/10/2004	26/10/2004	10090822	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
30/09/2003	07/10/2003	9693540	ENCUMBRANCE	REGISTERED	ISNA PTY. LTD. (ACN: 007 947 668)
30/09/2003	07/10/2003	9693539	TRANSFER	REGISTERED	AART CHRISTIAAN DENHERDER, MARIE MAGDALENE DENHERDER
30/09/2003	07/10/2003	9693538	DISCHARGE OF MORTGAGE	REGISTERED	9421511
09/09/2002	23/09/2002	9421511	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

## Certificate of Title

**Title Reference** CT 5903/442  
**Status** CURRENT  
**Easement** YES  
**Owner Number** 09648559  
**Address for Notices** 1/1 GRIFFITHS DR MOANA 5169  
**Area** 309m<sup>2</sup> (CALCULATED)

## Estate Type

Fee Simple

## Registered Proprietor

AART CHRISTIAAN DENHERDER  
MARIE MAGDALENE DENHERDER  
OF 34 EREBUS CIRCUIT MORPHETT VALE SA 5162  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 55 DEPOSITED PLAN 62897  
IN THE AREA NAMED MORPHETT VALE  
HUNDRED OF NOARLUNGA

## Last Sale Details

**Dealing Reference** TRANSFER (T) 9693539  
**Dealing Date** 29/09/2003  
**Sale Price** \$49,500  
**Sale Type** TRANSFER FOR FULL MONETARY CONSIDERATION

## Constraints

### Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	9693540	ISNA PTY. LTD. (ACN: 007 947 668)
MORTGAGE	10090822	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

### Stoppers

NIL

## Valuation Numbers

Valuation Number	Status	Property Location Address
8632795741	CURRENT	34 EREBUS CIRCUIT, MORPHETT VALE, SA 5162

## Notations

### Dealings Affecting Title

NIL

### Notations on Plan

NIL

### Registrar-General's Notes

NIL

### Administrative Interests

NIL

## Valuation Record

Valuation Number	8632795741
Type	Site & Capital Value
Date of Valuation	01/01/2025
Status	CURRENT
Operative From	01/07/2004
Property Location	34 EREBUS CIRCUIT, MORPHETT VALE, SA 5162
Local Government	ONKAPARINGA
Owner Names	MARIE MAGDALENE DENHERDER AART CHRISTIAAN DENHERDER
Owner Number	09648559
Address for Notices	1/1 GRIFFITHS DR MOANA 5169
Zone / Subzone	GN - General Neighbourhood
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	4HG
Local Government Description	Residential

## Parcels

Plan/Parcel	Title Reference(s)
D62897 ALLOTMENT 55	CT 5903/442

## Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$275,000	\$680,000			
Previous	\$220,000	\$590,000			

## Building Details

Valuation Number	8632795741
Building Style	Conventional
Year Built	2004
Building Condition	Very Good
Wall Construction	Rendered
Roof Construction	Galvanised Iron
Equivalent Main Area	130 sqm
Number of Main Rooms	4

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

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



Telephone (08) 8384 0666

**Certificate No: S70149/2026**

**Property Information And Particulars**

In response to an enquiry pursuant to Section 7 of the

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

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

**DETAILS OF PROPERTY REFERRED TO:**

ASSESSMENT NO	:	93788
VALUER GENERAL NO	:	8632795741
VALUATION	:	\$680,000.00
OWNER	:	Mr Aart Christiaan Denherder & Mrs Marie Magdalene Denherder
PROPERTY ADDRESS	:	34 Erebus Circuit MORPHETT VALE SA 5162
VOLUME/FOLIO	:	CT-5903/442
LOT/PLAN NUMBER	:	Allotment 55 DP 62897
WARD	:	03 Knox Ward

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

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

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

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

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

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

## INFORMATION NOTE

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

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

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

##### *Section 42*

Condition (that continues to apply) of a development authorisation

YES

Application Number	145/2399/2003
Description	Dwelling & Garage
Decision	Approved
Decision Date	17 November 2003

##### 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. The front setback area (between the front property boundary and front of the house) shall be planted with suitable trees, shrubs, lawn and/or ground cover. Such landscaping shall be completed within 6 months of the occupation of the dwelling and maintained in good condition at all times.
3. 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.
4. The road and driveway crossover between the back of kerb and the boundary shall be shaped to provide a minimum width of 2.0 metres on local roads (and 2.5 metres on higher order roads) measured from behind the back of kerb with 2.5 per cent fall towards the road, suitable for pedestrian traffic.
5. The dwelling shall not be occupied until all necessary infrastructure has been provided to the site of the dwelling, including but not limited to a formed and sealed road and watertable, water supply and sewerage services, drainage/stormwater disposal and electricity services.
6. That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
  - a. prevent silt run-off from the land to adjoining properties, roads and drains;
  - b. 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;
  - c. ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
  - d. ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
  - e. 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. Control joints shall be formed in the masonry at the locations and to details as defined in the Engineers Footing Construction Report.
2. A copy of the Engineers Footing Inspection Certificate shall be forwarded to Council.
3. The roof trusses shall be:-
  - a. designed and manufactured by a licensed manufacturer
  - b. erected and braced in accordance with that manufacturer's design specification
  - c. a copy of the manufacturer's certified truss design and connection calculations shall be submitted to Council prior to commencement of erection on site.

Application Number	145/2854/2004
Description	Verandah
Decision	Approved
Decision Date	19 October 2004

#### 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. The colours and finishes of all external building materials shall match or complement those of the principal building(s).
4. That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
  - a. prevent silt run-off from the land to adjoining properties, roads and drains;
  - b. 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;
  - c. ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
  - d. ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
  - e. 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. The structure shall be constructed in accordance with the manufacturers certified design for the relevant wind speed, and shall be securely braced and tied down to the footings.
3. The proposed structure shall not be enclosed at any time without the prior consent of Council.

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

Condition (that continues to apply) of a development authorisation

NO

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

Condition (that continues to apply) of a development authorisation

NO

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

Condition (that continues to apply) of a development authorisation

NO

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

*Part 5 – Planning and Design Code*

#### **Zones**

General Neighbourhood (GN)

#### **Subzones**

No

Zoning overlays

#### **Overlays**

##### **Affordable Housing**

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

## **Hazards (Flooding - 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.

### **Signif Retirement Facility Supported Accom Sites**

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

### **Urban Tree Canopy**

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

Is the land situated in a 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

<i>Section 55</i>		
Order to remove or perform work		NO
<i>Section 56</i>		
Notice to complete development		NO
<i>Section 57</i>		
Land management agreement		NO
<i>Section 69</i>		
Emergency order		NO
<i>Section 71 (only)</i>		
Fire safety notice		NO
<i>Section 84</i>		
Enforcement notice		NO
<i>Section 85(6), 85(10) or 106</i>		
Enforcement Order		NO
<i>Part 11 Division 2</i>		
Proceedings		NO

## **Fire and Emergency Services Act 2005**

<i>Section 105F (or section 56 or 83 (repealed)</i>		
Notice		NO
<i>Section 56 (repealed)</i>		
Notice issued		NO

## **Food Act 2001**

<i>Section 44</i>		
Improvement notice <i>issued against the land</i>		NO
<i>Section 46</i>		
Prohibition order		NO

## **Housing Improvement Act 1940 (repealed)**

<i>Section 23</i>		
Declaration that house is undesirable or unfit for human habitation		NO

## **Land Acquisition Act 1969**

<i>Section 10</i>		
Notice of intention to acquire		NO

## **Local Government Act 1934 (repealed)**

<i>Notice, order, declaration, charge, claim or demand given or made under the Act</i>		
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## **Local Government Act 1999**

<i>Notice, order, declaration, charge, claim or demand given or made under the Act</i>		
--	--	--

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**

NO

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

### **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*

YES

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).

Easements over private land may show on a certificate of title and indicate that council or another authority have some form of infrastructure within them, such as stormwater drainage pipes or other services. Refer to [Encroachment over council easements](#) on our website for further information.

Are you aware of any encroachment on the Council easement?

YES

#### *Outbuildings*

Important information to the owner about Council’s rights when there is an approved or unapproved encroachment in, on or above a drainage easement:

Council requires free, unrestricted and unobstructed access to the drainage easement for construction, maintenance and operational purposes;

Council will endeavour to provide one months’ notice for any planned work that requires access to the easement.

In an emergency Council will require immediate access to the easement;

Approved encroachments do not diminish Council’s rights to the easement and may be removed (if required) at the owners cost;

Reinstatement of an approved encroachment at the owners cost may be approved or may require modification;

Unapproved encroachments or property improvements in, on or above the easement that do not meet relevant building and engineering standards may be removed at the owners cost and may not be approved to be reinstated.

If you have any further queries, please contact the Permit Officers on 8384 0666.

*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 08 January 2026

Cherie Bonham  
Team Leader for Development Support  
**AUTHORISED OFFICER**

Certificate No: S70149/2026

LOCAL GOVERNMENT RATES SEARCH

TO: Fentons Forms 09 January 2026  
PO Box 298  
CHRISTIES BEACH SA 5165

DETAILS OF PROPERTY REFERRED TO:

Property ID : 62898  
Valuer General No : 8632795741  
Valuation : \$680,000.00  
Owner : Mr Aart Christiaan Denherder & Mrs Marie Magdalene Denherder  
Property Address : 34 Erebus Circuit MORPHETT VALE SA 5162  
Volume/Folio : CT-5903/442  
Lot/Plan No : Allotment 55 DP 62897  
Ward : 03 Knox Ward

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

Opening balance (as of 30 Jun 2025) including rates, fines and interest, block clearing charges and legal fees	\$0.00
--	--------

Postponed Amount in Arrears	\$0.00
-----------------------------	--------

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

<b>Total Rates Levied 2025-2026</b>	<b>\$1,951.59</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
--------------------	--------

Less paid current financial year	-\$975.59
----------------------------------	-----------

Overpayment	\$0.00
-------------	--------

Legal Fees (current)	\$0.00
----------------------	--------

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

Balance - rates and other monies due and payable	\$976.00
--	----------

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

<b>BPAY Biller Code: 421503</b>	<b>TOTAL BALANCE</b>	<b>\$976.00</b>
---------------------------------	----------------------	-----------------

Ref: 1684260628980

**AUTHORISED OFFICER**  
Kate Vonow

This statement is made the 09 January 2026



12:21 30-Sep-2003

Single Copy Only

3 of 3

Fees: \$94.00

Annexure G  
LANDS TITLES REGISTRATION  
OFFICE  
SOUTH AUSTRALIA

MEMORANDUM OF ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR GENERAL

BELOW THIS LINE FOR AGENT USE ONLY

CERTIFIED CORRECT FOR THE PURPOSES  
OF THE REAL PROPERTY ACT 1886

*J.L. PAHOLSKI / M.G. NICHOLAS-*  
*SJ PAHOLSKI* Registered Conveyancer

AGENT CODE

Lodged by:

Correction to: } NORTH EAST CONVEYANCERS  
20 EDMUND STREET NORWOOD S A

NELB

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

1. .....
2. .....
3. .....
4. .....
5. .....

Assessor

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

1. .....
2. .....
3. .....

Series No.	Prefix
3	E

BELOW THIS LINE FOR OFFICE USE ONLY

Date	30, 9.03	Time
<b>FEES</b>		
R.G.O.	POSTAGE	NEW C.T.
94-		

CORRECTION	PASSED
------------	--------

REGISTERED	- 7 OCT 2003
	 REGISTRAR-GENERAL SOUTH AUSTRALIA

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

ITEM(S)	AGENT CODE

DATED..... 29/9/03.....

EXECUTION

*J. C. A. P.*

*M. J. L.*

Signature of the ENCUMBRANCER

Signature of WITNESS – Signed in my presence by the ENCUMBRANCER who is either personally known to me or has satisfied me as to his or her identity.

..... TERRY DENHERDER .....

Print Full name of Witness (BLOCK LETTERS)

..... SS. MARIA CRS .....

..... NOARUNGGA DONNS SA 3168 .....

Address of Witness

Business Hours Telephone Number .....

## MEMORANDUM OF ENCUMBRANCE

## CERTIFICATE(S) OF TITLE BEING ENCUMBERED

Allotment 55 in Deposited Plan No. 62897 being portion of the land comprised in Certificate of Title Register  
Book Volume 5893 Folio 938

NOW WHOLE OF THE LAND IN

C.T. VOL 5903 FOL 442

ESTATE AND INTEREST	ENCUMBRANCES	Revenue SA	Stamp Duties
In fee simple	NIL	ABN 19 040 349 865	
		Doc Code	M
		RevNetID	101124929
		Consid/Val/Sec\$	0.10
		SA Proportion \$	0.00
		Stamp Duty \$	0.00
		LTO Fees \$	0.00
		Interest \$	0.00
		Perf. Ind. Tax \$	0.00
		Date	30/07/2003
		Original with 2 Copies	
		----- End of Receipt -----	

## ENCUMBRANCEE (Full Name and Address)

ISNA PTY. LTD. ACN 007 947 668 of 18 Stuart Road Dulwich SA 5065

## OPERATIVE CLAUSE

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

(a) Insert the amount of the annuity or rent charge (a) Ten (10) cents if demanded

(b) State the term of the annuity or rent charge. If for life use the words "during his or her lifetime" (b) To be paid to the Encumbrancee for a term of ninety nine (99) years

(c) State the times appointed for payment of the annuity or rent charge. Any special covenants may be inserted on page 2. (c) AT THE TIMES AND IN THE MANNER FOLLOWING:  
A yearly rent of TEN (10) CENTS payable on the 30<sup>th</sup> day of June each year commencing on the 30<sup>th</sup> of June next ensuing after the execution hereof for a term of NINETY NINE (99) YEARS to the intent that the Encumbrancee shall hold the said yearly rent charge and with the performance and observance of the covenants by the Encumbrancer contained or implied herein.

**IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE as follows:**

**As per covenants attached – see pages 3 & 4**

Owners Benefit

- 1.1 For the benefit of each of the registered proprietors of the land comprised in the Allotments in Deposited Plan No. 61815 and all of the future allotments derived from the Allotments and plans mentioned above AND
- 1.2 for the benefit of all of the successors in title of the registered proprietors of the land in the divisions of land formerly comprised in Certificate of Title Registered Books Volume 5513 Folio 46 and Volume 5520 Folio 371 AND
- 1.3 for the purpose of the common building scheme of development of "The Mews"

Owners Obligations - Common Building Scheme

2. The Encumbrancer will not without first obtaining the prior written consent of the Encumbrancee erect or permit to be erected:
  - 2.1 any dwelling house not made of brick or brick veneer unless otherwise approved in writing by the Encumbrancee
  - 2.2 any dwelling house with a roof pitch less than twenty-five degrees
  - 2.3 any dwelling house with a living area of not less than one hundred and twenty metres squared unless otherwise approved in writing by the Encumbrancee
  - 2.4 any dwelling house without at least two of the following items in the front elevation:
    - 2.4.1 Verandah
    - 2.4.2 Portico
    - 2.4.3 Bay Window
    - 2.4.4 Double Hip Roof
    - 2.4.5 such other feature as approved in writing by the Encumbrancee
  - 2.5. any dwelling house without a minimum of one undercover attached carport
  - 2.6. more than one shed, garage or outbuilding
  - 2.7. any shed, garage or outbuilding larger than 6 metres wide x 6 metres deep x 3.5 metres high at the highest point.
3. The Encumbrancer will not erect or permit to be erected:
  - 3.1. any dwelling house, shed, garage, fence or any other structure containing any asbestos material whatsoever
  - 3.2. any shed, garage, outbuilding, fence unless of steel construction and such steel material is "Rivergum" coloured colourbond
  - 3.3. any transportable home or dwelling house
  - 3.4. more than one dwelling house upon the land
  - 3.5. any front fence with exemption for designated "Cottage Allotments"
  - 3.6. any solar heater other than a type which is architecturally integrated with the dwelling and must not be directly visible from any public street or thoroughfare
  - 3.7. any air conditioning unit that is not the same colour as the roof and must not be directly visible from any public street or thoroughfare
  - 3.8. any water tank of a colour not complimentary to that of the dwelling house and must not be directly visible from any public street or thoroughfare
  - 3.9. any retaining wall of second-hand material
  - 3.10. any retaining wall unless made of stone or moss rocks, rendered concrete, clay-fired bricks, hardwood or concrete sleepers or keystone bricks (or their equivalent)

unless otherwise approved in writing by the Encumbrancee.

4. The Encumbrancer will not erect or permit to be erected any structure or dwelling house of which the design, external colours, materials and / or appearance is incompatible with other dwellings in the area.
5. The Encumbrancer will not live in any temporary dwelling on the said land

#### Miscellaneous

6. Approval of plans and building schedules shall not be construed as approval by or on behalf of the Onkaparinga Council nor for any other person or body corporate having authority to grant development approval and nothing contained herein shall imply any partnership, joint venture or agency with any other person or body corporate on the part of the Encumbrancee.
7. The Encumbrancee may from time to time in its absolute discretion modify waive or release any of the covenants and other stipulations herein contained or implied.
8. It is hereby acknowledged and agreed that the Encumbrancee will not be liable for any loss or damage suffered by the Encumbrancer for or on account of or in any way whatsoever arising out of or connected with any non-observance of or any failure to enforce any other provisions of the Encumbrance or of any other Encumbrance and the Encumbrancer will indemnify and keep indemnified the Encumbrancee and its respective servants and agents from and against all claims for any such loss or damage.
9. Any notice or demand to be given to the Encumbrancer hereunder may be given by posting or delivering the same in writing signed by any officer or agent for and on behalf of the Encumbrancee or the last known place of abode or business of the encumbrancer.
10. Any notice posted as aforesaid shall be deemed to have been received 48 hours after the time of posting.
12. AND IT IS HEREBY AGREED and declared between the encumbrancer and the Encumbrancee that the encumbrancer shall be released and discharged from the payment of the said rent charge and from the observance and performance of the several covenants conditions and restrictions hereinbefore contained forthwith upon the encumbrancer and successive assigns respectively ceasing to be registered as the proprietor of the said land to be the intent that the rent charge and covenants conditions and restrictions shall be binding upon the registered proprietor or proprietors of the said land for the time being AND subject as aforesaid the Encumbrancee by virtue of the provisions of the Real Property Act 1886.

In this Instrument:

- (i) Unless repugnant to the context words importing any particular gender shall include all other genders and words importing the singular number shall include the plural and vice versa;
- (ii) The expression "The Encumbrancer" includes the registered proprietor for the time being of the said land, and if there shall be more than one person responsible hereunder as the encumbrancer or as a successor in title to the encumbrancer, the liability of all such person shall be both joint and several
- (iii) Headings are used for convenience or reference only and shall not affect the interpretation or construction of this encumbrance
- (iv) Each word, phrase, sentence and clause or provision of the encumbrance is severable and if a court determines that a provision is unenforceable, illegal or void the court may sever that provision and such Encumbrance will not affect the other provisions of this Encumbrance. AND SUBJECT AS AFORESAID the Encumbrancee shall be entitled to all powers and remedies given to the Encumbrancee by the Real Property Act 1886 as amended from time to time.