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Form 1 - Vendor's statement

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

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Preliminary

To the purchaser:

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

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

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

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

Instructions to the vendor for completing this statement:

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

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

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

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

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

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

SA FORM 1

S.A. Form1's Pty Ltd - ABN : 26 168 075 778
proudly associated with Critchley & Associates Conveyancers

1283 North East Road, Tea Tree Gully SA 5091
Tel: 8397 4000 | admin@saform1.com.au

Part A - Parties and land

1 Purchaser:

Address:

2 ~~Purchaser's registered agent:~~

Address:

3 Vendor:

SCOTT ANDREW KUHLMANN

Address:

PO BOX 295, STRATHALBYN, SA 5255

4 Vendor's registered agent:

KLEMICH REAL ESTATE PTY LTD T/A KLEMICH REAL ESTATE ✓

Address:

1/245 FULLARTON ROAD, EASTWOOD, SA 5063

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

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

THE WHOLE OF THE LAND COMPRISED IN CERTIFICATE OF TITLE - VOLUME 6069 FOLIO 782

BEING LOT 5 IN PRIMARY COMMUNITY PLAN 26307 AND BEING LAND KNOWN AS
75 MARCHANT ROAD, STRATHALBYN, SA 5255

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:

PO BOX 295, STRATHALBYN, SA 5255

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

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

FAX: 08 8132 0244 EMAIL: sold@klemich.com.au ;andrew@klemich.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:

1/245 FULLARTON ROAD, EASTWOOD, SA 5063

(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~~ SCOTT ANDREW KUHLMANN

of PO BOX 295, STRATHALBYN, SA 5255

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

Date:	02/08/2024	Date:	
Signed	Scott Andrew Kuhlmann	Signed	
Date:		Date:	
Signed		Signed	

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

(section 9)

To the purchaser:

I, CLAYTON BARBER OF S.A. FORM 1'S 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: 02/08/2024

Signed: Clayton Barber

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

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

Schedule - Division 1 - Particulars of mortgages charges and prescribed encumbrances affecting the land

(section 7(1)(b))

Note -

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

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

(a) there is an attachment to this statement and -

(i) all the required particulars are contained in that attachment; and

(ii) the attachment is identified in column 2; and

(iii) if the attachment consists of more than 2 sheets of paper, those parts of the attachment that contain the required particulars are identified in column 2; or

(b) the mortgage, charge or prescribed encumbrance -

(i) is 1 of the following items in the table:

(A) under the heading 1. General -

1.1 Mortgage of land

1.4 Lease, agreement for lease, tenancy agreement or licence

1.5 Caveat

1.6 Lien or notice of a lien

(B) under the heading 36. Other charges -

36.1 Charge of any kind affecting the land (not included in another item); and

(ii) is registered on the certificate of title to the land; and

(iii) is to be discharged or satisfied prior to or at settlement.

Table of particulars

Column 1	Column 2	Column 3

[If an item is applicable, ensure that the box for the item is ticked and complete the item.]
[If an item is not applicable, ensure that the box for the item is empty or else strike out the item or write "NOT APPLICABLE" or "N/A" in column 1.
Alternatively, the item and any inapplicable heading may be omitted, but not in the case of-
(a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and
(b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and
(c) the heading "6. Repealed Act conditions" and item 6.1; and
(d) the heading "29. Planning, Development and Infrastructure Act 2016" and items 29.1 and 29.2, which must be retained as part of this statement whether applicable or not.]
*[If an item is applicable, all particulars requested in column 2 must be set out in the item unless the Note preceding this table otherwise permits. Particulars requested in **bold type** must be set out in column 3 and all other particulars must be set out in column 2.]*
[If there is more than 1 mortgage, charge or prescribed encumbrance of a kind referred to in column 1, the particulars requested in column 2 must be set out for each such mortgage, charge or prescribed encumbrance.]
[If requested particulars are set out in the item and then continued on an attachment due to insufficient space, identify the attachment in the place provided in column 2. If all of the requested particulars are contained in an attachment (instead of in the item) in accordance with the Note preceding this table, identify the attachment in the place provided in column 2 and (if required by the Note) identify the parts of the attachment that contain the particulars.]

1. General

1.1 Mortgage of land

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

Is this item applicable?	✓
Will this be discharged or satisfied prior to or at settlement?	YES
Are there attachments?	YES

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

CERTIFICATE OF TITLE

Number of mortgage (if registered):

13632848

Name of mortgagee:

ING BANK (AUSTRALIA) LTD. (ACN: 000 893 292)

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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):

PROPERTY INTEREST REPORT

Description of land subject to easement:

THE WHOLE OF THE LAND COMPRISED IN
CERTIFICATE OF TITLE - VOLUME 6069 FOLIO 782

Nature of easement:

THERE MAY EXIST STATUTORY EASEMENT(S) THAT ARE NOT REGISTERED OR DEFINED ON THE TITLE FOR THE LAND, FOR PURPOSES SUCH AS (WITHOUT LIMITATION) ELECTRICITY INFRASTRUCTURE, GAS SUPPLY, WATER SUPPLY, SEWERAGE AND TELECOMMUNICATIONS TO, FROM AND THROUGH THE LAND

Are you aware of any encroachment on the easement?

If YES, give details:

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

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?

Are there attachments?

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

Nature of restrictive covenant:

Name of person in whose favour restrictive covenant operates:

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

If NO, give details:

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

1.4 Lease, agreement for lease, tenancy agreement or licence

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

*[**Note -** Do not omit this item. 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? ✓

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):

ALEXANDRINA COUNCIL SEARCH

Condition(s) of authorisation:

REFER TO ALEXANDRINA COUNCIL SEARCH

6. Repealed Act conditions

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

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

Is this item applicable? ☐

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

Are there attachments?

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

Nature of condition(s):

7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy

Is this item applicable? ✓

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

Are there attachments? YES

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

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

Date of notice:

24 JULY 2024

Amount of levy payable:

Refer to Certificate of ESL Payable

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):

PROPERTY INTEREST REPORT,
ALEXANDRINA 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):

ZONES:
RURAL LIVING (RuL)

SUBZONES:
NO

ZONING OVERLAYS:
ENVIRONMENT AND FOOD PRODUCTION AREA

HAZARDS (BUSHFIRE - MEDIUM RISK) (MEDIUM)

HAZARDS (FLOODING - EVIDENCE REQUIRED)

MURRAY-DARLING BASIN

NATIVE VEGETATION

PRESCRIBED WATER RESOURCES AREA

RIVER MURRAY TRIBUTARIES PROTECTION AREA

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 visit www.code.plan.sa.gov.au.

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

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

Is this item applicable?

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

Are there attachments?

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

Date of authorisation:

Name of relevant authority that granted authorisation:

Condition(s) of authorisation:

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

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Name of person giving notice of proposed work:

Building work proposed (as stated in the notice):

Other building work as required pursuant to the Act:

29.4 section 140 - Notice requesting access

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Name of person requesting access:

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

Activity of work to be carried out:

29.5 section 141 - Order to remove or perform work

Is this item applicable?

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

Are there attachments?

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

Date of order:

Terms of order:

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

Amount payable (if any):

29.6 section 142 - Notice to complete development

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Requirements of notice:

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

Amount payable (if any):

29.7 section 155 - Emergency order

Is this item applicable?

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

Are there attachments?

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

Date of order:

Name of authorised officer who made order:

Name of authority that appointed the authorised officer:

Nature of order:

Amount payable (if any):

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29.8 section 157 - Fire safety notice

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Name of authority giving notice:

Requirements of notice:

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

Amount payable (if any):

29.9 section 192 or 193 - Land management agreement

Is this item applicable?

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

Are there attachments?

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

Date of agreement:

Names of parties:

Terms of agreement:

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

Is this item applicable? ☐

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

Are there attachments?

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

Date requirement given:

Name of body giving requirement:

Nature of requirement:

Contribution payable (if any):

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

Is this item applicable? ☐

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

Are there attachments?

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

Date of agreement:

Names of parties:

Terms of agreement:

Contribution payable (if any):

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29.12 Part 16 Division 1 - Proceedings

Is this item applicable?

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

Are there attachments?

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

Date of commencement of proceedings:

Date of determination or order (if any):

Terms of determination or order (if any):

29.13 section 213 - Enforcement notice

Is this item applicable?

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

Are there attachments?

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

Date notice given:

Name of designated authority giving notice:

Nature of directions contained in notice:

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

Amount payable (if any):

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

Is this item applicable?

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

Are there attachments?

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

Date order made:

Name of court that made order:

Action number:

Names of parties:

Terms of order:

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

30. *Plant Health Act 2009*

30.1 section 8 or 9 - Notice or order concerning pests

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 or order:

Date of Gazette in which notice published (if applicable):

Nature of requirement, restriction or prohibition:

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

31.1 Part 3 - 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 council or other authority giving notice:

Requirements of notice:

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

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):

ALEXANDRINA COUNCIL SEARCH

Date of approval:

REFER TO ALEXANDRINA COUNCIL SEARCH

Name of relevant authority that granted the approval:

REFER TO ALEXANDRINA COUNCIL SEARCH

Condition(s) of approval:

REFER TO ALEXANDRINA COUNCIL SEARCH

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

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 relevant authority giving order:

Requirement of order:

Particulars relating to community lot (including strata lot) or development lot ✓

1 Name of community corporation: COMMUNITY CORPORATION 26307 INC

Address of community corporation: 67 MARCHANT ROAD, STRATHALBYN, SA 5255

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

3 Particulars supplied by the community corporation or known to the vendor:

(a) particulars of contributions payable in relation to the lot (including details of arrears of contributions related to the lot):

THE COMMUNITY CORPORATION IS PRIVATELY MANAGED

REFER TO INFORMATION PROVIDED BY COMMUNITY CORPORATION

(b) particulars of assets and liabilities of the community corporation:

REFER TO INFORMATION PROVIDED BY COMMUNITY CORPORATION

(c) particulars of expenditure that the community corporation has incurred, or has resolved to incur, and to which the owner of the lot must contribute, or is likely to be required to contribute:

REFER TO INFORMATION PROVIDED BY COMMUNITY CORPORATION

(d) if the lot is a development lot, particulars of the scheme description relating to the development lot and particulars of the obligations of the owner of the development lot under the development contract:

NOT APPLICABLE

(e) if the lot is a community lot, particulars of the lot entitlement of the lot:

THE LOT ENTITLEMENT VALUE IS 1,355 OF A TOTAL OF 10,000

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

4 Documents supplied by the community corporation that are enclosed:

(a) a copy of the minutes of the general meetings of the community corporation and management committee *for the 2 years preceding this statement / ~~since the deposit of the community plan;~~

*(*Strike out or omit whichever is the greater period)*

NO

(b) a copy of the statement of accounts of the community corporation last prepared;

YES

(c) a copy of current policies of insurance taken out by the community corporation.

YES

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

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

AGM MINUTES HAVE BEEN REQUESTED FROM THE VENDOR WHO HAS ADVISED THE PRESCIDING OFFICER IS CURRENTLY OVERSEAS

MINUTES WILL BE PROVIDED AS SOON AS AVAILABLE

6 The following documents are enclosed:

(a) a copy of the scheme description (if any) and the development contract (if any); ✓

(b) a copy of the by-laws of the community scheme.

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

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

Name: SCOTT ANDREW KUHLMANN

Address: PO BOX 295, STRATHALBYN, SA 5255

Note-

1 A community corporation must (on application by or on behalf of a current or prospective owner orother relevant person) provide the particulars and documents referred to in 3(a)-(c) and 4 and must also make available for inspection any information required to establish the current financial position of the corporation, a copy of any contract with a body corporate manager and the register of owners and lot entitlements that the corporation maintains: see sections 139 and 140 of the *Community Titles Act 1996*.

2 Copies of the scheme description, the development contract or the by-laws of the community scheme may be obtained from the community corporation or from the Lands Titles Registration Office.

3 All owners of a community lot or a development lot are bound by the by-laws of the community scheme. The by-laws regulate the rights and liabilities of owners of lots in relation to their lots and the common property and matters of common concern.

4 For a brief description of some of the matters that need to be considered before purchasing a community lot, see Division 3 of this Schedule.

Schedule-Division 3-Community lots and strata units ✓

Matters to be considered in purchasing a community lot or strata unit

The property you are buying is on strata or community title. There are **special obligations and restrictions** that go with this kind of title. Make sure you understand these. If unsure, seek legal advice before signing a contract. For example:

Governance

You will automatically become a member of the **body corporate**, which includes all owners and has the job of maintaining the common property and enforcing the rules. Decisions, such as the amount you must pay in levies, will be made by vote of the body corporate. You will need to take part in meetings if you wish to have a say. If outvoted, you will have to live with decisions that you might not agree with.

If you are buying into a mixed use development (one that includes commercial as well as residential lots), owners of some types of lots may be in a position to outvote owners of other types of lots. Make sure you fully understand your voting rights, see later.

Use of your property

You, and anyone who visits or occupies your property, will be bound by rules in the form of **articles or by-laws**. These can restrict the use of the property, for example, they can deal with keeping pets, car parking, noise, rubbish disposal, short-term letting, upkeep of buildings and so on. Make sure that you have read the articles or by-laws before you decide whether this property will suit you.

Depending on the rules, you might not be permitted to make changes to the exterior of your unit, such as installing a television aerial or an air-conditioner, building a pergola, attaching external blinds etc without the permission of the body corporate. A meeting may be needed before permission can be granted. Permission may be refused.

Note that the articles or by-laws **could change** between now and when you become the owner: the body corporate might vote to change them. Also, if you are buying before the community plan is registered, then any by-laws you have been shown are just a draft.

Are you buying a debt?

If there are unpaid contributions owing on this property, you can be made to pay them. You are entitled to **know the financial state of the body corporate** and you should make sure you see its records before deciding whether to buy. As a prospective owner, you can write to the body corporate requiring to see the records, including minutes of meetings, details of assets and liabilities, contributions payable, outstanding or planned expenses and insurance policies. There is a fee. To make a request, write to the secretary or management committee of the body corporate.

Expenses

The body corporate can **require you to maintain your property**, even if you do not agree, or can carry out maintenance and bill you for it.

The body corporate can **require you to contribute** to the cost of upkeep of the common property, even if you do not agree. Consider what future maintenance or repairs might be needed on the property in the long term.

Guarantee

As an owner, you are a **guarantor** of the liabilities of the body corporate. If it does not pay its debts, you can be called on to do so. Make sure you know what the liabilities are before you decide to buy. Ask the body corporate for copies of the financial records.

Contracts

The body corporate can make contracts. For example, it may engage a body corporate manager to do some or all of its work. It may contract with traders for maintenance work. It might engage a caretaker to look after the property. It might make any other kind of contract to buy services or products for the body corporate. Find out **what contracts the body corporate is committed to and the cost**.

The body corporate will have to raise funds from the owners to pay the money due under these contracts. As a guarantor, you could be liable if the body corporate owes money under a contract.

Buying off the plan

If you are buying a property that has not been built yet, then you **cannot be certain** what the end product of the development process will be. If you are buying before a community plan has been deposited, then any proposed development contract, scheme description or by-laws you have been shown could change.

Mixed use developments—voting rights

You may be buying into a group that is run by several different community corporations. This is common in mixed use developments, for example, where a group of apartments is combined with a hotel or a group of shops. If there is more than one corporation, then you should not expect that all lot owners in the group will have equal voting rights. The corporations may be structured so that, even though there are more apartments than shops in the group, the shop-owners can outvote the apartment owners on some matters. Make enquiries so that you understand how many corporations there are and what voting rights you will have.

Further information

The Real Estate Institute of South Australia provides an information service for enquiries about real estate transactions, see www.reisa.com.au.

A free telephone Strata and Community Advice Service is operated by the Legal Services Commission of South Australia: call 1300 366 424.

Information and a booklet about strata and community titles is available from the Legal Services Commission of South Australia at www.lsc.sa.gov.au.

You can also seek advice from a legal practitioner.

ANNEXURES

~~There are no documents annexed hereto~~ / The following documents are annexed hereto -

Form R3 – Buyers Information Notice
Copy of certificate(s) of title to the land

COMMUNITY PLAN

INFORMATION PROVIDED BY THE COMMUNITY CORPORATION

COPY OF THE BY-LAWS OF THE COMMUNITY SCHEME

COPY OF THE SCHEME DESCRIPTION OF THE COMMUNITY SCHEME

PROPERTY INTEREST REPORT

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

CERTIFICATE OF LAND TAX PAYABLE

SA WATER CERTIFICATE OF CHARGES

ALEXANDRINA COUNCIL SEARCH

PLANSA - REGULATED AND SIGNIFICANT TREE REFORMS

*(*Strike out whichever is not applicable)*

ACKNOWLEDGEMENT OF RECEIPT OF FORM 1 – VENDOR'S STATEMENT

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

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

Dated this _____ Day of _____ 20

Signed: _____

_____

_____

_____

Purchaser(s)

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FORM R3 – BUYERS INFORMATION NOTICE

Annexure to Form 1 – Vendor's Statement

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Form R3

Buyers information notice

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

Land and Business (Sale and Conveyancing) Regulations 2010 regulation 17

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 website: www.cbs.sa.gov.au

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

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

Safety

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

Enjoyment

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

Value

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

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

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

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COPY OF CERTIFICATE(S) OF TITLE TO THE LAND

Annexure to Form 1 – Vendor's Statement

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LAND SERVICES SA

Product	Register Search (CT 6069/782)
Date/Time	23/07/2024 03:19PM
Customer Reference	24046
Order ID	20240723008670

REAL PROPERTY ACT, 1886
South Australia

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

REGISTRAR-GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 6069 Folio 782

Parent Title(s) CT 5843/327

Creating Dealing(s) ACT 11486006

Title Issued 17/12/2010 **Edition** 8 **Edition Issued** 15/10/2021

Estate Type

FEE SIMPLE

Registered Proprietor

SCOTT ANDREW KUHLMANN
OF 75 MARCHANT ROAD STRATHALBYN SA 5255

Description of Land

LOT 5 PRIMARY COMMUNITY PLAN 26307
IN THE AREA NAMED STRATHALBYN
HUNDRED OF STRATHALBYN

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13632848	MORTGAGE TO ING BANK (AUSTRALIA) LTD. (ACN: 000 893 292)

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan

Lodgement Date	Dealing Number	Description	Status
02/11/2010	11486007	SCHEME DESCRIPTION	FILED
02/11/2010	11486008	BY-LAWS	FILED

Registrar-General's Notes NIL

Administrative Interests NIL

Copyright: www.landservices.com.au/copyright | Privacy: www.landservices.com.au/privacy | Terms of Use: www.landservices.com.au/sailis-terms-of-use

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COMMUNITY PLAN

Annexure to Form 1 – Vendor's Statement

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PURPOSE: PRIMARY COMMUNITY

AREA NAME: STRATHALBYN

MAP REF: 6627/25/R

COUNCIL: ALEXANDRINA COUNCIL

LAST PLAN: D56069

DEVELOPMENT NO: 455/C124/08/001/26016

RE-APPROVED:
BIRGIT FORKER
10/11/2010

DEPOSITED:
MARK MCNEIL
26/11/2010

C26307

SHEET 1 OF 3

24855_text_01_v10_Version_10

AGENT DETAILS:
ACCESS SDM PTY LTD
76 HUTCHINSON ST
MT BARKER SA 5251
PH: 83913000
FAX: 83912330

AGENT CODE: ACSDP

REFERENCE: 3993

SURVEYORS CERTIFICATION:
I Christianus Wilhelmus Fryters , a licensed surveyor under the Survey Act 1992, certify that (a) I am uncertain about the location of that part of the service infrastructure shown between the points marked > and < on the plan; and (b) This community plan has been correctly prepared in accordance with the Community Titles Act 1996
9th day of November 2010 Christianus Wilhelmus Fryters Licensed Surveyor

SUBJECT TITLE DETAILS:

PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE	NUMBER
CT	5843	327		ALLOTMENT(S)	55	D	56069	STRATHALBYN		BLOCK	17

OTHER TITLES AFFECTED: CT 6055/715

EASEMENT DETAILS:

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING	COMMON PROPERTY	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	C			
EXISTING	1.2.3.4	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	B			
NEW	7.COMMON PROPERTY. COMMON PROPERTY IN C25892	SERVICE	EASEMENT(S)	H	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
NEW	7	SERVICE	EASEMENT(S)	G(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA

ANNOTATIONS: THE SERVICE INFRASTRUCTURE WAS NOT IN PLACE AS AT 07 / 05 / 2010
THE COMMON PROPERTY IS DESIGNATED (C1) FOR IDENTIFICATION PURPOSES ONLY AND DOES NOT PROVIDE A LEGAL IDENTIFIER FOR THE COMMON PROPERTY

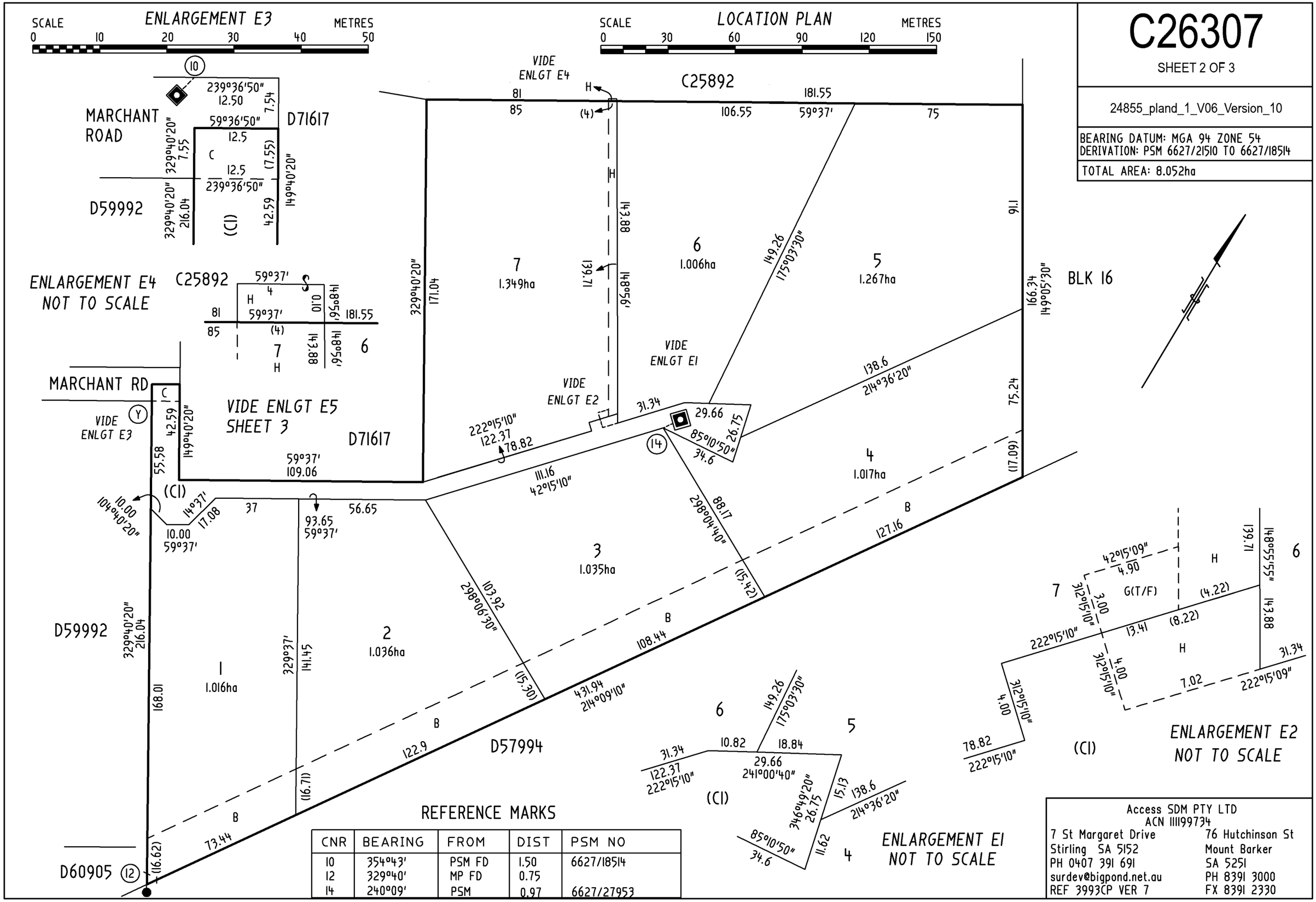
C26307

SHEET 2 OF 3

24855_pland_1_V06_Version_10

BEARING DATUM: MGA 94 ZONE 54
DERIVATION: PSM 6627/21510 TO 6627/18514

TOTAL AREA: 8.052ha



REFERENCE MARKS

CNR	BEARING	FROM	DIST	PSM NO
10	354°43'	PSM FD	1.50	6627/18514
12	329°40'	MP FD	0.75	
14	240°09'	PSM	0.97	6627/27953

Access SDM PTY LTD
ACN 111199734
7 St Margaret Drive
Stirling SA 5152
PH 0407 391 691
surdev@bigpond.net.au
REF 3993CP VER 7
76 Hutchinson St
Mount Barker
SA 5251
PH 8391 3000
FX 8391 2330

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C26307

SHEET 3 OF 3

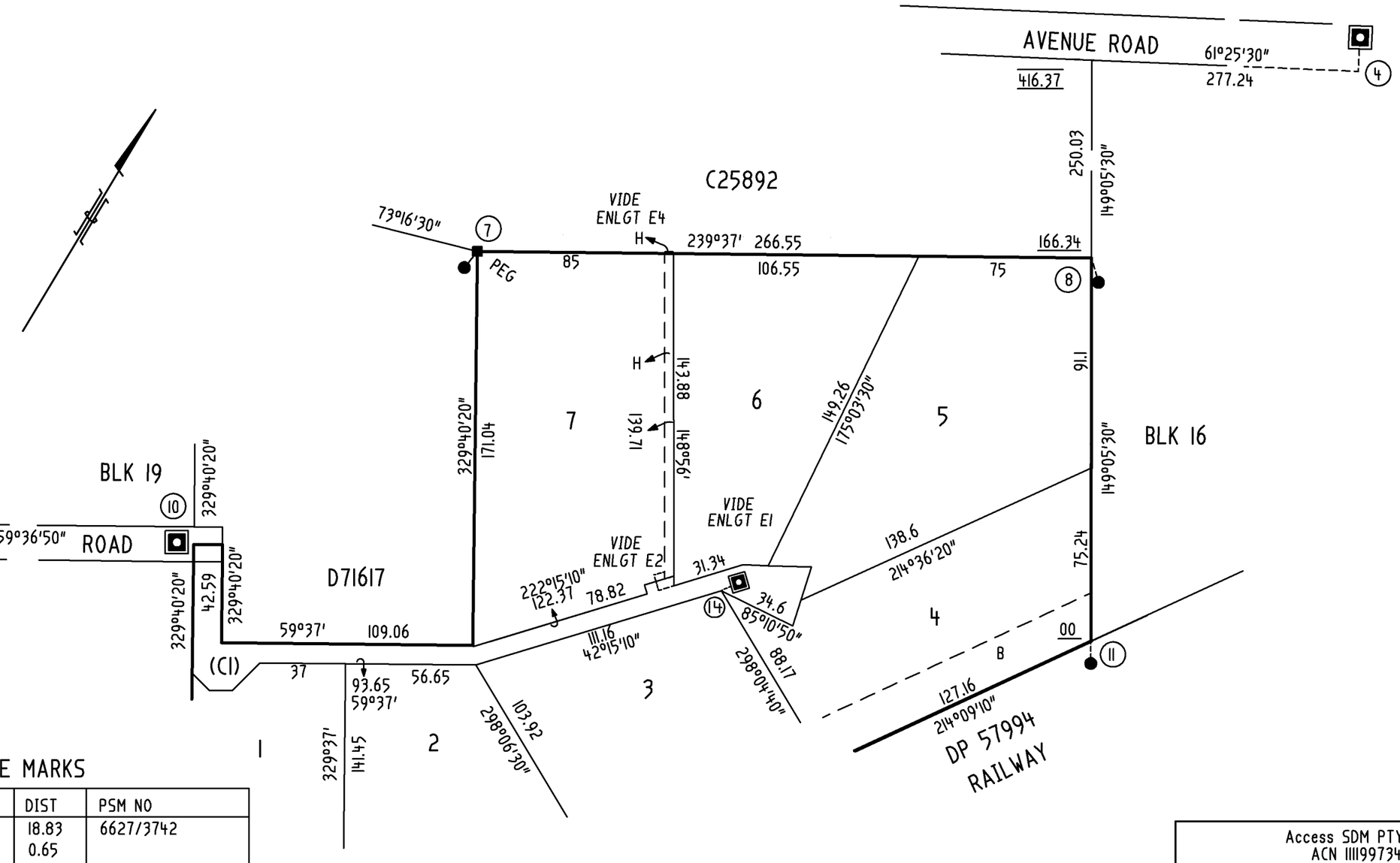
24855_pland_2_V02_Version_10

BEARING DATUM: MGA 94 ZONE 54
DERIVATION: PSM 6627/21510 TO 6627/18514

TOTAL AREA:

ENLARGEMENT E5

SCALE 0 50 100 150 200 METRES



REFERENCE MARKS

CNR	BEARING	FROM	DIST	PSM NO
4	151°26'	PSM FD	18.83	6627/3742
7	341°41'	MP	0.65	
8	327°33'	MP FD	3.40	
9	147°44'	PSM FD	6.97	6627/21510
10	354°43'	PSM FD	1.50	6627/18514
11	329°05'	MP FD	0.60	
14	240°09'	PSM	0.97	6627/27953

Access SDM PTY LTD
ACN 111199734
7 St Margaret Drive
Stirling SA 5152
PH 0407 391 691
surdev@bigpond.net.au
REF 3993CP VER 7

76 Hutchinson St
Mount Barker
SA 5251
PH 8391 3000
FX 8391 2330

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LOT ENTITLEMENT SHEET

COMMUNITY PLAN NUMBER
CP 26307

THIS IS SHEET 1 OF 1 SHEETS

APPROVED

DEPOSITED
26/11/2010
PRO REGISTRAR - GENERAL

APPLICATION 11486006

SCHEDULE OF LOT ENTITLEMENTS		
LOT	LOT ENTITLEMENT	SUBDIVIDED
1	1,430	
2	1,430	
3	1,500	
4	1,285	
5	1,355	
6	1,430	
7	1,570	
Aggregate	10,000	

CERTIFICATE OF LAND VALUER

I, Peter Morris, being a land valuer within the meaning of the Land Valuers Act, 1994 certify that this schedule is correct for the purposes of the Community Titles Act 1996.

Dated the 13th day of August 2010

.....
Signature of Land Valuer

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Tel: 8397 4000 | admin@saform1.com.au

INFORMATION PROVIDED BY COMMUNITY CORPORATION

Annexure to Form 1 – Vendor's Statement

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COMMUNITY CORPORATION 26307 INC

MARCHANT ROAD, STRATHALBYN

1. BALANCE SHEET to 30 Jun 2023

COMMUNITY CORP 26307 INC BANK ACCOUNT

OPENING BALANCE - 1 March 2022	2828.46
Add: Income	
Annual Contribution of Lot Holders - Administration Fund	2101.00
- Sinking Fund	160.00
	2261.00
Less: Expenditure	
Insurance	754.79
Fund Management Fee	300.00
Printing and Postage	16.70
Road repairs/maintenance - Dylanah Pty Ltd	983.40
	2054.89
CLOSING BALANCE - 30 June 2023	**3034.57**

2. BUDGET: Year End JUNE 2024

INCOME/ANNUAL CONTRIBUTION

Lot	LEV	Administration Fund	Sinking Fund	TOTAL	CONTRIBUTORS							
					T & C Gilbert	D Mortimer	R & K Rogerson	R Hume & S Jones	J & W Taylor	S Kuhlmann	C & N Hanley	R & F Adamson
TCG	1430	271	20	291	291							
1	1430	271	20	291		291						
2	1430	271	20	291			291					
3	1500	285	20	305				305				
4	1285	244	20	264					264			
5	1355	257	20	277						277		
6	1430	271	20	291							291	
7	1570	298	20	318								318
	11430	**2170**	**160**	**2330**	**291**	**291**	**291**	**305**	**264**	**277**	**291**	**318**

less EXPENDITURE

Common Property repairs/maintenance	1000.00
Insurance	850.00
Fund Management Fees	300.00
Phone call reimbursements	10.00
Printing & Postage	10.00
TOTAL	**2170.00**

Represented by:

Administration Fund	2244.57
Sinking Fund	950.00
	3194.57

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Community Corporation 26307 Incorporated
Marchant Road, Strathalbyn SA
General Meeting of Lot Holders

Wednesday 21 December 2022
67 Marchant Road, Strathalbyn

Meeting Minutes

Meeting Opened: 7:39pm by Presiding Officer, Dean Mortimer

Attendees: Robert Rogerson, Sue Jones, John and Wilma Taylor, Scott Kuhlmann, Chris and Naomi Hanley, Rodney and Fiona Adamson, Tony Gilbert, Dean Mortimer (Presiding Officer).

1. Welcome
   - 1.1 Dean welcomed the excellent roll-up of attendees and especially our new members, Chris and Naomi, Rodney and Fiona. All lot-holders gave a brief introduction of themselves.
   - 1.2 Dean gave short explanation of the Community Corporation.

2. Apologies
   - 2.1 Karen Rogerson, Bob Hume, Chris Gilbert.

3. Acceptance of Minutes of last meeting held 8 April 2019.
   - 3.1 Dean read the minutes and asked acceptance as accurate.
     Moved: Scott Seconded: Sue CARRIED

4. Business Arising from Minutes
   - 4.1 Road Maintenance: deferred to Item 8.1 under General Business

5. Correspondence
   - 5.1 Recovery of Outstanding Contributions: Emails and registered letters to C.A. & M.J. Male; Letters were Returned To Sender, i.e. me.
   - 5.2 Emails from various conveyancers/lawyers concerning sale and settlement of Lots 6 and 7.

6. Finance Report: circulated with the annual contributions notice.
   - 6.1 Payment of Management Fee: Dean sought clarification on whether fee was paid in arrears or in advance? And when?
     Motion: Management Fee (currently $300.00) be paid in arrears at end of each reporting year.
     Moved: Dean Seconded: Scott CARRIED

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6.2 Other Expenses: Dean submitted a claim for the two registered letters sent to C.A. & M.J. Male totalling $16.70. APPROVED

7. Budget 2022-2023

The budget had been circulated with the annual contributions notice.
Dean requested retrospective approval of the budget

Moved: John Seconded: Robert CARRIED

8. General Business

8.1 Road Maintenance – Lots 3 & 7

Dean received updated quote from Dylanah Pty Ltd for emergency repairs to the ruts in front of Lots 3 and 7 for $983.40.
Motion: Quote be accepted.

Moved: Chris Seconded: Rodney CARRIED

8.2 Road Maintenance – Lot 1/TCG corner & edge of bitumen

Tony offered to patch this edge for no charge when carrying out the road maintenance quoted in Item 8.1 above.

8.3 Change of Bank to Strathalbyn-based bank

Dean expressed some difficulties when dealing with People's Choice Credit Union at Mount Barker. Suggested changing to a Strathalbyn-based bank. Discussion ensued regarding recent improvement in service and what banking facilities will be available in Strathalbyn in coming years.
Motion: Presiding Officer to decide.

Moved: Robert Seconded: Sue CARRIED

8.4 Change of Reporting Year, from 28/29 February to 30 June.

Dean requested reporting year change from the current End of February to the End of June.

Moved: Dean Seconded: John CARRIED

8.5 Payment of Management Fee to be on approval at General Meeting.

Moved: Dean Seconded: Sue CARRIED

8.6 Future Provision for Road Maintenance.

Lots of discussion regarding slowing the water flow down the road and structures to stop/retain silt. Future work to include grading and crowning with "whoa-boys". Rodney offered advice on building up the integrity of the road.
To be revisited after emergency repairs carried out.

8.7 Other business.

8.7.1 Pest Control.

John has obtained a firearms licence to permit rabbit control on his place. He was asked to advise residents each time this will happen.

8.7.2 Contact Details.

All agreed that their contact details, i.e. mobile 'phone number and email address, can be circulated amongst members.

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8.7.3 Constitution.

Should we have a constitution (currently have by-laws)?
To be researched.

8.7.4 Keys to Metering Cubicle.

New members to obtain key to metering cubicle – contact Dean.

9. Election of Presiding Officer.
Dean asked for nominations, as he would like to step down, suggesting that members would be better served by someone ‘nearer the end of the road’.
Discussion about assigning more positions, e.g. secretary and treasurer.
No resolution, no nominations.
Scott to consider the position and advise Dean.

10. Close: Meeting closed 9:10pm

Post-meeting minute: Dean extended a thank-you to John for slashing the weeds around the electricity transformer and metering cubicle.

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Level 13, 431 King William Street
Adelaide SA 5000

Certificate of Currency

CHU Community Association Insurance Plan

Policy No	**CAH**0006416
Policy Wording	CHU COMMUNITY ASSOCIATION INSURANCE PLAN
Period of Insurance	14/03/2024 to 14/03/2025 at 4:00pm
The Insured	COMMUNITY CORPORATION NO. 26307 INC.
Situation	67 MARCHANT ROAD STRATHALBYN SA 5255

Policies Selected

Policy 1 – Community Property
Community property: $121,551
Community income: $18,232
Common area contents: $0

Policy 2 – Liability to Others
Limit of liability: $20,000,000

Policy 3 – Voluntary Workers
Death: $200,000
Total Disablement: $2,000 per week

Policy 4 – Fidelity Guarantee
Sum Insured: $100,000

Policy 5 – Office Bearers' Legal Liability
Not Selected

Policy 6 – Machinery Breakdown
Not Selected

Policy 7 – Catastrophe Insurance
Not Selected

Policy 8 – Government Audit Costs and Legal Expenses
Part A: Government Audit Costs: $25,000
Part B: Appeal expenses – common property health & safety breaches: $100,000
Part C: Legal Defence Expenses: $50,000

The contract of insurance is arranged by CHU Underwriting Agencies Pty Ltd (ABN 18 001 580 070, AFSL 243261) on behalf of the insurer: QBE Insurance (Australia) Limited (ABN 78 003 191 035, AFSL 239545).

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Flood Cover is included.

Flood Cover Endorsement

Flood cover is included.

The following terms and conditions of Your Policy is hereby amended by this endorsement and should be read in conjunction with, and as forming part of Community Association Insurance Plan.

Policy 1, Exclusion 1. a. “caused by Flood” is hereby removed.

Other than as set out above, the terms, conditions, exclusions and limitations contained in Your Policy remain unaltered.

Date Printed 01/08/2024

This certificate confirms this policy is in force for the Period of Insurance shown, subject to the policy terms, conditions and exclusions. It is a summary of cover only (for full details refer to the current policy wording QM563 - 1023 and schedule). It does not alter, amend or extend the policy. This information is current only at the date of printing.

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COPY OF THE BY-LAWS OF THE COMMUNITY SCHEME

Annexure to Form 1 – Vendor's Statement

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13:35 2-Nov-2010
3 of 3 Fees: $0.00

Prefix
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Series No.
3

LANDS TITLES REGISTRATION OFFICE
SOUTH AUSTRALIA

LODGEMENT FOR FILING UNDER THE COMMUNITY TITLES ACT 1996

FORM APPROVED BY THE REGISTRAR-GENERAL

BELOW THIS LINE FOR OFFICE & STAMP DUTY PURPOSES ONLY

BELOW THIS LINE FOR AGENT USE ONLY

AGENT CODE

Lodged by: M30561 Ref:
Correction to:

BRIAN O'HALLORAN BTH1
CONVEYANCER
LEVEL 5, 55 GAWLER PLACE
ADELAIDE 5000

Lands Services Group
09:11 04/11/2010 02-006127
REGISTRATION FEE $121.00

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

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

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

ITEM(S)	AGENT CODE

PICK-UP NO.	
CP	

DV19 CP 26307

CORRECTION	PASSED
10/11.	MH

FILED 26/11/2010

Mark McNeil PRO REGISTRAR-GENERAL

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26.7 Subject to the provisions of this **By-Law 26**, the provisions of the *Law of Property Act 1936* will apply to this Agreement as if it were a mortgage by deed.

27. INDEMNITY & RELEASE

A person bound by these By-Laws will:

27.1 indemnify and hold harmless the Corporation from and against all or any actions, claims, demands, losses, damages, costs and expenses which the Corporation will or may become liable for in respect of or arising out of any loss or injury (personal or in respect of property) suffered by any person in on or about the Lot or Common Property except and to the extent that the loss or injury was caused or contributed to by the negligence of the Corporation;

27.2 occupy, use and keep the Lot at the risk in all things of the Lot Owners, and the Lot Owner hereby releases to the full extent permitted by Law the Corporation from any accident, damage or injury occurring thereon (and on Common Property) except and to the extent that any such claims, demands and damages arise from or as a consequence of the negligence of the Corporation or its servants or agents.

28. SEVERANCE

If any By-Law or any part of these By-Laws cannot be given full legal force and effect for any reason, then that By-Law or part By-Law (as the case may be) will be severed, ignored or read down restrictively but so as to maintain and uphold as far as possible the remaining By-Laws.

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TERMS OF INSTRUMENT NOT CHECKED BY THE LANDS TITLES OFFICE	BY-LAWS Development No. 455/C124/08

COMMUNITY TITLES ACT 1996

BY-LAWS

COMMUNITY CORPORATION
NO. C26307

CERTIFIED AS
CORRECTLY PREPARED ~~BY A CONVEYANCER ACTING ON BEHALF OF THE COMMUNITY CORPORATION WHO PREPARED THE BY LAWS~~ IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMMUNITY TITLES ACT 1996 BY THE PERSON WHO PREPARED THE DOCUMENT.

TIM O'HALLORAN
REGISTERED CONVEYANCER

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TERMS OF INSTRUMENT NOT CHECKED BY THE LANDS TITLES OFFICE

BY-LAWS
Development No.
455/C124/08

COMMUNITY TITLES ACT 1996

BY-LAWS

COMMUNITY CORPORATION NO. C26307 INCORPORATED

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COMMUNITY TITLES ACT 1996

BY-LAWS

COMMUNITY CORPORATION NO. C26307 INCORPORATED

IMPORTANT NOTICE

These By-Laws bind the Corporation, the Lot Owners of the Lots, the Occupiers of the Lots and any persons entering the Community Parcel.

These By-Laws relate to the control and management of the Common Property and the Lots and as such may only be amended or revoked by special resolution by the Corporation in accordance with Section 39 of the *Community Titles Act* (and regulations).

PART I – DEFINITIONS AND INTERPRETATION

1. DEFINITIONS

The below definitions and interpretations and the definitions set out in Section 3 of the *Community Titles Act 1996* shall apply to these By-Laws and unless the context otherwise requires, the expressions:

"Act" means the *Community Titles Act 1996* as amended;

"Common Property" has the same meaning as set out in the Act;

"Community Parcel" means the whole of the land comprised in Community Corporation Plan No. C26307;

"Corporation" means Community Corporation No. C26307 Inc. in accordance with Part 9 of the Act and includes an officer, agent, servant, contractor or representative of the Corporation appointed in writing;

"Develop" means:

(a) The erection, construction, alteration, improvement, installation or painting of any building or other improvement on a Lot or on Common Property, and includes any site works effected in readiness for Development; and

(b) Development has a like meaning.

"Invitees" mean visitors, tradespersons, builders, contractors, agents, clients or associates of the Lot Owner or Occupier of a Lot;

"Lot" means a Community Lot comprised in Community Corporation Plan No. C26307;

"Lot Owner" means the Owner of a Lot;

"Occupier" of a Lot includes the tenant or lessee of a Lot or if a Lot is unoccupied, the Owner of the Lot;

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"Rural Farm Fencing" means fencing to a standard of construction suitable for general rural land use which may include the keeping of animals and is consistent with standards of construction and appearance achieved by a reputable, licensed fencing contractor of 5 years experience (and in the event of any dispute between Lot Owners or the Corporation, such a person will be engaged by the Lot Owner to construct the fencing);

"Significant Tree" has the same meaning given to that term in the *Development Act* 1993;

"Scheme Description" means Scheme Description 445/C124/08.

2. INTERPRETATION

2.1 Unless the contrary intention appears:

(c) reference to an instrument includes any variation or replacement of it;

(d) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;

(e) the singular includes the plural and vice versa;

(f) the word "person" includes a firm, a body corporate, an association or an authority;

(g) words of any gender include every gender;

(h) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, without limitation persons taking by novation) and assigns;

(i) a reference to a day is a reference to the period of time commencing at midnight and ending 24 hours later;

(j) headings are inserted for convenience and do not affect the interpretation of these By-Laws.

2.2 If the whole or any part of a provision of these By-Laws is invalid, unenforceable or illegal, then it is severed. The remainder of these By-Laws will continue to have full force and effect.

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PART 2 – MANDATORY BY-LAWS

3. ADMINISTRATION, MANAGEMENT AND CONTROL OF COMMON PROPERTY

3.1 The Corporation is responsible for the administration, management and control of the Common Property.

3.2 The Corporation may (but is not obliged to), subject to the Act and these By-Laws, appoint a Management Committee which shall be responsible to the Corporation for the administration, management and control of the Common Property except with respect to matters concerning:

3.2.1 the appointment of a manager pursuant to **By-Law 3.3**;

3.2.2 maintenance, upgrading or improvements to the Common Property where the item to be considered exceeds $10,000.00;

3.2.3 the Corporation's obligations regarding insurance under the Act.

3.3 The Corporation may (but is not obliged to) appoint a manager to assist carry out, on behalf of the Corporation, the function of administering, managing and controlling the Common Property, but:

3.3.1 The manager shall be appointed on a contract that is subject to review every 2 years by the Corporation; and

3.3.2 If on review the Corporation is dissatisfied with the performance of the manager, the Corporation may terminate the management contract.

4. LOT OWNER CONTRIBUTIONS

4.1 The Corporation will in general meeting (and not by its Management Committee) fix the amount it requires from Lot Owners from time to time by way of contributions for anticipated expenditure (such as Common Property maintenance, building services, rates and taxes, insurances, repairs etc).

4.2 Subject to the Act, the share of an amount to be contributed to by a Lot Owner is proportional to the lot entitlement of the relevant lot unless otherwise provided by a unanimous resolution of the Corporation.

4.3 The Corporation may, by ordinary resolution:

4.3.1 permit contributions to be paid in instalments specified in the resolution; and

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4.3.2 fix (in accordance with regulations of the Act) interest payable in respect of a contribution, or an instalment of a contribution, that is in arrears.

5. USE AND ENJOYMENT OF THE COMMON PROPERTY

5.1 The Common Property is, subject to the Act and these By-Laws, for the common use and enjoyment of Lot Owners, Occupiers and their Invitees.

5.2 The Corporation may, subject to the Act, grant or consent to any encumbrance or covenant affecting all or any part of the Common Property which may regulate the use of the Common Property.

5.3 Lot Owners, Occupiers and Invitees must not:

5.3.1 obstruct the lawful use of the Common Property by any person;

5.3.2 bring objects or materials to the Common Property of a kind that are likely to cause justified offence to the others;

5.3.3 damage or deface any existing structure, facilities or service infrastructure that forms part of the Common Property;

5.3.4 use any portion of the Common Property for their exclusive use as a garden or parking area or otherwise, without the prior consent in writing of the Corporation;

5.3.5 display any advertisement, sign or boarding on any part of the Common Property;

5.3.6 dispose of any rubbish on Common Property other than in bins or receptacles intended and set aside for the purpose;

5.3.7 fail to comply with any reasonable direction or request from the Corporation;

5.3.8 unlawfully attempt to exclude the public from any section of the Common Property;

5.3.9 fail to comply with any rules issued by the Corporation;

5.3.10 fail to comply with any speed limits posted by the Community Corporation;

5.3.11 park a motor vehicle on the Common Property except on a part of the Common Property set aside for the parking of motor vehicles;

5.4 A person driving a vehicle on the Common Property must comply with the rules applicable under the *Road Traffic Act 1961* to the driving of a vehicle on a public road.

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5.5 Lot Owners, Occupiers and Invitees must notify the Corporation of any damage to or defect in the Common Property immediately becoming aware of it.

5.6 The Corporation may:

5.6.1 erect and maintain any sign on the Common Property which displays parking restrictions, speed limits or access requirements in relation to the Common Property; and

5.6.2 charge Lot Owners on a regular basis for costs and expenses incurred in the administration, management, control, maintenance and repair of the Common Property.

6. CORPORATION TO KEEP COMMON PROPERTY IN GOOD REPAIR

6.1 The Corporation must keep the Common Property in a state of good and serviceable repair and shall always properly maintain all chattels, fixtures and fittings held by the Corporation in connection with the Common Property.

PART 3 – COMMUNITY PARCEL

7. USE OF THE COMMUNITY PARCEL

A person bound by these By-Laws must not on the Community Parcel:

7.1 fail to comply with any reasonable direction or request from the Corporation;

7.2 break, pull up, damage, destroy or remove any Significant Tree;

7.3 unlawfully set aside or attempt to exclude the public from any section of the Community Parcel;

7.4 obstruct any footway, road or walkway;

7.5 use or occupy any caravan or other vehicle as a place of habitation;

7.6 use any language or behave in a manner likely to cause offence or a nuisance or embarrassment to others;

7.7 place or cause to be placed a moveable sign in a public place in such a manner as to obstruct the vision of the driver of a vehicle at junctions or intersections.

8. FENCING, SHEDDING AND TIMBER CLAD BUILDINGS

8.1 Any fencing erected on the Community Parcel must be Rural Farm Fencing;

8.2 Any shedding erected on the Community Parcel must be of Colorbond® construction or an equivalent quality brand name product;

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8.3 No buildings that can be described as "transportable homes" can be placed on the Community Lots, nor used by Lot Owners for any purpose on the Community Lots, nor for any purpose on the Common Property.

8.4 Any timber-clad buildings erected on the Community Parcel must be painted in accordance with the requirements of the Corporation and the Alexandrina Council or any other authority with power to impose conditions under the Development Act 1993 – the painting and colour scheme must be consistent with the Development as set out in these By Laws and the Scheme Description.

8.5 Except as provided herein the provisions of *The Fences Act 1975* (as amended) shall apply as between the occupiers of adjoining Community Lots.

9. PETS, BIRDS AND ANIMALS

9.1 Subject to the Act, a Lot Owner or Occupier may keep pets, birds or animals, with the consent of the Corporation.

9.2 Unless otherwise resolved by ordinary resolution of the Corporation a Lot Owner or Occupier is entitled, without the further consent of the Corporation being required, to:

9.2.1 keep a maximum of two cats or two dogs or one cat and one dog on a Community Lot; and

9.2.2 if the Occupier is a person who suffers from a disability to keep a dog or other animal trained to assist the Occupier in respect of that disability; and

9.2.3 keep livestock or other animals on the Lot in accordance with any conditions or restrictions imposed by Alexandrina Council.

9.3 The keeping of any pet, animal or bird must comply with any conditions set by the Corporation from time to time.

PART 4 – USE OF LOTS

10. GOOD REPAIR

A Lot Owner must:

10.1 maintain the Lot in good repair;

10.2 carry out any work ordered by a council or other public authority in respect of the Lot;

10.3 carry out any work ordered by the Corporation in respect of the Lot.

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11. USE OF LOT

A Lot Owner, Occupier or Invitee must not:

11.1 use the Lot, or permit the Lot to be used, for any unlawful purpose;

11.2 create any undue noise, disturbance or undertake any activity or behaviour which is likely to interfere with the quiet enjoyment of other Lot Owners or Occupiers and in particular, ensure that noise emissions from the relevant Lot are kept to a level where they will not disturb neighbouring Lot owners or Occupiers between the hours of 12 midnight and 6 am;

11.3 bring objects or materials onto a Lot of a kind which are likely to cause justified offence to other members of the corporation community or store on any Lot any dangerous explosive or noxious substances (other than normal household chemicals, gases and fuels);

11.4 restrict or prevent the Corporation from gaining access to any common service infrastructure shared between the Lots for maintenance, repair or replacement purposes; or

11.5 without the prior written approval of the Corporation erect or display any advertising signs on a Lot other than:

11.5.1 during development of a Lot (and then only the display of signs required under the *Building Work Contractors Act 1995*); or

11.5.2 where the advertising sign is associated with the sale of a Lot;

and a Lot Owner, Occupier or Invitee must:

11.6 upon all rates, taxes, charges, outgoings and assessments in respect of their Lot becoming payable, forthwith pay the same;

11.7 use and enjoy the Lot in a manner consistent with the Scheme Description (if applicable);

11.8 use the Lot in accordance with the *Development Act 1993*;

11.9 at all times maintain and keep improvements on or within a Lot clean and tidy and in a good state of repair and condition;

11.10 comply with reasonable requirements or orders of the Corporation in relation to upkeep and maintenance;

11.11 store garbage within the relevant Lot in an appropriate container which prevents the escape of unpleasant odours;

11.12 leave garbage bins (for emptying at the appropriate times), in the location allocated for the relevant Lot;

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11.13 dispose of any rubbish or other material on the Community Parcel in accordance with the rubbish disposal policies passed from time to time by the Corporation;

11.14 comply with all statutory requirements in relation to the disposal of garbage; and

11.15 ensure that their Invitees are aware of these By-Laws and ensure that their Invitees do not engage in (or desist from) any conduct which is in breach of these By-Laws.

12. ALTERATION TO LOTS

12.1 A Lot Owner or Occupier shall not perform or carry out any alterations or additions to or upon their Lot unless that Lot Owner or Occupier has obtained all necessary consents or approvals from any government or statutory authority pertaining to such alterations or additions and shall upon request from the Corporation provide the Corporation with a copy of any such consents or approvals;

12.2 For the purpose of this By-Law "alterations or additions" means:

12.2.1 any change to the external structure, roof, balconies, doors entrances or any structure erected on a Lot;

12.2.2 the removal of or addition to any structural or Common Property brick or concrete wall or slab construction;

12.2.3 alteration to the colour scheme of any Lot.

13. RIGHT TO ENTER LOT

The Corporation shall be permitted by each Lot Owner or Occupier and shall have the right at all reasonable times and on giving the Lot Owner or the Occupier reasonable notice (except in cases of emergency when no such notice shall be required), to enter upon the Lot for the purpose or in the course of carrying out the functions or duties of the Corporation or exercising its powers which, without limiting the generality of the foregoing, shall be deemed to include the power:

13.1 to inspect the Lot;

13.2 to carry out maintenance repairs or work, and

13.3 to enter upon and inspect any part of the Lot for the purpose of ensuring that the Act and these By-Laws are being observed.

14. OBSERVANCE OF BY-LAWS

A Lot Owner or Occupier of a Lot shall take all reasonable steps to ensure that their visitors or Invitees comply with the provisions of these By-Laws and in the event of their inability for any reason to ensure such compliance by any such visitor or invitee, they shall thereupon ensure that such visitor or invitee leaves the Community Parcel.

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PART 5 – GENERAL PROVISIONS

15. MANAGEMENT AND ADVISERS

The Corporation may retain the services of independent contractors, advisers or consultants in relation to matters affecting the Community Scheme as a whole, its Common Property and its management and administration. The cost will be recoverable from Lot Owners.

16. EASEMENTS

Where any part of the Common Property or of a Lot is subject to a registered easement, the Corporation, Lot Owners, Occupiers and Invitees (as appropriate) will comply at all times with the requirements or restrictions caused by that easement, and will not interfere with the grantee's exercise of rights under it.

17. TENANTS TO HAVE NOTICE OF THESE BY-LAWS

A copy of these By-Laws (or a précis approved by the Corporation) will be given to each lessee or other Occupier of the Lot (other than the Owner).

18. CHANGES IN OWNERSHIP

Any change in ownership of a Lot or address of a Lot Owner must be notified to the Corporation.

19. PERMITS

19.1 In any By-Law of the Corporation, unless the contrary intention is clearly indicated, the words "the consent of the Corporation" means the permission of the Corporation given in the form of a written permit.

19.2 The Corporation shall have the power to grant permits in respect of any activity in or on the Community Parcel.

19.3 The Corporation may attach such conditions to a permit as it thinks fit and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder;

19.4 The Corporation may grant a permit either for a term of up to twelve (12) months or for an identified activity or schedule of activities as it thinks appropriate.

19.5 A permit holder shall comply with each and every condition of the permit. Each event which is a breach of the permit shall constitute a separate offence under these By-Laws.

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19.6 A permit holder shall pay to the Corporation in advance, such fee as may be determined by the Corporation for the Corporation issuing the permit to the permit holder.

19.7 Subject to the terms of the permit, the Corporation may cancel, suspend or revoke the permit at any time by notice in writing to the permit holder.

20. INSURANCES

20.1 The Corporation will effect and maintain insurances as required by the Act.

20.2 Lot Owners will insure their own furniture fittings, equipment and goods.

20.3 Each Lot Owner will maintain public risk insurance for amounts of at least $10,000,000.00 in respect of any one event (or such higher cover as the Corporation may determine).

20.4 The Corporation may at any time require evidence be provided by each Lot Owner of these insurances.

20.5 No Lot Owner, Occupier or lnvitee will do anything to:

20.5.1 void any insurance; or

20.5.2 increase the premium payable for any insurance

maintained by the Corporation.

21. OFFENCES

A person who contravenes or fails to comply with the provisions of these By-Laws is guilty of an offence.

Maximum penalty: $500.00

22. BREACH

Where a breach by a person bound by these By-Laws occurs and the Corporation has incurred expense in remedying such breach, the Corporation shall be entitled to recover those expenses from that person.

23. WAIVER

No waiver by the Corporation of one breach of any rule, covenant, obligation or provision herein contained or implied shall operate as a waiver of another breach of the same or any other rules, covenants, obligations or provisions herein contained or implied.

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24. NOTICE

Any notice required to be served under these By-Laws shall be sufficiently served on the Lot Owner if left on the Lot addressed to the Lot Owner or if addressed to the Lot Owner at the last known address of the Lot Owner and forwarded by pre-paid post and if a notice is given by post it shall be deemed to be served at the time when in the ordinary course of post it would be delivered at the address to which it was sent.

25. RULES

The Management Committee of the Corporation (if any) has the power to make such rules as it considers necessary to ensure that Lot Owners and Occupiers have proper use and enjoyment of their Lot and the Common Property. Such rules will be enforceable by the Corporation as if they formed part of these By-Laws.

26. RECOVERY OF AMOUNTS DUE

26.1 Amounts owing to the Corporation will be paid by the relevant owner or Occupier promptly on demand by the Corporation and will be recoverable as a debt.

26.2 The Corporation may recover from owners or Occupiers (on a full indemnity basis) any legal or other charges or expenses incurred in recovering debts due by the owner or Occupier

26.3 The Corporation may charge interest, at the rate being 2% above the rate charge from time to time by the Corporation's bankers on overdrafts of less than $50,000 on any amounts due by a Lot Owner or Occupier but unpaid for 7 days after becoming due. Such interest to be computed from the due date until payment is made in full.

26.4 In the event of default by the Lot Owner in payment on the due date of any money under these By-Laws, the Lot Owner will on the written request of the Corporal grant to the Corporation a registered mortgage under the provisions of the *Real Property Act 1886*, containing the terms and conditions requested by the Corporation, which mortgage will charge the Lot Owner's interest in the relevant Lot with payment of the money owed by that Lot Owner.

26.5 The Lot Owner will, in the event of a mortgage being requested by the Corporation, pay to the Corporation the reasonable expenses of and incidental to the preparation, execution, stamping and registration of that mortgage.

26.6 The Lot Owner acknowledges that the Corporation will be entitled, by virtue of this **By-Law 26**, to lodge a caveat against the certificate(s) of title for the relevant Lot, giving notice of the provisions of this **By-Law 26**.

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1283 North East Road, Tea Tree Gully SA 5091
Tel: 8397 4000 | admin@saform1.com.au

COPY OF THE SCHEME DESCRIPTION OF THE COMMUNITY SCHEME

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13:35 2-Nov-2010
2 of 3 Fees: $0.00

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Series No.
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(1)

LANDS TITLES REGISTRATION OFFICE
SOUTH AUSTRALIA

LODGEMENT FOR FILING UNDER THE COMMUNITY TITLES ACT 1996

FORM APPROVED BY THE REGISTRAR-GENERAL

BELOW THIS LINE FOR OFFICE & STAMP DUTY PURPOSES ONLY

BELOW THIS LINE FOR AGENT USE ONLY

AGENT CODE

Lodged by: BRIAN O'HALLORAN BTH1
Ref: *CONVEYANCER*
M30561 LEVEL 5, 55 GAWLER PLACE
Correction to: ADELAIDE 5000

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

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Lands Services Group
09:11 04/11/2010 02-006127
REGISTRATION FEE $121.00

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PLEASE DELIVER THE FOLLOWING ITEM(S) TO THE UNDERMENTIONED AGENT(S)

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CP	

OV19 to C 26307

CORRECTION	PASSED
10/11	MM

FILED 26/11/2010

Mark McNeil
PRO REGISTRAR-GENERAL

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NOTES TO APPLICANT/OWNER REGARDING LAND DIVISION CONSENT

Not withstanding the approval of this application, the land division, must comply with all the requirements of the Development Act and Regulations and Council By-Laws Sec. 45(2).

Approval is valid for one (1) year only and should an application for a certificate not be lodged within that period a new application must be submitted. If an application for a certificate is lodged within that first year, or the development is substantially commenced, then the applicant has three (3) years to complete the development. Reg.48(1).

ELECTRICITY SUPPLY

1. The developer shall grant any easements required by the ETSA Corporation, for transformers and reticulation.
2. The developer must make all necessary arrangements with ETSA Power to service the allotments if the developer is to provide ETSA services to each allotment.
3. ETSA Power will service each allotment from the existing overhead mains where the allotments will only be via underground cable.
4. The developer must make all necessary financial and other arrangements with ETSA Power for the relocation of any existing poles that are located off boundary. If the developer does not contact ETSA Power and make these arrangements, ETSA Power will consider the existing poles to be on their standard alignment.

WATER SUPPLY

1. Water reticulation mains are to be located in road pavements, clear of footpaths.
2. The Water supply system shall generally be designed and constructed in accordance with the SA Water "Standard Specification for the Construction of Water Reticulation Systems in Land Divisions", 1996.
3. The mains shall be adequate to deliver fire fighting flows to the furthest allotments.
4. Details of the water supply scheme are to be approved by Council prior to construction.
5. If a private water supply source (ie. non-mains) is proposed, approval is sought from Council. Full chemical analysis and microbiological test reports will be required by Council prior to connection. Similarly, regular testing to monitor quality will be necessary.

DRAINAGE RESERVES, EASEMENTS FOR DRAINAGE AND ELECTRICITY SUPPLY

1. The requirements of the ETSA Corporation with respect to the provision of easements are to be met.

TELSTRA PLANT

The developer is advised that if any existing Telstra plant is required to be relocated the cost is the responsibility of the developer. It should not be assumed that Telstra will re-locate plant but will be performed at Telstra's discretion. Any information required regarding the location of Telstra cables can be obtained by calling Telstra's Free Plan service on 1100.

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ORAN CONVEYANCING PTY LTD A.B.N. 20 125 520 247
TRADING AS
Brian O'Halloran
Registered Conveyancer

Level 5,
55 Gawler Place, Adelaide
Telephone (08) **8212 4034**
Facsimile (08) 8212 7033

G.P.O. Box 1165,
Adelaide, S.A. 5001

6 Mann Street
Mount Barker 5251
T (08) **8398 3588**
F (08) 8398 3599

INTERNET ADDRESS: www.ohalloran.com.au

File ref: M30561

14 November, 2010

The Registrar General
Land Titles Office
101 Grenfell Street
Adelaide SA 5000

Dear Sir

Scheme Description – Development No. 455/C124/08 – CP 26307

I refer to the above matter and advise I am a Senior Town Planner for the Alexandrina Council.

I herby confirm Alexandrina Council agrees to clause 6.2 of the Scheme Description being changed from;

"The Developer will complete development of the Common Property in accordance with paragraph 7 below."

Too

"The Developer has completed development of the Common Property in accordance with paragraph 7 below."

Yours faithfully,

Andrew Sladden
Senior Town Planner
For and on behalf of
Alexandrina Council

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TERMS OF INSTRUMENT NOT CHECKED BY THE LANDS TITLES OFFICE

SCHEME DESCRIPTION

COMMUNITY CORPORATION
NO. C26307

IMPORTANT NOTICE

THIS SCHEME DESCRIPTION SHOULD BE READ IN CONJUNCTION WITH THE BY-LAWS AND WITH THE COMMUNITY TITLES ACT 1996 (AS AMENDED)

DEVELOPER

CRAIG ANDREW MALE AND MELISSA JOY MALE

CERTIFIED CORRECTLY PREPARED ~~BY A CONVEYANCER ACTING ON BEHALF OF THE COMMUNITY CORPORATION WHO PREPARED THE SCHEME DESCRIPTION~~ IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMMUNITY TITLES ACT 1996 BY THE PERSON WHO PREPARED THE DOCUMENT.

TIM O'HALLORAN
REGISTERED CONVEYANCER

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COMMUNITY SCHEME DESCRIPTON
PLAN NO. C26307

INDEX

1. Purpose of this Scheme Description.

2. Relationship with By-Laws.

3. Identification of the Community Parcel, Community Lots and Common Property.

4. Purposes for which the Community Lots and Common Property may be used.

5. Standard of buildings and other improvements.

6. Obligations to develop Community Lots.

7. Developer's obligations to improve or develop the Common Property.

8. Conditions of development imposed pursuant to the Development Act, 1993.

9. Other important features of the scheme.

10. Other information required by the regulations.

Annexure A – Draft Plan of Community Division
Annexure B – Development Approval No. 455/C124/08

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1. Purpose of this Scheme Description

This Scheme Description has been prepared for the development at 55 Marchant Road, Strathalbyn SA 5255. The purpose of this Scheme Description is to provide a brief description of the nature of the development.

The object of the scheme description is to provide information for the benefit of persons considering the purchase of or other dealings with a Community Lot.

2. Relationships with the By-Laws

Whilst the By-Laws must be consistent with the terms of this Scheme Description, this Scheme Description is not a substitute for the By-laws. The By-Laws will be established for the purpose of regulating the use of the Community Lots and the behavior of the lot owners and occupiers.

3. Identification of the Community Parcel, Community Lots and Common Property

3.1 The Community Parcel and the Community Lots and Common Property into which the parcel is to be divided are identified in the Community Plan in **Annexure A**.

3.2 The Community Plan is a primary strata plan for the division of the Community Parcel into 7 Community Lots and Common Property comprising:

(a) Seven (7) rural lifestyle blocks which may be used for residential building (comprising Community Lots numbered 1 to7); and

(b) Common Property being an access road and driveway allowing access to all 7 Lots listed above in 3.2(a).

3.3 Community Lots 1 to 6 are currently vacant land, while Community Lot 7 is improved at the date of this Scheme Description through the existence of a shed measuring 60x40 feet.

4. Purposes for which the Community Lots and Common Property may be used

4.1 The Community Lots may be used for residential building and lifestyle purposes as either:

(a) residential accommodation; or

(b) rural lifestyle blocks of vacant land with appropriate or required fencing and shedding;

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4.2 Community Lots 1 to 4 will be both burdened by and have the benefit of free and unrestricted right(s) of way marked "B" on the Community Plan - the Common Property will be burdened by unrestricted right(s) of way marked "C" on the Community Plan.

4.3 The Common Property will be used as an access road and driveway to the Community Lots.

5. Standard of Buildings and Other Improvements

5.1 For the standard of buildings and other improvements erected or made by the developer, refer to paragraphs 6 and 7 of this Scheme Description.

5.2 Any additional buildings or improvements, or alterations or additions to, or replacement of, existing buildings or improvements (if any), whether on Community Lots or Common Property, will be located, designed and constructed in a manner and to a standard consistent with the requirements of the Alexandrina Council or any other authority with power to impose conditions under the Development Act 1993.

6. Obligations to Develop Community Lots

6.1 The Developer will have no obligation to develop the Community Lots;

6.2 The Developer ~~will complete~~ HAS COMPLETED development of the Common Property in accordance with paragraph 7 below.

7. Developer's Obligations to Improve or Develop the Common Property

The standard of the work performed and the materials used on the Common Property is to be of such standard as the Developer, in its absolute discretion, will determine and will be subject at all times to any conditions imposed by the Alexandrina Council.

8. Conditions of Development Imposed Pursuant to the Development Act, 1993

The division of the Community Parcel is subject to conditions imposed by the Alexandrina Council in the development approval referred to in Decision Notification Form numbered 455/C124/08. A copy of the Decision Notification Form is included in **Annexure B**.

9. Other Important Features of the Scheme

There shall be no division of a Community Lot by a secondary plan.

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10. **Other Information Required by the Regulations**

No other information is required by the regulations.

EXECUTION BY DEVELOPER

SIGNED by **CRAIG ANDREW MALE** in the presence of:

.....
Signature of Witness

TIMOTHY GERALD O'HALLORAN
Full Name of Witness

5/55 GAWLER PLACE ADELAIDE
Address of Witness

(08) 82124034
Daytime Phone Number

.....
CRAIG ANDREW MALE

SIGNED by **MELISSA JOY MALE** in the presence of:

.....
Signature of Witness

TIMOTHY GERALD O'HALLORAN
Full Name of Witness

5/55 GAWLER PLACE ADELAIDE
Address of Witness

(08) 8212 4034
Daytime Phone Number

.....
MELISSA JOY MALE

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COUNCIL ENDORSEMENT

EXECUTED by the)
ALEXANDRINA COUNCIL by its duly)
authorised Delegate:)

Signature

ANDREW SCHODEN
Print Name

SENIOR TOWN PLANNER
Print Position

1. All the consents or approvals required under the *Development Act 1993* in relation to the division of land and a change of use (if any) in accordance with the Scheme Description and the relevant plan of community division under the *Community Titles Act 1996* has been granted.

2. The endorsement does not limit a relevant authority's right to refuse, or to place conditions on development authorisation under the *Development Act 1993* in relation to any other development envisaged by this Scheme Description.

This Scheme Description is endorsed by the Alexandrina Council.

Dated 29 October 2010

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TERMS OF INSTRUMENT NOT CHECKED BY THE LANDS TITLES OFFICE

ANNEXURE A

APPROVED - NOT YET DEPOSITED

PURPOSE:	PRIMARY COMMUNITY	AREA NAME:	STRATHALBYN	APPROVED: BIRGIT FORKER 21/09/2010	C26307
MAP REF:	6627/25/R	COUNCIL:	ALEXANDRINA COUNCIL		
LAST PLAN:	D56069	DEVELOPMENT NO:	455/C124/08/001/26016	DEPOSITED:	SHEET 1 OF 3
					24855_text_01_v07_Version_7

AGENT DETAILS: ACCESS SDM PTY LTD
76 HUTCHINSON ST
MT BARKER SA 5251
PH: 83913000
FAX: 83912330

AGENT CODE: ACSDP

REFERENCE: 3993

SURVEYORS CERTIFICATION: I Christianus Wilhelmus Fryters , a licensed surveyor under the Survey Act 1992, certify that (a) I am uncertain about the location of that part of the service infrastructure shown between the points marked > and < on the plan; and (b) This community plan has been correctly prepared in accordance with the Community Titles Act 1996
20th day of September 2010 Christianus Wilhelmus Fryters Licensed Surveyor

SUBJECT TITLE DETAILS:

PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	5843	327		ALLOTMENT(S)	55	D	56069	STRATHALBYN		BLOCK 17

OTHER TITLES AFFECTED: CT 6055/715

EASEMENT DETAILS:

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING	COMMON PROPERTY	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	C			
EXISTING	1.2.3.4	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	B			
NEW	7.COMMON PROPERTY.CO MON PROPERTY IN C25892	SERVICE	EASEMENT(S)	H	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
NEW	7	SERVICE	EASEMENT(S)	G(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA

ANNOTATIONS: THE SERVICE INFRASTRUCTURE WAS NOT IN PLACE AS AT 07 / 05 / 2010
SECTION 90E OF THE REAL PROPERTY ACT 1886 APPLIES TO THIS PLAN
THE COMMON PROPERTY IS DESIGNATED (C1) FOR IDENTIFICATION PURPOSES ONLY AND DOES NOT PROVIDE A LEGAL IDENTIFIER FOR THE COMMON PROPERTY

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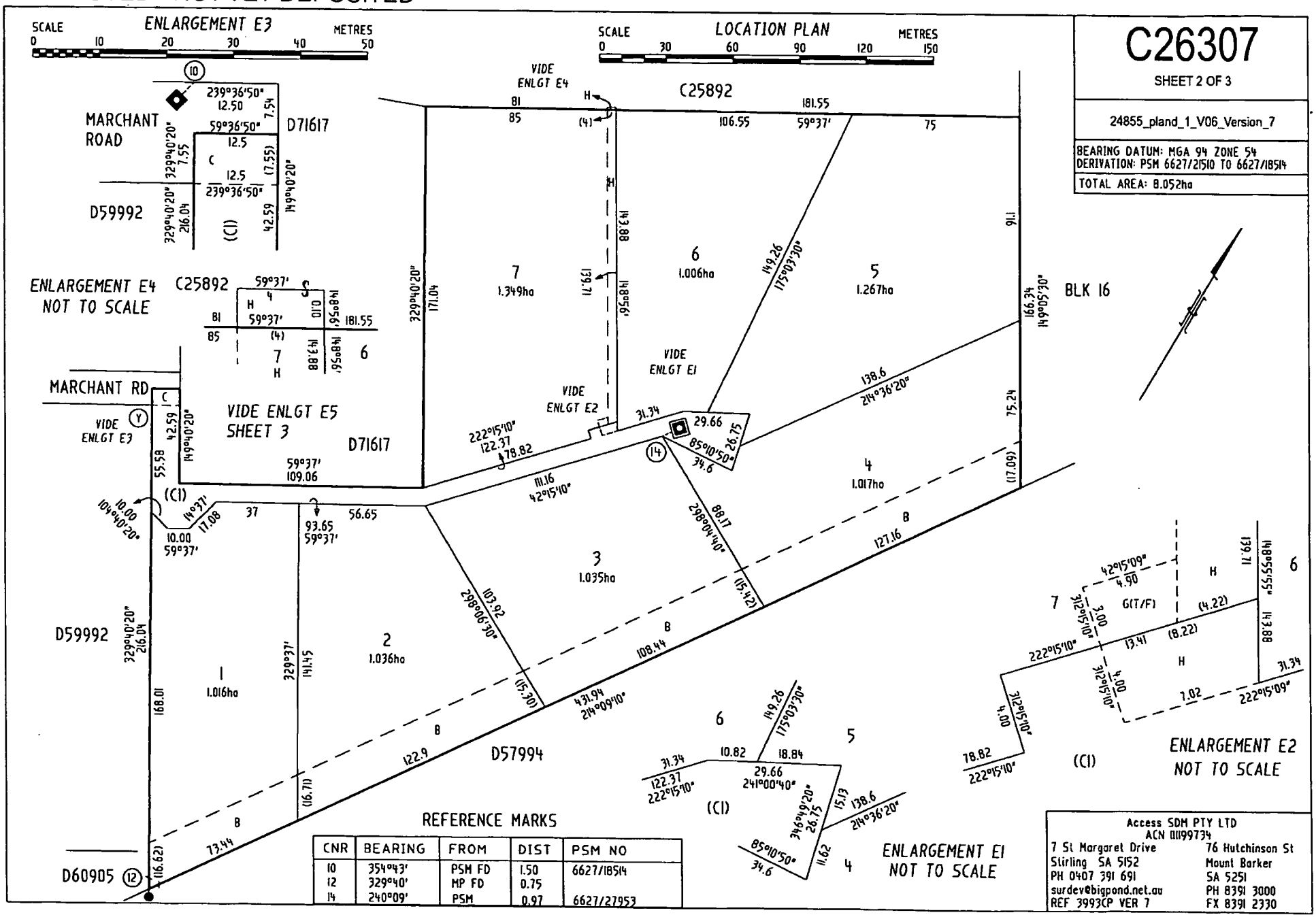
APPROVED - NOT YET DEPOSITED



C26307

SHEET 2 OF 3

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BEARING DATUM: MGA 94 ZONE 54
DERIVATION: PSM 6627/21510 TO 6627/18514

TOTAL AREA: 8.052ha

REFERENCE MARKS

CNR	BEARING	FROM	DIST	PSM NO
10	354°43'	PSM FD	1.50	6627/18514
12	329°40'	MP FD	0.75	
14	240°09'	PSM	0.97	6627/27953

Access SDM PTY LTD
ACN 111199734
7 St Margaret Drive
Stirling SA 5152
PH 0407 391 691
surdev@bigpond.net.au
REF 3993CP VER 7
76 Hutchinson St
Mount Barker
SA 5251
PH 8391 3000
FX 8391 2330

APPROVED - NOT YET DEPOSITED

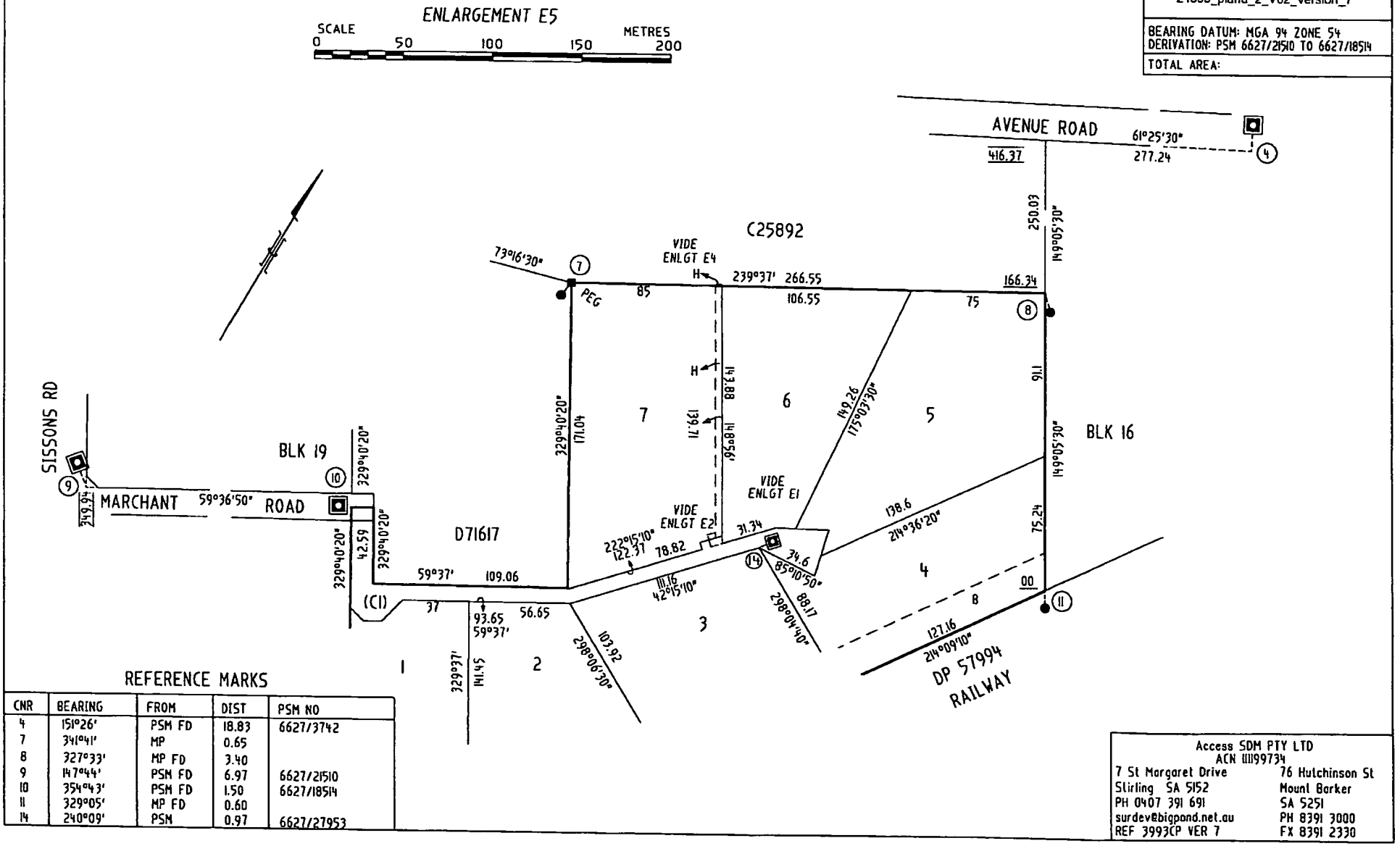
C26307

SHEET 3 OF 3

24855_pland_2_V02_Version_7

BEARING DATUM: MGA 94 ZONE 54
DERIVATION: PSM 6627/21510 TO 6627/18514

TOTAL AREA:



REFERENCE MARKS

CNR	BEARING	FROM	DIST	PSM NO
4	151°26'	PSM FD	18.83	6627/3742
7	341°41'	MP	0.65	
8	327°33'	MP FD	3.40	
9	147°44'	PSM FD	6.97	6627/21510
10	354°43'	PSM FD	1.50	6627/18514
11	329°05'	MP FD	0.60	
14	240°09'	PSM	0.97	6627/27953

Access SDM PTY LTD
ACN 111199734
7 St Margaret Drive
Stirling SA 5152
PH 0407 391 691
surdev@bigpond.net.au
REF 3993CP VER 7

76 Hutchinson St
Mount Barker
SA 5251
PH 8391 3000
FX 8391 2330

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ANNEXURE B

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3993

DECISION NOTIFICATION FORM

For Development Application:
Dated: 29.12.08
Registered: 30.01.09

ALEXANDRINA

TO **CRAIG MALE**
C/- ACCESS SDM
76 HUTCHINSON STREET
MOUNT BARKER SA 5251

Application No: **455/C124/08**
Assessment: **A16809**

LOCATION OF
PROPOSED DEVELOPMENT: **LOT: 55 MARCHANT ROAD STRATHALBYN**

NATURE OF
PROPOSED DEVELOPMENT: **COMMUNITY TITLE LAND DIVISION CREATING SIX (6) ADDITIONAL ALLOTMENTS**

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT (A = Approved; R = Refused; N = Not Applicable)	DATE	NO OF CONDITIONS
Development Plan Consent	Approved	05/06/2009	
Land Division	Approved	05/06/2009	5
Land Division (Community Title)	Not Applicable		
Building Rules Consent	Not Applicable		
Other	Not Applicable		
DEVELOPMENT APPROVAL	**Approved**	**05/06/2009**	**5**

NOTE: No work can commence on this development unless a **DEVELOPMENT APPROVAL** has been obtained. (i.e. consent granted by date for a Development Approval in the shaded box)

Details of the building classification and the approved number of occupants under the Building Code are attached.

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

SIGNED: _____ **DATE: 05/06/200**

Andrew Sladden
Authorised Officer

ALEXANDRINA COUNCIL ABN 20 785 405 351 PRESERVING THE PAST – SECURING THE FUTURE
Postal Address: Post Office Box 21 Goolwa SA 5214 **Telephone** (08) 8555 7000 **Facsimile** (08) 8555 3603
11 Cadell St Goolwa Email **alex@alexandrina.sa gov.au** **1 Colman Terrace Strathalbyn**
Web **www.alexandrina.sa.gov.au**

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NOTES FOR APPLICANT

1. You may have the right of appeal if this Decision Notification is:

   * A refusal; or

   * A consent or approval with conditions

   Your appeal must be lodged with the Environment, Resources and Development Court, together with the designated fee, within two months of you receiving notice of the decision.

   A copy of your receipted appeal notice must be also served on the authority which issued the Decision Notification Form within the same two month period.

Please contact the Environment, Resources and Development Court if you wish to appeal. Ph. (08) 8204 0300

2. If your application was the subject of third party representations, any consent or approval, whether subject to conditions or not, shall not operate until the determination of any appeal. A representor has 15 business days from the date of the Decision Notification to lodge an appeal. Please contact the Environment, Resources and Development Court to see if an appeal has been lodged.

3. If this is a Development Approval:

   * the development approval must be substantially commenced;

   * for land division, you must apply to the Development Assessment Commission for a certificate.

   within 12 months of the date of this Decision Notification (or alternatively the date of the determination of any appeal) unless this period has been extended by the relevant authority.

AND

Any act or work authorised or required by this Decision Notification must be substantially or fully completed within 3 years of the date of this Notification or a longer time as allowed by the relevant authority.

You will require a fresh Development Approval before commencing or continuing the development if you are unable to satisfy these requirements.

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DECISION NOTIFICATION - CONDITIONS OF APPROVAL

APPLICANT NAME: CRAIG MALE

CONDITIONS OF COUNCIL LAND DIVISION CONSENT: - 3

1. The common driveway shall be constructed to meet the unsealed carriageway edge in Marchant Road to the reasonable satisfaction of Council.

2. The common driveway serving the Community Title dwellings shall be constructed to a trafficable width providing for the safe and efficient movement of passing vehicles. The common driveway located between Marchant Road end and Lot 1 shall be constructed to a minimum width of 7.0m providing for the safe and efficient turning movements from Marchant Road end into common property.

3. The development herein approved is to be carried out in accordance with plans and details accompanying this application (plans received by Council on 27 May 2009).

NOTES:

The Applicant is advised that Council holds no obligation to upgrade the existing unsealed section of Marchant Road relative to this Development Application.

CONDITIONS OF DAC LAND DIVISION CONSENT: - 2

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

2. A copy of a certified survey plan shall be lodged with the Development Assessment Commission for Certificate purposes.

NOTES:

SA Water Corporation advise that the Developer should inform potential purchasers of the community lots in regard to the servicing arrangements and seek written agreement prior to settlement as future alterations will be at the FULL cost to the owner/occupant.

DWLBC NOTES

1. The applicant is advised of their general duty of care to take all reasonable measures to prevent any harm to the River Murray through his or her actions or activities.

2. The applicant is advised that any proposal to clear remove limbs or trim native vegetation on the land unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991 require the approval of the Native Vegetation Council. Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8124 4744.

3. The location of the proposed development is within the Notices of Prohbition on Taking Surface Water Water from Watercourses and Wells in the Eastern Mount Lofty Ranges ('Notice of Prohibition Area') and the Eastern Mount Lofty Ranges Prescribed Water Resources Area. The subject property is also within the South Australian Murray Daring Basin Natural Resources Management Board area. If there are any water

uses that may be impacted by the proposed land division the interested parties shouild contact the Mount Lofty Ranges Water Licensing group so that any relevant authorisations may be amended or transferred. The proponent may seek further guidance pertaining to the Authorisation and Licence applications by contacting the Mount Lofty Ranges Program on 8339 9807.

4. The proposed develoment application is located within the River Murray tributaries area. The River Murray and many of its tributaries and overflow areas have abundant evidence of Aboriginal occupation. Under section 20 of the Aboriginal Heritage Act 1988 (the Act) an owner or occupier of priviate land or an employee or agent of such anowner or occupier must report the discovery on the land of any Aboriginal sites objects and remains to the Minister responsible for the administration of the Act as soon as practicable giving the particulars of the nature and location of the Aboriginal sites objects or remains. It is an offence to damage disturb or interfere with any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage disturb or interfere with a site or object authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Penalties may apply for failure to comply with the Act.

5. This advice does not obviate any considerations that may apply to the Australian Government's Environment Protection and Biodiversity Act 1999 (EPBC) Act.

SA MDBNRMB NOTES

1. Best practice Water Sensitive Urban Design (WSUD) guidance can be achiev ed by designing in accordance with the Australian Runoff Quality a Guide to Water Sensitive Urban Design (Engineers Australia 2006).

2. Guidance on pollution prevention from construction sites can be found in the 'Handbook for Pollution Avoidance on Commercial and Residential Building Sites' and the 'Stormwater Pollution Prevention Code of Practice'. These documents are available at: http://www.eps.sa.gov.au/pub.html

NOTE: Please notify Council in writing when all conditions have been met, to request Council's clearance under Section 51 of the Development Act.

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S.A. Form1's Pty Ltd - ABN : 26 168 075 778
proudly associated with Critchley & Associates Conveyancers

1283 North East Road, Tea Tree Gully SA 5091
Tel: 8397 4000 | admin@saform1.com.au

PROPERTY INTEREST REPORT

Annexure to Form 1 – Vendor's Statement

Property Interest Report

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

Title Reference	CT 6069/782	**Reference No.**	2590016
Registered Proprietors	S A*KUHLMANN	**Prepared**	23/07/2024 15:19
Address of Property	75 MARCHANT ROAD, STRATHALBYN, SA 5255		
Local Govt. Authority	ALEXANDRINA COUNCIL		
Local Govt. Address	PO BOX 21 GOOLWA SA 5214		

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

Table of Particulars

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

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

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

	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 1966* (repealed) *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply

7. *Emergency Services Funding Act 1998*

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

8. *Environment Protection Act 1993*

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

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

9. *Fences Act 1975*

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

10. *Fire and Emergency Services Act 2005*

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

11. *Food Act 2001*

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

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

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

13. *Heritage Places Act 1993*

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

14. *Highways Act 1926*

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

15. *Housing Improvement Act 1940* (repealed)

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

16. *Housing Improvement Act 2016*

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

17. *Land Acquisition Act 1969*

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

18. *Landscape South Australia Act 2019*

18.1	section 72 - Notice to pay levy in respect of costs of regional landscape board	The regional landscape board has no record of any notice affecting this title
18.2	section 78 - Notice to pay levy in respect of right to take water or taking of water	DEW has no record of any notice affecting this title
18.3	section 99 - Notice to prepare an action plan for compliance with general statutory duty	The regional landscape board has no record of any notice affecting this title
18.4	section 107 - Notice to rectify effects of unauthorised activity	The regional landscape board has no record of any notice affecting this title 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**

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 Code Amendment Residential Driveway Crossovers –draft design standard aiming to improve public safety and enhance streetscapes across SA. Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery and are open for consultation as part of this process. For more information, refer to the 'Code Amendments' page on the PlanSA portal: https://plan.sa.gov.au/have_your_say/ or phone PlanSA on 1800752664. Code Amendment Goolwa North - The Designated Entity, Ambo Pty Ltd, is proposing to rezone approx. 241 hectares of land between Alexandrina Rd and Byrnes Rd, Goolwa (the Affected Area) to accommodate a low density and low scale residential community. For more information, refer to the 'Code Amendments' page on the PlanSA portal: https://plan.sa.gov.au/have_your_say/ or phone PlanSA on 1800752664. Code Amendment Statewide Bushfire Hazards Overlay - aims to review the current policy framework (spatial layers and policy content) of the six Hazard (Bushfire Risk) Overlays as well as explore other planning instruments and mechanisms to assist in mitigating bushfire hazard impacts. Please note that this Code Amendment only applies to a portion of some council areas. To understand if your property is affected, please check the bushfire hazard map at https://plus.geodata.sa.gov.au/bushfire/index.html. For more information, please visit https://plan.sa.gov.au/have_your_say/ or contact PlanSA via email (PlanSA@sa.gov.au) or telephone (1800 752 664). Code Amendment Old Bull Creek Road, Strathalbyn - Nevarc Developments Pty Ltd proposes to rezone approximately 19.9 hectares of land located approx. 1km from the town's main street. The Affected Area is zoned 'Deferred Urban' and 'Neighbourhood' and is identified within The 30-Year Plan for Greater Adelaide as 'planned urban lands to 2045'. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664. Code Amendment Ancillary Accommodation and Student Accommodation Definitions Review Code

Amendment - The Chief Executive of the Department for Trade and Investment has initiated the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment to review the definitions for 'ancillary accommodation' and 'student accommodation'. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

Code Amendment

Milang Local Heritage - proposal from Alexandrina council to provide appropriate recognition and protection of local heritage assets. For more information, visit the Code Amendments webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

Code Amendment

Lakeside Goolwa - Goolwa Tourist Resort Pty Ltd are proposing to rezone land located to the north and east of the existing Lakeside Goolwa Residential Park to facilitate future expansion. For more information, visit the Code Amendments webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

Code Amendment

Lot 485 Randell Road Hindmarsh Island - seeks to rezone approximately 9.4 hectares of land from the Rural Living Zone to the Rural Neighbourhood Zone to facilitate very low-density residential development outcomes. For more information, visit the Code Amendments webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

29.2	section 127 - Condition (that continues to apply) of a development authorisation *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.3	section 139 - Notice of proposed work and notice may require access	Contact the vendor for these details
29.4	section 140 - Notice requesting access	Contact the vendor for these details
29.5	section 141 - Order to remove or perform work	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.6	section 142 - Notice to complete development	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.7	section 155 - Emergency order	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.8	section 157 - Fire safety notice	Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply

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

30. *Plant Health Act 2009*

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

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

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

32. *South Australian Public Health Act 2011*

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

	continues to apply) of an approval	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)*	The Dog Fence Board has no current interest in Dog Fence rates relating to this title.
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.

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LAND SERVICES SA

Product	Check Search
Date/Time	23/07/2024 03:19PM
Customer Reference	24046
Order ID	20240723008670

Certificate of Title

Title Reference: CT 6069/782

Status: CURRENT

Edition: 8

Dealings

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

Priority Notices

NIL

Notations on Plan

Lodgement Date	Completion Date	Dealing Number	Description	Status	Plan
02/11/2010	29/11/2010	11486007	SCHEME DESCRIPTION	FILED	C26307
02/11/2010	29/11/2010	11486008	BY-LAWS	FILED	C26307

Registrar-General's Notes

No Registrar-General's Notes exist for this title

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LAND SERVICES SA

Product	Title and Valuation Package
Date/Time	23/07/2024 03:19PM
Customer Reference	24046
Order ID	20240723008670

Certificate of Title

Title Reference	CT 6069/782
Status	CURRENT
Easement	NO
Owner Number	18142672
Address for Notices	POST OFFICE BOX 295, STRATHALBYN, SA 5255
Area	1.267ha (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

SCOTT ANDREW KUHLMANN
OF 75 MARCHANT ROAD STRATHALBYN SA 5255

Description of Land

LOT 5 PRIMARY COMMUNITY PLAN 26307
IN THE AREA NAMED STRATHALBYN
HUNDRED OF STRATHALBYN

Last Sale Details

Dealing Reference	TRANSFER (T) 13135783
Dealing Date	27/06/2019
Sale Price	$0
Sale Type	NO MONETARY CONSIDERATION

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	13632848	ING BANK (AUSTRALIA) LTD. (ACN: 000 893 292)

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
7705145789	CURRENT	75 MARCHANT ROAD, STRATHALBYN, SA 5255

Notations

Dealings Affecting Title

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NIL

Notations on Plan

Lodgement Date	Dealing Number	Descriptions	Status
02/11/2010 13:35	11486007	SCHEME DESCRIPTION	FILED
02/11/2010 13:35	11486008	BY-LAWS	FILED

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number	7705145789
Type	Site & Capital Value
Date of Valuation	01/01/2024
Status	CURRENT
Operative From	01/07/2011
Property Location	75 MARCHANT ROAD, STRATHALBYN, SA 5255
Local Government	ALEXANDRINA
Owner Names	SCOTT ANDREW KUHLMANN
Owner Number	18142672
Address for Notices	POST OFFICE BOX 295, STRATHALBYN, SA 5255
Zone / Subzone	RUL - Rural Living
Water Available	Yes
Sewer Available	No
Land Use	1912 - Rural Residential House (House Without Primary Production)
Description	9HDCPV SH
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
C26307 LOT 5	CT 6069/782

Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	$380,000	$930,000			

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Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Previous	$315,000	$810,000			

Building Details

Valuation Number	7705145789
Building Style	Transportable
Year Built	2013
Building Condition	Good
Wall Construction	Cement Sheet; Weatherbrd; Log
Roof Construction	Galvanised Iron
Equivalent Main Area	370 sqm
Number of Main Rooms	9

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

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LAND SERVICES SA

Product	Historical Search
Date/Time	23/07/2024 03:19PM
Customer Reference	24046
Order ID	20240723008670

Certificate of Title

Title Reference: CT 6069/782

Status: CURRENT

Parent Title(s): CT 5843/327

Dealing(s) Creating Title: ACT 11486006

Title Issued: 17/12/2010

Edition: 8

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
12/10/2021	15/10/2021	13632848	MORTGAGE	REGISTERED	ING BANK (AUSTRALIA) LTD. (ACN: 000 893 292)
12/10/2021	15/10/2021	13632847	DISCHARGE OF MORTGAGE	REGISTERED	13135784
28/06/2019	19/07/2019	13135784	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION (ACN: 007 457 141)
28/06/2019	19/07/2019	13135783	TRANSFER	REGISTERED	SCOTT ANDREW KUHLMANN
28/06/2019	19/07/2019	13135782	DISCHARGE OF MORTGAGE	REGISTERED	12747438
19/06/2017	30/06/2017	12747438	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)
19/06/2017	30/06/2017	12747437	TRANSFER	REGISTERED	SCOTT ANDREW KUHLMANN, KELLY SHEREE JOHNS
19/06/2017	30/06/2017	12747436	DISCHARGE OF MORTGAGE	REGISTERED	12043807
27/11/2013	11/12/2013	12043807	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA
27/11/2013	11/12/2013	12043806	DISCHARGE OF MORTGAGE	REGISTERED	11838137
23/10/2012	12/11/2012	11838137	MORTGAGE	REGISTERED	POLICE CREDIT UNION LTD. (ACN: 087 651 205)
23/10/2012	12/11/2012	11838136	TRANSFER	REGISTERED	AARON JAMES MANUEL, VIJA LORRAINE JOHNSON
23/10/2012	12/11/2012	11838135	DISCHARGE OF MORTGAGE	REGISTERED	11633864
25/08/2011	07/09/2011	11633864	MORTGAGE	REGISTERED	NATIONAL AUSTRALIA BANK LTD.

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LAND SERVICES SA

Product	Historical Search
Date/Time	23/07/2024 03:19PM
Customer Reference	24046
Order ID	20240723008670

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
15/04/2011	04/05/2011	11567822	DISCHARGE OF MORTGAGE	REGISTERED	9047840 9311518 10124441
06/12/2004	17/12/2004	10124441	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
08/04/2002	23/04/2002	9311518	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
21/02/2001	22/03/2001	9047840	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

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Tel: 8397 4000 | admin@saform1.com.au

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

Annexure to Form 1 – Vendor's Statement

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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: 2590016

DATE OF ISSUE
24/07/2024

CRITCHLEY & ASSOCIATES CONVEYANCERS
M H CRITCHLEY
POST OFFICE BOX 221
ST AGNES SA 5097

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

OWNERSHIP NUMBER
18142672

OWNERSHIP NAME
Registered Proprietor is Suppressed

PROPERTY DESCRIPTION
75 MARCHANT RD / STRATHALBYN SA 5255 / LT 5 C26307

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
			R2	RE
7705145789	CT 6069/782	$930,000.00	0.500	0.400

LEVY DETAILS:

FINANCIAL YEAR
2024-2025

FIXED CHARGE	$	50.00
+ VARIABLE CHARGE	$	175.20
- REMISSION	$	107.90
- CONCESSION	$	0.00
+ ARREARS / - PAYMENTS	$	0.00
= AMOUNT PAYABLE	$	117.30

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

EXPIRY DATE **22/10/2024**

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

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

PAYMENT REMITTANCE ADVICE

OWNERSHIP NUMBER
18142672

OWNERSHIP NAME
Registered Proprietor is Suppressed

ASSESSMENT NUMBER
7705145789

AMOUNT PAYABLE
$117.30

AGENT NUMBER
100018841

AGENT NAME
CRITCHLEY & ASSOCIATES CONVEYANCERS

EXPIRY DATE
22/10/2024

+80013130130022> +001571+ <0550863327> <0000011730> +444+

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

www.revenuesaonline.sa.gov.au

OR

By Post to:

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

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CERTIFICATE OF LAND TAX PAYABLE

Annexure to Form 1 – Vendor's Statement

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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: 2590016

DATE OF ISSUE
24/07/2024

CRITCHLEY & ASSOCIATES CONVEYANCERS
M H CRITCHLEY
POST OFFICE BOX 221
ST AGNES SA 5097

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

OWNERSHIP NAME
Registered Proprietor is Suppressed

FINANCIAL YEAR
2024-2025

PROPERTY DESCRIPTION
75 MARCHANT RD / STRATHALBYN SA 5255 / LT 5 C26307

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	TAXABLE SITE VALUE	AREA
7705145789	CT 6069/782	$380,000.00	1.2670 HA

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

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

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

ON OR BEFORE **22/10/2024**

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

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at: **OR** **By Post to:**

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

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SA WATER CERTIFICATE OF CHARGES

Annexure to Form 1 – Vendor's Statement

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
77 05145 78 9	CT6069782	25/7/2024	167	2590016

CRITCHLEY & ASSOCIATES
PO BOX 221
ST AGNES SA 5097
admin@mhcritchley.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: S A KUHLMANN
Location: 75 MARCHANT RD STRATHALBYN LT 5 C26307
Description: 9HDCPV SH
Capital Value: $ 930 000
Rating: Residential

Periodic charges

Raised in current years to 30/6/2024

				$
		Arrears as at: 30/6/2024	:	0.00
Water main available:	1/7/2011	Water rates	:	0.00
Sewer main available:		Sewer rates	:	0.00
		Water use	:	0.00
		SA Govt concession	:	0.00
		Recycled Water Use	:	0.00
		Service Rent	:	0.00
		Recycled Service Rent	:	0.00
		Other charges	:	0.00
		Goods and Services Tax	:	0.00
		Amount paid	:	0.00
		Balance outstanding	:	0.00

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

Next quarterly charges: Water supply: 78.60 Sewer: 0.00 Bill: 31/7/2024

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

The last Water Use Year ended on 24/07/2023.

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.

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

SA Water

South Australian Water Corporation

Name:
S A KUHLMANN

Water & Sewer Account
Acct. No.: 77 05145 78 9

Amount: _____

Address:
75 MARCHANT RD STRATHALBYN LT 5
C26307

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	7705145789

BPAY

Biller code: 8888
Ref: 7705145789

Telephone and Internet Banking — BPAY®

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

Paying online

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

Paying by phone

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

SA Water account number: 7705145789

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ALEXANDRINA COUNCIL SEARCH

Annexure to Form 1 – Vendor's Statement

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Search No: 41157
Ref No: A23094
Email: info@searchlighttechnology.com.au

24/07/2024

SEARCHLIGHT TECHNOLOGY
C/- 3 DA COSTA AVENUE
PROSPECT SA 5082

To Whom It May Concern

Re: Request for Information

Thank you for your recent request for information.

Please find attached particulars and documentary material Council is obligated to provide pursuant to the provisions of the Local Government Act and the Land and Business (Sale and Conveyancing) Act 1994.

Yours sincerely,

SEARCHES DEPARTMENT

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ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Certificate of
LOCAL GOVERNMENT CHARGES
Pursuant to the Local Government Act, 1999

Search No: **41157** Assessment No: **A23094**

Bpay Biller Code: 36012

Reference: 1000230943 Valuation No: **7705145789**

Property Described as: **75 MARCHANT ROAD STRATHALBYN SA 5255**

Owners Name: **KUHLMANN**

Section	Allotment	Plan	Certificate of Title
BK17	5	CP26307	6069/782

RATES/CHARGES

Period ending **30/06/25 -** declared date**: 24/06/24 -** First Due Date **01/09/24**

Rates and fines in arrears b/fwd 1st July	0.00
Rates for current Financial year	3,447.05
Service Charges	0.00
Less Pensioner Concessions - Not applicable	0.00
Interest/Legal fees to date	0.00
Fines to date	0.00
Sundry Debtors	0.00
Hills & Fleurieu Regional Landscape Levy	93.00
Less payments made	0.00
TOTAL OUTSTANDING AT DATE OF THIS CERTIFICATE	**3,540.05**

Rates not paid on or before the **DUE DATE** are subject to a **FINE** of 2.00% with further **INTEREST CHARGES** of 0.7625% being added to **ARREARS** each month following.

Miscellaneous: NEXT QUARTERLY PAYMENT OF $885.05 IS DUE BY 01/09/2024.

Authorised Officer: Sally Faehrmann **Date :** 31/07/2024

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ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41157
Assessment No: A23094

Development Act 1993 Repealed

Section 42 - Condition (that continues to apply) of a development authorisation	Attached

Repealed Act conditions

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

Planning, Development and Infrastructure Act 2016

Part 5 - Planning and Design Code - Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):	Refer to Attached Plan SA Report
Is there a State heritage place on the land or is the land situated in a State heritage area?	No
Is the land designated as a local heritage place?	No
Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land?	No
Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Yes
Section 127 - Condition (that continues to apply) of a development authorisation	Refer to Attached Plan SA Report

Development Act 1993 (repealed)

Section 50(1) - Requirement to vest land in a council or the Crown to be held as open space	Nil
Section 50(2) - Agreement to vest land in a council or the Crown to be held as open space	Nil
Section 55 - Order to remove or perform work	Nil
Section 56 - Notice to complete development	Nil

ALEXANDRINA COUNCIL

ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41157
Assessment No: A23094

Section 57 - Land management agreement	No
Section 69 - Emergency order	Nil
Section 71 - Fire safety notice	Nil
Section 84 - Enforcement notice	Nil
Section 85(6), 85(10) or 106 - Enforcement order	Nil
Part 11 Division 2 - Proceedings	Nil

Fire and Emergency Services Act 2005

Section 105F (or Section 56 or 83 (repealed)) - Notice to take action to prevent outbreak or spread of fire	Nil

Food Act 2001

Section 44 - Improvement Notice	Nil
Section 46 - Prohibition Order	Nil

Housing Improvement Act 1940 (repealed)

Section 23 - Declaraion that house is undesirable or unfit for human habitation	Nil
Part 7 (rent control for substandard houses) - Notice or declaration	Nil

Land Acquisition Act 1969

Section 10 - Notice of intention to acquire	Nil

Local Government Act 1934 (repealed)

Notice, order, declaration, charge, claim or demand given or made under the Act	Nil

Local Government Act 1999

Notice, order, declaration, charge, claim or demand given or made under the Act	Nil

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ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41157
Assessment No: A23094

Local Nuisance and Litter Control Act 2016

Section 30 - Nuisance or litter abatement notice	Nil

Planning, Development and Infrastructure Act 2016

Section 141 - Order to remove or perform work	Nil
Section 142 - Notice to complete development	Nil
Section 155 - Emergency order	Nil
Section 157 - Fire safety notice	Nil
Section 192 or 193 - Land management agreement	No
Section 198(1) - Requirement to vest land in a council or the Crown to be held as open space	Nil
Section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	Nil
Part 16 Division 1 - Proceedings	Nil
Section 213 - Enforcement notice	Nil
Section 214(6), 214(10) or 222 - Enforcement order	Nil

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ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

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Public and Environmental Health Act 1987 (repealed)

Part 3 - Notice	Nil
Public and Environmental Health (Waste Control) 2010 (or 1995) (revoked) Part 2 - Condition (that continues to apply) of an approval	Attached
Public and Environmental Health (Waste Control) Regulations 2010 (revoked) Regulation 19- Maintenance order (that has not been complied with)	Nil

South Australian Public Health Act 2011

Section 92 - Notice	Nil
South Australian Public Health (Wastewater) Regulations 2013 Part4-Condition (that continues to apply) of an approval.	Nil

Other Charges

Charges of any kind affecting the land (not included in another item)	Nil

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ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

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Particulars of Building indemnity insurance

Note: Building indemnity insurance is not required for -

(a) domestic building work for which approval under the *Planning, Development and Infrastructure Act 2016*, the repealed *Development Act 1993* or the repealed *Building Act 1971* is or was not required; or

(b) minor domestic building work (see section 3 of the *Building Work Contractors Act 1995)*; or

(c) domestic building work commenced before 1 May 1987; or

(d) building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* applies under the *Building Work Contractors Regulations 2011*; or

(e) building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* has been granted under section 45 of that Act.

Details of Building Indemnity Insurance still in existence for Building Work on the Land

Building indemnity insurance required	**No**

Name(s) of person(s) insured: NOT APPLICABLE

Name of insurer:

Limitations on the liablity of the insurer:

Name of the Builder:

Builders Licence Number:

Date of issue of Insurance:

Description of insured building work:

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Exemption from holding insurance

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

No

If **Yes,** give details:

a) Date of the exemption:

b) Name of builder granted the exemption:

c) Licence number of Builder granted the exemption:

d) Details of building work for which the exemption applies:

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

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ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

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Particulars Relating to Environment Protection

Further information held by councils

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

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

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

No

Note-

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

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

It should be noted that-

(a) the approval of development by a council does not necessarily mean that the development has taken place;

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

CONFIRMED BY		
ENVIRONMENTAL HEALTH OFFICER	Tony Pearson	
BUILDING OFFICER	Andreas Karaiskos	
PLANNING &	Cameron Gibbons	
DATE & TIME	31/07/2024	2:48:28PM

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DECISION NOTIFICATION FORM

For Development Application: 455/905/12
Dated: 26.10.12
Registered: 29.10.12

COPY

TO **VIJA JOHNSON**
189 ESPLANADE
SOUTH BRIGHTON SA 5048

Application No: **455/905/12**
Assessment: **A23094**

LOCATION OF
PROPOSED DEVELOPMENT: **LOT: 5 NO: 75 MARCHANT ROAD STRATHALBYN**

NATURE OF
PROPOSED DEVELOPMENT: **DWELLING - DETACHED SINGLE STOREY INCLUDING SHED AND CARPORT**

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT	DATE	NO OF CONDITIONS
Development Plan Consent	Approved	07/11/2012	9
Land Division	Not Applicable		
Land Division (Community Title)	Not Applicable		
Building Rules Consent	Approved	21/12/2012	3
Other	Not Applicable		
DEVELOPMENT APPROVAL	**Approved**	**21/12/2012**	**12**

NOTE: No work can commence on this development unless a **DEVELOPMENT APPROVAL** has been obtained. (i.e. consent granted by date for a Development Approval in the shaded box)

Details of the building classification and the approved number of occupants under the Building Code are attached.

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

SIGNED: _____ **DATE: 21/12/2012**

Malcolm Perry
Authorised Officer

11 Cadell Street (PO Box 21) Goolwa SA 5214
www.alexandrina.sa.gov.au
T 08 8555 7000 F 08 8555 3603 E alex@alexandrina.sa.gov.au ABN 20 785 405 351

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DECISION NOTIFICATION - CONDITIONS OF APPROVAL

APPLICANT NAME: VIJA JOHNSON

CONDITIONS OF DEVELOPMENT PLAN CONSENT: - 9

1. All development shall be completed in accordance with the plan(s) and documentation submitted with and forming part of the Development Application (Plans and supporting documentation received by Council on 26 October 2012) except where varied by the following condition(s).

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

2. The external materials of the building shall be non-reflective (zincalume and certain colorbond colours, ie: 'surfmist' is considered highly reflective and not considered appropriate).

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

3. All scarring or physical disturbances of the land surface during any excavation work shall be restricted to only that which is shown on the approved plan as required for building work and/or access purposes. All exposed faces around such scarred areas and spoil shall be screened with trees and shrubs and covered with suitable ground cover to the reasonable satisfaction of Council.

   Reason: To ensure that excavations and filled land is stable and will not result in any adverse impact on adjoining properties.

4. All storm water 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.

   Reason: To ensure storm water is disposed of in a controlled manner.

5. External lighting and security lighting shall be directed in such a manner so as to not, in the opinion of Council, create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user.

   Reason: To ensure that floodlighting does not cause nuisance or danger to adjoining occupiers or road users thereby reducing the amenity of the locality and/or making road use unsafe.

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

   NOTE: Pollution prevention measures must be in accordance with the Environmental Protection Authority's "Storm water Pollution Prevention Codes of Practice";
   - For the Community
   - For Local, State and Federal Government
   - For the Building and Construction Industry

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

7. The building/structure herein approved must not be used for human habitation, commercial or industrial purposes. Only those activities normally associated with domestic outbuildings may be undertaken provided such activities do not impair the residential amenity of the locality.

   Reason: To maintain the amenity of the locality.

8. All car parking areas, driveways and vehicle manoeuvring areas shown on the approved plans shall conform to Australian Standards and be constructed, drained in accordance with sound engineering practice and be of a porous and permeable nature to the reasonable satisfaction of Council, and car parking bays shall be permanently delineated prior to the occupation or use of the development herein approved to the reasonable satisfaction of Council.

   Reason: To ensure that the proposed development meets the requirements of the relevant Australian Standards.

9. The bushfire fighting water tank and internal access tracks as shown on the amended plans received by Council on 26 October 2012 shall comply with the requirements of the Ministers Code Undertaking development in Bushfire Protection Areas - February 2009 (as amended May 2010) for Medium risk areas and shall be installed prior to occupation of the dwelling herein approved.

   Reason: To ensure Compliance with the Ministers Code.

NOTES:
A wall retaining a difference in ground levels of more than 1 metre requires Development Approval.

Allotment boundaries will not be certified by Council staff. The onus of ensuring that the building is sited in the approved position on the current allotment is the responsibility of the owner. This may necessitate a survey being carried out by a licensed land surveyor.

Encumbrances, although not administered by Council, may apply to your property. You are therefore advised to check for Encumbrances on your Certificate of Title prior to commencing work.

The applicant is advised to contact the individual service providers regarding the location of street lighting, electricity supply and storm water drainage pits. It is the responsibility of the applicant/owner to ensure that the location of the vehicle crossover and driveway does not conflict with the services. Should the need arise to relocate any infrastructure or services all costs and charges associated with the works shall be at the applicant/owners expense.

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

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

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

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

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

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

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

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

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

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

The applicant /owner is advised that should a new crossover (access point) be constructed that approval will need to be obtained from Council's Engineering Department and that the construction of the crossover be constructed to Australian Standards at the owners expense. It is also noted that Council will not allow the removal of any street trees.

Any portion of Council's infrastructure damaged as a result of work undertaken must be repaired/reinstated to Council's satisfaction at the developer's expense.

Please contact the Planning Officer if you have any enquiries in relation to the above Condition(s) of Development Plan Consent.

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CONDITIONS OF BUILDING RULES CONSENT: - 3

BUILDING CLASSIFICATION: 1A Dwelling
10A Non-Habitable Building

1. The owner of land on which domestic building work is to be performed (i.e. building work that is valued at greater than $12,000 and to be carried out by a licenced builder) must ensure that a certificate of insurance in relation to that work is lodged with the Council on or before the giving of notice under Regulation 74 of commencement of the building work.

Reg. 21

(In the case of owner builders the insurance applies to each individual contract with a value of $12,000 or more.)

2. The roof trusses for the sheet roof shall:
   - be a proprietary product designed using certified software and manufactured by a licensed manufacturer to the provisions of AS1720.1 and AS1649,
   - have the top and bottom chords and webs restrained in accordance with the requirements of the truss design parameters
   - where purlins are joined they shall be spliced to provide continuity,
   - where purlins terminate at a truss (ie gable truss, hip truss, etc) the purlins shall either continue past the face of the truss by at least 75mm or the truss shall be provided with blocking, spacers or equivalent
   - where bottom chord and web restraints are joined they shall be overlapped at the truss (with the ends continuing past the face of the truss by at least 75mm)
   - be provided with top and bottom chord bracing in accordance with AS4440 and the manufacturer's specification,
   - be stored, erected and installed in accordance with AS4440 and the manufacturer's specification,

BCA-P2.1

3. The builder shall ensure that temporary and/or permanent bottom chord restraints are installed to the roof trusses prior to the ceiling being direct fixed (i.e. ceiling required to be direct fixed and screwed at 600mm centres as a valid bottom chord restraint) as required by AS4440 Section 3. No loading on roof trusses shall be carried out until temporary bracing and stabilizing has been carried out in accordance with AS4440.

BCA-P2.1

NOTES:

TERMITE PROTECTION

AS3660.1 – 'Protection of new buildings from subterranean termites', sets out methods for implementation during construction, for minimising the risk to new buildings from damage to their structural members by subterranean termites. The protection methods will not provide a total guarantee against attack. A durable notice shall be permanently fixed to the building in a prominent location such as a meter box or the like indicating the method of protection; and the date of installation of they system; and where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label, and the need to maintain and inspect the system on a regular basis. The owner must be aware that regular inspections for termite activity will need to be carried out at intervals not exceeding 12 months to further reduce the risk of termite damage.

MISCELLANEOUS

All glazing shall be in accordance with AS1288-2006, including safety glass for full height windows, glazed doors, side panels and windows located over or adjacent to a bath or shower.
The construction of wet areas shall be in strict accordance with the requirements of AS3740-2004 "Waterproofing of wet areas within residential buildings" and the additional requirements of Ministers Specification SA F1.7-2004 "Waterproofing of wet areas in buildings – Additional requirements"

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Ref: 455/905/12
A23094

13 November 2012

AARON MANUEL
189 ESPLANADE
SOUTH BRIGHTON SA 5048

Dear Sir/Madam,

WASTE CONTROL SYSTEM APPLICATION
LOT: 5 MARCHANT ROAD STRATHALBYN

In reference to your application received on 29 October 2012 for approval to install a waste control system at the abovementioned site, you are advised that approval is granted subject to the following conditions:

1. The installation is to be carried out in accordance with:
   (a) The plans and other documentation as submitted forming part of the approval and any notation thereon.
   (b) All sanitary plumbing and drainage work associated with the connection of the sanitary fixtures to the waste control system be installed in accordance with the requirements of the Standard for the Construction, Installation and Operation of Septic Tank Systems in South Australia, National Plumbing and Drainage Code, AS3500-2, Sanitary Plumbing and Sanitary Drainage and any SAHC variation as prescribed by the Public and Environmental Health (Waste Control) Regulations and South Australian Water Corporation amendments.
   (c) All work on the plumbing and drainage system is to be carried out by a competent person authorised pursuant to the Plumbers, Gasfitters and Electricians Act.

2. The use of the waste control system shall not vary from that indicated in this approval and that it be completed prior to use.

3. This approval must not be varied without obtaining further consent from the Council.

4. This approval is not transferable and shall become void if the waste control system is not completed within twenty four months from the date of approval.

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REQUIREMENTS FOR INSPECTION

1. Persons undertaking the installation of a Waste Control System are required to give Council at least one business days notice at the following stages:

a) Underfloor plumbing completed (with work under water test)
b) Drains, septic tank and effluent disposal system completed, but not backfilled (drains to be under water test)
c) Final inspection on completion of the whole system prior to occupation.

Please contact the Environmental Customer Service Officer on (08)8555 7000 to arrange for these inspections.

Should clarification be required on any of the above provisions, please contact me on the above telephone number.

Where a connection to a common waste disposal scheme is applicable, it is assumed the applicant has identified the correct location and depth of the connection point and this approval is based on the accuracy of this information.

Approved by:



ANGELA SORGER

Environmental Health Officer, operating under delegated authority under the Public and Environmental Health (Waste Control) Regulations for and on behalf of the Alexandrina Council.

cc for info:

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PlanSA

Data Extract for Section 7 search purposes

Valuation ID 7705145789

Data Extract Date: 25/07/2024

Parcel ID: C26307 F5

Certificate Title: CT6069/782

Property Address: 75 MARCHANT RD STRATHALBYN SA 5255

Zones
Rural Living (RuL)

Subzones
No

Zoning overlays

Overlays
Environment and Food Production Area

The Environment and Food Production Area Overlay is an area of rural, landscape, environmental or food production significance within Greater Adelaide that is protected from urban encroachment

Hazards (Bushfire - Medium Risk) (Medium)

The Hazards (Bushfire - Medium Risk) Overlay seeks to ensure development responds to the medium level of bushfire risk by siting and designing buildings to mitigate threat and impact of bushfires on life and property and facilitating access for emergency service vehicles.

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.

Murray-Darling Basin

The Murray-Darling Basin Overlay seeks to ensure sustainable water use in the Murray-Darling Basin area.

Native Vegetation

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

Prescribed Water Resources Area

The Prescribed Water Resources Area Overlay seeks to ensure the sustainable use of water in prescribed water resource areas.

River Murray Tributaries Protection Area

The River Murray Tributaries Protection Area Overlay seeks to ensure sustainable water use and conservation of riverine environments within the River Murray Tributaries Area.

Is the land situated in a State Heritage Place/Area

No

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

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

Is the land designated as a Local Heritage Place

No

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

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

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

No

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

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

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

Associated Development Authorisation Information

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

No

Land Management Agreement (LMA)

No

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Swimming Pool Safety



REQUIREMENTS ON SALE OF PROPERTY

Pools approved, constructed or installed before 1st July 1993;
Safety barriers must be brought into line with the requirements of Ministerial Building Standard – MBS 004 - Swimming Pool Safety – designated safety features for pools built before 1 July 1993

Pools approved, constructed or installed from 1st July 1993 to the present;
Safety barriers must comply with the rules in place when the pool was approved;

- From 1st July 1993 to 1st December 2010 child resistant doorsets were permitted
  - doors opening into a pool enclosure were required to be self-closing and self-latching with the latch at least 1500mm above the floor
  - windows opening into a pool enclosure were required to be protected by a security screen or the opening width restricted to a maximum of 100mm
- From 2nd December 2010 child resistant door sets were not permitted
  - a fence was required between any doorway from the house and the pool
  - windows opening into a pool enclosure were required to be protected by a security screen or the opening width restricted to a maximum of 100mm

Safety Fence Inspections
If you have a property for sale that has a swimming pool, it is your responsibility to ensure the pool safety barrier is compliant with Ministerial Building Standard-MBS 004 and the legislation at the time of approval. It is recommended that you should have the pool safety barrier checked by a consultant specializing in pool fencing well before the property transfer is settled. This will allow time to upgrade anything that is deficient or not complying before the settlement date. Please Note: Alexandrina Council does not undertake such inspections.

For further details log onto the State Government website https://www.sa.gov.au/topics/housing-property-and-land/building-and-development/residential-building-regulations/safety-regulations-around-the-home/pool-and-spa-safety or contact the Building Team of Council on 8555 7000

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S.A. Form1's Pty Ltd - ABN : 26 168 075 778
proudly associated with Critchley & Associates Conveyancers

1283 North East Road, Tea Tree Gully SA 5091
Tel: 8397 4000 | admin@saform1.com.au

PLANSA - REGULATED AND SIGNIFICANT TREE REFORMS

Annexure to Form 1 – Vendor's Statement

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Frequently Asked Questions

PlanSA

Regulated and Significant Tree Reforms

Q – How have the rules changed for regulated and significant trees?

A – The table below summarises the previous rules for regulated and significant trees and what has changed. These changes are effective on and from 16 May 2024:

	What it was	What it is now
Trunk size – (circumference)		
Regulated trees	2.0 metres	1.0 metres
Significant trees	3.0 metres	2.0 metres
Exemption distance (from dwelling or pool)		
Dwelling	10.0 metres	3.0 metres
Swimming pool	10.0 metres	3.0 metres
Canopy pruning		
Regulated trees	<30% (no time limit)	<30% (every 5 years)
Significant trees	<30% (no time limit)	<30% (every 5 years)
Fees for tree removal or offset (as at May 2024)		
Regulated trees	$326	$1,000
Significant trees	$489	$1,500

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Q – I have an existing development application or development authorisation. Will these changes apply to me?

A – An exemption to the new rules is available for relevant development applications lodged before 16 May 2024 or relevant development authorisations granted before 16 May 2024.

A relevant development application is one that has been formally lodged prior to 16 May 2024, either in the Development Assessment Portal (DAP) System or in person with the relevant authority and uploaded to the DAP system within 5 business days.

A relevant development authorisation (being either planning consent, building consent or land division consent) is one that has been issued by a relevant authority before 16 May 2024. In this case, a Decision Notification Form (DNF) would have been issued, noting the development authorisation(s) has been granted. All required consents and final development approval must still be issued before the approved development may proceed.

The exemption will apply for a period of 12 months, ending 16 May 2025. This means the exemption may expire before your development authorisation expires. The period of the exemption is not linked to or dependant on the operative date of a relevant development authorisation. An application to extend the operative date of your development authorisation will not also extend the exemption to the new tree rules.

Q – I have an existing development application or development authorisation, and I would like to remove a tree that is now regulated or significant. Will these changes apply to me?

A – If the exemption applies to an existing development application or authorisation (see above) and the tree damaging activity is carried out for the purposes of that development, the regulated and significant tree rules in place before 16 May 2024 will apply.

The activity should be reasonably required for the purpose of the relevant development. For example, if newly protected trees are located where building works are proposed to occur, these will be exempt under a development application lodged or development authorisation granted prior to 16 May 2024.

If removal or damage to the tree is not required for the purpose of the relevant development application or authorisation, then further approval will be required under the new tree rules for any tree damaging activity to a regulated or significant tree.

For relevant development applications, the exemption for removing a tree can only be relied on after a development authorisation has been granted for the proposed development. Removal or damage to a tree that would be regulated or significant under the new tree rules should not occur until a development authorisation is granted.

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Q – If I apply to vary my existing development authorisation, will the 12 month exemption still apply?

A – Where a variation to an existing development authorisation can be considered "minor in nature" for the purposes of Regulation 65 of the *Planning, Development and Infrastructure (General) Regulations 2017,* a new application is not required for the variation. In this case, the exemption to the new tree rules will still apply to any further development the subject of the variation.

Where the variation cannot be considered minor (and a new application is required), then the exemption will not apply to any tree-damaging activity required because of the variation. The relevant authority who assesses the variation application will determine whether the variation is "minor in nature" under Regulation 65.

Q – Are certain tree species still exempt from protections?

A – Yes, the list of exempt tree species has been relocated from the *Planning, Development and Infrastructure (General) Regulations 2017* to a Ministerial Notice published on the PlanSA portal.

Q – How will these changes be enforced?

A – Where tree-damaging activity to a regulated or significant tree occurs without development approval, this is an offence enforceable under the *Planning, Development and Infrastructure Act 2016* (the Act). The same enforcement powers apply under the Act as they did prior to 16 May 2024 regulated and significant tree reforms.

Enforcement will generally be undertaken by local councils, and may include a range of different enforcement actions or powers, including:

- civil enforcement proceedings to remedy any breach of the Act – these proceedings can be brought by any person (meaning use of this enforcement tool is not limited to planning authorities)
- an enforcement notice directing a person to take or refrain from certain action in order to remedy a breach of the Act
- a civil penalty applied as an alternative to criminal proceedings against a person who has or is alleged to have committed an offence under the Act
- a written undertaking by the person who has or is alleged to have committed an offence under the Act.

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Q – What other changes are occurring to protect more urban trees?

A – In addition to the changes to regulated and significant trees protections:

- Fees payable under the Urban Tree Canopy Offset Scheme will also increase, consistent with regulated and significant tree replacement fees. These fee increases will be:

	What it is now	What it will be
Fee for removal of regulated or significant tree (section 127(6))		
Regulated trees	$326	$1,000
Significant trees	$489	$1,500
Urban tree canopy offset fee (section 197)		
Small tree	$300	$500
Medium tree	$600	$1,000
Large tree	$1,200	$1,500

- In addition to these immediate changes, the Minister for Planning has also requested the State Planning Commission to undertake the following further work on urban tree policy:
  - prepare a design standard to provide minimum urban tree planting and maintenance requirements for public areas in greenfield developments
  - amend planning rules to also consider a tree's urban canopy contribution as part of assessing whether it can be removed
  - strengthen planning rules to support design innovation and flexibility to retain large trees
  - investigate ways to fast-track approvals for tree removal within 3 metres of a dwelling or swimming pool where offset fees are paid
  - extend urban tree canopy protections to greenfield developments in 'Master Planned Neighbourhood Zones' and townships
  - extend regulated and significant tree protections to townships, capturing urban areas beyond metropolitan Adelaide.
- Finally, the Government is investigating amendments to the *Local Government Act 1999* to insert new offence provisions for damaging trees in local parks and reserves.

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Q – What is the difference between regulated and significant tree controls and requirements under the Urban Tree Canopy Overlay?

A – The Urban Tree Canopy Overlay in the Planning and Design Code applies across most residential areas in Metropolitan Adelaide and requires planting trees as part of a new dwelling's approval. The Urban Tree Canopy Offset Scheme then applies in specific zones and areas where tree planting may not be feasible. In these locations only, the Scheme enables contribution into the Urban Tree Canopy Offset Fund instead of tree planting. Money received into the Fund can then be used to plant trees elsewhere.

Further information regarding the Urban Tree Canopy Offset Scheme can be found here: plan.sa.gov.au/our_planning_system/schemes/urban_tree_canopy_off-set_scheme

In comparison, the regulated and significant tree provisions operate to protect existing large trees. These protections apply where the Regulated and Significant Tree Overlay applies in the Code, which includes most of Metropolitan Adelaide.

Development approval is required before any tree-damaging activity can occur to a regulated or significant tree. If granted, any development approval to remove the tree must be subject to a condition requiring replacement trees to be planted. Alternatively, a relevant authority may allow payment into either a Council Tree Fund or the Planning and Development Fund (if no Council Tree Fund exists) instead of replacement planting.

Further information regarding regulated and significant tree protections can be found here: plan.sa.gov.au/our_planning_system/programs_and_initiatives/significant_and_regulated_trees