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Form 1 - Vendor's statement

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

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Schedule

Preliminary

To the purchaser:

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

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

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

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

Instructions to the vendor for completing this statement:

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

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

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

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

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

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

Part A - Parties and land

1 Purchaser:

Address:

2 ~~Purchaser's registered agent:~~

Address:

3 Vendor:

Christie William Christiansen III & Narelle Kaye Christiansen

Address:

20 Aqueduct Way, Highbury, SA 5089

4 Vendor's registered agent:

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]*

20 Aqueduct Way, Highbury, SA 5089

Allotment 118 Deposited Plan 52868 in the area named Highbury, hundred of Yatala, being the whole of the land comprising Certificate of Title 5696 Folio 395.

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:

20 Aqueduct Way, Highbury, SA 5098

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

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

georgie@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, Christie William Christiansen III & Narelle Kaye Christiansen

of 20 Aqueduct Way, Highbury, SA 5089

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:	28/10/2024	Date:	
Signed	Christie Christiansen	Signed	
Date:	05/11/2024	Date:	
Signed	Narelle Kaye Christiansen	Signed	

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

(section 9)

To the purchaser:

I, Sandy Kastanos of Edge Conveyancing SA Pty Ltd of 1143 North East Road, Ridgehaven, SA 5097

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

Exceptions: NIL

Date: 28/10/2024

Signed: Sandy Kastanos

~~*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.]*

	Column 3
Is this item applicable?	✓
Will this be discharged or satisfied prior to or at settlement?	YES
Are there attachments?	YES

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

Refer to attached Certificate of Title

Number of mortgage (if registered):

12928729

Name of mortgagee:

www.loans.com.au Pty. Ltd. (ACN: 117 831 615)

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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?

Are there attachments?

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

Description of land subject to easement:

Nature of easement:

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? NO

Are there attachments? YES

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

Refer to attached Certificate of Title & Encumbrance 8793445

Nature of restrictive covenant:

Refer to attached Certificate of Title & Encumbrance 8793445

Name of person in whose favour restrictive covenant operates:

Refer to attached Certificate of Title & Encumbrance 8793445

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

YES

If NO, give details:

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

YES

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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):

Refer to attached City of Tea Tree Gully council search

Condition(s) of authorisation:

2010/00098751 - Approval for dwelling additions
2005/0087049 - Approval for decking & balcony extension (incorporation a verandah)
2004/00084301 - Approval for swimming pool and verandah
2001/00077107 - Approval for dwelling and garage and verandah

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):

Refer to attached Emergency Services Levy

Date of notice:

21/10/2024

Amount of levy payable:

FIN YR 24-25 $234.60 PAID

29. Planning, Development and Infrastructure Act 2016

29.1 Part 5 - Planning and Design Code

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

Is this item applicable? ✓

Will this be discharged or satisfied prior to or at settlement? NO

Are there attachments? YES

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

Refer to attached City of Tea Tree Gully 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: General Neighbourhood (GN)
Subzones: No

Zoning Overlays:
Affordable Housing
Hazards (Flooding)
Hazards (Bushfire - Urban Interface)(Urban Interface)
Hazards (Flooding - Evidence Required)\
Prescribed Wells Area
Regulated and Significant Tree
Stormwater Management
Urban Tree Canopy
Water Resources

Refer to attached City of Tea Tree Gully council search

Is there a State heritage place on the land or is the land situated in a State heritage area? NO

Is the land designated as a local heritage place? NO

Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land? NO

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

Note - For further information about the Planning and Design Code visit 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? NO

Are there attachments? YES

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

Refer to attached City of Tea Tree Gully council search

Date of authorisation:

Refer to attached City of Tea Tree Gully council search

Name of relevant authority that granted authorisation:

Refer to attached City of Tea Tree Gully council search

Condition(s) of authorisation:

Refer to attached City of Tea Tree Gully council search

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):

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:

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

City of Tea Tree Gully council search
SA Water, Emergency Services Levy & Land Tax Certificates
Property Interest Report
Encumbrance 8793445
Smoke Alarms in Dwellings Notice

*(*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)

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.

Forms Live Sign
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DOMESTIC SMOKE ALARMS
SOUTH AUSTRALIAN LEGISLATION

Regulation 76B of the Regulations under the *Development Act, 1993* requires that smoke alarms complying with Australian Standard 3786 be fitted to all "Class 1 and 2 buildings." (Compliance with Australian Standard 3786 will be shown on the smoke alarm packaging.)

"Class 1 and 2 buildings" means:
Any single dwelling including detached houses or attached houses such as row houses, terrace houses, town houses, villa units, etc.

- A boarding house, guest house, hostel or the like with a total floor area not exceeding 300m^2 and in which not more than 12 persons would ordinarily be resident.
- Note: Larger buildings of these types will require a commercial type fire alarm system.
- Any building containing 2 or more *sole-occupancy units* each being a separate dwelling (ie. flats, motel units, apartments and the like) where the building is not required to be fitted with a commercial type fire alarm system.

The Building Code of Australia also requires domestic smoke alarms complying with Australian Standard 3786 in Class 3 and 4 buildings

- Class 3 building means a residential building, other than a Class 1 or 2 building, which is a common place of long term or transient living for a number of unrelated persons (maximum 20 persons 2 stories or less). Example: boarding-house, hostel, backpackers' accommodation or residential part of a hotel, motel, school or detention centre.
- Class 4 means a dwelling in a building not purpose built for accommodation. Example: A flat over a shop

New Buildings -
Building approval on or after 1 January 1995

Since 1 January 1995, smoke alarms have been required in all new homes in South Australia. These alarms must be hard wired to the 240 volt mains power supply unless the dwelling is not connected to such a supply. They should also be fitted with a back-up battery to provide power in case of a mains power supply failure. In dwellings not connected to mains power, smoke alarms powered by 10 year life, non-replaceable, non-removable, permanently connected batteries may be installed.

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Smoke Alarms – SA Legislation

Existing Buildings – Building approval before 1 January 1995

As a minimum requirement all homes where building approval was granted before 1 January 1995 are required to be fitted with a smoke alarm powered by a replaceable battery subject to the following change of ownership conditions.

Change of ownership on or after 1 February 1998

From 1 February 1998, if there is a change of ownership of the land on which any building covered by this legislation is built, the new owner must, within 6 months of title transfer, install smoke alarms either:

- hard wired to the 240 volt household power supply (unless the dwelling is not connected to such a supply); or
- powered by 10 year life, non-replaceable, non-removable, permanently connected batteries.

Home owners were required to comply with the smoke alarm legislation for existing buildings by 1 January 2000.

Interconnection of alarms

- From 1 May 2014 smoke alarms have been required to be interconnected in all new class 1 dwellings, within sole-occupancy units of class 2 and 3 buildings and in class 4 parts of buildings. (Class 4 is a single dwelling in an office building, retail building, storage building, manufacturing building or public building.)
- In existing buildings (ie those approved before 1 May 2014) any extension or addition (approved from 1 May 2014) which requires more than one smoke alarm must have those alarms interconnected however there is not a requirement to interconnect to alarms in the existing building.
- Smoke alarms in subsequent extensions will be required to interconnect to any alarms in extensions approved after 1 May 2014.

How many smoke alarms and where?

The Development Regulations require that one or more smoke alarms must be installed in every dwelling in locations that will provide reasonable warning to occupants of sleeping areas so that they may safely evacuate in the event of a fire.

For detailed and specific information about smoke alarms please see our Home Fire & Life Safety Information Sheet "Smoke Alarms – What you need to know".

For further advice ring the Community Safety & Resilience Department 8204 3611
Country callers 1300 737 637
email samfscommunitysafety@sa.gov.au or
visit our website www.mfs.sa.gov.au
or call in to 99 Wakefield Street, Adelaide during business hours.

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LAND SERVICES SA

Product	Register Search (CT 5696/395)
Date/Time	21/10/2024 09:50AM
Customer Reference	4370 - Christiansen
Order ID	20241021001506

REAL PROPERTY ACT, 1886
South Australia

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

Certificate of Title - Volume 5696 Folio 395

Parent Title(s)	CT 5659/237				
Creating Dealing(s)	RTC 8737214				
Title Issued	28/09/1999	**Edition**	7	**Edition Issued**	30/05/2018

Estate Type

FEE SIMPLE

Registered Proprietor

CHRISTIE WILLIAM CHRISTIANSEN III
NARELLE KAYE CHRISTIANSEN
OF LOT 118 AQUADUCT WAY HIGHBURY SA 5089
AS JOINT TENANTS

Description of Land

ALLOTMENT 118 DEPOSITED PLAN 52868
IN THE AREA NAMED HIGHBURY
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
8793445	ENCUMBRANCE TO DOMAIN PROJECT DEVELOPMENT PTY. LTD. (SINGLE COPY ONLY)
12928729	MORTGAGE TO WWW.LOANS.COM.AU PTY. LTD. (ACN: 117 831 615)

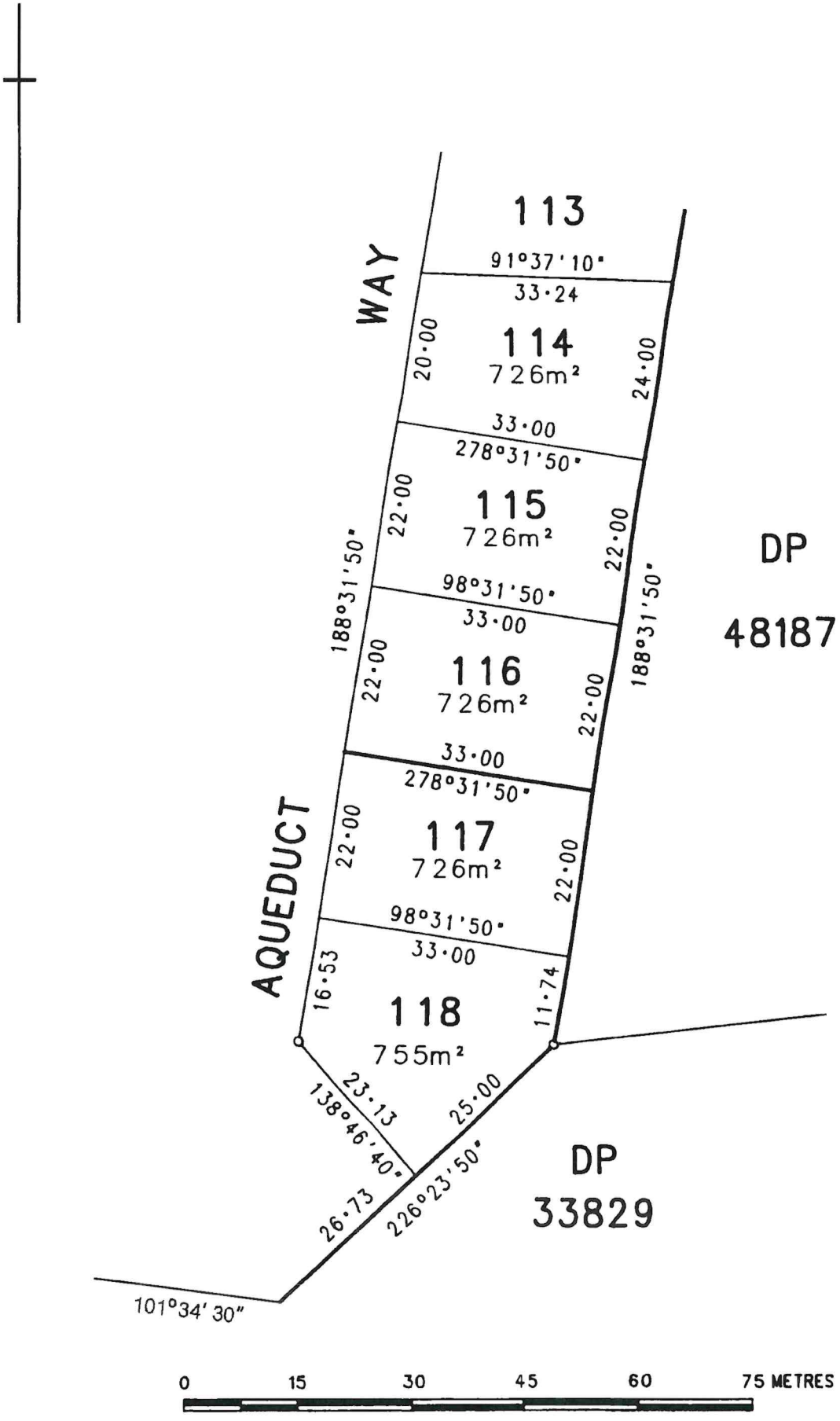
Notations

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

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LAND SERVICES SA

Product	Register Search (CT 5696/395)
Date/Time	21/10/2024 09:50AM
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SA Water

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
28 00159 45 7	CT5696395	21/10/2024	8299	2616439

EDGE CONVEYANCING SA PTY LTD
1143 NORTH EAST ROAD
RIDGEHAVEN SA 5097
admin@edgeconveyancing.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: MR CW & MRS NK CHRISTIANSEN
Location: 20 AQUEDUCT WAY HIGHBURY LT 118 D52868
Description: 7H DG **Capital Value:** $1 275 000
Rating: Residential

Periodic charges

Raised in current years to 31/12/2024

				$
		Arrears as at: 30/6/2024	:	0.00
Water main available:	8/2/2001	Water rates	:	157.20
Sewer main available:	22/2/2001	Sewer rates	:	396.52
		Water use	:	373.72
		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	:	927.44CR
		Balance outstanding	:	0.00

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

Next quarterly charges: Water supply: 78.60 Sewer: 198.26 Bill: 1/1/2025

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

The last Water Use Year ended on 12/06/2024.

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.

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SA Water

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

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

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SA Water

South Australian Water Corporation

Name:
MR CW & MRS NK CHRISTIANSEN

Water & Sewer Account
Acct. No.: **28 00159 45 7**

Amount: _____

Address:
20 AQUEDUCT WAY HIGHBURY LT 118
D52868

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	2800159457

BPAY

Biller code: 8888
Ref: 2800159457

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: 2800159457

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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: 2616439

EDGE CONVEYANCING SA PTY LTD
1143 NORTH EAST RD
RIDGEHAVEN SA 5097

DATE OF ISSUE
21/10/2024

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

OWNERSHIP NUMBER	OWNERSHIP NAME
12184193	C W & N K CHRISTIANSEN

PROPERTY DESCRIPTION
20 AQUEDUCT WAY / HIGHBURY SA 5089 / LT 118 D52868

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
			R4	RE
2800159457	CT 5696/395	$1,275,000.00	1.000	0.400

LEVY DETAILS:

FINANCIAL YEAR
2024-2025

FIXED CHARGE	$	50.00
+ VARIABLE CHARGE	$	480.40
- REMISSION	$	295.80
- CONCESSION	$	0.00
+ ARREARS / - PAYMENTS	$	-234.60
= AMOUNT PAYABLE	$	0.00

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

EXPIRY DATE 19/01/2025

Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

RevenueSA
Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

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: **OR** **By Post to:**

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

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RevenueSA
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: 2616439

DATE OF ISSUE
21/10/2024

EDGE CONVEYANCING SA PTY LTD
1143 NORTH EAST RD
RIDGEHAVEN SA 5097

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

OWNERSHIP NAME
C W & N K CHRISTIANSEN

FINANCIAL YEAR
2024-2025

PROPERTY DESCRIPTION
20 AQUEDUCT WAY / HIGHBURY SA 5089 / LT 118 D52868

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	TAXABLE SITE VALUE	AREA
2800159457	CT 5696/395	$670,000.00	0.0755 HA

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

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

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

ON OR BEFORE **19/01/2025**

Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

RevenueSA
Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

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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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Certificate No: **2024/1037** Date of Issue: **21 October 2024**
Receipt No: **439735**

CITY OF
TEA TREE GULLY
Naturally Better

571 Montague Road
Modbury SA 5092
Tel (08) 8397 7444
Fax (08) 8397 7400
TTY (08) 8397 7340
www.teatreegully.sa.gov.au
Email: searches@cttg.sa.gov.au

Edge Conveyancing SA Pty Ltd
1143 North East Road
RIDGEHAVEN SA 5097

CERTIFICATE

Section 187 (1) of the Local Government Act

Assessment No: **1011176**
Valuer General No: **2800159457**
Property Description: **LOT: 118 DP: 52868 CT: 5696/395**
Property Address: **20 Aqueduct Way HIGHBURY SA 5089**
Owner: **Mrs Narelle Kaye Christiansen & Mr Christie William Christiansen**

Rates - Regional Landscape Levy	**$90.10**
Rates - Residential	**$3,795.15**
Overdue/Arrears	$0.00
Interest/Rounding	$0.00
Legal Costs	$0.00
Less Rebate	$0.00
Less Payments Received	-$972.25
General Debtors	$0.00
Total Amount Due	**$2,913.00**

Please Note:

Further fines & interest may be applied to overdue accounts.

NOTE: Verbal updates will be available for 3 months on current year's rates from the date of issue of this certificate

Charges may be pending for the removal of flammable undergrowth or other flammable or combustible materials or substances under the Fire and Emergency Services Act 2005. The charges that apply will be those that are incurred by the Council.

I certify in terms of Section 187(1) of the Local Government Act the following rates and charges are outstanding as at the date of this certificate:

Delegated Officer:

BPAY **We accept settlement payment of council rates**
BPay Biller Code: 439075 / Reference # 1010111761

Account balance and payment available online: Go to www.teatreegully.sa.gov.au/Payments

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LOCAL GOVERNMENT INQUIRY CERTIFICATE

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

CITY OF
TEA TREE GULLY
Naturally Better

571 Montague Road
Modbury SA 5092
Tel (08) 8397 7444
Fax (08) 8397 7400
TTY (08) 8397 7340
www.teatreegully.sa.gov.au
Email: searches@cttg.sa.gov.au

Certificate No: **2024/1037**
Assessment No: **1011176**
Receipt No: **439735**

Date of Issue: **21 October 2024**

Edge Conveyancing SA Pty Ltd
1143 North East Road
RIDGEHAVEN SA 5097

Valuer General No: **2800159457**
Property Description: **LOT: 118 DP: 52868 CT: 5696/395**
Property Address: **20 Aqueduct Way HIGHBURY SA 5089**
Owner: **Mrs Narelle Kaye Christiansen & Mr Christie William Christiansen**

Provision of Prescribed Information

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

The information herein is provided pursuant to Council's Obligations under Section 12 of the Land and Business (Sales and Conveyancing) Act 1994.

Development Section

Prescribed Encumbrance	Particulars Required
Part 1 – Items that must be included in statement	
Development Act 1993 (Repealed)	
Section 42 – Condition (that continues to apply) of a development authorisation)	26 October 2010 - Development Application - Approved - 2010/00098751 - Dwelling Additions 23 July 2007 - Development Application - Approved - 2005/00087049 - Decking & Balcony Extension (incorporating a verandah) 20 May 2004 - Development Application - Approved - 2004/00084301 - Swimming Pool and Verandah 02 October 2001 - Development Application - Approved - 2001/00077107 - Dwelling and Garage and Verandah
Repealed Act Conditions	

Disclaimer: The nature of the City of Tea Tree Gully records are such that it cannot provide details of conditions (that continue to apply) of provisional building rules consent (or its equivalent) granted under the following repealed Acts.	
Condition (that continues to apply) of an approval or authorisation granted under any of the following Acts: Building Act 1971 (repealed) City of Adelaide Development Control Act 1976 (repealed) Planning and Development Act 1966 (repealed) Planning Act 1982 (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 PlanSA Extract
Is the land situated in a designated State Heritage place?	Refer PlanSA Extract
Is the land designated as a place of local heritage value?	Refer PlanSA Extract
Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land?	Refer PlanSA Extract
Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Refer to Property Interest Report Land Services SA
Section 127 – Condition (that continues to apply) of a development authorisation	Refer PlanSA Extract
Part 2 – Items to be included if land affected	
Development Act 1993 (repealed)	
Section 50(1) – Requirement to vest land in a council or the Crown to be held as open space	N/A
Section 50(2) – Agreement to vest land in a council or the Crown to be held as open space	N/A
Section 55 – Order to remove or perform work	NIL
Section 56 – Notice to complete development	NIL
Section 57 – Land Management Agreement	See Title for Details
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 - Notice of action required concerning flammable materials on land / Notice of action required to protect against 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 – declaration that house is undesirable or unfit for human habitation	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
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	Refer PlanSA Extract
Section 198(1) – Requirement to vest land in a council or the Crown to be held as open space	N/A
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 2222 – Enforcement Order	NIL
Public and Environmental Health Act 1987 (repealed) *Disclaimer: The wastewater from the septic tank must be disposed of in accordance with all relevant Standards & Codes. The nature of the City of Tea Tree Gully records are such that it cannot provide details of conditions (that continue to apply) under the above repealed Act.*	
South Australian Public Health Act 2011	
Notice, order, declaration, charge, claim or demand given or made under the Act	NIL
Additional Information (City of Tea Tree Gully) *Note: The following is provided for additional information purposes only and is not provided pursuant to the Land and Business (Sale and Conveyancing) Act 1994 or Regulations 2010*	
Miscellaneous	NIL
Easements	NIL
CWMS	NIL

Particulars relating to Environment Protection

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

All development approvals on Council records relating to this subject are listed under the heading "Development Act 1993 or the Planning, Development and Infrastructure Act 2016"

Note – Building Indemnity Insurance is not required for:

a) Domestic building work for which approval under the Planning, Development and Infrastructure Act 2016, the Development Act 1993 or the repealed Building Act 1971 is or was not required;
b) minor domestic building work (see section 3 of the Building Work Contractors Act 1995);
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 1996; 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.

BUILDING INDEMNITY INSURANCE AS ATTACHED OR AS PROVIDED ON PLANSA EXTRACT

NO

*Please note Council may not hold a copy of Building Indemnity Insurance if the Application has been undertaken by a Private Certifier.

Disclaimer

The nature of the City of Tea Tree Gully's records is such that it may not be able to provide details of Building Indemnity Insurance.

The City of Tea Tree Gully endeavours to ensure that the information provided by this search request is current and accurate, however cannot guarantee the accuracy, currency or completeness of the information contained within.

All information provided by this search is for information purposes only and no reliance should be placed on this information for any possible legal purpose or any circumstance where loss or damage could arise as a result of reliance on this information.

The City of Tea Tree Gully does not accept any responsibility or liability should you rely upon the information provided by this property search to your detriment, except as provided by statute.The information herein is provided pursuant to the Council's obligations under Section 7 of the Land Business (Sales and Conveyancing) Act, 1994.The information provided should not be taken as a representation as to whether or not any other charges or encumbrances affect the subject land.

It should be noted that the approval of development by a Council does not necessarily mean that the development has taken place. The Council will not necessarily be able to provide a complete history of all such development that has taken place at the land.

Authorised Officer Kath oh

Date……21/10/2024……..

PlanSA

Data Extract for Section 7 search purposes

Valuation ID 2800159457

Data Extract Date: 21/10/2024

Parcel ID: D52868 A118

Certificate Title: CT5696/395

Property Address: 20 AQUEDUCT WAY HIGHBURY SA 5089

Zones
General Neighbourhood (GN)

Subzones
No

Zoning overlays

Overlays
Affordable Housing

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

Hazards (Flooding)

The Hazards (Flooding) Overlay seeks to minimise flood hazard risk to people, property, infrastructure and the environment.

Hazards (Bushfire - Urban Interface) (Urban Interface)

The Hazards (Bushfire - Urban Interface) Overlay seeks to ensure urban neighbourhoods adjoining bushfire risk areas allow access through to bushfire risk areas, are designed to protect life and property from the threat of bushfire and facilitate evacuation to areas safe from bushfire danger.

Hazards (Flooding - Evidence Required)

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

Prescribed Wells Area

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

Regulated and Significant Tree

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

Stormwater Management

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

Urban Tree Canopy

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

Water Resources

The Water Resources Overlay seeks to protect the quality of surface waters in South Australia.

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.

Application ID: 22038576

Development Description: Remove existing above ground swimming pool. Install swim spa. Swim spa to sit on 150mm thick 32 MPA strength concrete slab with double SL72 mesh. Swim spa to utilise existing pool safety fencing and gates. Swim spa to run on a dedicated 32 amp power circuit to be installed by qualified electrician. Swim spa build and plumbing in accordance with supplied manufacturer's specifications and engineering plans. Swim spa drainage to be pumped into existing sewerage line as necessary. There is no drainage storage tank.

Site Address: 20 AQUEDUCT WAY HIGHBURY SA 5089

Development Authorisation: Building Consent

Date of authorisation: 4 January 2023

Name of relevant authority that granted authorisation: City of Tea Tree Gully

Condition 1

Swimming PoolsSafety barrier:The proposed pool shall not be filled with water until it has been fully enclosed with a barrier whether being temporary or permanent, which complies with Part 3.10.1 of Vol.2 of the Building Code of Australia e.g.The location of the internal safety fencing must ensure that the effective height of 1.2m is not reduced by nearby objects or protrusions;The strength and rigidity of fencing components and elements must comply with AS 1926 parts 1 and 2.The gate to the swimming pool must swing away from the pool area and be fitted with self-closing and latching devices with the latch release located a minimum of 1.5m above ground level.Any boundary fencing used as safety barrier must be 1.8 metres high measured on the inside of the pool area.Pump intakes:A swimming pool water recirculation and filtration system must comply with AS 1926.3 and have at least two pump intakes not less than 600mm apart.Reason: To ensure adequate safety protection measures are installed to prevent injury to a young child due to entrapment by suction. Backwash:Backwash from the swimming pool must be directed to; An SA Water sewer system (if available) or A dedicated, purpose built sub surface soakage system designed by a geotechnical engineer or If property is connected to Community Waster Management System (CWMS) backwash shall be discharged into the sewer drain between the septic tank and the CWMS connection point at the property boundary. NOTE: Backwash water is not permitted to be discharged into a septic tank (or similar waste control system) nor into an adjoining property, a creek, a dam, bore or watercourse.Reason: To comply with State health requirements. CPR Sign:In accordance with SA4.2.2, a first aid and cardiopulmonary resuscitation sign must: Be attached to the safety barrier of the swimming pool, or displayed near the swimming pool; and Be at least 300mm by 300mm in size; and Be made of durable and weatherproof material; and Show information about procedures for providing first aid, including performing cardiopulmonary resuscitation. Reason: To assist people to provide first aid and to perform cardiopulmonary resuscitation on young children.

Condition 2

The top of the side of the deck forming part of the swimming pool safety barrier must be a minimum 1.2m high above the ground level below and comply with the requirements of AS 1926.1 including Clause 2.5.2. The side of the deck must be non-climbable, having climbable no ledges or climb points in accordance with AS 1926.1.

Associated Building Indemnity Insurance

Building Work: Swim spa and associated swimming pool safety fencing

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Not Applicable

Development Authorisation: Development Approval: Planning Consent and Building Consent

Date of authorisation: 4 January 2023

Name of relevant authority that granted authorisation: City of Tea Tree Gully

Land Management Agreement (LMA)

No

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CITY OF TEA TREE GULLY
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DECISION NOTIFICATION FORM

Development Number: **070/98751/2010**
For Development Application: Dated: 04/06/2010
Registered On: 04/06/2010

To:
Mrs N K Christiansen
20 Aqueduct Way
HIGHBURY SA 5089

LOCATION OF PROPOSED DEVELOPMENT:

20 Aqueduct Way HIGHBURY 5089

Formal Property Title: LOT: 118 SEC: 809 DP: 52868 CT: 5696/395
Valuer General Number: 2800159457
Development Cost: $30,000.00

Nature Of Proposed Development:
Dwelling Additions

In respect of this proposed development you are informed that:

Nature of Decision	Consent Granted	Date	No. of Conditions
Development Plan Consent	Granted	20/07/2010	2
Land Division			
Land Division (Community)			
Building Rules Consent	Granted	25/10/2010	1
Public Space			
Other			
DEVELOPMENT APPROVAL	**Granted**	**26/10/2010**	**3**

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

Signed: J Willmott

Delegate's Name: Jeff Willmott
Delegate of Council

Date: 26/10/2010

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CITY OF
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APPLICATION NO: 070/98751/2010
APPROVAL DATE: 26/10/2010

DEVELOPMENT PLAN CONSENT CONDITIONS

(1) The development must be undertaken and completed in accordance with the plans and information detailed in Application No.070/98751/2010 except where varied by any condition(s) listed below.

(2) All wall cladding, roofing materials and external finishes used on the dwelling addition must match those used on the dwelling. The finishes must be maintained in good condition at all times.
Reason: To preserve and enhance the amenity of the site and locality.

Note(s):

(1) The cost of rectifying any conflict with any existing services arising out of this development will be borne by the applicant.

PER .....

BUILDING RULES CONSENT CONDITIONS

(1) R1.5 insulation shall be provided to the new external walls and the windows and doors to the new extension shall use comfort plus glass or similar to comply with the energy efficiency requirements of the BCA.

PER .....

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DEVELOPMENT APPROVAL NOTES

The owner is responsible to ensure that the approved building works are constructed within the property boundary.

Building materials are not to be placed on the road or footpath areas.

You are advised to contact appropriate authorities, such as SA Water, ETSA Utilities, Telstra, Transport SA, Origin Energy and Australia Post, regarding their requirements before construction is commenced.

The Office of the Technical Regulator should be notified by you of all proposals to erect signs, awnings, temporary scaffolding or other structures near overhead electricity service and street mains. Building work near overhead electricity conductors sometimes creates dangerous situations while underground cables are often covered in such a way that maintenance becomes impossible. Failure to observe safe clearances to existing services in building operations may make you liable to pay damages.

You may have a right of appeal to the Environment, Resources and Development (ERD) Court against the decision if it is either:
a refusal, or
an authorisation with conditions.

Such an appeal may be lodged within two months of the day on which you receive notice of the decision or such longer period as the Court may allow.

The administrative process is conducted by the ERD Court. Please contact the ERD Court if you wish to appeal. The Court is situated in the Sir Samuel Way Building, Victoria Square, Adelaide, Telephone 8204 0300.

If your application was the subject of third party representations, any consent shall not operate until after fifteen business days from the date of the decision.

It is recommended that you contact the ERD Court fifteen days after the date of the decision to determine if an appeal has been lodged.

If there is an appeal by a third party, any consent shall not operate until determination or withdrawal of the appeal.

The development must be substantially commenced (or for land division, you must apply to the Council and the Planning Commission for certificates of approval), within 12 months of the date of the decision unless the period has been extended by Council, (or if the decision has been subject to an appeal, 12 months from the date of the determination or withdrawal of the appeal).

If the development has not been substantially completed, any consent granted shall lapse after 3 years from the operative date of the decision or appeal.

If you are unable to satisfy these requirements you will require a fresh consent before commencing or continuing the development.

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CITY OF TEA TREE GULLY
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DECISION NOTIFICATION FORM

Development Number: **070/87049/2005**
For Development Application: Dated: 20/05/2005
Registered On: 20/05/2005

To:
C & N Christiansen
20 Aqueduct Way
HIGHBURY SA 5089

LOCATION OF PROPOSED DEVELOPMENT:

20 Aqueduct Way HIGHBURY 5089
Formal Property Title: LOT: 118 SEC: 809 DP: 52868 CT: 5696/395

Class: 10A,10B

NATURE OF PROPOSED DEVELOPMENT:
Decking & Balcony Extension (incorporating a Verandah)

In respect of this proposed development you are informed that:

Nature of Decision	Consent Granted	Date	No. of Conditions	Consent Refused
Development Plan Consent		22/02/2007	3	
Land Division				
Land Division (Community)				
Building Rules Consent		20/07/2007	5	
Public Space				
Other				
DEVELOPMENT APPROVAL		23/07/2007	8	

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

Date of Decision: 23/07/2007

Signed: .....
Delegate of Council

Date: 23/07/07

APPLICATION NO: 070/87049/2005
APPROVAL DATE: 23/07/2007

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DEVELOPMENT PLAN CONSENT CONDITIONS

(1) The development must be undertaken and completed in accordance with the amended plans dated 21/2/2007 and information detailed in Application No. 070/87049/2005 except where varied by any condition(s) listed below.

(2) The balcony and verandah must be finished in a colour to match the fascia and gutters of the existing dwelling. The colorbond finishes or paintwork must be maintained in good condition at all times.

Reason: *To preserve and enhance the amenity of the site and locality.*

(3) A permanently fixed screen shall be fitted to the northern side of the balcony to a minimum height of 1.5m above the finished floor level prior to the commencement of use of the balcony.

Reason: *To minimise overlooking of adjoining properties.*

PER .....

BUILDING RULES CONSENT CONDITIONS

(1) Stormwater shall be disposed of in such a manner so that none of the following conditions occur:

1. the water enters or lies against the building;
2. the water unduly affects the stability of the building or any other building on the same site;
3. the water unduly creates any unhealthy or dangerous condition on the site or within the building;
4. the water discharges into any drain leading to a sewerage system or to a common effluent drainage system and shall not be discharged so that it flows onto adjoining properties without the prior written consent of the property owners.

(2) At least one business days notice shall be given to Council of the commencement of building work on the site, and at least one business days notice of the completion of the building work.

(3) The builder shall ensure that the existing stormwater disposal system, including roof rainwater goods, is adequate to carry the additional load, and shall be in accordance with AS2179 and AS1273.

Reason: *No details provided.*

(4) The footings to the deck posts shall be 400 square by 750 deep with the post cast 400 into the footings.

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(5) The tek screws used to fix the bearers, new and existing that support the balcony to the posts shall be type 17, 14 gauge screws minimum with at least 4 screws per connection.

PER .....BW.....

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DEVELOPMENT APPROVAL NOTES

The owner is responsible to ensure that the approved building works are constructed within the property boundary.

Building materials are not to be placed on the road or footpath areas.

You are advised to contact appropriate authorities, such as SA Water, ETSA Utilities, Telstra, Transport SA, Origin Energy and Australia Post, regarding their requirements before construction is commenced.

The Office of the Technical Regulator should be notified by you of all proposals to erect signs, awnings, temporary scaffolding or other structures near overhead electricity service and street mains. Building work near overhead electricity conductors sometimes creates dangerous situations while underground cables are often covered in such a way that maintenance becomes impossible. Failure to observe safe clearances to existing services in building operations may make you liable to pay damages.

You may have a right of appeal to the Environment, Resources and Development (ERD) Court against the decision if it is either:

- a refusal, or
- an authorisation with conditions.

Such an appeal may be lodged within two months of the day on which you receive notice of the decision or such longer period as the Court may allow.

The administrative process is conducted by the ERD Court. Please contact the ERD Court if you wish to appeal. The Court is situated in the Sir Samuel Way Building, Victoria Square, Adelaide, Telephone 8204 0300.

If your application was the subject of third party representations, any consent shall not operate until after fifteen business days from the date of the decision.

It is recommended that you contact the ERD Court fifteen days after the date of the decision to determine if an appeal has been lodged.

If there is an appeal by a third party, any consent shall not operate until determination or withdrawal of the appeal.

The development must be substantially commenced (or for land division, you must apply to the Council and the Planning Commission for certificates of approval), within 12 months of the date of the decision unless the period has been extended by Council, (or if the decision has been subject to an appeal, 12 months from the date of the determination or withdrawal of the appeal).

If the development has not been substantially completed, any consent granted shall lapse after 3 years from the operative date of the decision or appeal.

If you are unable to satisfy these requirements you will require a fresh consent before commencing or continuing the development.

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CITY OF
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DECISION NOTIFICATION FORM

Development Number: 070/84301/2004

FOR DEVELOPMENT APPLICATION: DATED: 22/03/2004
REGISTERED ON: 22/03/2004

TO:
Mr C W Christiansen
20 Aqueduct Way
HIGHBURY SA 5089

LOCATION OF PROPOSED DEVELOPMENT: **20 Aqueduct Way HIGHBURY 5089**
FORMAL PROPERTY TITLE: LOT: 118 SEC: 809 DP: 52868 CT: 5696/395

BUILDING RULES CLASSIFICATION SOUGHT: 10A,10B

Nature of Proposed Development:
Verandah and Swimming Pool

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	DATE	NO OF CONDITIONS
Provisional Development Plan Consent	YES	19/05/2004	3
Provisional Building Rules Consent	YES	20/05/2004	3
DEVELOPMENT APPROVAL	YES	20/05/2004	6

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

Date of Decisions: **20/05/2004**

Signed: A Willmott
Date: 20/05/2004

- ☐ Development Assessment Commission or delegate
- ☑ Council ~~Chief Executive Officer or~~ delegate
- ☐ Private Certified
- ☑ Sheets attached

TELEPHONE: Building 83977323 Planning 83977209 FAX 83977366

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APPLICATION NO. 070/84301/2004 APPROVED DATE 20/05/2004

CITY OF
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PROVISIONAL DEVELOPMENT PLAN CONSENT CONDITIONS

(1) The development must be undertaken and completed in accordance with the plans and information detailed in Application No.070/84301/2004 except where varied by any condition(s) listed below.

(2) The materials used on the external surfaces of the building and the colorbond finishes or paintwork thereon, must be maintained in good condition at all times. This condition must be complied with within 2 months of the erection of the verandah.

(3) The verandah must be kept open at all times.

Note(s):

(1) The swimming pool must be enclosed by a fence in accordance with the Swimming Pools (Safety) Act, 1972.

(2) The cost of rectifying any conflict with any existing services arising out of this development will be borne by the applicant.

(3) This consent does not obviate the need to obtain any other necessary approvals from any/all parties with an interest in the land, including but not limited to the encumbrancee.

PER.....

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APPLICATION NO. 070/84301/2004 APPROVED DATE 20/05/2004

CITY OF
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PROVISIONAL BUILDING RULES CONSENT CONDITIONS

(1) Stormwater shall be disposed of in such a manner so that none of the following conditions occur:

1. the water enters or lies against the building;
2. the water unduly affects the stability of the building or any other building on the same site;
3. the water unduly creates any unhealthy or dangerous condition on the site or within the building;
4. the water discharges into any drain leading to a sewerage system or to a common effluent drainage system and shall not be discharged so that it flows onto adjoining properties without the prior written consent of the property owners.

(2) When the pool is drained or backwashed, all water is to be pumped to the S A Water gully trap.

(3) The swimming pool shall be enclosed by a fence which complies with the Housing Provisions of the Building Code of Australia Part 3.9.3.

The specifications and details for the construction of the fence shall be in accordance with AS1926 Parts 1 & 2, and the Housing Provisions of the Building Code of Australia Part 3.9.3.

For further information regarding the fences please contact:

The Development Assessment Department
City of Tea Tree Gully
Telephone 83977323

PER.....J.W.....

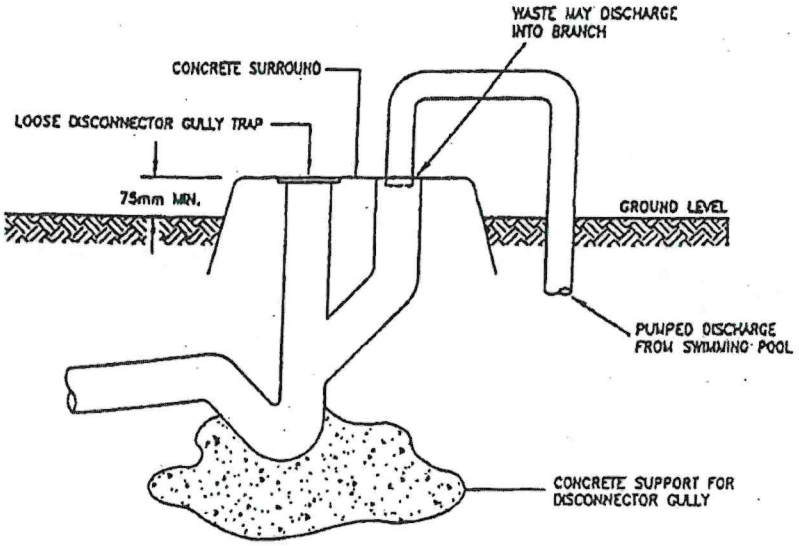
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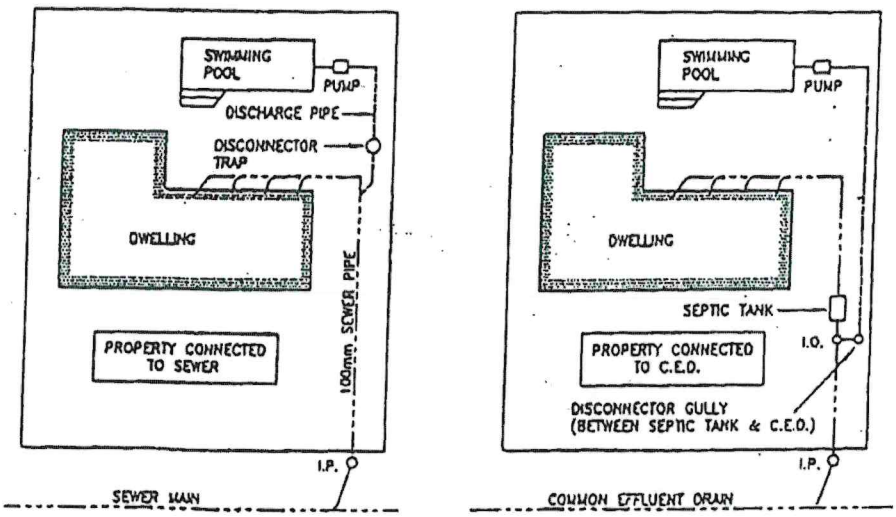
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TYPICAL APPLICATIONS



TYPICAL CONNECTION OF PUMPED WASTE DISCHARGE FROM SWIMMING POOLS



APPROVED
DATE 24/12/99
ORG. No.
39/99/SD

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DEVELOPMENT APPROVAL NOTES

The owner is responsible to ensure that:-

- the description of the land in the site plan is in accordance with the Certificate of Title for the property
- building works are correctly depicted on the site plan submitted
- approved building works are constructed within the property boundary.

An approved crossing place (entranceway) must be provided prior to commencement of construction. Crossing place construction application details are attached to this Development Approval.

It is the owners responsibility to ensure that the proposed building work is not sited over an easement. A copy of the certificate of title, which is available from the Lands Titles Office, will provide this information.

You are advised to contact the appropriate authorities such as S A Water, ETSA, Telstra, Transport SA, Boral Energy, Aust Post and Office of the Technical Regulator regarding their requirements before construction is commenced.

The Office of the Technical Regulator should be notified by you of all proposed additions and alterations to existing building and those proposals to erect signs, awnings, temporary scaffolding or other structures near overhead electricity service and street mains. Building work near overhead electricity conductors sometimes creates dangerous situations while underground cables are often covered in such a way that maintenance becomes impossible. Failure to observe safe clearances to existing services in building operations may make you liable to pay damages to the Trust.

Building materials are not to be placed on the road or footpath areas.

1 You may have a right of appeal to the Environment, Resources and Development Court against the decision if it is either:

- a refusal, or
- an authorisation with conditions.

Such an appeal may be lodged within two months of the day on which you receive notice of the decision or such longer period as the Court may allow.

Please contact the Environment, Resources & Development Court, not Council, if you wish to appeal. The Court is situated in the Samuel Way Building, Victoria Square, Adelaide, Telephone 82040300.

2 If your application was the subject of third party representations, any consent shall not operate until after fifteen business days from the date of the decision.

If there is an appeal by a third party, any consent shall not operate until determination or withdrawal of the appeal.

It is suggested that, fifteen business days after the date of the decision, you contact the Environment, Resources and Development Court to determine if an appeal has been lodged.

3 The development must be substantially commenced or for land division, you must apply to the Council and the Planning Commission for certificates of approval, within 12 months of the date of the decision unless the period has been extended by Council, or if the decision has been subject to an appeal, 12 months from the date of the determination or withdrawal of the appeal.

Any consent granted, whether subject to conditions or not shall lapse after 3 years from the operative date of the decision or appeal, if the development has not been substantially completed.

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

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DECISION NOTIFICATION FORM

CITY OF TEA TREE GULLY
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Development Number: 77107 / 2001

FOR DEVELOPMENT APPLICATION: DATED: 19/06/2001
REGISTERED ON: 02/10/2001

TO:
Mr C W Christiansen
5 Mannum Street
VISTA SA 5091

LOCATION OF PROPOSED DEVELOPMENT: **20 Aqueduct Way HIGHBURY 5089**
FORMAL PROPERTY TITLE: LOT: 118 SEC: 809 DP: 52868 CT: 5696/395

Nature of Proposed Development:
Two Story Dwelling

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	DATE	NO OF CONDITIONS
Provisional Development Plan Consent	YES	29/06/2001	3
	REFER PRIVATE CERTIFIERS REPORT		
Provisional Building Rules Consent	YES	24/09/2001	3
			-
DEVELOPMENT APPROVAL	YES	02/10/2001	6

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

Date of Decisions: **02/10/2001**

Signed: .....

Date: 2/10/01

- ☐ Development Assessment Commission or delegate
- ☑ Council Chief Executive Officer or delegate
- ☐ Private Certified
- ☑ Sheets attached

TELEPHONE: Building 83977323 Planning 83977209 FAX 83977366

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APPLICATION NO 77107 APPROVED DATE 02/10/2001

CITY OF TEA TREE GULLY
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PROVISIONAL DEVELOPMENT PLAN CONSENT CONDITIONS

(1)The development must be undertaken and completed in accordance with the plans and information detailed in Application No.070/77107/2001 except where varied by any condition(s) listed below.

(2) Driveway crossovers must not be closer than 1.5 metres to side entry pits.

(3) The gradient of the crossover (i.e. the portion of the driveway from the kerb to the front property boundary) must be no steeper than 1 in 40 (i.e. 1 vertical per 40 horizontal).

Note(s):

(1) The cost of rectifying any conflict with any existing services arising out of this development will be borne by the applicant.

(2) Excavations for footpath crossovers or any other work undertaken on the public road reserve must not be commenced until approval has been given by the Council.

PER... ... ...

PROVISIONAL BUILDING RULES CONSENT CONDITIONS

REFER PRIVATE CERTIFIERS REPORT

PER... ... ...

PO Box 571
Modbury SA 5092
571 Montague Road
Modbury
Tel (08) 8397 7444
Fax (08) 8397 7400
Email cttg@cttg.sa.gov.au

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DEVELOPMENT APPROVAL NOTES

CITY OF
TEA TREE GULLY
Naturally Better

The owner is responsible to ensure that:-

- the description of the land in the site plan is in accordance with the Certificate of Title for the property
- building works are correctly depicted on the site plan submitted
- approved building works are constructed within the property boundary.

An approved crossing place (entranceway) must be provided prior to commencement of construction. Crossing place construction applications are available from Council's City Assets Team.

It is the owners responsibility to ensure that the proposed building work is not sited over an easement. A copy of the certificate of title, which is available from the Lands Titles Office, will provide this information.

You are advised to contact the appropriate authorities such as S A Water, ETSA, Telstra, Transport SA, Boral Energy, Aust Post regarding their requirements before construction is commenced.

The ETSA should be notified by you of all proposed additions and alterations to existing building and those proposals to erect signs, awnings, temporary scaffolding or other structures near overhead electricity service and street mains. Building work near overhead electricity conductors sometimes creates dangerous situations while underground cables are often covered in such a way that maintenance becomes impossible. Failure to observe safe clearances to existing services in building operations may make you liable to pay damages to the Trust.

Building materials are not to be placed on the road or footpath areas.

1 You may have a right of appeal to the Environment, Resources and Development Court against the decision if it is either:

- a refusal, or
- an authorisation with conditions.

Such an appeal may be lodged within two months of the day on which you receive notice of the decision or such longer period as the Court may allow.

Please contact the Environment, Resources & Development Court, not Council, if you wish to appeal. The Court is situated in the Samuel Way Building, Victoria Square, Adelaide, Telephone 82040300.

2 If your application was the subject of third party representations, any consent shall not operate until after fifteen business days from the date of the decision.

If there is an appeal by a third party, any consent shall not operate until determination or withdrawal of the appeal.

It is suggested that, fifteen business days after the date of the decision, you contact the Environment, Resources and Development Court to determine if an appeal has been lodged.

3 The development must be substantially commenced or for land division, you must apply to the Council and the Planning Commission for certificates of approval, within 12 months of the date of the decision unless the period has been extended by Council, or if the decision has been subject to an appeal, 12 months from the date of the determination or withdrawal of the appeal.

Any consent granted, whether subject to conditions or not shall lapse after 3 years from the operative date of the decision or appeal, if the development has not been substantially completed.

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

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Job No.: CSA 628

DECISION NOTIFICATION FORM

FOR DEVELOPMENT APPLICATION: Dated:
Registered On:
Development No.: 070/77107/2001

TO:
C & N CHRISTIANSEN
5 MANNUM STREET
VISTA SA 5091

LOCATION OF PROPOSED DEVELOPMENT:

House No.: 20 **Lot No.:** 118 **Street:** AQUEDUCT WAY

Suburb: HIGHBURY **Postcode:**

NATURE OF PROPOSED DEVELOPMENT:

DWELLING (TWO STOREY INCLUDING GARAGE)

In respect of this proposed development you are informed that:

Nature of Consent	Consent Granted	Number of Conditions	Not Applicable
Provisional Development Plan Consent			
Provisional Building Rules Consent	**24/9/01**	**3**	
Land Division (Torrens/Strata)			
Public Space			
Other			
DEVELOPMENT APPROVAL			

Details of the building classification and the approved number of occupants under the Building Code are attached (if applicable).

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.

Signed:

Date: 24 September, 2001

( ) Council Chief Executive Officer or Delegate

(X) Private Certifier

(2) Sheets Attached

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CSA

Job No.: CSA 628

PROVISIONAL BUILDING RULES CONSENT
SECTION 42 OF THE DEVELOPMENT ACT 1993

Building work:	Dwelling (Two Storey Including Garage)
Site address:	20 Aqueduct Way, Highbury
Applicant:	C & N Christiansen
Owner:	C & N Christiansen
Classification:	1a & 10a

CONDITIONS OF CONSENT

1..A copy of the Certificate of Building Indemnity Insurance in relation to domestic building work required under Section 34 of the Building Work Contractors Act, 1996 shall be submitted to council prior to work being commenced.

Regulation 21

2..Additional wall bracing shall be provided as follows:

- Externally along the front elevation between the porch and the hallway (minimum 1200mm wide)
- Internally between the garage and the passageway (minimum 2400mm wide)

BCA-Part 3.4

3..All glazing shall be selected and installed in strict accordance with AS 1288 & AS 2047.

BCA-Part 3.4

Notes

A person proposing to undertake or undertaking building work on land (or who is in charge of such work) must give **Council** notice at stages prescribed in Regulation 74

A person must not occupy a Class 1a building under the Building Code before a notice of completion of building work is given. The relevant person (a licensed builder or if no such builder exists, the owner of the land) must provide a written statement to the relevant authority in accordance with the requirements of regulation 83AB. This statement must declare that the building work carried out on the building is in accordance with the relevant approval (disregarding any variations of a minor nature which has no adverse effect on the structural soundness or safety of the building, or on the health of the occupants of the building, or any variation undertaken with the written consent of the relevant authority).

The discharge of stormwater along council land requires the consent of the council prior to the commencement of siteworks (seek advice from Council's Engineering Department).

The sealed stormwater system should be constructed strictly in accordance with the engineers design and details (this will generally require inspection points at certain locations to allow for continual maintenance).

The proposed building(s) must be protected against attack by subterranean termites in accordance with AS3660.1. 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 attack.

The footing system has not been designed for tree effects. (Future planting may have an impact on the performance of the footing system. For further information, refer to the Footing Construction Report or seek advice from the design engineer)

The fire hazard properties of materials within the proposed buildings shall comply with BCA-Part 3.7.1.9 (sarking type materials in the roof shall have a flammability index not greater than 5 and flexible ductwork used for the transfer of products initiating from a heat source that contains a flame shall comply with the fire hazard properties set out in AS 4254)

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CSA

Job No.: CSA 628

Please be aware: This consent does not imply compliance with the (State) Electricity Trust of South Australia Act 1946 as amended or the regulations thereunder. This Act is outside the guidelines of the Building Code of Australia. It is therefore the responsibility of the owner and the person erecting the building to ensure compliance with same.

Carlo Scinto & Associates Pty Ltd
Private Certifier

.....

Carlo Scinto
24 September, 2001

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CARLO SCINTO & ASSOCIATES PTY LTD
ACN [illegible]

CSA

Job No.: CSA 628

NOTIFICATION PURSUANT TO SECTION 93(b)

200 Kensington Road
Marryatville
SA 5068 Australia

Telephone
(08) 8331 7222

Mobile
0412 444 262

Facsimile
(08) 8364 1960

Council:	**CITY OF TEA TREE GULLY**
Job No.:	**CSA 628**
Address:	**20 AQUEDUCT WAY, HIGHBURY**

Pursuant to Section 93(b) of the Development Act 1993 the relevant authority is advised that Provisional Building Rules Consent has been granted subject to conditions (where applicable) for the above-mentioned application (refer also to the Decision Notification Form attached).

Pursuant to Section 93(b)(iii) and as prescribed by regulation 92 Carlo Scinto & Associates Pty Ltd has provided the following information or documentation:

1. Two copies of the plans, drawings, specifications and other documents and information lodged by the applicant, stamped or otherwise endorsed by Carlo Scinto & Associates Pty Ltd.

2. Written notification specifying any variance (and the grounds in which any determination is made and evidence of concurrence with the Building Rules Assessment Commission if relevant) determined by Carlo Scinto & Associates Pty Ltd pursuant to Section 36(2) of the Development Act 1993 (if relevant).

3. A Schedule of Essential Safety Provisions (if relevant).

Pursuant to Regulation 92(2)(c) Carlo Scinto & Associates Pty Ltd hereby certify that the Provisional Building Rules Consent is consistent with the Provisional Development Plan Consent and any conditions or notes that apply in relation to the Provisional Development Plan Consent (if such consent is required).

The applicant must be aware that pursuant to Regulation 89(3) that building work cannot commence unless or until the development is approved under the act.

Carlo Scinto & Associates Pty Ltd
Private Certifiers

Carlo Scinto
24 September 2001

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Property Interest Report

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

Title Reference	CT 5696/395	**Reference No.** 2616439
Registered Proprietors	C W & N K*CHRISTIANSEN	**Prepared** 21/10/2024 09:50
Address of Property	20 AQUEDUCT WAY, HIGHBURY, SA 5089	
Local Govt. Authority	CITY OF TEA TREE GULLY	
Local Govt. Address	PO BOX 571 MODBURY SA 5092	

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** **Golden Grove Neighbourhood - The Proponent (YAS Property & Development and Falkenburg Road Pty Ltd) is proposing to rezone land at Golden Grove to support a premium quality master-planned development with open space and new cycling and pedestrian connections. 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** **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** **10-20 Halls Road Highbury – Hallan Nominees Pty Ltd (the Proponent) are proposing to rezone the land at 10-20 Halls Road, Highbury from "Resource Extraction" to "General Neighbourhood" to facilitate low density residential development. Preliminary investigations undertaken by the proponent have concluded that residential uses should be possible with appropriate levels of engineering and protection. 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 continues to apply) of an approval	Public Health in DHW has no record of any condition affecting this title also Contact the Local Government Authority for other details that might apply

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

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

34. *Water Industry Act 2012*

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

35. *Water Resources Act 1997* (repealed)

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

36. Other charges

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

Other Particulars

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

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

Additional Information

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

1.	Pipeline Authority of S.A. Easement	Epic Energy has no record of a Pipeline Authority Easement relating to this title
2.	State Planning Commission refusal	No recorded State Planning Commission refusal
3.	SA Power Networks	SA Power Networks has no interest other than that recorded on the attached notice or registered on the Certificate of Title
4.	South East Australia Gas Pty Ltd	SEA Gas has no current record of a high pressure gas transmission pipeline traversing this property
5.	Central Irrigation Trust	Central Irrigation Trust has no current records of any infrastructure or Water Delivery Rights associated to this title.
6.	ElectraNet Transmission Services	ElectraNet has no current record of a high voltage transmission line traversing this property
7.	Outback Communities Authority	Outback Communities Authority has no record affecting this title
8.	Dog Fence *(Dog Fence Act 1946)*	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:

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- 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	21/10/2024 09:50AM
Customer Reference	4370 - Christiansen
Order ID	20241021001506

Certificate of Title

Title Reference: CT 5696/395

Status: CURRENT

Edition: 7

Dealings

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

Priority Notices

NIL

Registrar-General's Notes

No Registrar-General's Notes exist for this title

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LAND SERVICES SA

Product	Historical Search
Date/Time	21/10/2024 09:50AM
Customer Reference	4370 - Christiansen
Order ID	20241021001506

Certificate of Title

Title Reference: CT 5696/395

Status: CURRENT

Parent Title(s): CT 5659/237

Dealing(s) Creating Title: RTC 8737214

Title Issued: 28/09/1999

Edition: 7

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
25/05/2018	30/05/2018	12928729	MORTGAGE	REGISTERED	WWW.LOANS.COM.AU PTY. LTD. (ACN: 117 831 615)
25/05/2018	30/05/2018	12928728	DISCHARGE OF MORTGAGE	REGISTERED	12905299
11/04/2018	13/04/2018	12905299	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION (ACN: 007 457 141)
11/04/2018	13/04/2018	12905298	DISCHARGE OF MORTGAGE	REGISTERED	11432310
23/07/2010	16/08/2010	11432310	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA
18/05/2010	26/05/2010	11393597	DISCHARGE OF MORTGAGE	REGISTERED	9049709
12/10/2009	09/11/2009	11286724	VESTING (GLOBAL UPDATE)	REGISTERED	CREDIT UNION SA LTD. 9049709
23/02/2001	10/05/2001	9049709	MORTGAGE	REGISTERED	POWERSTATE CREDIT UNION LTD. (ACN: 087 651 223)
23/02/2001	10/05/2001	9049708	TRANSFER	REGISTERED	CHRISTIE WILLIAM CHRISTIANSEN III, NARELLE KAYE CHRISTIANSEN
23/02/2001	10/05/2001	9049707	DISCHARGE OF MORTGAGE	REGISTERED	8793446
29/11/1999	08/12/1999	8793446	MORTGAGE	REGISTERED	CPS CREDIT UNION (SA) LTD.
29/11/1999	08/12/1999	8793445	ENCUMBRANCE	REGISTERED	DOMAIN PROJECT DEVELOPMENT PTY. LTD. (ACN: 008 202 757)
29/11/1999	08/12/1999	8793444	TRANSFER	REGISTERED	RICHARD HENRY FITZHENRY, ANGELA SHAREE FITZHENRY

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LAND SERVICES SA

Product	Historical Search
Date/Time	21/10/2024 09:50AM
Customer Reference	4370 - Christiansen
Order ID	20241021001506

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
29/11/1999	08/12/1999	8793443	DISCHARGE OF MORTGAGE	REGISTERED	8143556
11/07/1996	25/07/1996	8143556	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA

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LAND SERVICES SA

Product	Title and Valuation Package
Date/Time	21/10/2024 09:50AM
Customer Reference	4370 - Christiansen
Order ID	20241021001506

Certificate of Title

Title Reference	CT 5696/395
Status	CURRENT
Easement	NO
Owner Number	12184193
Address for Notices	20 AQUEDUCT WAY HIGHBURY 5089
Area	755m² (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

CHRISTIE WILLIAM CHRISTIANSEN III
NARELLE KAYE CHRISTIANSEN
OF LOT 118 AQUADUCT WAY HIGHBURY SA 5089
AS JOINT TENANTS

Description of Land

ALLOTMENT 118 DEPOSITED PLAN 52868
IN THE AREA NAMED HIGHBURY
HUNDRED OF YATALA

Last Sale Details

Dealing Reference	TRANSFER (T) 9049708
Dealing Date	23/02/2001
Sale Price	$133,000
Sale Type	TRANSFER FOR FULL MONETARY CONSIDERATION

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	8793445	DOMAIN PROJECT DEVELOPMENT PTY. LTD. (ACN: 008 202 757)
MORTGAGE	12928729	WWW.LOANS.COM.AU PTY. LTD. (ACN: 117 831 615)

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
2800159457	CURRENT	20 AQUEDUCT WAY, HIGHBURY, SA 5089

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Notations

Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number	2800159457
Type	Site & Capital Value
Date of Valuation	01/01/2024
Status	CURRENT
Operative From	01/07/2000
Property Location	20 AQUEDUCT WAY, HIGHBURY, SA 5089
Local Government	TEA TREE GULLY
Owner Names	CHRISTIE WILLIAM CHRISTIANSEN III NARELLE KAYE CHRISTIANSEN
Owner Number	12184193
Address for Notices	20 AQUEDUCT WAY HIGHBURY 5089
Zone / Subzone	GN - General Neighbourhood
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	7H DG SPA
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
D52868 ALLOTMENT 118	CT 5696/395

Values

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Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	$670,000	$1,275,000			
Previous	$650,000	$1,225,000			

Building Details

Valuation Number	2800159457
Building Style	Conventional
Year Built	2002
Building Condition	Very Good
Wall Construction	Rendered
Roof Construction	Galvanised Iron
Equivalent Main Area	274 sqm
Number of Main Rooms	7

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

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8793445

Series No.	
3	E

LANDS TITLES REGISTRATION OFFICE

SOUTH AUSTRALIA

MEMORANDUM OF ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR-GENERAL

CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT 1886

R G White

Solicitor/Licensed Land Broker

RG WHITE

NOTES

1. All panels to be completed. If insufficient space use Annexure Form B.1. This panel should then only contain the words "See Annexure A (or as the case may be) attached".
2. State whether whole or portion of the land comprised in the Certificate of Title and/or Crown Lease. If portion only, specify.
3. Insert "estate in fee simple", "estate as Crown lessee" or "estate as mortgagee" (as the case may be). If lease or mortgage state registered number.
4. List encumbrances which affect the estate being encumbered.
5. If address has changed identify as "formerly.....".
6. If tenants in common in unequal shares specify shares.

BELOW THIS LINE FOR OFFICE USE ONLY

Date 29 NOV 1999	Time 11-45		
FEES			
RGO	POSTAGE	ADVERT	NEW C.T.
82			

29NOV1999 B100465381.T.O. 82.00

SINGLE COPY ONLY

EXAMINATION

CORRECTION	PASSED

BELOW THIS LINE FOR AGENT USE ONLY

AGENT CODE

Lodged by:

Correction to: Butchart White + Juvedini BWJV.

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

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

Assessor _____

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

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

DELIVERY INSTRUCTIONS (Agent to complete)

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

ITEM CT/CL REF.	AGENT CODE

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DATED THIS 29th DAY OF November 1999.

EXECUTION - PENALTY APPLIES FOR IMPROPER WITNESSING (Section 268 of the Real Property Act)

SIGNED by the Encumbrancer

RICHARD HENRY FITZHENRY: .....

ANGELA SHAREE FITZHENRY: .....
in the presence of:

Witness .....

Signature of WITNESS - Signed in my presence by the Applicant who is either personally known to me or has satisfied me as to his or her identity. A penalty of up to $2000 or 6 months imprisonment applies for improper witnessing.

FULL Name of Witness: Margaret SHELAGH FITZHENRY

Address of Witness: 72 ADDISON AVE

ADELSTONE S.A. 5076

Telephone No. (during business hours) 8337 5109

7 DEC 1999
REGISTERED ...../...../19

REGISTRAR-GENERAL

Approval No. 94

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Form M.2
(See Note 1)

MEMORANDUM OF ENCUMBRANCE

4.972084 4Z02R

CERTIFICATE(S) OF TITLE BEING ENCUMBERED (See Note 2)	Allotment 118 in DP 52868 being ~~portion~~ whole of the land in Certificate of Title Register Book Volume ~~5859~~ 5696 Folio ~~287~~ 395.
ESTATE AND INTEREST (See Note 3)	An estate in fee simple
ENCUMBRANCES (See Note 4)	Nil
ENCUMBRANCER Full Name and Address (See Note 5)	RICHARD HENRY FITZHENRY and ANGELA SHAREE FITZHENRY both of 44 Gaylard Crescent Redwood Park SA 5097
ENCUMBRANCEE Full Name and Address (See Note 6)	**DOMAIN PROJECT DEVELOPMENT PTY LTD** A.C.N. 008 202 757 of 2 Majestic Grove Highbury 5089

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

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

(a) TO BE PAID TO THE ENCUMBRANCEE

TEN CENTS (10¢)

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

(b) AT THE TIMES AND IN THE MANNER FOLLOWING

(If demanded) on the 1st day of January in each and every year commencing on the 1st day of January next after the execution hereof to the intent that the Encumbrancee shall hold the annuity in fee simple in perpetuity.

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IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE as follows:

The Encumbrancer (which expression shall be deemed to include when "the Encumbrancer" is a company its successors and assigns and when "the Encumbrancer" is a person the heirs executors administrators and transferees of the Encumbrancer and when "the Encumbrancer" consists of more than one person all and every two or more of such persons jointly and each of them severally and the respective successors assigns heirs executors administrators and transferees of such company or persons) being registered or entitled to be registered as the proprietor of an estate in fee simple (hereinafter called "the said land") and desiring to render the said land available for the purpose of securing the performance of all the terms covenants and conditions hereinafter contained and the payment of the sum of money and performance and observance of the covenants on the part of the Encumbrancer hereinafter contained for the benefit of all of the land delineated in Deposited Plans Nod. 48188 and 48796 (hereinafter called "the Plans of Division") and with the intent that it shall be binding on the Encumbrancer and upon the respective successors assigns heirs executors administrators and transferees of the Encumbrancer as part of a common building scheme **HEREBY COVENANT** with the Encumbrancee (in addition and without prejudice to the covenants on the part of the Encumbrancer and the powers rights and remedies of the Encumbrancee as encumbrancee implied herein under and by virtue of the provisions of the *Real Property Act*, 1886 (as amended) for the time being in force except insofar as the same are hereby expressly or impliedly negatived or modified) as follows:

1. In this Encumbrance, unless the context otherwise requires:

   1.1 "allotment" means any of the allotments referred to in the Plans of Division.
   1.2 "street boundary" means the boundary between the said land and the street from which vehicular access is to be gained to the said land;
   1.3 "side boundary" means any boundary between the said land and the land immediately adjacent to the said land;
   1.4 "rear boundary" means the boundary of the said land directly opposite the street boundary of the said land;
   1.5 "Linear Park" means the Linear Park associated with the River Torrens adjacent to the land.

2. The Encumbrancer will ensure that this Encumbrance is registered at the Lands Titles Office over the land in priority to any other interest over the land.

3. Not to construct or cause or permit to be constructed other than one dwelling plus ancillary buildings upon each of the allotments.

4. Not to erect or permit to be erected any such dwelling unless:

   4.1 in respect of Allotments 8 to 12 inclusive the dwelling shall appear from the road frontage to be a single storey dwelling;
   4.2 the dwelling has a minimum of 70% of its external walls constructed in stone, clay bricks, rendered masonry or glass;
   4.3 the roof has a minimum pitch of 25% and is composed of tiles, colourbond, slats or shingles.

5. Not to erect any separate garage or carport unless the same has the same roof colour and profile and is constructed of the same materials as the dwelling.

6. Not to construct any other outbuilding in other than timber, masonry or colourbond which shall be complementary in both colour and style to the dwelling.

7. Not to erect or cause or permit to be erected any fencing which:

   7.1 in the case of front fencing, is no higher than 1.5 metres and of an open style constructed in either timber or powder-coated tubular steel, or
   7.2 if rear or side boundary fencing, is 1.8 metres in height and constructed in either brush, brick, stone, timber, powder-coated tubular steel or beige-coloured colourbond, or
   7.3 if the allotment is one of Allotments 7 to 12 inclusive, and is to be erected on the rear boundary of the property, is not built to the specifications provided by Domain Project Development Pty Ltd (A.C.N. 008 202 757) of 2 Majestic Road, Highbury in the said State 5089.
   7.4 Any fencing abutting the Linear Park unless such fencing is of an open tubular style, powder coated in a colour to be approved by the Encumbrancee, does not exceed 1.8 metres in height and is in a style and colour common to the fencing on other properties abutting the Linear Park.

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To be completed by lodging party ANNEXURE to Memorandum of Encumbrance dated over Certificate of Title Volume ~~5659~~ 5696 Folio ~~287~~ 395	NUMBER Office use only

Annexure "A"

8. Not to erect or permit to be erected any rainwater tank unless the same is either colourbond, coated or painted in a colour to blend with the main building.

9. The Encumbrancer will not leave the front garden of an allotment undeveloped for a period in excess of twelve months after the completion of the dwelling house and thereafter will not fail to maintain it in a satisfactory condition.

10. The Encumbrancer will not erect or cause to be erected or placed upon an allotment, any transportable dwelling.

11. The Encumbrancer will not erect or cause to be erected any dwelling or other building or outbuilding or apply for consent to Council for approval to erect any dwelling or other outbuilding unless the Encumbrancer has first submitted all plans and details of proposed construction to Domain Project Development Pty. Ltd. for its consent and until it has received such consent.

12. The Encumbrancer will not apply for consent to subdivide or re-subdivide an allotment.

13. The obligations of the Owner/Encumbrancer contained in this Encumbrance shall cease to have any operation or effect from a period two years after the last of the allotments subject to this Encumbrance has been developed and at any time thereafter the Encumbrancee shall at the request of the Owner and at the Owner's expense in all things agree to discharge this Encumbrance.

14. The Encumbrancee shall in its unfettered discretion be entitled to waive compliance with any or all of the terms of this Encumbrance but a waiver of any covenant shall not affect the Encumbrancee's rights in relation to the enforcement of the other covenants of this Encumbrance.

15. The approval by the Encumbrancee of any application made pursuant to this Encumbrance shall relate only to the external appearance of the relevant building structure or apparatus and shall not relate to any other aspect of such building structure or apparatus including in particular its fitness for the purpose or its structural adequacy nor shall it be deemed for any purpose to relate to any such other aspect of the relevant building structure or apparatus and the Encumbrancer shall indemnify and keep the Encumbrancee forever fully indemnified from and against any action claim or demand losses or expenses of any nature whatsoever brought against or incurred by the Encumbrancee arising directly or indirectly from any inadequacy failure lack of performance or want of fitness of such building structure or apparatus **PROVIDED HOWEVER** that this indemnity shall only apply to an approval granted by the Encumbrancee under this Encumbrance.

16. (a) The Encumbrancer will not enter into any contract to sell and will not otherwise dispose of his estate or interest in the land without first having given to the intending purchaser or transferee notice in writing in the following form:-

"Your attention is drawn to provisions concerning the erection of any building and construction of any fencing or outbuildings upon the land and any future development of the land in the division of the land which the allotment you are proposing to buy is situated."

(b) Such notice may be given by handing the same to the intending purchaser or transferee or by posting it by Registered Post to the intending purchaser or transferee provided that:

(i) if more than one person or corporation constituted the intending purchaser or transferees such notice may be given or posted to one of such persons or corporation;

(ii) if the intending purchaser or transferee nominates a nominee or nominees to accept the transfer in lieu of the intending purchaser or transferee, then the Encumbrancer shall not be obliged to give any such notice to such nominee or nominees;

(ii) such notice may be given in the same document as the vendors statement pursuant to Section 7 of the Land and Business (Sale and Conveyancing) Act 1994 or any amendment thereof.

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17. The Encumbrancer will not transfer or otherwise dispose of his estate and interest in the land without first obtaining or causing to be obtained from the intending purchaser or transferee a Deed of Covenant in a form to be approved by the Encumbrancee and the cost of obtaining such approval shall be borne by the Encumbrancer wherein the intending purchaser or transferee covenants and agrees to comply in all respects with the conditions herein.

18. If default be made by the Encumbrancer in payment of any moneys becoming payable hereunder or in the observance or performance of any covenants stipulations or conditions herein contained and such default shall be continued for the space of three (3) days it shall be lawful for the Encumbrancee immediately thereupon or at any time thereafter and without prejudice to any other remedy available to the Encumbrancee in the circumstances to serve upon the Encumbrancer the notice mentioned in Section 132 of the *Real Property Act*, 1886 (as amended) and if any such default shall be continued for a further period of thirty (30) days after the service of such notice it shall be lawful for the Encumbrancee to exercise with reference to the said land hereby encumbered or intended so to be or any part of such land the power of sale and all the powers and authorities conferred upon or reserved or accruing to the Encumbrancee by virtue of these presents and the *Real Property Act*, 1886 or any Act or Acts in lieu therefore or amending or extending the same for the time being in force in this State.

19. Any demand notice or requisition to be served or made or given upon or to the Encumbrancer by the Encumbrancee hereunder shall be deemed to be duly served or made or given if the same be served personally upon the Encumbrancer or left at the last known or usual place of abode of the Encumbrancer in the said State or enclosed in an envelope addressed to the Encumbrancer at the Encumbrancer's address hereinbefore appearing and posted at any Post Office in the said State. Any such demand notice or requisition shall take effect and be deemed to have been duly served upon the next day after it was so served left or posted as aforesaid.

20. **PROVIDED ALWAYS AND IT IS HEREBY AGREED AND DECLARED** between the Encumbrancee and the Encumbrancer that if the Encumbrancer performs and observes all the covenants agreements and obligations on his part required, Section 130 of the Real Property Act 1886 as amended shall not apply to this Encumbrance and that the said Encumbrancer and the successive transferees of the land from the said Encumbrancer shall respectively be released and discharged on the payment of the said annuity and from the performance and observance of the covenants and the successive transferees of the land respectively ceasing to be registered as proprietor thereof.

21. In these presents, the Encumbrancer means the person whose name, address and occupation appear in page 1 of these presents and shall include the transferee or assigns of the Encumbrancer and shall also include the executors or administrators of every natural person who is an Encumbrancer. All words referring to the Encumbrancer shall be in the plural number when there is more than one Encumbrancer and where the Encumbrancer shall be female or a corporation, the masculine gender shall be read as the feminine or neuter gender as the case may be. In the event of there being more than one Encumbrancer to this instrument, all covenants and agreements herein shall be construed as joint and several. The Encumbrancee means the person whose name, address and occupation appears on page 1 of these presents as Encumbrancee and shall also include the executors or administrators or every natural person who is an Encumbrancee. All words referring to the Encumbrancee shall be deemed to be in the plural number where there is more than one Encumbrancee and where the Encumbrancee shall be a female or a corporation, the masculine gender shall be read as the feminine gender or neuter gender as the case may be.

22. The Encumbrancer shall bear all costs of and incidental to the preparation of this Encumbrance and all stamp duty and registration fees in connection therewith.

23. Any approval required to be given by the Encumbrancee may be given by the Encumbrancee or by an architect appointed for that purpose by the Encumbrancee. All reasonable costs incurred by the Encumbrancee in giving an approval shall be borne by the Encumbrancer.

24. Any approval required to be given by the Encumbrancee shall not be unreasonably or capriciously withheld.