Form 1 - Vendor's statement

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

Contents

Preliminary

Part A - Parties and land

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

Part C - Statement with respect to required particulars

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

Schedule

Preliminary

To the purchaser:

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

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

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

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

Instructions to the vendor for completing this statement:

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

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

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

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

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

Christine Ashley James and Sophie Beresford McDonald

Address:

6 Birdwood Street Netherby SA 5062 & 43 Gordon Street Glenelg SA 5045 respectively

4 Vendor's registered agent:

Klemich Real Estate Pty Ltd (A.C.N. 101 825 147)
T/A Klemich Real Estate RLA 174424

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]*

6 Birdwood Street Netherby SA 5062

Allotment 3 Deposited Plan 63919 in the area named Netherby Hundred of Adelaide being improved land and whole of the land in Certificate of Title Volume 5917 Folio 293

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:

6 Birdwood Street Netherby SA 5062 or 43 Gordon Street Glenelg SA 5045

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

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

matt@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, Christine Ashley James and Sophie Beresford McDonald

of 6 Birdwood Street Netherby SA 5062 & 43 Gordon Street Glenelg SA 5045 respectively

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:		Date:	
Signed		Signed	
Date:		Date:	
Signed		Signed	

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

✓

(section 9)

To the purchaser:

I, Christine Bertram of Bertram Form 1 Shop Pty. Ltd. (A.C.N. 147 186 132)

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: The Tunnel Protection Overlay Early Commencement Code Amendment referred to in Item 29.1 of the Property Interest Report has been adopted by the Minister.

Date: 09/09/2024

Signed:

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

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

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

(section 7(1)(b))

Note -

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

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

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

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

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

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

(b) the mortgage, charge or prescribed encumbrance -

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

(A) under the heading 1. General -

1.1 Mortgage of land

1.4 Lease, agreement for lease, tenancy agreement or licence

1.5 Caveat

1.6 Lien or notice of a lien

(B) under the heading 36. Other charges -

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

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

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

Table of particulars

Column 1	Column 2	Column 3

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

1. General

1.1 Mortgage of land

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

Is this item applicable? ✓

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

Are there attachments? NO

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

Number of mortgage (if registered):

12637060

Name of mortgagee:

ING Bank (Australia) Ltd

1.2 Easement

(whether over the land or annexed to the land)

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

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

Is this item applicable? ✓

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

Are there attachments? YES

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

Property Interest Report - Page 13 & Title Register Search

Description of land subject to easement:

CT Volume 5917 Folio 293

Nature of easement:

(1) Statutory Easements
(2) Subject to Party Wall Right(s) over the Land Marked A (RTC 9813160A)
(3) Together with Party Wall Right(s) over the Land Marked B (RTC 9813160A)

Are you aware of any encroachment on the easement?

NO

If YES, give details:

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

If YES, give details:

1.3 Restrictive covenant

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

Is this item applicable?

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

Are there attachments?

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

Nature of restrictive covenant:

Name of person in whose favour restrictive covenant operates:

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

If NO, give details:

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

1.4 Lease, agreement for lease, tenancy agreement or licence

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

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

Is this item applicable?

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

Are there attachments?

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

Name of parties:

Period of lease, agreement for lease etc:

From

to

Amount of rent or licence fee:

$ per (period)

Is the lease, agreement for lease etc in writing?

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

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

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

5. *Development Act 1993* (repealed)

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

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

Is this item applicable?	✓
Will this be discharged or satisfied prior to or at settlement?	NO
Are there attachments?	YES

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

City of Mitcham Council search - Section 42

Condition(s) of authorisation:

Refer to Decision Notification Form for Development Application Numbers: 080/1143/2005- Construct a Verandah; 080/1939/2003- Vary Approved Plans 080/1939/2003; 080/1193/2003- Demolish a dwelling, 080/787/2003- Divide Land and 080/461/2002- To Construct One Single Storey Detached Dwelling and Two Other Dwellings

6. Repealed Act conditions

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

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

Is this item applicable? ☐

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

Are there attachments?

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

Nature of condition(s):

7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy

Is this item applicable? ✓

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

Are there attachments? YES

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

Certificate of Emergency Services Levy

Date of notice:

27/08/2024

Amount of levy payable:

$180.45

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):

The City of Mitcham Council search - 33 pages

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

Zone: Suburban Neighbourhood (SN)
Overlays as per Plan SA Data Extract for Section 7 search purposes included in The City of Mitcham 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?

Are there attachments?

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

Date of authorisation:

Name of relevant authority that granted authorisation:

Condition(s) of authorisation:

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

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Name of person giving notice of proposed work:

Building work proposed (as stated in the notice):

Other building work as required pursuant to the Act:

29.4 section 140 - Notice requesting access

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Name of person requesting access:

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

Activity of work to be carried out:

29.5 section 141 - Order to remove or perform work

Is this item applicable?

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

Are there attachments?

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

Date of order:

Terms of order:

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

Amount payable (if any):

29.6 section 142 - Notice to complete development

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Requirements of notice:

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

Amount payable (if any):

29.7 section 155 - Emergency order

Is this item applicable?

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

Are there attachments?

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

Date of order:

Name of authorised officer who made order:

Name of authority that appointed the authorised officer:

Nature of order:

Amount payable (if any):

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):

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:

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

33.1 section 23 - Notice of contribution payable

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:

Terms of notice:

Amount payable:

34. *Water Industry Act 2012*

34.1 Notice or order under the Act requiring payment of charges or other amounts or making other requirement

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):

SA Water Certificate

Date of notice or order:

27/08/2024

Name or person or body who served notice or order:

SA Water

Amount payable (if any) as specified in the notice or order:

Refer to SA Water Certificate attached

Nature of other requirement made (if any) as specified in the notice or order:

Refer to SA Water Certificate attached

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

Property Interest Report

Local Government Authority prescribed inquiry

SA Water Certificate

Emergency Services Levy Certificate

Land Tax Certificate

Smoke Alarm 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.

REAL PROPERTY ACT, 1886
South Australia

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

REGISTRAR-GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5917 Folio 293

Parent Title(s) CT 5517/211

Creating Dealing(s) RTC 9813160A

Title Issued 28/05/2004 **Edition** 5 **Edition Issued** 05/12/2016

Estate Type

FEE SIMPLE

Registered Proprietor

CHRISTINE ASHLEY JAMES
OF 6 BIRDWOOD STREET NETHERBY SA 5062
SOPHIE BERESFORD MCDONALD
OF 43 GORDON STREET GLENELG SA 5045
AS JOINT TENANTS

Description of Land

ALLOTMENT 3 DEPOSITED PLAN 63919
IN THE AREA NAMED NETHERBY
HUNDRED OF ADELAIDE

Easements

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED A (RTC 9813160A)

TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED B (RTC 9813160A)

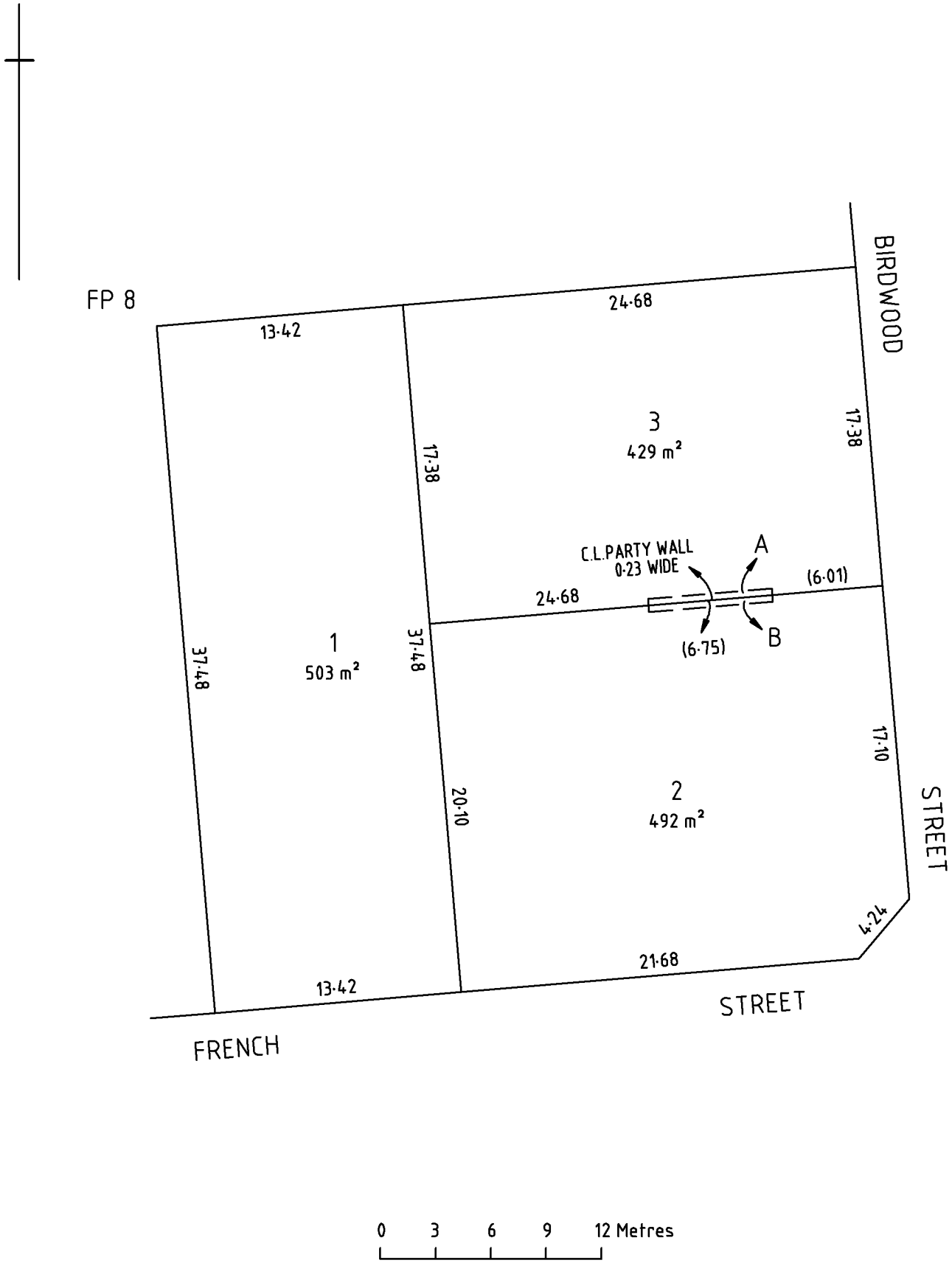
Schedule of Dealings

Dealing Number	Description
12637060	MORTGAGE TO ING BANK (AUSTRALIA) LTD. (ACN: 000 893 292)

Notations

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

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Property Interest Report

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

Title Reference	CT 5917/293	**Reference No.**	2600113
Registered Proprietors	C A*JAMES & ANR	**Prepared**	26/08/2024 16:53
Address of Property	6 BIRDWOOD STREET, NETHERBY, SA 5062		
Local Govt. Authority	CITY OF MITCHAM		
Local Govt. Address	PO BOX 21 MITCHAM SHOPPING CENTRE TORRENS PARK SA 5062		

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

Table of Particulars

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

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

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

	an area surrounding a site	
2.3	Part 3 Division 6 - Aboriginal heritage agreement	Aboriginal Affairs and Reconciliation in AGD has no record of any agreement affecting this title also Refer to the Certificate of Title

3. *Burial and Cremation Act 2013*

3.1	section 8 - Human remains interred on land	Births, Deaths and Marriages in AGD has no record of any gravesites relating to this title also contact the vendor for these details

4. *Crown Rates and Taxes Recovery Act 1945*

4.1	section 5 - Notice requiring payment	Crown Lands Program in DEW has no record of any notice affecting this title

5. *Development Act 1993* (repealed)

5.1	section 42 - Condition (that continues to apply) of a development authorisation *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
5.2	section 50(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
5.3	section 50(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
5.4	section 55 - Order to remove or perform work	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
5.5	section 56 - Notice to complete development	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
5.6	section 57 - Land management agreement	Refer to the Certificate of Title
5.7	section 60 - Notice of intention by building owner	Contact the vendor for these details
5.8	section 69 - Emergency order	State Planning Commission in the Department for Housing and Urban Development has no record of any order affecting this title also Contact the Local Government Authority for other details that might apply
5.9	section 71 - Fire safety notice	Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any notice affecting this title

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

6. Repealed Act conditions

6.1	Condition (that continues to apply) of an approval or authorisation granted under the *Building Act 1971* (repealed), the *City of Adelaide Development Control Act, 1976* (repealed), the *Planning Act 1982* (repealed) or the *Planning and Development Act 1966* (repealed) *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply

7. *Emergency Services Funding Act 1998*

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

8. *Environment Protection Act 1993*

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

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

9. *Fences Act 1975*

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

10. *Fire and Emergency Services Act 2005*

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

11. *Food Act 2001*

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

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

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

13. *Heritage Places Act 1993*

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

14. *Highways Act 1926*

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

15. *Housing Improvement Act 1940* (repealed)

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

16. *Housing Improvement Act 2016*

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

17. *Land Acquisition Act 1969*

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

18. *Landscape South Australia Act 2019*

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

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

19. *Land Tax Act 1936*

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

20. *Local Government Act 1934* (repealed)

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

21. *Local Government Act 1999*

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

22. *Local Nuisance and Litter Control Act 2016*

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

23. *Metropolitan Adelaide Road Widening Plan Act 1972*

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

24. *Mining Act 1971*

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

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

25. *Native Vegetation Act 1991*

25.1	Part 4 Division 1 - Heritage agreement	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.2	section 25C - Conditions of approval regarding achievement of environmental benefit by accredited third party provider	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.3	section 25D - Management agreement	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.4	Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation	DEW Native Vegetation has no record of any refusal or condition affecting this title

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

26.1	section 97 - Notice to pay levy in respect of costs of regional NRM board	The regional landscape board has no record of any notice affecting this title
26.2	section 123 - Notice to prepare an action plan for compliance with general statutory duty	The regional landscape board has no record of any notice affecting this title
26.3	section 134 - Notice to remove or modify a dam, embankment, wall or other obstruction or object	The regional landscape board has no record of any notice affecting this title
26.4	section 135 - Condition (that remains in force) of a permit	The regional landscape board has no record of any notice affecting this title
26.5	section 181 - Notice of instruction as to keeping or management of animal or plant	The regional landscape board has no record of any notice affecting this title
26.6	section 183 - Notice to prepare an action plan for the destruction or control of animals or plants	The regional landscape board has no record of any notice affecting this title
26.7	section 185 - Notice to pay costs of destruction or control of animals or plants on road reserve	The regional landscape board has no record of any notice affecting this title
26.8	section 187 - Notice requiring control or quarantine of animal or plant	The regional landscape board has no record of any notice affecting this title
26.9	section 193 - Protection order to secure compliance with specified provisions of the Act	The regional landscape board has no record of any order affecting this title
26.10	section 195 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act	The regional landscape board has no record of any order affecting this title
26.11	section 197 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act	The regional landscape board has no record of any authorisation affecting this title

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

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

28. *Phylloxera and Grape Industry Act 1995*

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

29. *Planning, Development and Infrastructure Act 2016*

29.1	Part 5 - Planning and Design Code *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated. also Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title also For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority also Contact the Local Government Authority for other details that might apply to a place of local heritage value also For details of declared significant trees affecting this title, contact the Local Government Authority also Code Amendment Residential Driveway Crossovers –draft design standard aiming to improve public safety and enhance streetscapes across SA. Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery and are open for consultation as part of this process. For more information, refer to the 'Code Amendments' page on the PlanSA portal: https://plan.sa.gov.au/have_your_say/ or phone PlanSA on 1800752664. Code Amendment Tunnel Protection Overlay (early commencement) - The Department for Infrastructure and Transport is introducing a Tunnel Protection Overlay that will apply to the River Torrens to Darlington Project (T2D) tunnels. The Overlay aims to ensure that future development activity and construction work nearby does not impact the tunnels. 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.

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:

- 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.

Product	Check Search
Date/Time	26/08/2024 04:53PM
Customer Reference	
Order ID	20240826010127

Certificate of Title

Title Reference: CT 5917/293

Status: CURRENT

Edition: 5

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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Certificate of Title

Title Reference	CT 5917/293
Status	CURRENT
Easement	YES
Owner Number	17256117
Address for Notices	6 BIRDWOOD ST NETHERBY, SA 5062
Area	429m² (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

CHRISTINE ASHLEY JAMES
OF 6 BIRDWOOD STREET NETHERBY SA 5062
SOPHIE BERESFORD MCDONALD
OF 43 GORDON STREET GLENELG SA 5045
AS JOINT TENANTS

Description of Land

ALLOTMENT 3 DEPOSITED PLAN 63919
IN THE AREA NAMED NETHERBY
HUNDRED OF ADELAIDE

Last Sale Details

Dealing Reference	TRANSFER (T) 10211993
Dealing Date	21/04/2005
Sale Price	$551,000
Sale Type	TRANSFER FOR FULL MONETARY CONSIDERATION

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	12637060	ING BANK (AUSTRALIA) LTD. (ACN: 000 893 292)

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
0800361402	CURRENT	6 BIRDWOOD STREET, NETHERBY, SA 5062

Notations

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Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number	0800361402
Type	Site & Capital Value
Date of Valuation	01/01/2024
Status	CURRENT
Operative From	01/07/2004
Property Location	6 BIRDWOOD STREET, NETHERBY, SA 5062
Local Government	MITCHAM
Owner Names	CHRISTINE ASHLEY JAMES SOPHIE BERESFORD MCDONALD
Owner Number	17256117
Address for Notices	6 BIRDWOOD ST NETHERBY, SA 5062
Zone / Subzone	SN - Suburban Neighbourhood
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	5H DG
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
D63919 ALLOTMENT 3	CT 5917/293

Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	$680,000	$1,375,000			

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Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Previous	$680,000	$1,300,000			

Building Details

Valuation Number	0800361402
Building Style	Conventional
Year Built	2004
Building Condition	Very Good
Wall Construction	Rendered
Roof Construction	Tiled (Terra Cotta or Cement)
Equivalent Main Area	155 sqm
Number of Main Rooms	5

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

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CITY OF MITCHAM

131 Belair Road Torrens Park SA 5062
PO Box 21 Mitcham Shopping Centre SA 5062
Telephone 1300 133 466
Email mitcham@mitchamcouncil.sa.gov.au
Web site http://www.mitchamcouncil.sa.gov.au

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

Land and Business (Sale and Conveyancing) Act Section 7 Statement Prescribed Encumbrances for 6 Birdwood Street NETHERBY SA 5062			
Applicant	Bertram Form 1 Shop Pty Ltd GPO Box 448 ADELAIDE SA 5001		
Certificate Number	CERT1405/24	Date received	26/08/2024
Property Address	6 Birdwood Street NETHERBY SA 5062		
Property Description	LOT 3 TYP DP SEC 249 PLN 63919 C/T 5917/293		
Property ID	28154	Parcel number	parcel number

Schedule – Division 1 – Particulars of Prescribed Encumbrances affecting the land at 6 Birdwood Street NETHERBY SA 5062	
Development Act 1993	
Part 3 - Development Plan	
Title or other brief description of zone or policy area in which the land is situated (as shown in the Development Plan):	Suburban Neighbourhood (SN)
Is the land situated in a designated State Heritage Area?	No
Is the land designated as a place of local heritage value?	No
Is there a current Development Plan Amendment released for public consultation by a council on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	NIL
If YES, state the name of the council:	NIL

Land and Business (Sale and Conveyancing) Act Section 7 Statement Prescribed Encumbrances for 6 Birdwood Street NETHERBY SA 5062	
Is there a current Development Plan Amendment released for public consultation by the Minister on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Current and previous Minister-initiated Development Plan Amendments can be accessed via the SA Government Portal at: https://plan.sa.gov.au/resources/resources_library/development_plans/minister-initiated_development_plan_amendments For any queries regarding current or previous Minister-initiated Development Plan Amendments, please see the contact details provided in the above link.
Section 42 - Condition (that continues to apply) of a development authorisation List relevant development applications	080/1143/05 080/1939/03 080/1193/03 080/0787/03 080/0461/02
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	Suburban Neighbourhood (SN)
Is the land situated in a designated State Heritage Place?	No
Is the land designated as a place of local heritage value?	No
Is there a tree or a stand of trees declared in Part 10 of the Planning and Design Code to be significant tree or trees on the land?	No
Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operations?	Yes https://plan.sa.gov.au/have_your_say/code-amendments/on-consultation
Section 127 – Condition (that continues to apply) of a development authorisation Copies of Decision Notification Forms can be downloaded from the PlanSA website – Development application register | PlanSA	Refer to the PlanSA Data Extract
Repealed Act conditions	
Condition (that continues to apply) of an approval or authorisation granted under the Building Act 1971 (repealed), the City of Adelaide Development Control Act 1976 (repealed), the Planning Act 1982 (repealed) or the Planning and Development Act 1966 (repealed)	
Refer to note in section 33 (Further Information Held By Councils)	
Development Act 1993	
Section 50(1)—Requirement to vest land in a council or the Crown to be held as open space	NIL
Section 50(2)—Agreement to vest land in a council or the Crown to be held as open space	NIL
Section 55—Order to remove or perform work	NIL
Section 56—Notice to complete development	NIL
Section 57—Land management agreement	NIL

Land and Business (Sale and Conveyancing) Act Section 7 Statement Prescribed Encumbrances for 6 Birdwood Street NETHERBY SA 5062	
Section 60 – Notice of intention by building owner	If applicable Notice of Intention by building owner will be contained in the Conditions on attached Decision Notification forms.
Section 69—Emergency order	NIL
Section 71—Fire safety notice	NIL
Section 84—Enforcement notice	NIL
Section 85(6), 85(10) or 106—Enforcement order	NIL
Part 11 Division 2—Proceedings	NIL
Planning and Development Act 1966	NIL
Building Act 1971	NIL
Planning Act 1982	NIL
Court Order	NIL
Fire and Emergency Services Act 2005	
Section 105F (or section 56 or 83 (repealed))—Notice to take action to prevent outbreak or spread of fire	NIL
Food Act 2001	
Section 44—Improvement notice	NIL
Section 46—Prohibition order	NIL
Housing Improvement Act 1940	
Section 23 —declaration that house is undesirable or unfit for human habitation	NIL
Land Acquisitions Act 1969	
Section 10 Notice of intention to acquire	Refer to Land Services – Certificate of Title
Local Government Act 1934	
Notice, order, declaration, charge, claim or demand given or made under the Act	NIL
Local Government Act 1999	
Notice, order, declaration, charge, claim or demand given or made under the Act	NIL
Local Nuisance and Litter Control Act 2016	
Section 30 – Nuisance or litter abatement notice	NIL
Planning, Development and Infrastructure Act 2016	
Section 141 – Orders to remove or perform work	NIL
Section 142 – Notice to complete development	NIL
Emergency Order	NIL
Section 157 – Fire Safety Notice	NIL
Section 192 or 193 – Land management agreement	NIL
Section 198(1) – Requirements to vest in a council or the crown to be held as open space	NIL
Section 198(2) – Agreement to vest land in a council or Crown to be held as open space	NIL
Part 16 Division 1 Proceedings	NIL
Section 213 – Enforcement notice	NIL
Section 214(6), 214(10) – Applications to Court	NIL
Section 222 – Enforcement order to rectify breach	NIL
Public and Environmental Health Act 1987 (Repealed)	
Part 3—Notice	NIL

Land and Business (Sale and Conveyancing) Act Section 7 Statement Prescribed Encumbrances for 6 Birdwood Street NETHERBY SA 5062	
Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) (revoked) Part 2 - Condition (that continues to apply) of an approval	NIL
Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19 - Maintenance order (that has not been complied with)	NIL
South Australian Public Health Act 2011	
section 66—Direction or requirement to avert spread of disease	NIL
section 92-Notice	NIL
South Australian Public Health (Wastewater) Regulations 2013 Part 4-Condition (that continues to apply) of an approval	NIL
Water Industry Act 2012	
Notice or order under the Act requiring payment of charges or other amounts or making other requirement	NIL
33 Other Charges	
Charges of any kind affecting the land (not included in another item)	NIL
Schedule – division 2 – other particulars	
Particulars of Building Indemnity Insurance	NIL
Further information held by Councils	NIL
Does the council hold details of any development approvals relating to:	
(a) Commercial or industrial activity at the land; or	NO
(b) A change in the use of the land or part the land (within the meaning of the Development Act 1993)?	NO

Note—

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

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

It should be noted that—

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

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

27 August 2024

CERTIFIED **DATE**

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

26 August 2024

Bertram Form 1 Shop Pty Ltd
GPO Box 448
ADELAIDE SA 5001

CITY OF MITCHAM

LOCAL GOVERNMENT SECTION 187 CERTIFICATE

Certificate No: **CERT1405/24** Receipt No:
Previous Cert No:

Reference No: **281545**
Valuer General No: **0800361402**
Property Description: **LOT 3 TYP DP SEC 249 PLN 63919 C/T 5917/293**
Property Address: **6 Birdwood Street NETHERBY SA 5062**
Owner: **Sophie B McDonald & Christine A James**

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

General Rate/Water Catchment Levy:	Total
General Rate	$3,061.40
Natural Resources Management Levy	$100.55
Less 12.5% Capping (If applicable)	$0.00
<Rates for the current year 2024/2025>	$3,161.95
Less Payments Received	$0.00
<Debtor: Monies outstanding in addition to Rates>	$0.00
<TOTAL BALANCE OUTSTANDING>	$3,161.95

Discount:-A discount of $30.60 can be deducted from the general rate raised if paid in full by 15/09/2024.
Please be advised: A fine of **2%** will be added to any current amount not paid by the due date. Interest is calculated monthly on arrears. Four quarterly instalments fall due on 15/09/24, 15/12/24 15/3/25 and 15/6/25.

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

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

Authorised Officer

Street Address:
131 Belair Road
Torrens Park SA 5062

Postal Address:
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

Phone: 1300 133 466
www.mitchamcouncil.sa.gov.au

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

131 Belair Road
Torrens Park
South Australia 5062

Postal Address
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

Telephone (08) 8372 8888
Facsimile (08) 8372 8101

Email:
mitcham@mitchamcouncil.sa.gov.au

Website:
http://www.mitchamcouncil.sa.gov.au

Date

Refer enquiries to

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM
Schedule 11, Regulation 42

Development Application Dated: 18/08/2005
Registered On: 18/08/2005

Development Application Number 080/1143/2005

To: Mr P Morgan
23 Isabella Road
MORPHETT VALE SA 5162

Location of Proposed Development: **6 Birdwood Street NETHERBY 5062**
LOT: 3 TYP: DP SEC: 249 PLN: 63919 C/T: 5917/293

Nature of Proposed Development: **CONSTRUCT A VERANDAH**

Building Classification Assigned: **10A**

In respect of this development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Consent Refused	Applicable Yes/No
Provisional Development Plan consent	GRANTED	6		YES
Provisional Building Rules consent	GRANTED	3		YES
DEVELOPMENT APPROVAL	GRANTED	9		YES

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

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

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on 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.

.....
City Manager / Delegate

Date of Decision: 26/08/2005

PLEASE READ THE INFORMATION ATTACHED TO THIS FORM

JM:R:\AUTHDOC\DD\080\FROM1000\080-2005-00001143-001\0001APPROV.Doc

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Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

The following conditions apply to this application:-

(1) The proposal shall be developed in accordance with the details and plans relating to Development Application Number 080/1143/2005 except where varied by the following conditions of consent.

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

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

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

(3) The external appearance, materials and finishes of the new building shall match or blend with the principal building as near as practicable to the reasonable satisfaction of Council.

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

(4) All free-standing sides of the structure shall remain open.

Reason: *To maintain the visual amenity of the locality.*

(5) All stormwater shall be effectively disposed of from the subject site to the Council drainage system.

Reason: *To prevent discharge of stormwater onto adjoining properties.*

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

(7) All construction shall be in strict accordance with manufacturer's standard approved Specifications.

(8) Roof sheeting shall be supported in accordance with manufacturer's recommendations.

(9) If the purlins are placed on flat then they shall have a stress grade of MGP 10.

NOTES

nil

Signed: .....

Date of Decision: 26/08/2005

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

131 Belair Road
Torrens Park
South Australia 5062

Postal Address
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

Telephone (08) 8372 8888
Facsimile (08) 8372 8101

Email:
mitcham@mitchamcouncil.sa.gov.au

Website:
http://www.mitchamcouncil.sa.gov.au

Date

Refer enquiries to

Celebrating 150 years 1853 to 2003

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM
Schedule 11, Regulation 42

Development Application Dated: 02/12/2003
Registered On: 02/12/2003

Development Application Number 080/1939/2003

To: Ashcroft Building Design
195 Fullarton Road
DULWICH SA 5065

Location of Proposed Development: **8 Birdwood Street NETHERBY 5062**
LOT: 47 TYP: FP SEC: 249 PLN: 8 C/T: 5517/211

Nature of Proposed Development: **VARY APPROVED PLANS 080/1939/2003**

In respect of this development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Consent Refused	Applicable Yes/No
Provisional Development Plan consent	GRANTED	20 + 5 NOTES		YES
Provisional Building Rules consent	-	- -		n/a
Land Division	-	- -		n/a
Land Division (Strata)	-	- -		n/a
Public Space	-	- -		n/a
Other	-	- -		n/a
DEVELOPMENT APPROVAL	-	-		

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

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

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on 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.

Jeffery Stewart
.....
City Manager / Delegate

Date of Decision: 03/12/2003

PLEASE READ THE INFORMATION ATTACHED TO THIS FORM

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

The following conditions apply to this application:

(1) The proposal shall be developed in accordance with the details and plans relating to Development Application Number 080/1939/2003 except where varied by the following conditions of consent.

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

(2) Driveway gradients shall be constructed with a maximum grade of 20 % (1:5) {Desirable 16.7% (1:6)} in accordance with Council's Engineering detail SD-600, **Sheet 10**.

(3) The driveway shall be constructed and sealed with bound material appropriate to the grade, providing both structural integrity and traction in both wet and dry conditions. The use of unbound materials are deemed unsuitable due to the steep grades.

(4) All earthworks associated with the development shall be stabilized in accordance with standard engineering design and practices against erosion and failure. No earthworks must encroach across neighbouring property boundaries.

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

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

(6) All scarring or physical disturbances of the land during any excavation work shall be restricted to only that which is shown on the approved plan and only as required for building work and/or access purposes. All exposed excavations and fill shall be covered with top soil and planted with ground cover which will screen the changed land forms and prevent erosion within (3) months of the work taking place

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

(7) The erosion control measures shall be maintained to the satisfaction of Council throughout the progress of the work.

Reason: *To protect the natural environment and minimise erosion.*

Signed: Jeffery Stewart Date of Decision: 03/12/2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

(8) All exposed faces of cut and/or fill shall be:

- rounded off to match and blend with the natural contours of the land
- covered with approximately 100mm of topsoil immediately after excavation
- seeded to avoid erosion and visual concern within six months of the site being excavated

Reason: *To maintain the visual amenity of the locality in which the subject land is located.*

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

Reason: *To protect the natural environment and minimise erosion.*

(10) Management of the property shall be undertaken in such a manner as to prevent removal of existing vegetation, erosion or pollution of the environment.

Reason: *To maintain and enhance the natural environment.*

(11) Services to the site and within the subject site shall be placed underground.

Reason: *To enhance the amenity of the locality.*

(12) The landscaping shall be established within six months of the date of the Development Approval and maintained in good condition at all times to the reasonable satisfaction of Council.

Reason: *To ensure landscaping is established within a reasonable time and that it is well maintained.*

(13) The Norfolk Pine and Gingko trees shall be retained.

(14) All works on the subject site shall be undertaken to avoid impact on existing street trees.

(15) RESIDENTIAL DEVELOPMENT UP TO & INCLUDING 400 m^2 OF FLOOR AREA (PERMITTED or CONSENT)

(Reference: South Western Drainage Scheme Review; Kinhill Nov.1998)

Stormwater management is required with any new development (excluding additions or alterations to an existing dwelling where the floor area is not increased by more than 50%) to limit the rate of stormwater discharge from the site. The following measures shall be incorporated into the stormwater design for a residential building development up to and including **400 square metres in floor area**:-

- **Roof Stormwater Run-off**– A minimum of **60%** of roof stormwater run-off shall be directed to a stormwater tank of not less than 2000 litres capacity for On-site Stormwater Detention (OSD). The restricted outflow (nominal 19mm outlet) from the tank may be discharged to either Council infrastructure, or to an area

Signed: Jeffery w Sewart Date of Decision: 03/12/2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

for On-site Stormwater Retention (OSR) within the property (landscape area, soakage trench, etc.) The overflow from the tank shall be directed to landscape area within the property, or to an area for On-site Stormwater Retention (OSR). The remaining **40%** (maximum) of roof stormwater run-off may be discharged to either Council infrastructure, or to an area for On-site Stormwater Retention (OSR) within the property (landscape area, soakage trench, etc.) Refer to Council Engineering Detail SD-600 **Sheets 34 & 35** (Draft).

- **Pavement Stormwater Run-off** – A maximum of **50%** of pavement (driveway, paths, & patio) stormwater run-off may be controlled and discharged to Council infrastructure via a pipe system. The remaining **50%** (minimum) of pavement stormwater shall be directed to landscape area within the property, or to an area for On-site Stormwater Retention (OSR). Refer to Council Engineering Detail SD-600 **Sheets 34 & 35** (Draft).
- Stormwater that is retained on-site (OSR) by utilizing landscaped areas within the property, soakage trenches, or additional tank storage in excess of the required 2000 litres, shall be contained within the site. At no stage shall stormwater resulting from a storm up to and including a 20 year ARI, flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.
- Roof stormwater that is directed to an on-site retention area in lieu of discharge to Council infrastructure shall be designed and certified by a "Chartered Professional Engineer" in the field of stormwater management.
- Detention tank capacity shall be in addition to any proposed rainwater storage tanks for domestic supply or On-site Stormwater Retention.

(16) Developments with proposed internal courtyard areas, or areas where a free and uninterrupted flow of stormwater can not be achieved, the stormwater drainage system within these areas shall be designed to a 1 in 100 year ARI standard to alleviate the possibility of stormwater inundation to the building.

(17) The stormwater drainage system shall be designed in accordance with the "Building Codes of Australia Performance Provisions".

Surface water, resulting from a storm having an average recurrence interval of 20 Years, and which is collected or concentrated by a building or site work, must be disposed of in a way that avoids the likelihood of damage or nuisance to any other property.

- Surface water, resulting from a storm having an average recurrence interval of 100 years must not enter the building
- A drainage system for the disposal of surface water must

a) Convey surface water to an appropriate outfall
b) Avoid the entry of water into a building; and
c) Avoid water damaging the building.

(18) A free and uninterrupted flow of stormwater, resulting from major storm activity up to and including 1:100 years, shall be provided around the building(s) to alleviate the possibility of stormwater inundation.

Signed: Jeffery Swart Date of Decision: 03/12/2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

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

(20) Temporary debris and sediment control measures shall be installed to prevent debris and sediment from entering Council's drainage system during all construction stages. Pollution prevention measures, shall be in accordance with the "Environmental Protection Authority's Stormwater Pollution Prevention Codes of Practice":

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

NOTES

(1) Any existing driveway crossovers that become redundant as a result of a development shall be reinstated to match the existing kerb profile along the road frontage of the property. Reinstatement shall be done to the satisfaction of Council.

(2) New residential driveway crossover(s) shall be constructed to Council's satisfaction and in accordance with Council's Engineering detail SD-600, **Sheets 10, 23 & 24**. An application to construct an invert/crossover in a public street must also be lodged with Council.

(3) Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment shall be repaired/reinstated to Council's satisfaction at the developer's expense.

(4) All work undertaken within the road verge between the property boundary and the road edge requires approval from Council. An "Application for construction or modifications on Council Property" shall be lodged with Council for approval for the following activities:

- Construction of a driveway across Council verge
- Construction of a driveway kerb crossover
- Underground electrical connection
- Stormwater connection from property to the road
- Installation of sprinkler systems on Council verge
- Landscaping, including vegetation & retaining walls, on Council verge

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

Signed: Jeffery W Swart Date of Decision: 03/12/2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

Date

Refer enquiries to

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM
Schedule 11, Regulation 42

Celebrating 150 years 1853 to 2003

Development Application Dated: 02/12/2003
Registered On: 02/12/2003

Development Application Number 080/1939/2003

131 Belair Road
Torrens Park
South Australia 5062

Postal Address
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

Telephone (08) 8372 8888
Facsimile (08) 8372 8101

Email
mitcham@mitchamcouncil.sa.gov.au

Web Site
http://www.mitchamcouncil.sa.gov.au

To: Ashcroft Building Design
195 Fullarton Road
DULWICH SA 5065

Location of Proposed Development: **8 Birdwood Street NETHERBY 5062**
LOT: 47 TYP: FP SEC: 249 PLN: 8 C/T: 5517/211

Nature of Proposed Development: **VARY APPROVED PLANS 080/1939/2003**

Building Classification Assigned: **MISC**

In respect of this development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Applicable Yes/No
Provisional Development Plan Consent	GRANTED	20 + 5 NOTES AS PER PDPC ISSUED ON 03/12/2003	YES
Provisional Building Rules consent	GRANTED	2 + NOTES AS ISSUED BY PRIVATE CERTIFIER ON 23/12/2003	YES
Public Space	-		n/a
Other	-		n/a
DEVELOPMENT APPROVAL	GRANTED	22 + NOTES	YES

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

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

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on 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.

Jeffery W Sewart
.....
City Manager / Delegate

Date of Decision: 12/01/2004

PLEASE READ THE INFORMATION ATTACHED TO THIS FORM

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Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

The following conditions apply to this application:-

NOTES

(1) The Provisional Building Rules Consent issued by Tecon Australia Pty Ltd of Level 3, 255 Pulteney Street, Adelaide SA 5000 on 23/12/2003 who is a Private Certifier has been relied upon for granting this Development Approval. There has been no examination by Council of the submitted documents in relation to any building matters.

(2) The builder or person responsible for overseeing the building work approved herein shall give Council one full business day's notice at the following stages of building work:

- Commencement; and
- Prior to the pouring of concrete to footings/slabs; and
- Intended completion of wall and roof framing; and
- Intended completion of Masonry; and
- Prior to the tiling of wet areas; and
- Completion of the building work.

Failure to notify Council at any of the above mentioned stages is an offence pursuant to the Development Act and Regulations and may result in a Division 6 fine ($4000), or Council may allow the offence to be expiated ($300).

Signed: Jeffery W Stewart

Date of Decision: 12 January 2004

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM

TECON
AUSTRALIA PTY LTD

Our Ref.: 03/0157.A
DA No.: 080/1939/2003

23 December, 2003

PROVISIONAL BUILDING RULES CONSENT

Ashcroft Building Design
195 Fullarton Road
DULWICH SA 5065

Location of proposed development:	**8 Birdwood Road Netherby**

Nature of proposed development:	**3 Dwellings and Garages – Amended details for site C**

In respect of this development you are informed that provisional building rules consent has been granted on 5 January, 2004 and is subject to 2 conditions,

The building has been assigned the following classification(s) 1a (Dwelling) & 10a (Outbuilding)

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

- Architectural drawings numbered B963.VCD sheets 1 to 3 (Site C only) by Ashcroft Building Design,
- Footing construction report numbered B23103-C by Sandland Consulting,
- Correspondence dated 18th June 2003 by Ashcroft Building Design.

No work can commence on this site unless a Development Approval has been obtained.

per

KYM ROWLAND
Private Certifier (SA Reg. No.: 038)

Level 3, 255 Pulteney Street, Adelaide SA 5000
Telephone: (08) 8236 2990 Facsimile: (08) 8228 1606 Email: admin@teconaust.com.au

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

DEVELOPMENT ACT, 1993
SECTION 42
BUILDING RULES CONSENT

Our Ref.: 03/0157.A
DA No.: 080/1939/2003

Project Name: 3 Dwellings & garages – Amended details for site C

Project Address: 8 Birdwood Road Netherby

Applicant: Ashcroft Building Design

Name of Owner: Gingold Developments

Conditions of provisional building rules consent

1. A Certificate of Indemnity Insurance as required by Part 5 of the Building Work Contractors Act, 1995 shall be submitted to council prior to work commencing.
   (To comply with Regulation 21 of the Development Regulations 1993.)

2. Roof truss design details shall be submitted to the certifier and granted consent prior to their fabrication.
   (To comply with the BCA performance requirement 2.1.)

Notes for provisional building rules consent

1. The applicant will be required to notify the adjoining owner of the intention to undertake building work as prescribed in Regulation 75 of the Development Regulations 1993, This notification must be at least 28 days before the building work is commenced.

2. Pursuant to Regulation 74 Development Regulations 1993 the applicant or builder proposing to undertake the development is advised of their obligation to give the Council 1 days notice of the commencement and completion of the development and at the stages notified by council with the Development Approval. The notice of commencement shall include the names of the persons who will be signing the Statement of Compliance required by Regulation 83AB(8) of the Development Regulations 1993.

3. Pursuant to Regulation 83AB(8) of the Development Regulations 1993 a person must not occupy a new dwelling or addition to a new dwelling unless it has been completed in accordance with the development approval and a written Statement Of Compliance for dwelling or addition has been provided to the relevant authority by:
   - the licensed building work contractor who has carried out the relevant work, or who was in charge of carrying out the relevant work, to which the statement relates; or
   - if there is no such licensed work contractor, - a registered building work supervisor or private certifier.

4. This report based on the building rules assessment only and does not suggest or infer compliance with any other legislation.

5. The methods of protection against termite attack listed in AS3660.1 - "Termite Management - New Building Work" rely on regular inspection and maintenance to remain effective. The construction of the building on or adjacent to a property boundary, another structure, tank, gas bottle, water heater or other equipment may impede the inspection process and reduce the effectiveness of the termite barrier.

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

6. A durable notice must be placed in a prominent location, such as the meter box or the like, indicating:-
   - The method of termite risk management,
   - The date of the installation,
   - The life expectancy of any chemical used,
   - The installer's or manufacturer's recommendations on the frequency of inspections for termite activity.

Tecon Australia
Building Surveyors

per .....
KYM ROWLAND
23 December, 2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

Date

Refer enquiries to

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM
Schedule 11, Regulation 42

131 Belair Road
Torrens Park
South Australia 5062

Postal Address
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

Telephone (08) 8372 8888
Facsimile (08) 8372 8101

Email
mitcham@mitchamcouncil.sa.gov.au

Web Site
http://www.mitchamcouncil.sa.gov.au

Development Application Dated: 17/07/2003
Registered On: 23/07/2003

Development Application Number 080/1193/2003

To: Mr J Benedetti
6 Redman Court
WOODVILLE SA 5011

Location of Proposed Development: **8 Birdwood Street Netherby 5062**
LOT: 47 TYP: FP SEC: 249 PLN: 8 C/T: 5517/211

Nature of Proposed Development: **DEMOLISH A DWELLING**

Building Classification Assigned: **MISC**

In respect of this development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Consent Refused	Applicable Yes/No
Provisional Development Plan consent	GRANTED	1		YES
Provisional Building Rules consent	GRANTED	NIL		YES
Land Division	-	- -		n/a
Land Division (Strata)	-	- -		n/a
Public Space	-	- -		n/a
Other	-	- -		n/a
DEVELOPMENT APPROVAL	GRANTED	1		YES

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

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

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on 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.

.....
City Manager / Delegate

Date of Decision: 28/07/2003

PLEASE READ THE INFORMATION ATTACHED TO THIS FORM

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Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

The following conditions apply to this application:-

(1) The proposal shall be developed in accordance with the plans and details relating to Development Application Number 080/1193/2003.

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

NOTES

nil

Signed: .....

Date of Decision: 28/07/2003

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Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

Date

Refer enquiries to

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM
Schedule 11, Regulation 42

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Torrens Park
South Australia 5062

Postal Address
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

Telephone (08) 8372 8888
Facsimile (08) 8372 8101

Email
mitcham@mitchamcouncil.sa.gov.au

Web Site
http://www.mitchamcouncil.sa.gov.au

Development Application Dated: 02/05/2003
Registered On: 06/05/2003

Development Application Number 080/787/2003
(080/D011/2003)

To: Mr J Benedetti
C/- State Surveys
465B South Road
KESWICK SA 5035

Location of Proposed Development: **8 Birdwood Street Netherby 5062**
LOT: 47 TYP: FP SEC: 249 PLN: 8 C/T: 5517/211

Nature of Proposed Development: **DIVIDE LAND**

In respect of this development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Applicable Yes/No
Provisional Development Plan consent	GRANTED	1	YES
Provisional Building Rules consent	-	- -	n/a
Land Division	GRANTED	COUNCIL 4 + 2 NOTES DAC 3	YES
Land Division (Strata)	-	- -	n/a
Public Space	-	- -	n/a
Other	-	- -	n/a
DEVELOPMENT APPROVAL	GRANTED	8 + 2 NOTES	YES

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

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

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on 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.

Jefferyn Stewart
.....
City Manager / Delegate

Date of Decision: 24/06/2003

PLEASE READ THE INFORMATION ATTACHED TO THIS FORM

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Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

DECISION NOTIFICATION FORM APPLICATION NO: 080/787/2003 (D011/2003)

The following conditions apply to this application:-

(1) The proposal shall be developed in accordance with the details and plans relating to Development Application Number 080/0787/2003 except where varied by the following conditions of consent.

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

Signed: Jefferyn Sewart
City Manager / Delegate

Dated: 24/06/2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

Date

Refer enquiries to

131 Belair Road
Torrens Park
South Australia 5062

Postal Address
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

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CONDITIONS IMPOSED UNDER SECTION 33(1)(C) OF THE DEVELOPMENT ACT 1993 - DIVISION OF LAND

DEVELOPMENT NUMBER: 080/787/2003 (080/D011/2003)

APPLICANT: Mr J Benedetti

PROPOSAL: DIVIDE LAND

SUBJECT LAND: 8 Birdwood Street Netherby 5062

The following requirements are to be satisfied within three (3) years of the operative date of the Development Approval or any extension thereof which Council may grant.

Council Requirements:

(1) All earthworks associated with the development shall be stabilized in accordance with standard engineering design and practices against erosion and failure. No earthworks must encroach across neighbouring property boundaries

(2) All engineering work is to be constructed in accordance with the plans submitted by Ashcroft Building Design job No B963 Dwg SK01.

(3) All Engineering works shall be constructed in accordance with sound accepted engineering practice & to appropriate Australian Standards.

(4) A soil Erosion and Drainage Management Plan shall be prepared and submitted to Council for approval. The purpose of the plan is to control pollution during the course of construction.

Signed: Jeffery W Seward
City Manager / Delegate

Dated: 24/06/2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

Date

Refer enquiries to

131 Belair Road
Torrens Park
South Australia 5062

Postal Address
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

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NOTES

(1) Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment shall be repaired/reinstated to Council's satisfaction at the developer's expense.

(2) All work undertaken within the road verge between the property boundary and the road edge requires approval from Council. An "Application for construction or modifications on Council Property" shall be lodged with Council for approval for the following activities:

- Construction of a driveway across Council verge
- Construction of a driveway kerb crossover
- Underground electrical connection
- Stormwater connection from property to the road
- Installation of sprinkler systems on Council verge
- Landscaping, including vegetation & retaining walls, on Council verge

Development Assessment Commission Requirements:

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

(2) Payment of $1830.00 shall be made into the Planning and Development Fund (1 allotment @ $1830.00/allotment). Cheques shall be made payable and marked "Not Negotiable" to the Development Assessment Commission and payment made at Level 5, 136 North Terrace, Adelaide, or sent to GPO Box 1815, Adelaide, 5001, or via the internet at www.planning.sa.gov.au.

(3) Two copies of a certified survey plan being lodged with the Development Assessment Commission for Certificate purposes.

Signed: Jeffery Stewart
City Manager / Delegate

Dated: 24/06/2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM

TECON AUSTRALIA PTY LTD

Our Ref.: 03/0157
DA No.: 080/461/2002

25 July, 2003

PROVISIONAL BUILDING RULES CONSENT

Ashcroft Building Design
195 Fullarton Road
DULWICH SA 5065

Location of proposed development:	**8 Birdwood Road Netherby**

Nature of proposed development:	**3 Dwellings and Garages**

In respect of this development you are informed that provisional building rules consent has been granted on 25 July, 2003 and is subject to 2 conditions.

The building has been assigned the following classification(s) 1a (Dwelling) & 10a (Outbuilding)

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

- Architectural drawings numbered B963.VCD sheets 1 to 5 by Ashcroft Building Design,
- Specification issued April 2003 by Ashcroft Building Design,
- Footing construction report numbered B23103-A and B23103-B/C by Sandland Consulting,
- Correspondence dated 18th June 2003 by Ashcroft Building Design.

No work can commence on this site unless a Development Approval has been obtained.

KYM ROWLAND
Private Certifier (SA Reg. No.: 038)

Level 3, 255 Pulteney Street, Adelaide SA 5000
Telephone: (08) 8236 2990 Facsimile: (08) 8228 1606 Email: admin@teconaust.com.au

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

DEVELOPMENT ACT, 1993
SECTION 42
BUILDING RULES CONSENT

Our Ref.: 03/0157
DA No.: 080/461/2002

Project Name: 3 Dwellings & garages

Project Address: 8 Birdwood Road Netherby

Applicant: Ashcroft Building Design

Name of Owner: Gingold Developments

Conditions of provisional building rules consent

1. A Certificate of Indemnity Insurance as required by Part 5 of the Building Work Contractors Act, 1995 shall be submitted to council prior to work commencing.
   (To comply with Regulation 21 of the Development Regulations 1993.)

2. Roof truss design details shall be submitted to the certifier and granted consent prior to their fabrication.
   (To comply with the BCA performance requirement 2.1.)

Notes for provisional building rules consent

1. The applicant will be required to notify the adjoining owner of the intention to undertake building work as prescribed in Regulation 75 of the Development Regulations 1993, This notification must be at least 28 days before the building work is commenced.

2. The applicant or builder proposing to undertake the development is advised of their obligation to give the Council 1 days notice of the commencement and completion of the development and at stages notified by council as prescribed in Regulation 74 Development Regulations 1993.

3. A person must not occupy a new dwelling or addition to a new dwelling unless it has been completed in accordance with the development approval and a written statement of completion for dwelling or addition has been provided to the relevant authority by:
   - the licensed building work contractor who has carried out the relevant work, or who was in charge of carrying out the relevant work, to which the statement relates; or
   - if there is no such licensed work contractor, - a registered building work supervisor or private certifier.

4. The owners should be made aware of the general requirements for maintenance of the footings and site management set out in appendix B of AS2870 Residential Slabs and Footings and the information available in the CSIRO pamphlet 10-91.

5. The owner should be made aware that it may not be possible to prevent significant movement between the existing building and the proposed addition as a result of soil movements. The results of this movement may be disguised or hidden by careful design.

6. This report based on the building rules assessment only and does not suggest or infer compliance with any other legislation.

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

7. The proposed method of disposal of the roof water or stormwater from this development must not result in the entry of water into any building or on to the land of any adjoining owner without their prior consent.

8. The methods of protection against termite attack listed in AS3660.1 - "Termite Management - New Building Work" rely on regular inspection and maintenance to remain effective. The construction of the building on or adjacent to a property boundary, another structure, tank, gas bottle, water heater or other equipment may impede the inspection process and reduce the effectiveness of the termite barrier.

9. A durable notice must be placed in a prominent location, such as the meter box or the like, indicating:-
   - The method of termite risk management,
   - The date of the installation,
   - The life expectancy of any chemical used,
   - The installer's or manufacturer's recommendations on the frequency of inspections for termite activity.

Tecon Australia
Building Surveyors

.....
Kym Rowland
25 July, 2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

CITY OF MITCHAM

Date

Refer enquiries to

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM
Schedule 11, Regulation 42

131 Belair Road
Torrens Park
South Australia 5062

Postal Address
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Mitcham Shopping Centre
Torrens Park SA 5062

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Facsimile (08) 8372 8101

Email
mitcham@mitchamcouncil.sa.gov.au

Web Site
http://www.mitchamcouncil.sa.gov.au

Development Application Dated: 22/02/2002
Registered On: 21/03/2002

Development Application Number 080/461/2002

To: Ashcroft Building Design
The Pyramid
195 Fullarton Road
DULWICH SA 5065

Location of Proposed Development: **8 Birdwood Street Netherby 5062**
LOT: 47 TYP: FP SEC: 249 PLN: 8 C/T: 5517/211

Nature of Proposed Development: **TO CONSTRUCT ONE SINGLE STOREY DETACHED DWELLING AND TWO OTHER DWELLINGS**

Building Classification Assigned: **1A**

In respect of this development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Applicable Yes/No
Provisional Development Plan Consent	GRANTED	20 + 5 NOTES AS PER PDPC ISSUED ON 10/01/2003	YES
Provisional Building Rules consent	GRANTED	2 + NOTES AS ISSUED BY PRIVATE CERTIFIER ON 25/07/2003	YES
Public Space	-		n/a
Other	-		n/a
DEVELOPMENT APPROVAL	GRANTED	22 + NOTES	YES

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

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

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on 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.

.....
City Manager / Delegate

Date of Decision: 30/07/2003

PLEASE READ THE INFORMATION ATTACHED TO THIS FORM

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Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

The following conditions apply to this application:-

NOTES

(1) The Provisional Building Rules Consent issued by Tecon Australia Pty Ltd of Level 3, 255 Pulteney Street, Adelaide SA 5000 on 25/07/2003 who is a Private Certifier has been relied upon for granting this Development Approval. There has been no examination by Council of the submitted documents in relation to any building matters.

(2) The builder or person responsible for overseeing the building work approved herein shall give Council one full business day's notice at the following stages of building work:

- Commencement; and
- Prior to the pouring of concrete to footings/slabs; and
- Intended completion of wall and roof framing; and
- Intended completion of Masonry; and
- Prior to the tiling of wet areas; and
- Completion of the building work.

Failure to notify Council at any of the above mentioned stages is an offence pursuant to the Development Act and Regulations and may result in a Division 6 fine ($4000), or Council may allow the offence to be expiated ($300).

Signed: .....

Date of Decision: 30/07/2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

DEVELOPMENT ACT 1993
DECISION NOTIFICATION FORM

TECON AUSTRALIA PTY LTD

Our Ref.: 03/0157
DA No.: 080/461/2002

25 July, 2003

PROVISIONAL BUILDING RULES CONSENT

Ashcroft Building Design
195 Fullarton Road
DULWICH SA 5065

Location of proposed development:	**8 Birdwood Road Netherby**

Nature of proposed development:	**3 Dwellings and Garages**

In respect of this development you are informed that provisional building rules consent has been granted on 25 July, 2003 and is subject to 2 conditions.

The building has been assigned the following classification(s) 1a (Dwelling) & 10a (Outbuilding)

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

- Architectural drawings numbered B963.VCD sheets 1 to 5 by Ashcroft Building Design,
- Specification issued April 2003 by Ashcroft Building Design,
- Footing construction report numbered B23103-A and B23103-B/C by Sandland Consulting,
- Correspondence dated 18th June 2003 by Ashcroft Building Design.

No work can commence on this site unless a Development Approval has been obtained.

KYM ROWLAND
Private Certifier (SA Reg. No.: 038)

Level 3, 255 Pulteney Street, Adelaide SA 5000
Telephone: (08) 8236 2990 Facsimile: (08) 8228 1606 Email: admin@teconaust.com.au

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

DEVELOPMENT ACT, 1993
SECTION 42
BUILDING RULES CONSENT

Our Ref.: 03/0157
DA No.: 080/461/2002

Project Name: 3 Dwellings & garages

Project Address: 8 Birdwood Road Netherby

Applicant: Ashcroft Building Design

Name of Owner: Gingold Developments

Conditions of provisional building rules consent

1. A Certificate of Indemnity Insurance as required by Part 5 of the Building Work Contractors Act, 1995 shall be submitted to council prior to work commencing.
   (To comply with Regulation 21 of the Development Regulations 1993.)

2. Roof truss design details shall be submitted to the certifier and granted consent prior to their fabrication.
   (To comply with the BCA performance requirement 2.1.)

Notes for provisional building rules consent

1. The applicant will be required to notify the adjoining owner of the intention to undertake building work as prescribed in Regulation 75 of the Development Regulations 1993, This notification must be at least 28 days before the building work is commenced.

2. The applicant or builder proposing to undertake the development is advised of their obligation to give the Council 1 days notice of the commencement and completion of the development and at stages notified by council as prescribed in Regulation 74 Development Regulations 1993.

3. A person must not occupy a new dwelling or addition to a new dwelling unless it has been completed in accordance with the development approval and a written statement of completion for dwelling or addition has been provided to the relevant authority by:
   - the licensed building work contractor who has carried out the relevant work, or who was in charge of carrying out the relevant work, to which the statement relates; or
   - if there is no such licensed work contractor, - a registered building work supervisor or private certifier.

4. The owners should be made aware of the general requirements for maintenance of the footings and site management set out in appendix B of AS2870 Residential Slabs and Footings and the information available in the CSIRO pamphlet 10-91.

5. The owner should be made aware that it may not be possible to prevent significant movement between the existing building and the proposed addition as a result of soil movements. The results of this movement may be disguised or hidden by careful design.

6. This report based on the building rules assessment only and does not suggest or infer compliance with any other legislation.

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

7. The proposed method of disposal of the roof water or stormwater from this development must not result in the entry of water into any building or on to the land of any adjoining owner without their prior consent.

8. The methods of protection against termite attack listed in AS3660.1 - "Termite Management - New Building Work" rely on regular inspection and maintenance to remain effective. The construction of the building on or adjacent to a property boundary, another structure, tank, gas bottle, water heater or other equipment may impede the inspection process and reduce the effectiveness of the termite barrier.

9. A durable notice must be placed in a prominent location, such as the meter box or the like, indicating:-
   - The method of termite risk management,
   - The date of the installation,
   - The life expectancy of any chemical used,
   - The installer's or manufacturer's recommendations on the frequency of inspections for termite activity.

Tecon Australia
Building Surveyors

.....
Kym Rowland
25 July, 2003

Document Set ID: 5636779
Version: 1, Version Date: 27/08/2024

Data Extract for Section 7 search purposes

Valuation ID 0800361402

Data Extract Date: 27/08/2024

Parcel ID: D63919 A3

Certificate Title: CT5917/293

Property Address: 6 BIRDWOOD ST NETHERBY SA 5062

Zones
Suburban Neighbourhood (SN)

Subzones
No

Zoning overlays

Overlays
Airport Building Heights (Regulated) (All structures over 45 metres)

The Airport Building Heights (Regulated) Overlay seeks to ensure building height does not pose a hazard to the operation and safety requirements of commercial and military airfields.

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.

Is the land situated in a State Heritage Place/Area

No

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

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

Is the land designated as a Local Heritage Place

No

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

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

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

(Council input required)

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

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

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

Associated Development Authorisation Information

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

No

Land Management Agreement (LMA)

No

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
08 00361 40 2	CT5917293	27/8/2024	7836	2600113

BERTRAM FORM 1 SHOP PTY LTD
GPO BOX 448
ADELAIDE SA 5001
form1@bertramform1shop.com

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: MS CA & MS SB JAMES
Location: 6 BIRDWOOD ST NETHERBY LT 3 D63919
Description: 5H DG
Capital Value: $1 375 000
Rating: Residential

Periodic charges

Raised in current years to 30/9/2024

				$
		Arrears as at: 30/6/2024	:	0.03
Water main available:	1/7/2004	Water rates	:	78.60
Sewer main available:	1/7/2004	Sewer rates	:	213.81
		Water use	:	88.51
		SA Govt concession	:	51.52CR
		Recycled Water Use	:	0.00
		Service Rent	:	0.00
		Recycled Service Rent	:	0.00
		Other charges	:	0.00
		Goods and Services Tax	:	0.00
		Amount paid	:	0.00
		Balance outstanding	:	329.43

Degree of concession: 50.00% Date granted: 30/4/2020

Recovery action taken: ACCOUNT SENT

Next quarterly charges: Water supply: 78.60 Sewer: 213.81 Bill: 13/11/2024

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

The last Water Use Year ended on 13/05/2024.

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.

SA Water

South Australian Water Corporation

Name:
MS CA & MS SB JAMES

Water & Sewer Account
Acct. No.: 08 00361 40 2

Amount: _____

Address:
6 BIRDWOOD ST NETHERBY LT 3 D63919

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	0800361402

BPAY

Biller code: 8888
Ref: 0800361402

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: 0800361402

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: 2600113

DATE OF ISSUE
27/08/2024

BERTRAM FORM 1 SHOP PTY LTD
GPO BOX 448
ADELAIDE SA 5001

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

OWNERSHIP NUMBER	OWNERSHIP NAME
17256117	C JAMES & S MCDONALD

PROPERTY DESCRIPTION

6 BIRDWOOD ST / NETHERBY SA 5062 / LT 3 D63919

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
			R4	RE
0800361402	CT 5917/293	$1,375,000.00	1.000	0.400

LEVY DETAILS:

FINANCIAL YEAR
2024-2025

FIXED CHARGE	$	50.00
+ VARIABLE CHARGE	$	518.10
- REMISSION	$	364.65
- CONCESSION	$	23.00
+ ARREARS / - PAYMENTS	$	0.00
= AMOUNT PAYABLE	$	180.45

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 **25/11/2024**

Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

RevenueSA
DEPARTMENT OF TREASURY AND FINANCE

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

PAYMENT REMITTANCE ADVICE

OWNERSHIP NUMBER
17256117

OWNERSHIP NAME
C JAMES & S MCDONALD

ASSESSMENT NUMBER
0800361402

AMOUNT PAYABLE
$180.45

AGENT NUMBER
100019503

AGENT NAME
BERTRAM FORM 1 SHOP PTY LTD

EXPIRY DATE
25/11/2024

+80013300230022> +001571+ <0550755472> <0000018045> +444+

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

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

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

RevenueSA
DEPARTMENT OF TREASURY AND FINANCE

ABN 19 040 349 865
Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

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

PIR Reference No: 2600113

DATE OF ISSUE
27/08/2024

BERTRAM FORM 1 SHOP PTY LTD
GPO BOX 448
ADELAIDE SA 5001

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

OWNERSHIP NAME
C JAMES & S MCDONALD

FINANCIAL YEAR
2024-2025

PROPERTY DESCRIPTION
6 BIRDWOOD ST / NETHERBY SA 5062 / LT 3 D63919

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	TAXABLE SITE VALUE	AREA
0800361402	CT 5917/293	$680,000.00	0.0429 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 **25/11/2024**

Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

RevenueSA
DEPARTMENT OF TREASURY AND FINANCE

Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

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

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

IMPORTANT NOTICE

SMOKE ALARM LEGISLATION

Legislation relating to smoke alarms came into force on the 1st day of February 1998.

- If the home you are purchasing was built on or after the 1st January 1995, then it should already have an operational mains powered smoke alarm installed. If not, it is the responsibility of the vendor to install it prior to settlement at the vendor's cost.

- If the home was built prior to 1st January 1995, but purchased by the vendor on or after 1st February 1998, then it should already have either an operational mains powered smoke alarm installed, or one powered by 10 year life, non-replaceable, non-removable permanently connected batteries. Again, it is the responsibility of the vendor to install such an alarm prior to settlement, and at the vendor's cost.

- In all other cases, the home you are buying must have at least, a battery operated smoke alarm which you are required to upgrade to mains power (or an alarm fitted with 10 year life, non-replaceable, non-removable permanently connected batteries) within six months of the date of purchase. It is recommended that at least one smoke alarm be installed on each floor of a multi storey dwelling.

The smoke alarms must be installed by a licensed electrician and must comply with the Australian Standard. A maximum penalty of $750.00 for a breach of the legislation applies.

Besides this penalty, there is also a risk that damage caused by fire to a dwelling, which does not have a smoke alarm installed as required under the legislation, may not be covered by insurance.

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