000003253306

Form 1 - Vendor's statement

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

Contents

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Preliminary

To the purchaser:

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

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

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

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

Instructions to the vendor for completing this statement:

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

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

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

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

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

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

SA FORM 1

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

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

Part A - Parties and land

1 Purchaser:

Address:

2 ~~Purchaser's registered agent:~~ ☐

Address:

3 Vendor:

BRYCE MATTHEW BLACKER

Address:

29 BRUCE STREET MALVERN EAST VIC 3145

4 Vendor's registered agent:

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

Address:

1/245 FULLARTON ROAD, EASTWOOD, SA 5063

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

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

THE WHOLE OF THE LAND COMPRISED IN CERTIFICATE OF TITLE - VOLUME 5523 FOLIO 926

BEING ALLOTMENT 92 IN FILED PLAN 109657 AND BEING LAND KNOWN AS
78 PULSFORD ROAD, PROSPECT, SA 5082

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:

29 BRUCE STREET MALVERN EAST VIC 3145

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

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

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

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

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

1/245 FULLARTON ROAD, EASTWOOD, SA 5063

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

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

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

(b) if you intend to serve the notice by fax or email, you obtain a record of the transmission of the fax or email.

5 - Effect of service

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

(a) the amount of any deposit paid if the deposit did not exceed $100; or

(b) an amount paid for an option to purchase the land.

Proceeding with the purchase

If you wish to proceed with the purchase -

(a) it is strongly recommended that you take steps to make sure your interest in the property is adequately insured against loss or damage; and

(b) pay particular attention to the provisions in the contract as to time of settlement - it is essential that the necessary arrangements are made to complete the purchase by the agreed date - if you do not do so, you may be in breach of the contract; and

(c) you are entitled to retain the solicitor or registered conveyancer of your choice.

Part C - Statement with respect to required particulars

(section 7(1))

To the purchaser:

*I/~~We~~ BRYCE MATTHEW BLACKER

of 29 BRUCE STREET MALVERN EAST VIC 3145

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: 14/11/2024
Signed BM Blacker

Date:
Signed

Date:
Signed

Date:
Signed

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

(section 9)

To the purchaser:

I, CLAYTON BARBER OF S.A. FORM 1'S PTY LTD

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

Exceptions: NIL

Date: 14/11/2024
Signed: Clayton Barber

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

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

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

(section 7(1)(b))

Note -

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

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

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

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

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

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

(b) the mortgage, charge or prescribed encumbrance -

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

(A) under the heading 1. General -

1.1 Mortgage of land

1.4 Lease, agreement for lease, tenancy agreement or licence

1.5 Caveat

1.6 Lien or notice of a lien

(B) under the heading 36. Other charges -

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

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

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

Table of particulars

Column 1	Column 2	Column 3

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

1. General

1.1 Mortgage of land

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

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

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

CERTIFICATE OF TITLE

Number of mortgage (if registered):

13641598

Name of mortgagee:

MACQUARIE BANK LTD. (ACN: 008 583 542)

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1.2 Easement

(whether over the land or annexed to the land)

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

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

Is this item applicable? ✓

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

Are there attachments? YES

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

PROPERTY INTEREST REPORT

Description of land subject to easement:

THE WHOLE OF THE LAND COMPRISED IN
CERTIFICATE OF TITLE - VOLUME 5523 FOLIO 926

Nature of easement:

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

Are you aware of any encroachment on the easement?

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?

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1.4 Lease, agreement for lease, tenancy agreement or licence

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

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

Is this item applicable?

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

Are there attachments?

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

Name of parties:

Period of lease, agreement for lease etc:

From

to

Amount of rent or licence fee:

$ per (period)

Is the lease, agreement for lease etc in writing?

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

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

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

5. *Development Act 1993* (repealed)

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

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

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

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

CITY OF PROSPECT COUNCIL SEARCH

Condition(s) of authorisation:

REFER TO CITY OF PROSPECT COUNCIL SEARCH

6. Repealed Act conditions

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

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

Is this item applicable? ☐

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

Are there attachments?

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

Nature of condition(s):

7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy

Is this item applicable? ✓

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

Are there attachments? YES

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

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

Date of notice:

07 NOVEMBER 2024

Amount of levy payable:

Refer to Certificate of ESL Payable

21. Local Government Act 1999

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

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):

CITY OF PROSPECT COUNCIL SEARCH

Date of notice, order etc:

06 NOVEMBER 2024

Name of council by which, or person by whom, notice, order etc is given or made:

CITY OF PROSPECT

Land subject thereto:

THE WHOLE OF THE LAND COMPRISED IN CERTIFICATE OF TITLE VOLUME 5523 FOLIO 926

Nature of requirements contained in notice, order etc:

REFER TO CITY OF PROSPECT COUNCIL SEARCH

Time for carrying out requirements:

REFER TO CITY OF PROSPECT COUNCIL SEARCH

Amount payable (if any):

REFER TO CITY OF PROSPECT COUNCIL SEARCH

22. Local Nuisance and Litter Control Act 2016

22.1 section 30 - Nuisance or litter abatement 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:

Notice issued by:

Nature of requirements contained in notice:

Time for carrying out requirements:

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23. Metropolitan Adelaide Road Widening Plan Act 1972

23.1 section 6 - Restriction on building 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):

Does the restriction apply to all of the land?

If NO, give details about the part of the land to which the restriction applies:

29. Planning, Development and Infrastructure Act 2016

29.1 Part 5 - Planning and Design Code

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

Is this item applicable? ✓

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

Are there attachments? YES

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

PROPERTY INTEREST REPORT,
CITY OF PROSPECT COUNCIL SEARCH

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

ZONES:
ESTABLISHED NEIGHBOURHOOD (EN)

SUBZONES:
NO

ZONING OVERLAYS:
AIRPORT BUILDING HEIGHTS (REGULATED) (ALL STRUCTURES OVER 45 METRES)

CHARACTER AREA (PrC2)

HERITAGE ADJACENCY

HAZARDS (FLOODING - GENERAL)

LOCAL HERITAGE PLACE (Heritage Number: 27055)

PRESCRIBED WELLS AREA

REGULATED AND SIGNIFICANT TREE

STORMWATER MANAGEMENT

URBAN TREE CANOPY

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?	YES
Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land?	UNKNOWN
Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	YES

Note - For further information about the Planning and Design Code visit www.code.plan.sa.gov.au.

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

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

Is this item applicable?

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

Are there attachments?

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

Date of authorisation:

Name of relevant authority that granted authorisation:

Condition(s) of authorisation:

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

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Name of person giving notice of proposed work:

Building work proposed (as stated in the notice):

Other building work as required pursuant to the Act:

29.4 section 140 - Notice requesting access

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Name of person requesting access:

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

Activity of work to be carried out:

29.5 section 141 - Order to remove or perform work

Is this item applicable?

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

Are there attachments?

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

Date of order:

Terms of order:

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

Amount payable (if any):

29.6 section 142 - Notice to complete development

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Requirements of notice:

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

Amount payable (if any):

29.7 section 155 - Emergency order

Is this item applicable?

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

Are there attachments?

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

Date of order:

Name of authorised officer who made order:

Name of authority that appointed the authorised officer:

Nature of order:

Amount payable (if any):

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):

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

Is this item applicable?

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

Are there attachments?

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

Date order made:

Name of court that made order:

Action number:

Names of parties:

Terms of order:

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

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

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

CERTIFICATE OF LAND TAX PAYABLE

SA WATER CERTIFICATE OF CHARGES

CITY OF PROSPECT COUNCIL SEARCH

PLANSA - REGULATED AND SIGNIFICANT TREE REFORMS

*(*Strike out whichever is not applicable)*

ACKNOWLEDGEMENT OF RECEIPT OF FORM 1 – VENDOR'S STATEMENT

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

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

Dated this _____ Day of _____ 20

Signed: _____

_____

_____

_____

Purchaser(s)

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

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

FORM R3 – BUYERS INFORMATION NOTICE

Annexure to Form 1 – Vendor's Statement

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Form R3

Buyers information notice

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

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

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

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

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

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

Safety

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

Enjoyment

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

Value

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

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

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

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

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

COPY OF CERTIFICATE(S) OF TITLE TO THE LAND

Annexure to Form 1 – Vendor's Statement

Forms Live Sign
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LAND SERVICES SA

Product	Register Search (CT 5523/926)
Date/Time	06/11/2024 01:05PM
Customer Reference	24689
Order ID	20241106005748

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 5523 Folio 926

Parent Title(s) CT 1907/46

Creating Dealing(s) CONVERTED TITLE

Title Issued 16/04/1998 **Edition** 8 **Edition Issued** 28/10/2021

Estate Type

FEE SIMPLE

Registered Proprietor

BRYCE MATTHEW BLACKER
OF 29 BRUCE STREET MALVERN EAST VIC 3145

Description of Land

ALLOTMENT 92 FILED PLAN 109657
IN THE AREA NAMED PROSPECT
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13641598	MORTGAGE TO MACQUARIE BANK LTD. (ACN: 008 583 542)

Notations

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

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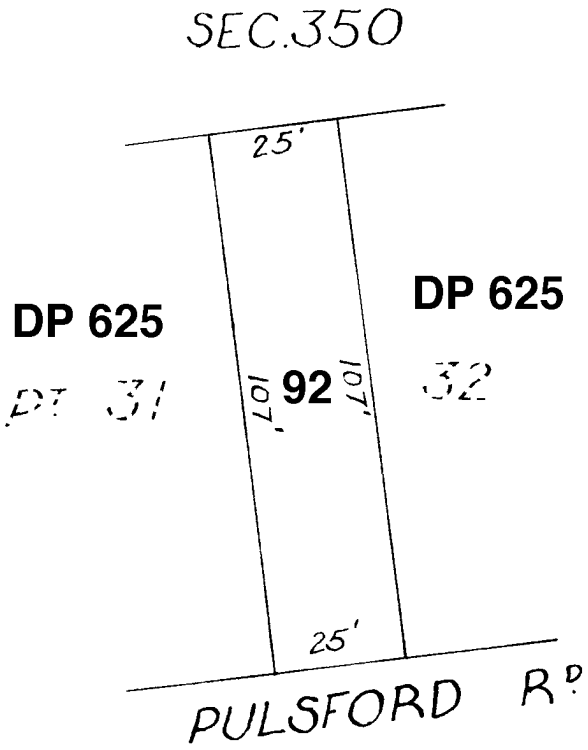
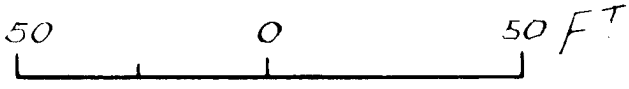
THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 1907/46 **LAST PLAN REF: DP 625**





DISTANCES ARE IN FEET AND INCHES FOR METRIC CONVERSION		
1 FOOT	=	0·3048 METRES
1 INCH	=	0·0254 METRES

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

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PROPERTY INTEREST REPORT

Annexure to Form 1 – Vendor's Statement

Property Interest Report

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

Title Reference	CT 5523/926	**Reference No.**	2621727
Registered Proprietors	B M*BLACKER	**Prepared**	06/11/2024 13:05
Address of Property	78 PULSFORD ROAD, PROSPECT, SA 5082		
Local Govt. Authority	THE CITY OF PROSPECT		
Local Govt. Address	PO BOX 171 PROSPECT SA 5082		

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 Representative Buildings Review - seeks to recognise and identify representative buildings within all Historic Areas in the City of Prospect. The amendment will apply to Historic Areas where spatial representation of representative buildings has not been recognised in the Planning and Design Code (the Code). 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 Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - The Chief Executive of the Department for Trade and Investment has initiated the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment to review the definitions for 'ancillary accommodation' and 'student accommodation'. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664. Code Amendment Future Living - seeks to enhance housing diversity by providing housing options for smaller household types, and responding to the ageing demographics of the state's population by providing greater opportunities for ageing in place. For more information, visit the Code Amendments webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.
29.2	section 127 - Condition (that continues to apply) of a development authorisation *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.3	section 139 - Notice of proposed work and notice may require access	Contact the vendor for these details

29.4	section 140 - Notice requesting access	Contact the vendor for these details
29.5	section 141 - Order to remove or perform work	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.6	section 142 - Notice to complete development	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.7	section 155 - Emergency order	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.8	section 157 - Fire safety notice	Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.9	section 192 or 193 - Land management agreement	Refer to the Certificate of Title
29.10	section 198(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.11	section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.12	Part 16 Division 1 - Proceedings	Contact the Local Government Authority for details relevant to this item also Contact the vendor for other details that might apply
29.13	section 213 - Enforcement notice	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.14	section 214(6), 214(10) or 222 - Enforcement order	Contact the Local Government Authority for details relevant to this item also State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

30. *Plant Health Act 2009*

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

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

	Part 3 - Notice	Public Health in DHW has no record of any notice or direction affecting this title

31.1		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	Refer to the Certificate of Title

included in another item)

also

Contact the vendor for these details

also

Contact the Local Government Authority for other details that might apply

Other Particulars

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

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

Additional Information

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

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

Notices

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

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

Building restrictions

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

In addition, if a building or structure is erected in proximity to a powerline of an electricity entity in contravention of the *Electricity Act*, the entity may seek a court order:
a) requiring the person to take specified action to remove or modify the building or structure within a specified period;
b) for compensation from the person for loss or damage suffered in consequence of the contravention; and/or
c) for costs reasonably incurred by the entity in relocating the powerline or carrying out other work.

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

Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

Landscape South Australia 2019

Water Resources Management - Taking of underground water

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

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

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

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LAND SERVICES SA

Product	Check Search
Date/Time	06/11/2024 01:05PM
Customer Reference	24689
Order ID	20241106005748

Certificate of Title

Title Reference: CT 5523/926

Status: CURRENT

Edition: 8

Dealings

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

Priority Notices

NIL

Registrar-General's Notes

No Registrar-General's Notes exist for this title

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LAND SERVICES SA

Product	Title and Valuation Package
Date/Time	06/11/2024 01:05PM
Customer Reference	24689
Order ID	20241106005748

Certificate of Title

Title Reference	CT 5523/926
Status	CURRENT
Easement	NO
Owner Number	09803555
Address for Notices	29 BRUCE ST MALVERN EAST, VIC 3145
Area	NOT AVAILABLE

Estate Type

Fee Simple

Registered Proprietor

BRYCE MATTHEW BLACKER
OF 29 BRUCE STREET MALVERN EAST VIC 3145

Description of Land

ALLOTMENT 92 FILED PLAN 109657
IN THE AREA NAMED PROSPECT
HUNDRED OF YATALA

Last Sale Details

Dealing Reference	TRANSFER (T) 13641597
Dealing Date	25/10/2021
Sale Price	$781,000
Sale Type	FULL VALUE / CONSIDERATION AND WHOLE OF LAND

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	13641598	MACQUARIE BANK LTD. (ACN: 008 583 542)

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
052438800*	CURRENT	78 PULSFORD ROAD, PROSPECT, SA 5082

Notations

Dealings Affecting Title

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NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number	052438800*
Type	Site & Capital Value
Date of Valuation	01/01/2024
Status	CURRENT
Operative From	01/07/1966
Property Location	78 PULSFORD ROAD, PROSPECT, SA 5082
Local Government	PROSPECT
Owner Names	BRYCE MATTHEW BLACKER
Owner Number	09803555
Address for Notices	29 BRUCE ST MALVERN EAST, VIC 3145
Zone / Subzone	EN - Established Neighbourhood
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	3H CP V
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
F109657 ALLOTMENT 92	CT 5523/926

Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	$500,000	$900,000			
Previous	$500,000	$860,000			

Building Details

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Valuation Number	052438800*
Building Style	Single Fronted Cottage/Villa
Year Built	1880
Building Condition	Basic
Wall Construction	Rendered
Roof Construction	Galvanised Iron
Equivalent Main Area	92 sqm
Number of Main Rooms	3

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

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LAND SERVICES SA

Product	Historical Search
Date/Time	06/11/2024 01:05PM
Customer Reference	24689
Order ID	20241106005748

Certificate of Title

Title Reference: CT 5523/926

Status: CURRENT

Parent Title(s): CT 1907/46

Dealing(s) Creating Title: CONVERTED TITLE

Title Issued: 16/04/1998

Edition: 8

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
25/10/2021	28/10/2021	13641598	MORTGAGE	REGISTERED	MACQUARIE BANK LTD. (ACN: 008 583 542)
25/10/2021	28/10/2021	13641597	TRANSFER	REGISTERED	BRYCE MATTHEW BLACKER
25/10/2021	28/10/2021	13641596	DISCHARGE OF MORTGAGE	REGISTERED	12143491
06/06/2014	07/07/2014	12143491	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
06/06/2014	07/07/2014	12143490	TRANSFER	REGISTERED	LINDA JANE NORTH, LARRY ALAN NORTH
06/06/2014	07/07/2014	12143489	CHANGE OF NAME	REGISTERED	LINDA JANE NORTH
06/06/2014	07/07/2014	12143488	DISCHARGE OF MORTGAGE	REGISTERED	11442180
11/08/2010	26/08/2010	11442180	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
11/08/2010	26/08/2010	11442179	TRANSFER	REGISTERED	LINDA JANE MOUNSEY
11/08/2010	26/08/2010	11442178	DISCHARGE OF MORTGAGE	REGISTERED	11151841
06/04/2009	01/05/2009	11151841	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA
06/04/2009	01/05/2009	11151840	DISCHARGE OF MORTGAGE	REGISTERED	10721392
08/06/2007	25/09/2007	10721392	MORTGAGE	REGISTERED	PERPETUAL TRUSTEES VICTORIA LTD. (ACN: 004 027 258)
08/06/2007	25/09/2007	10721391	TRANSFER	REGISTERED	MICHELLE JAYNE BABICH
08/06/2007	25/09/2007	10721390	DISCHARGE	REGISTERE	10477539

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LAND SERVICES SA

Product	Historical Search
Date/Time	06/11/2024 01:05PM
Customer Reference	24689
Order ID	20241106005748

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
			OF MORTGAGE	D	
08/06/2006	05/07/2006	10477539	MORTGAGE	REGISTERED	CITIGROUP PTY. LTD.
08/06/2006	05/07/2006	10477538	TRANSFER	REGISTERED	ANMACISA DEVELOPMENTS PTY. LTD. (ACN: 113 878 747)
18/03/1998	01/05/1998	8457952	TRANSFER	REGISTERED	PUBLIC TRUSTEE

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

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

Annexure to Form 1 – Vendor's Statement

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RevenueSA
DEPARTMENT OF TREASURY AND FINANCE
ABN 19 040 349 865
Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

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

PIR Reference No: 2621727

DATE OF ISSUE
07/11/2024

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

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

OWNERSHIP NUMBER
09803555

OWNERSHIP NAME
B M BLACKER

PROPERTY DESCRIPTION
78 PULSFORD RD / PROSPECT SA 5082 / LT 92

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
			R4	RE
052438800*	CT 5523/926	$900,000.00	1.000	0.400

LEVY DETAILS:

FINANCIAL YEAR
2024-2025

FIXED CHARGE	$	50.00
+ VARIABLE CHARGE	$	339.10
- REMISSION	$	208.80
- CONCESSION	$	0.00
+ ARREARS / - PAYMENTS	$	0.00
= AMOUNT PAYABLE	$	180.30

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

EXPIRY DATE **05/02/2025**

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
09803555

OWNERSHIP NAME
B M BLACKER

ASSESSMENT NUMBER
052438800*

AMOUNT PAYABLE
$180.30

AGENT NUMBER
100018841

AGENT NAME
CRITCHLEY & ASSOCIATES CONVEYANCERS

EXPIRY DATE
05/02/2025

+80013676780022> +001571+ <0551020904> <0000018030> +444+

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

www.revenuesaonline.sa.gov.au

OR

By Post to:

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

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CERTIFICATE OF LAND TAX PAYABLE

Annexure to Form 1 – Vendor's Statement

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RevenueSA
DEPARTMENT OF TREASURY AND FINANCE

CERTIFICATE OF LAND TAX PAYABLE

ABN 19 040 349 865
Land Tax Act 1936

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: 2621727

DATE OF ISSUE
07/11/2024

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

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

OWNERSHIP NAME
B M BLACKER

FINANCIAL YEAR
2024-2025

PROPERTY DESCRIPTION
78 PULSFORD RD / PROSPECT SA 5082 / LT 92

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	TAXABLE SITE VALUE	AREA
052438800*	CT 5523/926	$500,000.00	0.0248 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 **05/02/2025**

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 LAND TAX PAYABLE

Land Tax Act 1936

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

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Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

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

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

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

SA WATER CERTIFICATE OF CHARGES

Annexure to Form 1 – Vendor's Statement

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
052438800*	CT5523926	7/11/2024	167	2621727

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

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: B M BLACKER
Location: 78 PULSFORD RD PROSPECT LT 92
Description: H CP V
Capital Value: $ 900 000
Rating: Residential

Periodic charges

Raised in current years to 30/9/2024

				$
		Arrears as at: 30/6/2024	:	0.00
Water main available:	1/6/1966	Water rates	:	78.60
Sewer main available:	1/7/1966	Sewer rates	:	139.95
		Water use	:	74.92
		SA Govt concession	:	0.00
		Recycled Water Use	:	0.00
		Service Rent	:	0.00
		Recycled Service Rent	:	0.00
		Other charges	:	0.00
		Goods and Services Tax	:	0.00
		Amount paid	:	293.47CR
		Balance outstanding	:	0.00

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

Next quarterly charges: Water supply: 78.60 Sewer: 139.95 Bill: 4/12/2024

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

The last Water Use Year ended on 24/05/2024.

MAINS WATER USE CHARGE of $71.18 should be added to the Balance Outstanding above.

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.

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

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

South Australian Water Corporation

Name:
B M BLACKER

Water & Sewer Account
Acct. No.: 052438800*

Amount: _____

Address:
78 PULSFORD RD PROSPECT LT 92

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	052438800*

Biller code: 8888
Ref: 05243880010

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: 052438800*

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CITY OF PROSPECT COUNCIL SEARCH

Annexure to Form 1 – Vendor's Statement

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Customer Service

128 Prospect Road, Prospect SA 5082

Telephone: 8269 5355

Website: www.prospect.sa.gov.au

Email: admin@prospect.sa.gov.au

06/11/2024

Searchlight Technology
PO Box 232
RUNDLE MALL ADELAIDE SA 5000

Cert No: 18722992

CERTIFICATE OF LIABILITIES
In response to an enquiry pursuant to Section 187 of the
LOCAL GOVERNMENT ACT 1999

|---------- PROPERTY DETAILS ----------|

Rates Billing No	: 153528	Ward: 3
V G Number	: 0524388000	Capital Value: $900,000
Owner	: Mr B M Blacker	
Property Address	: 78 Pulsford Road PROSPECT 5082	
Title Particulars	: LOT: 92 SEC: 349 FP: 109657 CT: 5523/926	

|---------- RATING DETAILS ----------|

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 for **2024-2025** Financial Year.

Outstanding Rates (brought forward from previous financial year)	$517.88
Residential	$2,031.80
Regional Landscape Levy	$65.87
Legal Fees and/or other adjustments	$0.00
Fines/Interest in Arrears	$14.46
Less Council Rebate	$0.00
Less Payments Received	-$1,058.01
Balance - rates and other monies due and payable	$1,572.00
Property Related Debts	
TOTAL BALANCE OUTSTANDING AT 06/11/2024	**$1,572.00**

Instalment dates are as follows:

1st Instalment	*1st September*	*2024*
2nd Instalment	*1st December*	*2024*
3rd Instalment	*1st March*	*2025*
4th Instalment	*1st June*	*2025*

Please Note:
Further fines & interest may be applied to overdue accounts.

Updates will be made available for a period of 3 months of the original search date without charge.

Request an UPDATE via email to; admin@prospect.sa.gov.au

Outstanding balances will not be given over the telephone

Updated rate searches at the beginning of a new financial year will not include any new financial year's council rates; a new search request is to be submitted with the appropriate fee.

|---------- OTHER OUTSTANDING ITEMS ----------|

☐ Direct Debit Arrangement to be cancelled by owner

☐ Bpay View to be de-registered by owner

☐ EzyBill to be de-registered by owner

|----------|

FIRE AND EMERGENCY SERVICES ACT

Pursuant to the provisions of the Fire and Emergency Services Act 2005, Council requires all undergrowth and grass to be reduced to a maximum height of 10cms (4 inches) and maintained for the duration of the Fire Danger Season (1 December to 30 April). Therefore, this property may be subject to the issue of a notice for removal of flammable undergrowth at any time. Please check with this office prior to settlement or if you have any queries.

Authorised Officer: H Engelhardt ***Date:*** 06/11/2024

|---------- PAYMENT OPTIONS ----------|

Biller Code: 170753
Ref: 153528

BPAY® this payment via Internet or phone banking.
BPAY View® - View and pay this bill using internet banking.
BPAY View Registration No: 153528

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Customer Service

128 Prospect Road, Prospect SA 5082

Telephone: 8269 5355 Facsimile: 8269 5834

Website: www.prospect.sa.gov.au

Email: admin@prospect.sa.gov.au

Information Statement

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

Certificate No: **716178** Date: **06/11/2024**

Searchlight Technology
PO Box 232
RUNDLE MALL ADELAIDE SA 5000

Fax No:

Assessment No:	**153528**
Certificate of Title:	**LOT: 92 SEC: 349 FP: 109657 CT: 5523/926**
Property Address:	**78 Pulsford Road PROSPECT 5082**
Capital Value:	**$900,000**
Ratepayer:	**Mr B M Blacker**

Prescribed mortgage, charge or encumbrance in accordance with Section 7 of the Land and Business (Sale and Conveyancing) Act 1994:

Under the Development Act 1993 (repealed)	
Section 42 – Are there conditions (that continue to apply) of development authorisation(s)?	See attached authorisation(s)
Repealed Acts:- Are there conditions (that continue to apply) of any approvals or authorisations granted under the Building Act 1971, the Planning & Development Act 1966 or the Planning Act 1982?	Nil.
Section 50(1) Is there a requirement to vest land in the Council or the Crown to be held as open space?	Nil.
Section 50(2) Is there an agreement to vest land in the Council or the Crown to be held as open space?	No
Section 55 - Is there an order to remove work?	Nil.
Section 56 - Is there a notice or order to complete development?	No
Section 57 - Is there a Land Management Agreement?	Nil.
Section 69 - Is there an Emergency order?	Nil.
Section 71 – Is there a Fire Safety notice?	Nil.

Section 84 – Is there an Enforcement notice?	Nil.
Section 85(6), 85(10) or 106 – Is there an Enforcement order?	No
Part 11 Division 2 – Were there proceedings?	Nil.

Under the Fire and Emergency Services Act 2005 Repealed and Currently Operative

Section 105 F (or Sections 56 or 83 (repealed)) – Was there a notice to take action to prevent outbreak or spread of fire?	Not applicable

Under the Food Act 2001

Section 44 – Is/was there an improvement notice?	Nil.
Section 46 – Is/was there a prohibition order?	Nil.

Under the Housing Improvement Act 1940

Section 23 – Is there a declaration that the house is undesirable or unfit for human habitation?	Nil.

Under the Land Acquisition Act 1969

Section 10 – Is there a notice of intention to acquire land?	No

Under the Local Government Act 1934

Is there a notice; order; declaration; charge; claim or demand given or made under the Act?	No

Under the Local Government Act 1999

Is there a notice; order; declaration; charge; claim or demand given or made under the Act?	No

Under the Local Nuisance and Litter Control Act 2016

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Section 30 - Is there a nuisance or litter abatement notice?	No

Under the Planning, Development and Infrastructure Act 2016	
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):	See attached
Planning and Design Code – Is there a State heritage place on the land or is the land situated in a State heritage area?	No.
Planning and Design Code - Is the land designated as a local heritage place?	Yes.
Planning and Design Code – 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.
Planning and Design Code - 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 For more information please visit the PlanSA website: https://plan.sa.gov.au/have_your_say/general_consultations
Section 127 – Are there conditions (that continue to apply) of development authorisation(s)?	Nil.
Section 141 – Is there an order to remove or perform work?	No
Section 142 – Is there a Notice to complete development?	No
Section 155 - Is there an emergency order?	No
Section 157 – Is there a Fire Safety notice?	No
Section 192 or 193 – Is there a Land management agreement?	No
Section 198(1) - Is there a requirement to vest land in the Council or the Crown to be held as open space?	No
Section 198(2) - Is there an agreement to vest land in the Council or the Crown to be held as open space?	No
Part 16 Division 1 – Were there proceedings?	No
Section 213 - Is there an enforcement notice?	No
Section 214(6), 214(10) or 222 – Is there an enforcement order?	No
Does the Council hold details of any development approvals relating to (a) commercial or industrial activity at the land; or (b) a change in the use of the land or part of the land (within the meaning of the repealed *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*)?	No
Indemnity Insurance Certificate or Exemption under Division 3 of Part 5 of the Building Work Contractors Act 1995.	No

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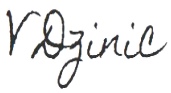
Under the Public and Environmental Health Act 1987 – Status Repealed	
Is there a notice under this Act?	Nil.
Under the (Waste Control) Regulations 1995-Part 2 - Is there a condition (that continues to apply) of an approval?	No
Under the (Waste Control) Regulations 1995-Regulation 19 - Is there a maintenance order (that has not been complied with)?	No

Under the South Australian Public Health Act 2011 and the South Australian Public Health (Waste Water)Regulations 2013	
Is there a notice; a direction or condition(s) under this Act?	No

Under the Environment Protection Act 1987	
Is there a notice under this Act?	Nil.
Under the (Waste Control) Regulations 1995-Part 2 - Is there a condition (that continues to apply) of an approval?	No
Under the (Waste Control) Regulations 1995-Regulation 19 - Is there a maintenance order (that has not been complied with)?	No

Authorised Officer: 

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THE CITY OF PROSPECT
128 Prospect Road, Prospect SA 5082
Telephone (08) 8269 5355 Facsimile (08) 8269 5834

DECISION NOTIFICATION FORM

For Development Application Dated: 30/11/2006
Registered: 30/11/2006

Development Number
050/312/06

To: Anmacisa Developments Pty Ltd
C/- 2 Wicks Avenue
Campbelltown SA 5074

Location of Proposed Development: 78 Pulsford Road Prospect 5082

Nature of Proposed Development: Alterations and additions to existing dwelling, verandah and associated works.

In respect of this proposed development you are informed that:

NATURE OF DECISION	Consent Granted	Number of Conditions	Consent Refused	Decision Applicable
Provisional Development Planning Consent	05/09/2006	5		Yes
Land Division Consent	-			No
Provisional Building Rules Consent	27/11/2006	3		Yes
Other	-			No
DEVELOPMENT APPROVAL	29/11/2006	8		Yes

The building classification under the Building Code is: 1A

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

Date of Decision:29/11/2006

Signed: .... ☐ City Manager ☐ Delegate

Date: ....

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The following <u>provisional development planning consent</u> conditions apply to this application:

(1) That the development shall take place in accordance with plans stamped by Council and marked as Sheet 1 and 2, relating to Development Application Number 050/312/06, except as modified by any conditions attached to this Development Decision Notification. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation of the development approved herein.

(2) That any damage to abutting or nearby footpaths, footpath paving, nature strips, kerbing, guttering and road paving resulting from the undertaking of the approved development shall be repaired or reinstated to the reasonable satisfaction of Council, by or at the expense of, the person or persons who undertake the development prior to occupation or use of the building or structure to which this approval relates.

(3) The refuse/litter from the building site is to be contained in a suitable metal or mesh receptacle on the site. All waste is to be retained in the container and removed from the site at completion of building work.

(4) Notifications by the owner must be given to the Council in accordance with the following requirements:-

- One business day's notice of the commencement of building work on the site;
- One business day's notice of the completion of the building work on the site.

Please note: Penalties of up to $4000.00 may be applied for failing to notify Council.

(5) That all storm water from the building and site shall be disposed of so as to not adversely affect any adjoining property, and a pressure system, sealed system or soakage pit system designed by an engineer shall be used, or the stormwater may be carried to the street water table.

The following <u>provisional building rules consent</u> conditions apply to this application:

Refer attached three conditions

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THE CITY OF PROSPECT
128 Prospect Road, Prospect SA 5082
Telephone (08) 8269 5355 Facsimile (08) 8269 5834

DECISION NOTICE

For Development Application Dated: 22/12/2010
Registered: 22/12/2010

Development Number
050/544/2010

To: Mr SA Quality Home Improvements
805-807 South Road
Clarence Park,
South Australia 5039

Location of Proposed Development: 78 Pulsford Road Prospect

Description of Proposed Development: Verandah

In respect of this proposed development you are informed that:

NATURE OF DECISION	Consent Granted	Number of Conditions	Consent Refused	Decision Applicable
Development Plan Consent	08/02/2011	3		Yes
Building Rules Consent	18/02/2011	2		Yes
DEVELOPMENT APPROVAL	25/02/2011	5		Yes

The building classification under the Building Code is: 10

Nil representation(s) from third parties concerning your Category 2 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, and any conditions imposed are set out on the attached sheet(s).

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

Date of Decision: 25/02/2011

Signed: ..... ☐ Chief Executive Officer ☐ Delegate

Date: .....

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The following development plan consent (land use) conditions apply to this application:

(1) That the development shall take place in accordance with plans stamped by Council and marked as Drawing No. 1 and Drawing No. 2, prepared by SA Quality Home Improvements, relating to Development Application Number 050/544/2010, except as modified by any conditions listed below. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation of the development approved herein.

(2) The construction of a drainage system and the position and manner of discharge of a stormwater drain must not:

a) Result in the entry of water into a building; or

b) Affect the stability of a building; or

c) Create unhealthy or dangerous conditions on the site or within the building; or

d) Flow or discharge onto the land of an adjoining owner; or

e) Flow across footpaths or public ways.

All storm water from the building and site shall be disposed of through the use of a pressure system, sealed system or soakage pit system designed by an engineer, or the storm water may be carried to the street water table.

(3) The verandah/carport fascias, posts, downpipes and guttering must be finished in the same colour as the existing fascia and gutters of the dwelling.

The following building rules consent conditions apply to this application:

(1) The stormwater shall be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners or lie against any building or create unsanitary conditions

(2) The development shall be undertaken in accordance with the Council approved Development Plan consent plans and conditions subject only to the variations specified in the Schedule 22A- Certificate of Consistency.

Applicants please note that:

1. This decision was based on an assessment of the proposal against relevant legislation and conditions imposed were designed to ensure satisfactory compliance with it.

2. You may have a right of appeal if this Notification is:-

   - ❑ a refusal

   or

   - ❑ a consent/approval with conditions

   Such an appeal must be lodged within two months of the day on which you receive this notice or such longer time as the Environment, Resources & Development Court may allow. Please contact the Environment, Resources & Development Court (Telephone 8204 0300) if you wish to appeal.

3. If your application was the subject of third-party representations, any consent/approval, or consent/approval subject to conditions shall not operate until after 15 business days from the date of the decision made on your application.

   If there is an appeal by a third party, any consent/approval or consent/approval with conditions shall not operate until determination of the appeal. Fifteen business days from the date of the decision (appearing on your notice), contact the Environment, Resources and Development Court (Telephone: 8204 0300) to find out if there has been an appeal lodged.

4. If this is a consent/approval with or without conditions, the development must be substantially commenced within 12 months of the date of this Notification unless this period has been extended by the Council or Development Assessment Commission.

   and

   Any act or work authorised or required by this Notification must be completed within 3 years of the date of Notification or a longer time as allowed by the Council or the Development Assessment Commission.

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

5. Pursuant to Section 18, 19 and 71A of the Development Act 1993 authorised officers of Council may carry out random building inspections at any stage of building work without prior notice.

6. Where building work or work of a prescribed nature as defined in Regulation 75 of the Development Regulation 1993 is undertaken on or adjacent the boundary, the building owner has obligations pursuant to Section 60 of the Development Act 1993 to notify the adjoining owner(s) at least 28 days before the building work is commenced.

   Where the proposed works are on the property boundary, the building owner is to ensure that no encroachments upon, over or under occur. This may necessitate a survey of the boundary by the building owner to avoid a violation of the neighbour's rights.

7. Pursuant to Regulation 83AB(8) of the Development Regulations 1993 a person must not occupy a new dwelling or addition to existing dwelling unless it has been completed in accordance with the development approval and a written Statement of Compliance for the 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 licensed building work supervisor or private certifier.

8. This decision does not obviate the need for you to obtain approvals and clearances under other relevant legislation before commencing the development.

9. You are advised to contact AGL regarding the location of public and private electricity supply lines in relation to any proposed building.

10. New crossovers must be located in a position which ensures the retention of street trees. In the event that it is not possible to do so, then the applicant is required to obtain the prior approval from Council for the subsequent trimming or removal of any such tree. Application forms are available from Council. The cost of removal and replacement, (replacement with preferred and similarly advanced species will be required) will be the

responsibility of the applicant/owner. ***Otherwise, the removal of street trees is not permitted!***

11. Please note that any building activity or operation that pollutes or might pollute the environment must include all reasonable and practical measures to prevent or minimise any resulting environmental harm (Section 25, Environment Protection Act).

12. A copy of the Council approved plans should be available on site at all times whilst performing the building work.

13. It is your responsibility to ensure that the proposed building work is correctly sited with respect to the property boundaries of the subject land and it is strongly recommended that a boundary survey be undertaken before any work commences.
    You should also note that you will need to obtain prior permission from your neighbour should you wish to access their property through any construction work adjacent the boundary.

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PlanSA

Data Extract for Section 7 search purposes

Valuation ID 052438800*

Data Extract Date: 13/11/2024

Parcel ID: F109657 A92

Certificate Title: CT5523/926

Property Address: 78 PULSFORD RD PROSPECT SA 5082

Zones
Established Neighbourhood (EN)

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.

Character Area (PrC2)

The Character Area Overlay aims to reinforce valued streetscape characteristics through contextually responsive development, design and adaptive reuse that responds to the attributes expressed in the Character Area Statement.

Heritage Adjacency

The Heritage Adjacency Overlay seeks to ensure development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those places.

Hazards (Flooding - General)

The Hazards (Flooding - General) Overlay seeks to minimise impacts of general flood risk through appropriate siting and design of development.

Local Heritage Place (Heritage Number: 27055)

The Local Heritage Place Overlay seeks to maintain the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

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

Yes

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

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

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

No

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

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

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

Associated Development Authorisation Information

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

No

Land Management Agreement (LMA)

No

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

PLANSA - REGULATED AND SIGNIFICANT TREE REFORMS

Annexure to Form 1 – Vendor's Statement

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Frequently Asked Questions



PlanSA

Regulated and Significant Tree Reforms

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Q – Are certain tree species still exempt from protections?

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

Q – How will these changes be enforced?

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

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

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

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

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

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

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

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

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

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

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

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

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

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