

FORM 1 - VENDOR'S STATEMENT

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

Contents

Preliminary

Part A – Parties and land

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

Part C – Statement with respect to required particulars

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

Schedule

Preliminary

To the purchaser:

The purpose of a statement under section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* is to put you on notice of certain particulars concerning the land to be acquired. If you intend to carry out building work on the land, change the use of the land or divide the land, you should make further inquiries to determine whether this will be permitted. For example, building work may not be permitted on land not connected to a sewerage system or common drainage scheme if the land is near a watercourse, dam, bore or the River Murray and Lakes.

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

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

Instructions to the vendor for completing this statement:

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

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

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

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

PART A – PARTIES AND LAND

1. **Purchaser:**

Address:

2. **Purchaser's registered agent:**

Address:

3. **Vendor:**

JAMES GERALD ELDER AND HELEN JOYCE ELDER

Address:

155 WATERFALL GULLY ROAD WATERFALL GULLY SA 5066

4. **Vendor's registered agent:**

KLEMICH REAL ESTATE PTY LTD ACN 101 825 147 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 Land** [Identify the land including any certificate of title reference]

155 WATERFALL GULLY ROAD WATERFALL GULLY SA 5066 BEING AN ALLOTMENT COMPRISING PIECES 21 AND 22 IN DEPOSITED PLAN 128268 BEING THE WHOLE OF THE LAND IN CERTIFICATE OF TITLE VOLUME 6269 FOLIO 601

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 – Forms 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:

155 WATERFALL GULLY ROAD WATERFALL GULLY SA 5066

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

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

Email: matt@klemich.com.au

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

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

1/245 FULLARTON ROAD EASTWOOD SA 5063

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

Note –

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

- (a) if you intend to serve the notice by leaving it for the vendor's agent at the agent's address for service or an address nominated by the agent, you obtain an acknowledgment of service of the notice in writing; or
- (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, **JAMES GERALD ELDER AND HELEN JOYCE ELDER**

of **155 WATERFALL GULLY ROAD WATERFALL GULLY SA 5066**

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: _____ Signed: _____

Date: _____ Signed: _____

Date: _____ Signed: _____

PART D – CERTIFICATE WITH RESPECT TO PRESCRIBED INQUIRIES BY REGISTERED AGENT

(section 9)

To the purchaser:

I, **CHRISTOPHER GILL FOR AND ON BEHALF OF THE FORM 1 COMPANY 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: 5 / 3 / 2026 Signed: 

Vendor's/Purchaser's agent

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

SCHEDULE – DIVISION 1**PARTICULARS OF MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES AFFECTING THE LAND****(section 7(1)(b))****Note –**

Section 7(3) of the Act provides that this statement need not include reference to charges arising from the imposition of rates or taxes less than 12 months before the date of service of the statement. Where a mortgage, charge or prescribed encumbrance referred to in column 1 of the table below is applicable to the land, the particulars in relation to that mortgage, charge or prescribed encumbrance required by column 2 of the table must be set out in the table (in accordance with the instructions in the table) unless –

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

TABLE OF PARTICULARS

Column 1	Column 2	Column 3
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[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.]

Column 1	Column 2	Column 3
1. General		
1.1 Mortgage of land <i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	Is this item applicable? Will this be discharged or satisfied prior to or at settlement? Are there attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> CERTIFICATE OF TITLE Number of mortgage (if registered): 8950783 Name of mortgagee: WESTPAC BANKING CORPORATION	☒ YES YES
1.2 Easement (whether over the land or annexed to the land) Note – "Easement" includes rights of way and party wall rights. <i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	Is this item applicable? Will this be discharged or satisfied prior to or at settlement? Are there attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> PROPERTY INTEREST REPORT Description of land subject to easement: PORTION OF THE LAND IN THE SAID CERTIFICATE OF TITLE Nature of easement: REFER PAGE 12 IN THE PROPERTY INTEREST REPORT FOR DETAILS OF STATUTORY EASEMENTS 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):	☒ NO YES
1.2 Easement (whether over the land or annexed to the land) Note – "Easement" includes rights of way and party wall rights. <i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	Is this item applicable? Will this be discharged or satisfied prior to or at settlement? Are there attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> CERTIFICATE OF TITLE AND DEPOSITED PLAN 128268 Description of land subject to easement: THE LAND MARKED 'J' ON D128268 Nature of easement: SUBJECT TO EASEMENT(S) FOR WATER SUPPLY PURPOSES (RE 7848645) Are you aware of any encroachment on the easement? NO (If YES , give details):	☒ NO YES

Column 1	Column 2	Column 3
	<p>If there is an encroachment, has approval for the encroachment been given?</p> <p>(If YES, give details):</p>	
<p>1.2 Easement (whether over the land or annexed to the land)</p> <p>Note – "Easement" includes rights of way and party wall rights.</p> <p><i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p>Is this item applicable?</p> <p>Will this be discharged or satisfied prior to or at settlement?</p> <p>Are there attachments?</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>CERTIFICATE OF TITLE AND DEPOSITED PLAN 128268</p> <p>Description of land subject to easement:</p> <p>THE LAND MARKED 'J' ON D128268</p> <p>Nature of easement:</p> <p>SUBJECT TO EASEMENT(S) FOR SEWERAGE PURPOSES (RE 7848645)</p> <p>Are you aware of any encroachment on the easement?</p> <p>NO</p> <p>(If YES, give details):</p> <p>If there is an encroachment, has approval for the encroachment been given?</p> <p>(If YES, give details):</p>	☒ NO YES
<p>1.2 Easement (whether over the land or annexed to the land)</p> <p>Note – "Easement" includes rights of way and party wall rights.</p> <p><i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p>Is this item applicable?</p> <p>Will this be discharged or satisfied prior to or at settlement?</p> <p>Are there attachments?</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>CERTIFICATE OF TITLE AND DEPOSITED PLAN 128268</p> <p>Description of land subject to easement:</p> <p>THE LAND MARKED 'J' ON D128268</p> <p>Nature of easement:</p> <p>SUBJECT TO EASEMENT(S) FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (TG 9495662)</p> <p>Are you aware of any encroachment on the easement?</p> <p>NO</p> <p>(If YES, give details):</p> <p>If there is an encroachment, has approval for the encroachment been given?</p> <p>(If YES, give details):</p>	☒ NO YES
<p>1.2 Easement (whether over the land or annexed to the land)</p> <p>Note – "Easement" includes rights of way and party wall rights.</p>	<p>Is this item applicable?</p> <p>Will this be discharged or satisfied prior to or at settlement?</p> <p>Are there attachments?</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>CERTIFICATE OF TITLE AND DEPOSITED PLAN 128268</p>	☒ NO YES

Column 1	Column 2	Column 3
<p><i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p>Description of land subject to easement: THE LAND MARKED 'J' ON D128268</p> <p>Nature of easement: SUBJECT TO EASEMENT(S) FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE (RE 7848645)</p> <p>Are you aware of any encroachment on the easement? NO (If YES, give details):</p> <p>If there is an encroachment, has approval for the encroachment been given? (If YES, give details):</p>	
<p>1.2 Easement (whether over the land or annexed to the land)</p> <p>Note – "Easement" includes rights of way and party wall rights.</p> <p><i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> CERTIFICATE OF TITLE AND DEPOSITED PLAN 128268</p> <p>Description of land subject to easement: THE LAND MARKED 'J' ON D128268</p> <p>Nature of easement: SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY (RE 7848645)</p> <p>Are you aware of any encroachment on the easement? NO (If YES, give details):</p> <p>If there is an encroachment, has approval for the encroachment been given? (If YES, give details):</p>	☒ NO YES
<p>1.2 Easement (whether over the land or annexed to the land)</p> <p>Note – "Easement" includes rights of way and party wall rights.</p> <p><i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> CERTIFICATE OF TITLE AND DEPOSITED PLAN 128268</p> <p>Description of land subject to easement: THE LAND MARKED 'B' ON D128268</p> <p>Nature of easement: TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY (RTC 8163424)</p> <p>Are you aware of any encroachment on the easement? NO</p>	☒ NO YES

Column 1	Column 2	Column 3
	(If YES, give details):	
	If there is an encroachment, has approval for the encroachment been given?	
	(If YES, give details):	
1.3	Restrictive covenant	
<i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	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?	☐ YES / NO YES / NO
1.4	Lease, agreement for lease, tenancy agreement or licence	
(The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.) <i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	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): Names 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):	☐ YES / NO YES / NO

5. Development Act 1993 (repealed)

5.1	section 42 – Condition (that continues to apply) of a development authorisation	
<i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	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): CITY OF BURNSIDE SEARCH Condition(s) of authorisation: REFER DEVELOPMENT APPLICATION 180\0688\12	☒ NO YES

Column 1	Column 2	Column 3
5.1 section 42 – Condition (that continues to apply) of a development authorisation	<p>Is this item applicable?</p> <p>Will this be discharged or satisfied prior to or at settlement?</p> <p>Are there attachments?</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>CITY OF BURNSIDE SEARCH</p> <p>Condition(s) of authorisation:</p> <p>REFER DEVELOPMENT NUMBER 180/00617/94/DC (180/D110/93)</p>	<p>☒</p> <p>NO</p> <p>YES</p>

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

6. Repealed Act conditions

6.1 Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed)	<p>Is this item applicable?</p> <p>Will this be discharged or satisfied prior to or at settlement?</p> <p>Are there attachments?</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>STATE PLANNING COMMISSION LETTER</p> <p>Nature of condition(s):</p> <p>REFER DEVELOPMENT NUMBER 180/776/90</p>	<p>☒</p> <p>NO</p> <p>YES</p>
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[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]

6.1 Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed)	<p>Is this item applicable?</p> <p>Will this be discharged or satisfied prior to or at settlement?</p> <p>Are there attachments?</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>STATE PLANNING COMMISSION LETTER</p> <p>Nature of condition(s):</p> <p>REFER DEVELOPMENT NUMBER 180/828/89</p>	<p>☒</p> <p>NO</p> <p>YES</p>
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[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]

6.1 Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed)	<p>Is this item applicable?</p> <p>Will this be discharged or satisfied prior to or at settlement?</p> <p>Are there attachments?</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>STATE PLANNING COMMISSION LETTER</p> <p>Nature of condition(s):</p> <p>REFER DEVELOPMENT NUMBER 180/767/89</p>	<p>☒</p> <p>NO</p> <p>YES</p>
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[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]

Column 1	Column 2	Column 3
<i>not applicable.]</i>		
6.1	<p>Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed)</p> <p>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</p>	<p>Is this item applicable? ☒</p> <p>Will this be discharged or satisfied prior to or at settlement? NO</p> <p>Are there attachments? YES</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>STATE PLANNING COMMISSION LETTER</p> <p>Nature of condition(s):</p> <p>REFER DEVELOPMENT NUMBER 180/703/84/H</p>
6.1	<p>Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed)</p> <p>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</p>	<p>Is this item applicable? ☒</p> <p>Will this be discharged or satisfied prior to or at settlement? NO</p> <p>Are there attachments? YES</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>STATE PLANNING COMMISSION LETTER</p> <p>Nature of condition(s):</p> <p>REFER DEVELOPMENT NUMBER 180/704/84</p>
6.1	<p>Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed)</p> <p>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</p>	<p>Is this item applicable? ☒</p> <p>Will this be discharged or satisfied prior to or at settlement? NO</p> <p>Are there attachments? YES</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>STATE PLANNING COMMISSION LETTER</p> <p>Nature of condition(s):</p> <p>REFER DEVELOPMENT NUMBER SPA 43/1002</p>
13. Heritage Places Act 1993		
13.2	<p>section 17 or 18 – Provisional registration or registration</p>	<p>Is this item applicable? ☒</p> <p>Will this be discharged or satisfied prior to or at settlement? NO</p> <p>Are there attachments? YES</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>DEPARTMENT FOR ENVIRONMENT AND WATER LETTER</p>

Column 1	Column 2	Column 3
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Description of place registered:

HOTEL - FORMER WATERFALL GULLY HOTEL AND STABLES

Has the place been designated as a place of geological, palaeontological or speleological significance or archaeological significance?

NO

If **YES**, give details:

29. Planning, Development and Infrastructure Act 2016

29.1 Part 5 – Planning and Design Code

Is this item applicable?



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

NO

Are there attachments?

YES

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

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

CITY OF BURNSIDE SEARCH AND PROPERTY INTEREST REPORT

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

**155 WATERFALL GULLY RD WATERFALL GULLY SA 5066 PCES
21 22 D128268**

ZONES

HILLS FACE - HF

OVERLAYS

AIRPORT BUILDING HEIGHTS (REGULATED) - ALL STRUCTURES OVER 30 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.

ENVIRONMENT AND FOOD PRODUCTION AREA

THE ENVIRONMENT AND FOOD PRODUCTION AREA OVERLAY IS AN AREA OF RURAL, LANDSCAPE, ENVIRONMENTAL OR FOOD PRODUCTION SIGNIFICANCE WITHIN GREATER ADELAIDE THAT IS PROTECTED FROM URBAN ENCROACHMENT

HAZARDS (BUSHFIRE - HIGH RISK)

THE HAZARDS (BUSHFIRE - HIGH RISK) OVERLAY SEEKS TO ENSURE DEVELOPMENT RESPONDS TO THE HIGH LEVEL OF BUSHFIRE RISK BY SITING AND DESIGNING BUILDINGS TO MITIGATE THREAT AND IMPACT OF BUSHFIRES ON LIFE AND PROPERTY, FACILITATING ACCESS FOR EMERGENCY SERVICE VEHICLES AND SITUATING ACTIVITIES THAT INCREASE THE NUMBER OF PEOPLE LIVING AND WORKING IN THE AREA AWAY FROM AREAS OF UNACCEPTABLE BUSHFIRE RISK.

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 - EVIDENCE REQUIRED)

THE HAZARDS (FLOODING - EVIDENCE REQUIRED) OVERLAY

Column 1	Column 2	Column 3
	<p>ADOPTS A PRECAUTIONARY APPROACH TO MITIGATE POTENTIAL IMPACTS OF POTENTIAL FLOOD RISK THROUGH APPROPRIATE SITING AND DESIGN OF DEVELOPMENT.</p> <p>NATIVE VEGETATION THE NATIVE VEGETATION OVERLAY SEEKS TO PROTECT, RETAIN AND RESTORE AREAS OF NATIVE VEGETATION.</p> <p>PRESCRIBED WELLS AREA THE PRESCRIBED WELLS AREA OVERLAY SEEKS TO ENSURE SUSTAINABLE WATER USE IN PRESCRIBED WELLS AREAS.</p> <p>REGULATED AND SIGNIFICANT TREE THE REGULATED AND SIGNIFICANT TREE OVERLAY SEEKS TO MITIGATE THE LOSS OF REGULATED TREES THROUGH APPROPRIATE DEVELOPMENT AND REDEVELOPMENT.</p> <p>STATE HERITAGE PLACE - 8417 THE STATE HERITAGE PLACE OVERLAY SEEKS TO ENSURE DEVELOPMENT MAINTAINS THE HERITAGE AND CULTURAL VALUES OF STATE HERITAGE PLACES THROUGH CONSERVATION, ONGOING USE AND ADAPTIVE REUSE.</p> <p>TRAFFIC GENERATING DEVELOPMENT THE TRAFFIC GENERATING DEVELOPMENT OVERLAY AIMS TO ENSURE SAFE AND EFFICIENT VEHICLE MOVEMENT AND ACCESS ALONG URBAN TRANSPORT ROUTES AND MAJOR URBAN TRANSPORT ROUTES.</p> <p>URBAN TRANSPORT ROUTES THE URBAN TRANSPORT ROUTES OVERLAY SEEKS TO ENSURE SAFE AND EFFICIENT VEHICLE MOVEMENT AND ACCESS ALONG URBAN TRANSPORT ROUTES.</p> <p>WATER RESOURCES THE WATER RESOURCES OVERLAY SEEKS TO PROTECT THE QUALITY OF SURFACE WATERS IN SOUTH AUSTRALIA.</p> <p>Is there a State heritage place on the land or is the land situated in a State heritage area? YES</p> <p>Is the land designated as a local heritage place? NO</p> <p>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</p> <p>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</p> <p>Note – For further information about the Planning and Design Code visit https://code.plan.sa.gov.au.</p>	

29.2	section 127 – Condition (that continues to apply) of a development authorisation	<p><i>Is this item applicable?</i></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i></p> <p><i>Are there attachments?</i></p>	<p>☐</p> <p>YES / NO</p> <p>YES / NO</p>
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Column 1	Column 2	Column 3
<p><i>[Note – Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p>	<p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p>	
	Date of authorisation:	
	Name of relevant authority that granted authorisation:	
	Condition(s) of authorisation:	

34. Water Industry Act 2012

34.1	Notice or order under the Act requiring payment of charges or other amounts or making other requirement	<i>Is this item applicable?</i>	☒
		<i>Will this be discharged or satisfied prior to or at settlement?</i>	NO
		<i>Are there attachments?</i>	YES
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		CERTIFICATE OF WATER AND SEWER CHARGES & ENCUMBRANCE INFORMATION	
		Date of notice or order: 7/02/2023	
		Name of person or body who served notice or order: SA WATER	
		Amount payable (if any) as specified in the notice or order: NOT APPLICABLE	
		Nature of other requirement made (if any) as specified in the notice or order: REFER ENCUMBRANCE NO. 731187	

SCHEDULE – DIVISION 2 – OTHER PARTICULARS**(section 7(1)(b))****Particulars relating to environment protection****1 – Interpretation**

- (1) In this and the following items (items 1 to 7 inclusive) –
domestic activity has the same meaning as in the *Environment Protection Act 1993*;
environmental assessment, in relation to land, means an assessment of the existence or nature or extent of –
 (a) site contamination (within the meaning of the *Environment Protection Act 1993*) at the land; or
 (b) any other contamination of the land by chemical substances,
 and includes such an assessment in relation to water on or below the surface of the land;
EPA means the Environment Protection Authority established under the *Environment Protection Act 1993*;
pre-1 July 2009 site audit, in relation to land, means a review (carried out by a person recognised by the EPA as an environmental auditor) that examines environmental assessments or remediation of the land for the purposes of determining:
 (a) the nature and extent of contamination of the land by chemical substances present or remaining on or below the surface of the land; and
 (b) the suitability of the land for a particular use; and
 (c) what remediation is or remains necessary for a particular use,
 but does not include a site contamination audit (as defined below) completed on or after 1 July 2009;
pre-1 July 2009 site audit report means a detailed written report that sets out the findings of a pre-1 July 2009 site audit;
prescribed commercial or industrial activity – see item 1(2);
prescribed fee means the fee prescribed under the *Environment Protection Act 1993* for inspection of, or obtaining copies of information on, the public register;
public register means the public register kept by the EPA under section 109 of the *Environment Protection Act 1993*;
site contamination audit has the same meaning as in the *Environment Protection Act 1993*;
site contamination audit report has the same meaning as in the *Environment Protection Act 1993*.
 (2) For the purposes of this and the following items (items 1 to 7 inclusive), each of the following activities (as defined in Schedule 3 clause 2 of the *Environment Protection Regulations 2023*) is a prescribed commercial or industrial activity:

abrasive blasting	acid sulphate soil generation	agricultural activities
airports, aerodromes or aerospace industry	animal burial	animal dips or spray race facilities
animal feedlots	animal saleyards	asbestos disposal
asphalt or bitumen works	battery manufacture, recycling or disposal	breweries
brickworks	bulk shipping facilities	cement works
ceramic works	charcoal manufacture	coal handling or storage
coke works	compost or mulch production or storage	concrete batching works
curing or drying works	defence works	desalination plants
dredge spoil disposal or storage	drum reconditioning or recycling works	dry cleaning
electrical or electronics component manufacture	electrical substations	electrical transformer or capacitor works
electricity generation or power plants	explosives or pyrotechnics facilities	fertiliser manufacture
fibreglass manufacture	fill or soil importation	fire extinguisher or retardant manufacture
fire stations	fire training areas	foundry
fuel burning facilities	furniture restoration	gasworks
glass works	glazing	hat manufacture or felt processing
incineration	iron or steel works	laboratories
landfill sites	lime burner	metal coating, finishing or spray painting
metal forging	metal processing, smelting, refining or metallurgical works	mineral processing, metallurgical laboratories or mining or extractive industries
mirror manufacture	motor vehicle manufacture	motor vehicle racing or testing venues
motor vehicle repair or maintenance	motor vehicle wrecking yards	mushroom farming
oil recycling works	oil refineries	paint manufacture
pest control works	plastics manufacture works	printing works
pulp or paper works	railway operations	rubber manufacture or processing
scrap metal recovery	service stations	ship breaking
spray painting	tannery, fellmongery or hide curing	textile operations
transport depots or loading sites	tyre manufacture or retreading	vermiculture
vessel construction, repair or maintenance	waste depots	wastewater storage, treatment or disposal
water discharge to underground aquifer	wetlands or detention basins	wineries or distilleries
wood preservation works	woolscouring or wool carbonising works	works depots (operated by councils or utilities)

2 – Pollution and site contamination on the land – questions for vendor

- (1) Is the vendor aware of any of the following activities ever having taken place at the land:
- (a) storage, handling or disposal of waste or fuel or other chemicals (other than in the ordinary course of domestic activities)?
 - (b) importation of soil or other fill from a site at which –
 - (i) an activity of any kind listed in paragraph (a) has taken place; or
 - (ii) a prescribed commercial or industrial activity (see item 1(2) above) has taken place?

YES

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

HISTORICAL USE AS A HOTEL AND STABLES BEFORE THE VENDOR ACQUIRED AN INTEREST IN THE LAND. REFER TO VENDOR FOR FURTHER DETAILS.

- (2) Is the vendor aware of any prescribed commercial or industrial activities (see item 1(2) above) ever having taken place at the land?

NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (3) Is the vendor aware of any dangerous substances ever having been kept at the land pursuant to a licence under the *Dangerous Substances Act 1979*?

NO

If YES, give details of all dangerous substances that the vendor is aware of and whether they were kept at the land before or after the vendor acquired an interest in the land:

- (4) Is the vendor aware of the sale or transfer of the land or part of the land ever having occurred subject to an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?

NO

If YES, give details of each sale or transfer and agreement that the vendor is aware of:

- (5) Is the vendor aware of an environmental assessment of the land or part of the land ever having been carried out or commenced (whether or not completed)?

NO

If YES, give details of all environmental assessments that the vendor is aware of and whether they were carried out or commenced before or after the vendor acquired an interest in the land:

Note –

These questions relate to details about the land that may be known by the vendor. A "YES" answer to the questions at items 2(1) or 2(2) may indicate that a **potentially contaminating activity** has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

A "YES" answer to any of the questions in this item may indicate the need for the purchaser to seek further information regarding the activities, for example, from the council or the EPA.

3 – Licences and exemptions recorded by EPA in public register

Does the EPA hold any of the following details in the public register:

- (a) details of a current licence issued under Part 6 of the *Environment Protection Act 1993* to conduct any prescribed activity of environmental significance under Schedule 1 of that Act at the land?

NO

- (b) details of a licence no longer in force issued under Part 6 of the *Environment Protection Act 1993* to conduct any prescribed activity of environmental significance under Schedule 1 of that Act at the land?—

NO

- (c) details of a current exemption issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?

NO

- (d) details of an exemption no longer in force issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?

NO

- (e) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to operate a waste depot at the land?

NO

- (f) details of a licence issued under the repealed *Waste Management Act 1987* to operate a waste depot at the land?

NO

- (g) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to produce waste of a prescribed kind (within the meaning of that Act) at the land?

NO

- (h) details of a licence issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act) at the land?

NO

Note –

These questions relate to details about licences and exemptions required to be recorded by the EPA in the public register.

If the EPA answers "YES" to any of the questions –

- in the case of a licence or exemption under the *Environment Protection Act 1993* –
 - the purchaser may obtain a copy of the licence or exemption from the public register on payment of the prescribed fee; and
 - the purchaser should note that transfer of a licence or exemption is subject to the conditions of the licence or exemption and the approval of the EPA (see section 49 of the *Environment Protection Act 1993*); and
- in the case of a licence under a repealed Act – the purchaser may obtain details about the licence from the public register on payment of the prescribed fee.

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

The EPA will not provide details about licences to conduct the following prescribed activities of environmental significance (within the meaning of Schedule 1 Part A of the *Environment Protection Act 1993*): waste transport business (category A), waste transport business (category B), dredging, earthworks drainage, any other activities referred to in Schedule 1 Part A undertaken by means of mobile works, helicopter landing facilities, marinas and boating facilities or discharges to marine or inland waters.

The EPA will not provide details about exemptions relating to –

- the conduct of any of the licensed activities in the immediately preceding paragraph in this note; or
- noise.

4 – Pollution and site contamination on the land – details recorded by EPA in public register

Does the EPA hold any of the following details in the public register in relation to the land or part of the land:

- (a) details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the *Environment Protection Act 1993*)?

NO

- (b) details of site contamination notified to the EPA under section 83A of the *Environment Protection Act 1993*?

NO

- (c) a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register?

NO

- (d) a copy of a site contamination audit report?

NO

- (e) details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?

NO

- (f) details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?

NO

- (g) details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?

NO

- (h) details of a notification under section 103Z(1) of the *Environment Protection Act 1993* relating to the commencement of a site contamination audit?

NO

- (i) details of a notification under section 103Z(2) of the *Environment Protection Act 1993* relating to the termination before completion of a site contamination audit?

NO

- (j) details of records, held by the former South Australian Waste Management Commission under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995?

NO

Note –

These questions relate to details required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the public register on payment of the prescribed fee.

5 – Pollution and site contamination on the land – other details held by EPA

Does the EPA hold any of the following details in relation to the land or part of the land:

- (a) a copy of a report known as a "Health Commission Report" prepared by or on behalf of the South Australian Health Commission (under the repealed *South Australian Health Commission Act 1976*)?

NO

- (b) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?

NO

- (c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?

NO

- (d) a copy of a pre-1 July 2009 site audit report?

NO

- (e) details relating to the termination before completion of a pre-1 July 2009 site audit?

NO

Note –

These questions relate to details that the EPA may hold. If the EPA answers "**YES**" to any of the questions, the purchaser may obtain those details from the EPA (on payment of any fee fixed by the EPA).

6 – Further information held by councils

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

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

NO

Note –

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

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

It should be noted that –

- the approval of development by a council does not necessarily mean that the development has taken place;
- the council will not necessarily be able to provide a complete history of all such development that has taken place at the land.

7 – Further information for purchasers**Note –**

The purchaser is advised that other matters under the *Environment Protection Act 1993* (that is, matters other than those referred to in this Statement) that may be relevant to the purchaser's further enquiries may also be recorded in the public register. These include:

- details relating to environmental authorisations such as applications, applicants, locations of activities, conditions, suspension, cancellation or surrender of authorisations, disqualifications, testing requirements and test results;
- details relating to activities undertaken on the land under licences or other environmental authorisations no longer in force;
- written warnings relating to alleged contraventions of the *Environment Protection Act 1993*;
- details of prosecutions and other enforcement action;
- details of civil proceedings;
- other details prescribed under the *Environment Protection Act 1993* (see section 109(3)(l)).

Details of these matters may be obtained from the public register on payment to the EPA of the prescribed fee.

If –

- an environment performance agreement, environment protection order, clean-up order, clean-up authorisation, site contamination assessment order or site remediation order has been registered on the certificate of title for the land; or
- a notice of declaration of special management area in relation to the land has been gazetted; or
- a notation has been made on the certificate of title for the land that a site contamination audit report has been prepared in respect of the land; or
- a notice of prohibition or restriction on taking water affected by site contamination in relation to the land has been gazetted,

it will be noted in the items under the heading *Environment Protection Act 1993* under the Table of Particulars in this Statement. Details of any registered documents may be obtained from the Lands Titles Registration Office.

ACKNOWLEDGEMENT OF RECEIPT OF FORM 1

The Purchaser hereby acknowledges receipt of the following:

FORM 1 – STATEMENT UNDER SECTION 7 (*Land and Business (Sale and Conveyancing) Act 1994*)

the above being identified by page numbered 1 to 19 inclusive, together with the following annexures and supporting documents (if any):

**CERTIFICATE OF TITLE VOLUME 6269 FOLIO 601
PROPERTY INTEREST REPORT
SA WATER, EMERGENCY SERVICES LEVY AND LAND TAX CERTIFICATES
CITY OF BURNSIDE SEARCH
DEPOSITED PLAN 128268
STATE PLANNING COMMISSION LETTER
DEPARTMENT FOR ENVIRONMENT AND WATER LETTER**

SIGNED BY THE PURCHASER:

THIS _____ DAY OF _____

(Signature)

(Signature)

(Signature)

(Signature)

The Purchaser acknowledges and consents to the Vendor and Agent or their authorised representatives signing the Form 1 by electronic and/or digital signatures under the Electronic Transactions Act (Cth) and (SA).

REGISTRATION AND LICENSING

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

Land and Business (Sale and Conveyancing) Regulations 2025 - regulation 17

Buyers information notice

Prescribed notice to be given to purchaser

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 (CBS) recommends 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 issues are relevant to each heading.

Safety

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

Enjoyment

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

Value

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

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

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



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



Certificate of Title - Volume 6269 Folio 601

Parent Title(s)	CT 6250/963		
Creating Dealing(s)	RTC 13748846		
Title Issued	28/04/2022	Edition 1	Edition Issued 28/04/2022

Estate Type

FEE SIMPLE

Registered Proprietor

JAMES GERALD ELDER
HELEN JOYCE ELDER
OF 155 WATERFALL GULLY ROAD WATERFALL GULLY SA 5066
AS JOINT TENANTS

Description of Land

ALLOTMENT COMPRISING PIECES 21 AND 22 DEPOSITED PLAN 128268
IN THE AREA NAMED WATERFALL GULLY
HUNDRED OF ADELAIDE

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED J ON D128268 FOR WATER SUPPLY PURPOSES (RE 7848645)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED J ON D128268 FOR SEWERAGE PURPOSES (RE 7848645)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED J ON D128268 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (TG 9495662)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED J ON D128268 FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE (RE 7848645)

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED J ON D128268 (RE 7848645)

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED B ON D128268 (RTC 8163424)

Schedule of Dealings

Dealing Number	Description
8950783	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

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

Administrative Interests

CONFIRMED IN SA HERITAGE REGISTER 23/11/1989

Property Interest Report

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

Title Reference	CT 6269/601	Reference No. 2758469
Registered Proprietors	J G & H J*ELDER	Prepared 25/02/2026 09:57
Address of Property	155 WATERFALL GULLY ROAD, WATERFALL GULLY, SA 5066	
Local Govt. Authority	CITY OF BURNSIDE	
Local Govt. Address	PO BOX 9 GLENSIDE SA 5065	

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

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | 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

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title |
| 1.3 | Restrictive covenant

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | 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.)

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | 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

State Planning Commission in the Department for Housing and Urban Development will respond with details relevant to this item

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

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 <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1967</i> (repealed) | State Planning Commission in the Department for Housing and Urban Development will respond with details relevant to this item |
| | | also |
| | | Contact the Local Government Authority for other details that might apply |
- [Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*

7. Emergency Services Funding Act 1998

- | | | |
|-----|---------------------------------|---|
| 7.1 | section 16 - Notice to pay levy | <p>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.</p> <p>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</p> |
|-----|---------------------------------|---|

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.	<i>Fences Act 1975</i>	
9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details
10.	<i>Fire and Emergency Services Act 2005</i>	
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.	<i>Food Act 2001</i>	
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.	<i>Ground Water (Qualco-Sunlands) Control Act 2000</i>	
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.	<i>Heritage Places Act 1993</i>	
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 will respond with details relevant to this item
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.	<i>Highways Act 1926</i>	
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.	<i>Housing Improvement Act 1940 (repealed)</i>	
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.	<i>Housing Improvement Act 2016</i>	

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

17. *Land Acquisition Act 1969*

17.1	section 10 - Notice of intention to acquire	Refer to the Certificate of Title for any notice of intention to acquire also Contact the Local Government Authority for other details that might apply
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18. *Landscape South Australia Act 2019*

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

Act

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

19. Land Tax Act 1936

- | | | |
|------|---|--|
| 19.1 | Notice, order or demand for payment of land tax | <p>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.</p> <p>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</p> |
|------|---|--|

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

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

29. ***Planning, Development and Infrastructure Act 2016***

- 29.1 Part 5 - Planning and Design Code
[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]
- Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.
- also
- Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title
- also
- For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority
- also
- Contact the Local Government Authority for other details that might apply to a place of local heritage value
- also
- For details of declared significant trees affecting this title, contact the Local Government Authority
- also
- The Planning and Design Code (the Code) is a statutory instrument under the *Planning, Development and Infrastructure Act 2016* for the purposes of development assessment and related matters within South Australia. The Code contains the planning rules and policies that guide what can be developed in South Australia. Planning authorities use these planning rules to assess development applications. To search and view details of proposed statewide code amendments or code amendments within a local government area, please search the code amendment register on the SA Planning Portal: https://plan.sa.gov.au/have_your_say/code-amendments/code_amendment_register or phone PlanSA on 1800 752 664.**
- 29.2 section 127 - Condition (that continues to apply) of a development authorisation
[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]
- State Planning Commission in the Department for Housing and Urban Development will respond with details relevant to this item**
- 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.	<i>Plant Health Act 2009</i>	
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.	<i>Public and Environmental Health Act 1987 (repealed)</i>	
31.1	Part 3 - Notice	Public Health in DHW has no record of any notice or direction affecting this title
		also
		Contact the Local Government Authority for other details that might apply
31.2	<i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) (revoked) Part 2 - Condition (that continues to apply) of an approval</i>	Public Health in DHW has no record of any condition affecting this title
		also
		Contact the Local Government Authority for other details that might apply
31.3	<i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19 - Maintenance order (that has not been complied with)</i>	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 | <i>South Australian Public Health (Wastewater) Regulations 2013</i> Part 4 - Condition (that continues to apply) of an approval | Public Health in DHW has no record of any condition affecting this title

also

Contact the Local Government Authority for other details that might apply |

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

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

34. *Water Industry Act 2012*

- | | | |
|------|---|--|
| 34.1 | Notice or order under the Act requiring payment of charges or other amounts or making other requirement | An SA Water Certificate will be forwarded.
If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950

also

The Office of the Technical Regulator in DEM has no record of any notice or order affecting this title

also

Lightsview Re-Water Supply Co Pty Ltd has no record of any notice or order affecting this title.

also

Robusto Investments Pty. Ltd. trading as Compass Springs has no current record of any notice or order affecting this title.

also

Alano Utilities Pty. Ltd. has no record of any notice or order affecting this title. |
|------|---|--|

35. *Water Resources Act 1997 (repealed)*

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

36. *Other charges*

- | | | |
|------|--|--|
| 36.1 | Charge of any kind affecting the land (not included in another item) | Refer to the Certificate of Title

also

Contact the vendor for these details

also

Contact the Local Government Authority for other details that might apply |
|------|--|--|

Other Particulars

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

- | | |
|--|---|
| 1. Particulars of transactions in last 12 months | Contact the vendor for these details |
| 2. Particulars relating to community lot (including strata lot) or development lot | Enquire directly to the Secretary or Manager of the Community Corporation |
| 3. Particulars relating to strata unit | Enquire directly to the Secretary or Manager of the Strata Corporation |
| 4. Particulars of building indemnity insurance | Contact the vendor for these details
also
Contact the Local Government Authority |
| 5. Particulars relating to asbestos at workplaces | Contact the vendor for these details |
| 6. Particulars relating to aluminium composite panels | Please note that the audit is limited to classes of buildings, and that this note does not confirm the presence or absence of Aluminium Composite Panelling. Contact the vendor for relevant details. |
| 7. Particulars relating to court or tribunal process | Contact the vendor for these details |
| 8. Particulars relating to land irrigated or drained under Irrigation Acts | SA Water will arrange for a response to this item where applicable |
| 9. Particulars relating to environment protection | Contact the vendor for details of item 2
also
EPA (SA) has no record of any particulars relating to items 3, 4 or 5 affecting this title
also
Contact the Local Government Authority for information relating to item 6 |
| 10. Particulars relating to <i>Livestock Act, 1997</i> | 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 (<i>Dog Fence Act 1946</i>) | This title falls outside the Dog Fence rateable area. Accordingly, the Dog Fence Board holds no current interest in relation to Dog Fence rates. |
| 9. Pastoral Board (<i>Pastoral Land Management and Conservation Act 1989</i>) | The Pastoral Board has no current interest in this title |
| 10. Heritage Branch DEW (<i>Heritage Places Act 1993</i>) | 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.

Certificate of Title

Title Reference CT 6269/601
Status CURRENT
Easement YES
Owner Number 01102754
Address for Notices 155 WATERFALL GULLY RD WATERFALL GULLY, SA 5066
Area 2.908ha (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

JAMES GERALD ELDER
HELEN JOYCE ELDER
OF 155 WATERFALL GULLY ROAD WATERFALL GULLY SA 5066
AS JOINT TENANTS

Description of Land

ALLOTMENT COMPRISING PIECES 21 AND 22 DEPOSITED PLAN 128268
IN THE AREA NAMED WATERFALL GULLY
HUNDRED OF ADELAIDE

Last Sale Details

There are no sales details recorded for this property

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	8950783	WESTPAC BANKING CORPORATION

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
1845175501	CURRENT	155 WATERFALL GULLY ROAD, WATERFALL GULLY, SA 5066

Notations

Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

CONFIRMED IN SA HERITAGE REGISTER 23/11/1989

Valuation Record

Valuation Number	1845175501
Type	Site & Capital Value
Date of Valuation	01/01/2025
Status	CURRENT
Operative From	01/07/2022
Property Location	155 WATERFALL GULLY ROAD, WATERFALL GULLY, SA 5066
Local Government	BURNSIDE
Owner Names	JAMES GERALD ELDER HELEN JOYCE ELDER
Owner Number	01102754
Address for Notices	155 WATERFALL GULLY RD WATERFALL GULLY, SA 5066
Zone / Subzone	HF - Hills Face
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	H CP SP T/C
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
D128268 PIECE 22	CT 6269/601
D128268 PIECE 21	CT 6269/601

Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$1,400,000	\$3,300,000			
Previous	\$1,275,000	\$2,950,000			

Building Details

Valuation Number	1845175501
Building Style	Mansion
Year Built	1860
Building Condition	Good
Wall Construction	Stone; Freestone
Roof Construction	Slate
Equivalent Main Area	620 sqm
Number of Main Rooms	Not Available

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

Certificate of Title

Title Reference: CT 6269/601
Status: CURRENT
Edition: 1

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

Administrative Interests

CONFIRMED IN SA HERITAGE REGISTER 23/11/1989

Account Number 18 45175 50 1	L.T.O Reference CT6269601	Date of issue 25/2/2026	Agent No. 7734	Receipt No. 2758469
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THE FORM 1 COMPANY
LEVEL 1, 3-5 MT BARKER RD
STIRLING SA 5152
form1@form1.net.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: JG & HJ ELDER
Location: 155 WATERFALL GULLY RD WATERFALL GULLY PCE21 PCE22 D128268
Description: H CP SP T/C **Capital Value:** \$3 300 000
Rating: Residential

Periodic charges

Raised in current years to 31/3/2026

			\$
	Arrears as at: 30/6/2025	:	0.00
Water main available:	1/7/2022	Water rates	: 246.90
Sewer main available:	1/7/2022	Sewer rates	: 1,460.25
		Water use	: 815.99
		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	: 2,523.14CR
		Balance outstanding	: 0.00

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

Next quarterly charges: Water supply: 82.30 Sewer: 486.75 Bill: 8/4/2026

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

The last Water Use Year ended on 08/04/2025.

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



**Government of
South Australia**

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

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

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

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

SA Water advises this property is currently subject to an Encumbrance as at the date of issue of this certificate.

South Australian Water Corporation

Name:

JG & HJ ELDER

Water & Sewer Account

Acct. No.: 18 45175 50 1

Amount: _____**Address:**155 WATERFALL GULLY RD WATERFALL
GULLY PCE21 PCE22 D128268

Payment Options

EFT**EFT Payment**

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	1845175501

**Bill code: 8888**
Ref: 1845175501

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: 1845175501

**Government of
South Australia****South Australian Water Corporation**
250 Victoria Square/Tarntanyangga
Adelaide SA 5000
GPO Box 1751 Adelaide SA 50011300 SA WATER
(1300 729 283)
ABN 69 336 525 019
sawater.com.au

Our Ref: 731187
Account No: 1845175501
Enquiries: TECHNICAL SERVICES INVESTIGATIONS
Office Hours: 8:00am to 4:00pm
Telephone: (08) 7424 1360
Facsimile: (08) 7003 1360
Date: 07/02/2023

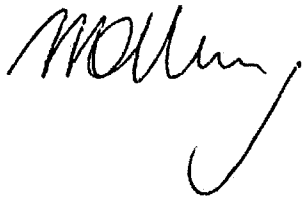
J G & H J ELDER
155 WATERFALL GULLY RD
WATERFALL GULLY SA 5066

PRIVATE PUMPING NOTICE

You are hereby notified that a notice has been placed on the following property:
155 WATERFALL GULLY RD WATERFALL GULLY SA 5066

Authorisation is hereby provided for the private pumping system installed at the above address to discharge to the corporation's gravity sewerage connection at a rate of no greater than 1.2 L/sec.

Yours Sincerely



_____(signed) For Chief Executive Officer



**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: 2758469

THE FORM 1 COMPANY
GPO BOX 1651
ADELAIDE SA 5001**DATE OF ISSUE**

25/02/2026

ENQUIRIES:

Tel: (08) 8372 7534

Email: contactus@revenuesa.sa.gov.au**OWNERSHIP NUMBER**

01102754

OWNERSHIP NAME

J G & H J ELDER

PROPERTY DESCRIPTION

155 WATERFALL GULLY RD / WATERFALL GULLY SA 5066 / PCES 21 2

ASSESSMENT NUMBER

1845175501

TITLE REF.

(A "+" indicates multiple titles)

CT 6269/601

CAPITAL VALUE

\$3,300,000.00

AREA / FACTORR4
1.000**LAND USE / FACTOR**RE
0.400**LEVY DETAILS:****FINANCIAL YEAR**

2025-2026

FIXED CHARGE

\$ 50.00

+ VARIABLE CHARGE

\$ 1,116.70

- REMISSION

\$ 671.90

- CONCESSION

\$ 0.00

+ ARREARS / - PAYMENTS

\$ -470.06

= AMOUNT PAYABLE

\$ 24.74

Please Note:

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

EXPIRY DATE

26/05/2026

**Government of
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE**PAYMENT REMITTANCE ADVICE****OWNERSHIP NUMBER**

01102754

OWNERSHIP NAME

J G & H J ELDER

ASSESSMENT NUMBER

1845175501

AMOUNT PAYABLE

\$24.74

AGENT NUMBER

100019452

AGENT NAME

THE FORM 1 COMPANY

EXPIRY DATE

26/05/2026

+70150417130022> +001571+ <0550000199>

<0000002474> +444+

OFFICIAL: Sensitive

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

Visit: www.revenuesa.sa.gov.au
Email: contactus@revenuesa.sa.gov.au
Phone: (08) 8372 7534

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 Biller Code: 456285 Ref: 7015041713	 To pay via the internet go to: www.revenuesaonline.sa.gov.au	 Send your cheque or money order, made payable to the Community Emergency Services Fund , along with this Payment Remittance Advice to: Please refer below. Revenue SA Locked Bag 555 ADELAIDE SA 5001
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au <small>© Registered to BPAY Pty Ltd ABN 69 079 137 518</small>		

ACTION REQUIRED: In line with the Commonwealth Government's cheque phase-out, RevenueSA will stop accepting cheque payments after 30 June 2027. To ensure a smooth transition, we encourage you to switch to one of the other payment options listed above.



ABN 19 040 349 865
Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

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

PIR Reference No: 2758469

THE FORM 1 COMPANY
GPO BOX 1651
ADELAIDE SA 5001

DATE OF ISSUE

25/02/2026

ENQUIRIES:

Tel: (08) 8372 7534

Email: contactus@revenuesa.sa.gov.au

OWNERSHIP NAME

J G & H J ELDER

FINANCIAL YEAR

2025-2026

PROPERTY DESCRIPTION

155 WATERFALL GULLY RD / WATERFALL GULLY SA 5066 / PCES 21 2

ASSESSMENT NUMBER

1845175501

TITLE REF.

(A "+" indicates multiple titles)

CT 6269/601

TAXABLE SITE VALUE

\$1,400,000.00

AREA

2.9075 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

26/05/2026

See overleaf for further information



**Government of
South Australia**

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

OFFICIAL: Sensitive

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

Visit: www.revenuesa.sa.gov.au
Email: contactus@revenuesa.sa.gov.au
Phone: (08) 8372 7534

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 Biller Code: 456293 Ref: 7015041622		
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au <small>© Registered to BPAY Pty Ltd ABN 69 079 137 518</small>	To pay via the internet go to: www.revenuesaonline.sa.gov.au	Send your cheque or money order, made payable to the Commissioner of State Taxation , along with this Payment Remittance Advice to: Please refer below. Revenue SA Locked Bag 555 ADELAIDE SA 5001

ACTION REQUIRED: In line with the Commonwealth Government's cheque phase-out, RevenueSA will stop accepting cheque payments after 30 June 2027. To ensure a smooth transition, we encourage you to switch to one of the other payment options listed above.

LOCAL GOVERNMENT SEARCH**Cert0292\26****25/02/2026**

The Form 1 Company
GPO Box 1651
ADELAIDE SA 5001

Billing number: 1133421 Valuer General No: 1845175501
Owner: James G Elder & Helen J Elder
Property Address: 155 Waterfall Gully Road WATERFALL GULLY SA 5066
Legal Description: Piece 21 DP 128268 Vol 6269 Fol 601 & Piece 22 DP 128268 Vol 6269 Fol 601

Pursuant to Section 187 of the Local Government Act 1999 (as amended), I certify that the following amounts are due and payable and are a charge against the above property:

Rates and Arrears - prior 30/06/2025	26.50
Legal Fees	0.00
Rates for current financial year, which fall due on 01/07/2025 and payable as four instalments on or before 01/06/2026	5,779.75
Fines and interest for current financial year (2% fine for each late instalment, and .75% interest rate per month on all other outstanding amounts). Fines and interest are incurred on day 1 of each month	28.85
Less Rate Capping Rebate	0.00
Less amount paid for current financial year	(4,390.20)
Balance of rates and other monies due and payable	\$1,444.90
Instalment/s Due:	
Due 01/06/2026	\$1,444.90

ON BEHALF OF THE CITY OF BURNSIDE

Street Numbering

Please note Council's official street number for this property is **155 Waterfall Gully Road WATERFALL GULLY SA 5066.***

Regulated and Significant Trees

Your attention is drawn to the requirement to obtain Development Approval before undertaking a Tree-damaging activity to a Regulated or Significant tree as defined by the Development Act 1993. Council has established the Regulated and Significant Tree Assistance Scheme which provides partial reimbursement of funds to approved works undertaken to maintain and provide for the ongoing health of Regulated and Significant Trees. Conditions apply. For more information please contact City Development and Safety on 8366 4244.

Waste Collection Service

On the 10 December 2012 the City of Burnside moved to a new 3 Bin and Food Waste Recycling system.

Each rateable property is eligible to receive a standard set of 3 bins: general waste (140L red lid), recycling (240L yellow lid) and organics (240L green lid), as well as a food waste kitchen basket and a new Waste Education Brochure and Calendar. Bins are also available in 140L and 360L (recycle) and 140L (green organics). For further information on the new system and all fees and charges, please refer to Council's web site.

All bins will be supplied by Council and remain the property of Council.

Additional bins for recycling and organic waste may be acquired through a lease agreement with Council. A pro rata charge for the collection of additional recycling and organic bins applies.

Refer to the Kerbside Waste Management Policy for further details.

Payment of Rates at Settlement

It is encouraged that payment of the full year's rates is made when a property is sold.

Section 178(3)(c) of the Local Government Act 1999, states that rates may be recovered as a debt from any other person who was at the ***time of the declaration of the rates an owner or occupier of the land.***

If you have any queries regarding this, please do not hesitate to contact the Rates Department on 8366 4200.

To pay these rates via PEXA

Bpay Biller Code: 8722

Reference Number: 1133421

Land and Business (Sale and Conveyancing) Act
Property Interest Report

Request No.:	Cert0292\26	Date of Issue:	26/02/2026
Applicant:	The Form 1 Company GPO Box 1651 ADELAIDE SA 5001	CT No.:	Piece 21 DP 128268 Vol 6269 Fol 601 & Piece 22 DP 128268 Vol 6269 Fol 601
Property:	155 Waterfall Gully Road WATERFALL GULLY SA 5066		

Pursuant to the provisions of the regulations under the Land and Business (Sale and Conveyancing) Act, 1994, Council hereby provides particulars and documentary material in response to your enquiry.

PRESCRIBED ENCUMBRANCES AND PARTICULARS REQUIRED

Part 3 – Development Plan, Development Act 1993

• Title or other brief description of zone or policy area in which the land is situated (per the Development Plan):	N/A
• Is the land situated in a designated state heritage area?	N/A
• Is the land designated as a place of local heritage value?	N/A
• Is there a Development Plan Amendment released for public consultation by the Council on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	No
• If Yes, state the name of the Council:	N/A
• Is there a Development Plan Amendment released for public consultation by the Minister on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	No
Section 42 – condition (that continues to apply) of a development authorisation (refer attached for details if applicable):	Yes 180\00617\94\DC (180\D110\93) 180\0688\12

Part 5 - PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

• Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code)	Z2403 (HF) Hills Face Refer to PlanSA Section 7 Report for further information.
• Is the land situated in a designated state heritage area?	No
• Is the land designated as a place of local heritage value?	Refer to PlanSA Section 7 Report for further information.
• Is there a tree declared to be a significant tree or a stand of trees declared to be significant on the land?	Refer to PlanSA Section 7 Report for further information.
• Is there a Planning and Design Code amendment released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Yes

REPEALED ACT CONDITIONS	
Condition (that continues to apply) of an approval or authorisation granted under the following Acts (refer attached for details if applicable): <ul style="list-style-type: none"> o Building Act 1971 o City of Adelaide Development Control Act 1976 o Planning and Development Act 1966 o Planning Act 1982 	No
DEVELOPMENT ACT 1993	
Section 50(1) – requirement to vest land in a Council or the Crown to be held as open space	No
Section 50(2) – agreement to vest land in a Council or the Crown to be held as open space	No
Section 55 – order to remove work or perform work	No
Section 56 – notice to complete development	No
Section 57 – land management agreement	No
Section 48 or 58 – for the destruction or control of animal or plants	No
Section 69 – emergency order	No
Section 71 – fire safety notice	No
Section 84 – enforcement notice	No
Section 85(6), 85(10) or 106 – enforcement order	No
Part 11 Division 11 – proceedings	No
FIRE AND EMERGENCY SERVICES ACT 2005	
Section 105F – fire prevention or notice to prevent fires on private land	No
HEALTH – FOOD ACT 2001	
Section 44 – improvement notice	No
Section 46 – prohibition order	No
LOCAL NUISANCE AND LITTER CONTROL ACT 2016	
Section 30 – Nuisance or Litter abatement notice	No
SOUTH AUSTRALIAN PUBLIC HEALTH ACT 2011	
Section 92 Notice	No
LAND ACQUISITION ACT 1969	
Section 10 – Notices of intention to acquire	No
HOUSING IMPROVEMENT ACT 1940	
Section 23 – declaration that house is undesirable or unfit for human habitation	No
LOCAL GOVERNMENT ACT 1934	
Notice, order, declaration, charge, claim or demand given/made under the Act	No
LOCAL GOVERNMENT ACT 1999	
Notice, order, declaration, charge, claim or demand given/made under the Act	No
PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016	
Section 141 – order to remove work or perform work	No
Section 142 – notice to complete development	No
Section 155 – emergency order	No
Section 157 – fire safety notice	No
Section 198(1) – requirement to vest land in a Council or the Crown to be held as open space	No
Section 198(2) – agreement to vest land in a Council or the Crown to be held as open space	No
Part 16 Division 1 – proceedings	No
Section 213, 214(6), 214(10), 222 – enforcement notice	No

PUBLIC AND ENVIRONMENTAL HEALTH ACT 1987

Notice or declaration of insanitary conditions

No

BUILDING INDEMNITY INSURANCE

Approval No.	Insurer	Policy Issued	Contract Date	Builder
Nil				

ENVIRONMENT PROTECTION

- Does the council hold details of any development approvals relating to
(a) commercial or industrial activity at the land; or
(b) change in the use of the land or part of the land (per the Development Act 1993)?

No

No

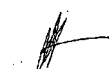
Notes

Swimming Pools (if applicable)

On or before any settlement takes place with respect to any transfer of title to the land, the vendor is required to install, replace or upgrade any prescribed designated swimming pool safety features that are required in relation to any swimming pool (including any spa pool) that is located on the land. After settlement, the purchaser (new owner) will then be required to ensure that those safety features have been so installed, replaced or upgraded as necessary on the land (and if they have not been installed, replaced or upgraded, the new owner will be required to install, replace or upgrade those designated safety features in accordance with the relevant prescribed requirements) and thereafter the new owner must ensure that those designated safety features are maintained in accordance with the relevant prescribed requirements.

APPROVAL NOTICES WITHOUT ON-GOING CONDITIONS

No



Authorised Officer
City of Burnside

Note:

- The information provided is as required by the Land and Business (Sale and Conveyancing) Act 1994. The information should not be taken as a representation as to whether or not any other charges or encumbrances affect the subject land.
- The Property Interest Report discloses prescribed information that Council has a statutory obligation to disclose.
- Refer to attached Decision Notification Forms for details of development authorisation(s) granted.

OFFICIAL

Data Extract for Section 7 search purposes

Valuation ID 1845175501

Data Extract Date: 26/02/2026

Important Information

This Data Extract contains information that has been input into the Development Application Processing (DAP) system by either the applicant or relevant authority for the development for which approval was sought under the Planning, Development and Infrastructure Act 2016. The Department for Housing and Urban Development does not make any guarantees as to the completeness, reliability or accuracy of the information contained within this Data Extract and councils should verify or confirm the accuracy of the information in the Data Extract in meeting their obligations under the Land and Business (Sale and Conveyancing) Act 1994.

Parcel ID: D128268 QP22, D128268 QP21

Certificate Title: CT6269/601

Property Address: 155 WATERFALL GULLY RD WATERFALL GULLY SA 5066

Zones

Hills Face (HF)

Subzones

No

Zoning overlays

Overlays

Airport Building Heights (Regulated) (All structures over 30 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.

Environment and Food Production Area

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

Hazards (Bushfire - High Risk) (High)

The Hazards (Bushfire - High Risk) Overlay seeks to ensure development responds to the high level of bushfire risk by siting and designing buildings to mitigate threat and impact of bushfires on life and property, facilitating access for emergency service vehicles and situating activities that increase the number of people living and working in the area away from areas of unacceptable bushfire risk.

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 - Evidence Required)

OFFICIAL

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

Native Vegetation

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

Prescribed Wells Area

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

Regulated and Significant Tree

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

State Heritage Place (Heritage Number: 8417)

The State Heritage Place Overlay seeks to ensure development maintains the heritage and cultural values of State Heritage Places through conservation, ongoing use and adaptive reuse.

Traffic Generating Development

The Traffic Generating Development Overlay aims to ensure safe and efficient vehicle movement and access along urban transport routes and major urban transport routes.

Urban Transport Routes

The Urban Transport Routes Overlay seeks to ensure safe and efficient vehicle movement and access along urban transport routes.

Water Resources

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

Is the land situated in a State Heritage Place/Area

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 the land designated as a Local Heritage Place

No

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

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

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

No

OFFICIAL

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

Valuation ID 1845175501

Data Extract Date: 26/02/2026

Important Information

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Parcel ID: D128268 QP22, D128268 QP21

Certificate Title: CT6269/601

Property Address: 155 WATERFALL GULLY RD WATERFALL GULLY SA 5066

Zones

Hills Face (HF)

Subzones

No

Zoning overlays

Overlays

Airport Building Heights (Regulated) (All structures over 30 metres)

OFFICIAL

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.

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Is the land situated in a State Heritage Place/Area

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OFFICIAL

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

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

Is the land designated as a Local Heritage Place

No

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

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

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

No

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

<https://plan.sa.gov.au/>

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

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

Associated Development Authorisation Information

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

No

Land Management Agreement (LMA)

No



Decision Notification Form

Development Application:	180\0688\12
Applicant:	Mountford Prider Pty Ltd
Nature of Development:	Repairs and reinstatement of tree damaged home
Location	155 Waterfall Gully Road WATERFALL GULLY SA 5066

Application Received:	23/07/2012	DAC Reference:
Application Lodged:	23/07/2012	ERD Court Reference:

In respect of this proposed development you are informed that:

NATURE OF CONSENT	Consent Status	Date of Decision	No. of Conditions
Development Plan Consent	Granted	29/08/2012	2
Land Division Consent	-	-	-
Land Division Community Title Consent	-	-	-
Building Rules Consent (Privately Certified)	Granted	10/09/2012	3
Public Space	-	-	-
Other	-	-	-
DEVELOPMENT APPROVAL	Granted	18/09/2012	5

Building Classification Granted: 1a

Details of any conditions imposed on this consent/approval or the reasons for its refusal are set out on the attached sheet.

The applicant may lodge an appeal with the Environment, Resources and Development Court against this decision within (2) months of the date of this decision.

~~..... representation(s) from third parties concerning your category 3 were received.~~

~~Any consent/approval is not operative until the period specified in the Development Act, 1993 in respect if any relevant appeals by third parties to the Environment, Resource and Development Court have expired (15 business days from the date of this decision).~~

~~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 undertake site works or building work or change the use of the land until notification of a Development Approval has been received.~~

Signed:

☒ Council Chief Executive Officer or Delegate

Dated:18/09/2012.....

☐ ERD Court

☒ Sheets Attached

cc Owner



DEVELOPMENT APPLICATION NO. 180\0688\12

Development Plan Consent Conditions

- 1 The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below (if any).

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

- 2 All fabric repairs shall be carried out so as to match the colours, materials and detailing of the existing fabric.

Reason:

To maintain the physical and visual integrity of the fabric.



DEVELOPMENT APPLICATION NO. 180\0688\12

Building Rules Consent Conditions

In accordance with section 89 of the Development Regulations 2008, Building Rules Consent was issued by Salisbury Development Services and is subject to 3 (three) Conditions. Please refer to the Decision Notification Form and advisory notes issued by Salisbury Development Services as the authority regarding this consent.



DEVELOPMENT APPLICATION NO. 180\0688\12

Advisory Notes

Compulsory Notification of Building Work

Pursuant to Regulation 74 of the Development Regulations 2008 you are required to notify Council at the following stages of Building Work:

- one business day notice prior to commencement and completion of all Building Work,
- one business day notice prior to the pouring of footings;
- one business day notice of the completion of wall and roof framing (excluding transportable buildings or class 10 not attached to the roof frame of a building of another class)*
- one business day notice prior to the pouring of footings;
- one business day notice of completion of cavity masonry walls and/or tilt up walling;
- one business day notice of the completion of installation of swimming pool safety barriers (prior to a swimming pool being filled with water);

**The person providing notification of roof framing must, within one business day after the notice is given, submit to Council the Schedule 5 supervisor's checklist, completed and signed by a registered building work supervisor. Concealment of roofing must not commence until two clear business days after notification.*

A Compulsory Notification form is attached for your convenience. Please contact the City of Burnside on 8366 4200 and speak to a member of the Development Services Building Team if you are unclear of your obligations. Failure to comply with, Regulation 74 - Notifications during building work, may result in expiation fees of \$500 or prosecution.

Council's Building Inspection Policy can be viewed at the Civic Centre or online: www.burnside.sa.gov.au

Drainage Water

Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and air conditioning units must be discharged to the sewer.

Certificate of Indemnity Insurance

As required by Regulation 21 of the Development Regulations 2008, the owner of the land on which domestic building work is to be performed by a building work contractor, must, in relation to that work, ensure that a certificate of insurance as required under Division 3 of Part 5 of the Building Work Contractors Act 1995, is lodged with the Council on or before giving notice of commencement of the building work under Regulation 74 of the Development Regulations 2008

Consultation with adjoining owners

In addition to notification and other requirements under the Development Act and Fences Act, it is recommended that the applicant/owner consult with adjoining owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues requiring resolution such as boundary fencing, retaining walls, trees/roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

Fences Act 1975

The Applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or visit www.lsc.sa.gov.au

Noise

The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the Applicant (or person with the benefit of this



consent) should comply with those requirements.

Stormwater discharge

In relation to any proposed stormwater discharge from the property, the following requirements shall be complied with:

- The Applicant must ensure that stormwater run-off from the proposed development is collected and discharged to the building stormwater system. All downpipes required to discharge the stormwater run-off must be installed within the property boundary;
- All car parks, driveways and vehicle manoeuvring areas shall be graded to ensure that no surface water or rubble from within the property is transported across the footpath; and
- The connection of any building stormwater system to any part of Council's underground drainage system shall be in accordance with Council guidelines.

For further information in relation to stormwater discharge, please contact Council's Customer Service Centre on 8366 4200.

Demolition

Any area where it is possible that a person could be injured (or property damaged) by falling or rebounding material, must be fenced or barricaded to the satisfaction of the Manager, Development Services.

Clearly legible cautionary notices warning people of the danger must be affixed in places where they will be easily visible to anyone approaching the area.

Temporary supports, shoring underpinning etc. shall be provided as necessary to ensure stability of any part of the building/structure and any adjoining building structure during demolition.

Materials must not be loaded or transported from the site in a manner that will give rise to excessive dust.

Damping with water spray (trigger hoses must be used where possible) or other suitable method is to be used to prevent dust generated by demolition work from rising into the air. Non-potable water should be used wherever possible.

Any public footway, nature strip, roadway is not to be obstructed by vehicles and machinery or rendered inconvenient or dangerous to the public.

Suitable measures are to be taken to protect any public footway, nature strip, street tree or roadway from damage. Any person responsible for such damage will be required to pay all costs incurred by council in reinstating all damage.

Demolition materials need to be removed from the site as soon as practicable.

Prior to commencing demolition, an approved pest control operator should be engaged to eradicate all vermin.

Special procedures need to be implemented in cases where asbestos material is present. Advice and information on asbestos removal and disposal is obtainable from SafeWork SA. Authorities noted below should be contacted prior to the commencement of any demolition works, as their approval may be required to disconnect, alter and/or make safe their infrastructure:

- Telstra
- SA Water
- Origin Energy
- South Australian Metropolitan Fire Service
- Australian Gas & Light Company
- Transport SA
- Australia Post

Onsite facilities for the disposal or storage of refuse, waste and toilet accommodation for work persons must be provided.

The demolition contractor is to ensure that the appropriate licences/certificates registration required by the Department Administrative and Information services are obtained for the work to be undertaken.



No materials are permitted to be burnt onsite.

Mud and other sediment deposited on a roadway, footpath area or street gutter must be cleaned up using dry sweeping methods at the end of the working day, more frequently when so directed by the Manager, Development Services.

Demolition contractors should make all reasonable efforts to minimise construction noise generated by heavy machines and power tools etc. All equipment should be properly maintained, with special attention given to mufflers and other noise control devices.

Asbestos Removal

Any asbestos that is to be demolished and/or removed from the site must be done in accordance with the guidelines and regulations as stipulated by the EPA and Safework SA

Other Authorities

The applicant must ensure that any consent from other authorities (including but not limited to SA Water, Telstra, Native Vegetation Board, ETSA) that may be required to undertake the development, has been granted by that authority prior to the commencement of the development.

Significant Trees, Regulated Trees and Tree-Damaging activity

This development approval has been granted on the basis this development does not include a tree-damaging activity as defined in Section 4 of the Development Act 1993.

Should a tree-damaging activity be necessary, to undertake this development, a separate development approval from Council is required before any tree-damaging activity can occur

Assets & Capital Works Requirements:

- The width of the proposed driveway access within the road verge is to be limited to a maximum width 4.5m and to be constructed per Council Standards;
- The existing access driveway is to be closed and reinstated with upright kerb to match existing surroundings;
- Existing footpath levels, grades etc should not be altered as a result of new development works;
- Excess stormwater run-off from the roof catchment to be discharged to the street water table through sealed system to the satisfaction of the Council and the discharge to be limited to pre-development flow for events up to 20ARI/10min;
- Developer should provide stormwater calculation to Council to verify the requirement given in the above dot point;
- Stormwater pipe across the road verge should terminate at an approved galvanised steel kerb adaptor.

Clearance to Overhead Power lines

The Electricity Act 1996 and the Regulations under the Act prohibit erection of buildings or structures in proximity to overhead and underground power lines. The minimum distance prescribed depends on the construction and the voltage of power lines and ranges from 25m horizontal clearance for 275 000 volts overhead power lines measured from the centre line of power lines to 1.5m horizontal clearance for 240/415 volts overhead power lines measured from the closest conductor (wire) under worst conditions. The conditions taken into consideration are the sag and swing of the conductor. If there are any power lines in proximity to your planned development, refurbishment or extension of a building structure, please contact the Office of the Technical Regulator for further advice on (08) 8226 5500 during business hours. Non compliance with the requirements of the Electricity Act 1996 may attract considerable cost to the offending body in form of penalties and rectification work. Please note that minimum prescribed clearances from power lines are not registered as an encumbrance or easement on the Certificate of Title.

The following table provides an indication of prescribed horizontal clearances from power lines with difference voltages:

Voltage of overhead power lines	Horizontal clearance distance measured from the closest conductor (wire) under worst conditions (max. sag & swing)
---------------------------------	--

From 1,000 volts up to and including 33,000 Volts	3.1m
Up to 1,000 volts	1.5m

More detailed information is available in the Electricity Act 1996 and the Electricity (General) Regulations 1997.

Buildings Located Across Boundaries

The plans indicate buildings that will cross existing boundaries. The allotments will need to be amalgamated or a land division will need to occur to ensure that the buildings will be contained within allotment boundaries.

Public Utilities

The Applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

Boundaries

It is recommended that as the Applicant is undertaking work on or near the boundary, the Applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

Expiration Time of Approval

Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent/approval will lapse at the expiration of 12 months from the operative date of the consent/approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

DECISION NOTIFICATION

TO: City of Burnside

Development Number: 180/0688/2012

Reference: 605/2012/MFP

FOR DEVELOPMENT APPLICATION

REGISTERED ON 16-Jul-2012

APPLICANT Mountford Prider Pty Ltd
PO Box 594
HENLEY BEACH SA 5022

LOCATION OF PROPOSED DEVELOPMENT:

Subject Site: 155 Waterfall Gully Road , Waterfall Gully SA 5066

Parcel:

Certificate of Title:

Nature of Proposed Development:

MINOR REINSTATEMENT OF TREE IMPACTED DWELLING

In respect of this proposed development you are informed that:

Nature of Decision	Consent	No. of Conditions
Development Plan Consent	29-Aug-2012	-
Building Rules Consent	GRANTED	THREE
Other		-
DEVELOPMENT APPROVAL	*NOTE	-

Building Classification: 1A

This approval does not purport to represent approval under the Development Plan Consent and does not provide approval for compliance with the conditions of the Development Plan Consent. If there were third party representations, any consent/approval or consent / approval with conditions does not operate until the periods specified in the Act have expired. Reasons for this decision, any conditions imposed and the reasons for imposing those conditions are set out on the Development Plan Consent.

***NOTE:** No development may be undertaken unless the development is an approved development (Section 32). A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of each of the matters prescribed in Section 33 (1).

Date of Decision: 10-Sep-2012

Signed:



Private Certifier: Alan Taylor

Reg. Number: 020

**SALISBURY DEVELOPMENT SERVICES
BUILDING RULES CONSENT
SCHEDULE OF CONDITIONS**

Regulation 42 Eleventh Schedule

Development Number: 180/0688/2012

Reference: 605/2012/MFP

BUILDING RULES CONSENT in respect of the proposed development is **GRANTED** subject to the following conditions:

1. Any changes to building materials or systems that may affect the structural soundness or safety of a building, must be submitted to the authority prior to commencing construction.

Reason: To ensure structural adequacy.

2. A "Certificate of Builders Indemnity Insurance" as required under Division III of Part V of the Building Work Contractors Act in relation to the building work is to be provided on or before the giving of notice of commencement of the building work. This Insurance is prescribed in Regulation 14 and Schedule 2 of the Regulations under the Development Act 1993.

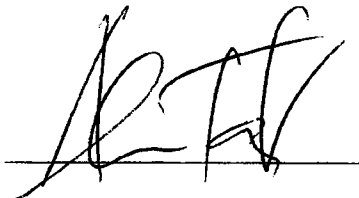
Reason: To ensure compliance with the Building Work Contractors Act.

3. Hard-wired smoke alarms shall be provided within the area of building repair work and the existing dwelling in accordance with BCA Part 3.7.2 and AS 3786.

Reason: "To provide occupants with appropriate warning in the event of fire in accordance with the requirements of the Building Code of Australia"

Your attention is drawn to the Notes appended to this Consent. They have been included as a matter of information only, and do not profess to represent a definitive statement of requirements.

Signed:



Private Certifier: Alan Taylor

Reg. Number: 020

Decision Date: 10-Sep-2012

**SALISBURY DEVELOPMENT SERVICES
BUILDING RULES CONSENT
APPENDED NOTES**

Regulation 42 Eleventh Schedule

Development Number: 180/0688/2012

Reference: 605/2012/MFP

BUILDING RULES CONSENT in respect of the proposed development has been **GRANTED** subject to Conditions and the **NOTES** below are included for your attention:

Dwelling notifications

The Builder/Owner is required to give Council *one business days* notice of the following stages of construction;

- Prior to placement of concrete for footings or other structural purposes; and
- Where an Engineer carries out an inspection, a copy of the Engineer's inspection certificate shall be provided to the council within fourteen (14) days of the inspection date;
- Notification shall be provided, in writing, to the council at the completion of wall and roof framing, and prior to the fixing of any internal linings; and
- Within one business day of wall and roof framing notification a completed supervisor's checklist (as required by Regulation 74 of the Development Regulations 2008) shall be provided to council; and
- The roof framing shall not be concealed for a period of two (2) business days following the receipt of the above notification by the council, so as to allow council the opportunity to inspect the completed work; and
- At the completion of the building work, prior to hand over.

A person who breaches one of the above requirements is guilty of an offence.

Maximum penalty: \$10 000

Expiation fee: \$500

Truss manufacturer's notification

The person who is engaged to manufacture the roof truss(es) must, before commencing the work, send a fully completed truss manufactures check list (as detailed in Clause 1 (1) (g) of Schedule 5 of the Development Regulations 2008), to both the builder/person responsible for the proposed building work and the Council.

A person who breaches one of the above requirements is guilty of an offence.

Maximum penalty: \$5 000

Expiation fee: \$315

STATEMENT OF COMPLIANCE – Class 1 Buildings

A statement shall be supplied to Council by the Owner of the land on which the building work is carried out or, the responsible Licensed Builder, at the completion of the building work.

This statement shall be signed by the relevant person and shall declare that the building work carried out is in accordance with the relevant approvals.

A statement pro-forma is enclosed which may be used to submit to Council.

Private Certifier: Alan Taylor

Reg. Number: 020

Decision Date: 10-Sep-2012

PLANNING DECISION NOTIFICATION

Development Number

180/D110/93

Original

FOR DEVELOPMENT APPLICATION

DATED 11 / 1 / 94

REGISTERED ON 12 / 1 / 94

To J.&H. ELDER
C/- B.A. HEWETT
54 COROMANDEL PDE
BLACKWOOD SA

Location of Proposed Development PT. SECTION 1002
HD ADELAIDE
WATERFALL GULLY

CTs 3089/77 & 3126/174

Nature of Proposed Development LAND DIVISION

From DEVELOPMENT ASSESSMENT COMMISSION

In respect of this proposed development you are informed that:

- ☐ consent is refused
☒ consent is granted
☐ consent is granted subject to () condition(s)

No representations(s) from third parties concerning your proposal were received.

If there were third party representations, any consent or consent with conditions does not operate until the periods specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

NOTE :

(1) Health Commission advised that :

Proposed allotment 53 would require an aerobic or sand filter type waste water disposal system to service any future dwelling. The waste water disposal area would need to be relocated at least 50 metres distance from the water course.

(2) That the piece of land shown as 51 should be retained in its natural state to preserve the amenity of the Hills Face Zone.

Date of Decision 24/8/94

Signed: E. Hewett

Date: 24/8/94

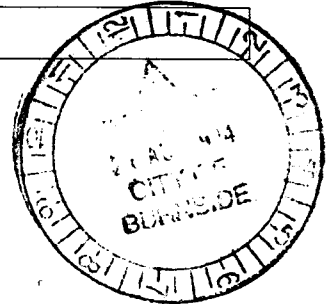
As delegate of the
DEVELOPMENT ASSESSMENT COMMISSION

☐ Chairman, S.A. Planning Commission

☐ Town Clerk

☐ District Clerk

☐ Sheets attached



ORIGINAL

Deposited Plan 128268

PURPOSE: DIVISION		AREA NAME: WATERFALL GULLY		APPROVED: 19/11/2021						
MAP REF: 6628/49/E, 6628/49/F		COUNCIL: CITY OF BURNSIDE		DEPOSITED: 11/04/2022		D128268				
LAST PLAN:		DEVELOPMENT NO: 180/D002/21/001/63613				SHEET 1 OF 4				
						107186_text_01_v06_Version_6				
AGENT DETAILS: MICHAEL GREAR SURVEYS 5 GULFVIEW ROAD BLACKWOOD SA 5051 PH: 8278 8732 FAX:		SURVEYORS CERTIFICATION: I Mark Kenneth Whitford, a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me and correctly prepared in accordance with the Survey Act 1992. 2) That the field work was completed on the 23rd day of April 2021 19th day of November 2021 Mark Whitford Licensed Surveyor								
AGENT CODE: MGS7P										
REFERENCE: 2020195-4C										
SUBJECT TITLE DETAILS:										
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	6250	964		ALLOTMENT(S)	53	D	45768	ADELAIDE		
CT	6250	963		ALLOTMENT(S) COMPRISING PIECES	(50* 51*)	D	41396	ADELAIDE		
OTHER TITLES AFFECTED: CT 6098/339										
EASEMENT DETAILS:										
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF		CREATION		
EXTINGUISH	CT 6250/964	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	B IN 53 ON D45768		CT 6250/963		RTC 8163424		
EXTINGUISH	CT 6250/964	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	D ON D45768		CT 6098/339		RTC 8163424		
EXISTING	22*	SHORT	EASEMENT(S)	J	FOR WATER SUPPLY PURPOSES			RE 7848645		
EXISTING	22*	SHORT	EASEMENT(S)	J	FOR SEWERAGE PURPOSES			RE 7848645		
EXISTING	22*	SHORT	EASEMENT(S)	J	FOR SEWERAGE PURPOSES	SOUTH AUSTRALIAN WATER CORPORATION		TG 9495662		
EXISTING	22*	SHORT	EASEMENT(S)	J	FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE			RE 7848645		
EXISTING	22*	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	J				RE 7848645		



D128268

SHEET 2 OF 4

107186_text_01_v06_Version_6

EASEMENT DETAILS:

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING	20	SHORT	EASEMENT(S)	E	FOR SEWERAGE PURPOSES	SOUTH AUSTRALIAN WATER CORPORATION	TG 9495661
EXISTING		SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	C		20 (MARKED X)	RTC 8163424
EXISTING		SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	B		20. (21' . 22")	RTC 8163424

ANNOTATIONS: NO OCCUPATION UNLESS OTHERWISE SHOWN

AMENDMENT TO PLAN IMAGE VIDE PR 13777614 PRO RG 04/05/2022

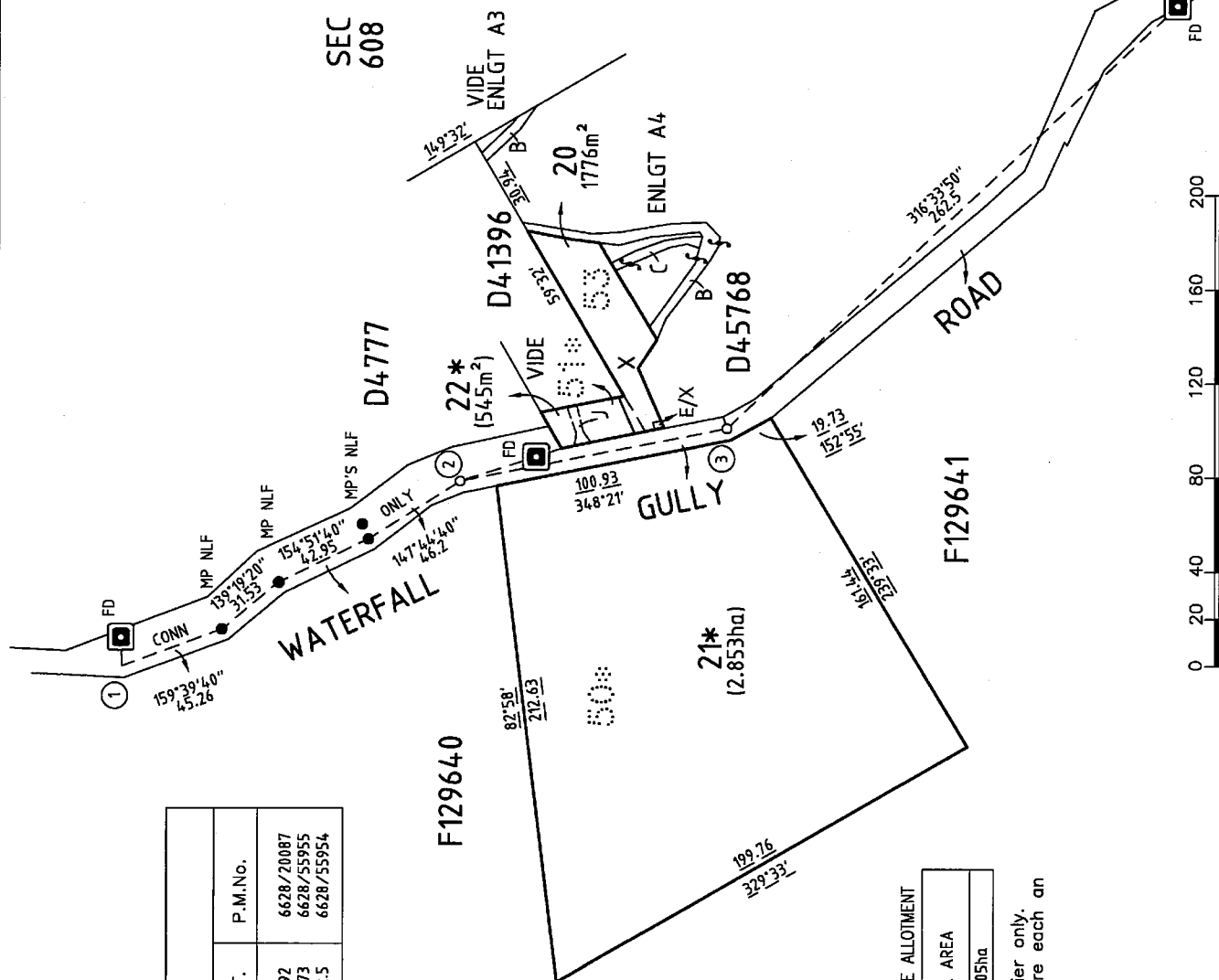
D128268

SHEET 3 OF 4

107186_pland_1_V04_Version_6

BEARING DATUM: MGA 2020 ZONE 54
DERIVATION: 6628/20087 - 6628/55955

TOTAL AREA:



REFERENCE MARKS				
CNR	BEARING	FROM	DIST.	P.M.No.
1	266°03'	PM FD	13.92	6628/20087
2	339°20'	PM FD	32.73	6628/55955
3	316°33'50"	PM FD	262.5	6628/55954

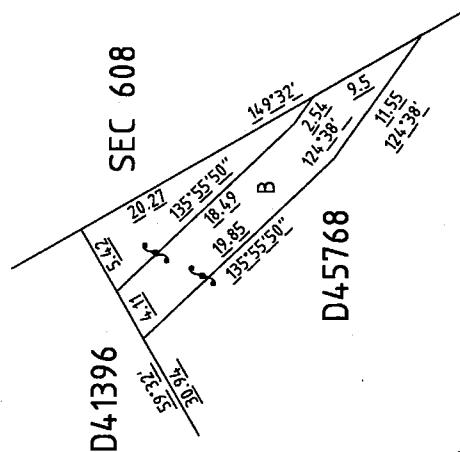
SCHEDULE OF PIECES COMPRISED IN ONE ALLOTMENT

PIECES COMPRISED IN ONE ALLOTMENT	TOTAL AREA
21 AND 22	2.905ha

Asterisk denotes PIECE identifier only.
NOTE: All remaining parcels are each an allotment.

MICHAEL GREAR SURVEYS
778-79A DARLING TERRACE
BLACKWOOD SA 5051
PHONE: (08) 8278 8792
FAX: (08) 8278 8050
REF: 2020195-4C

ENLARGEMENT A3

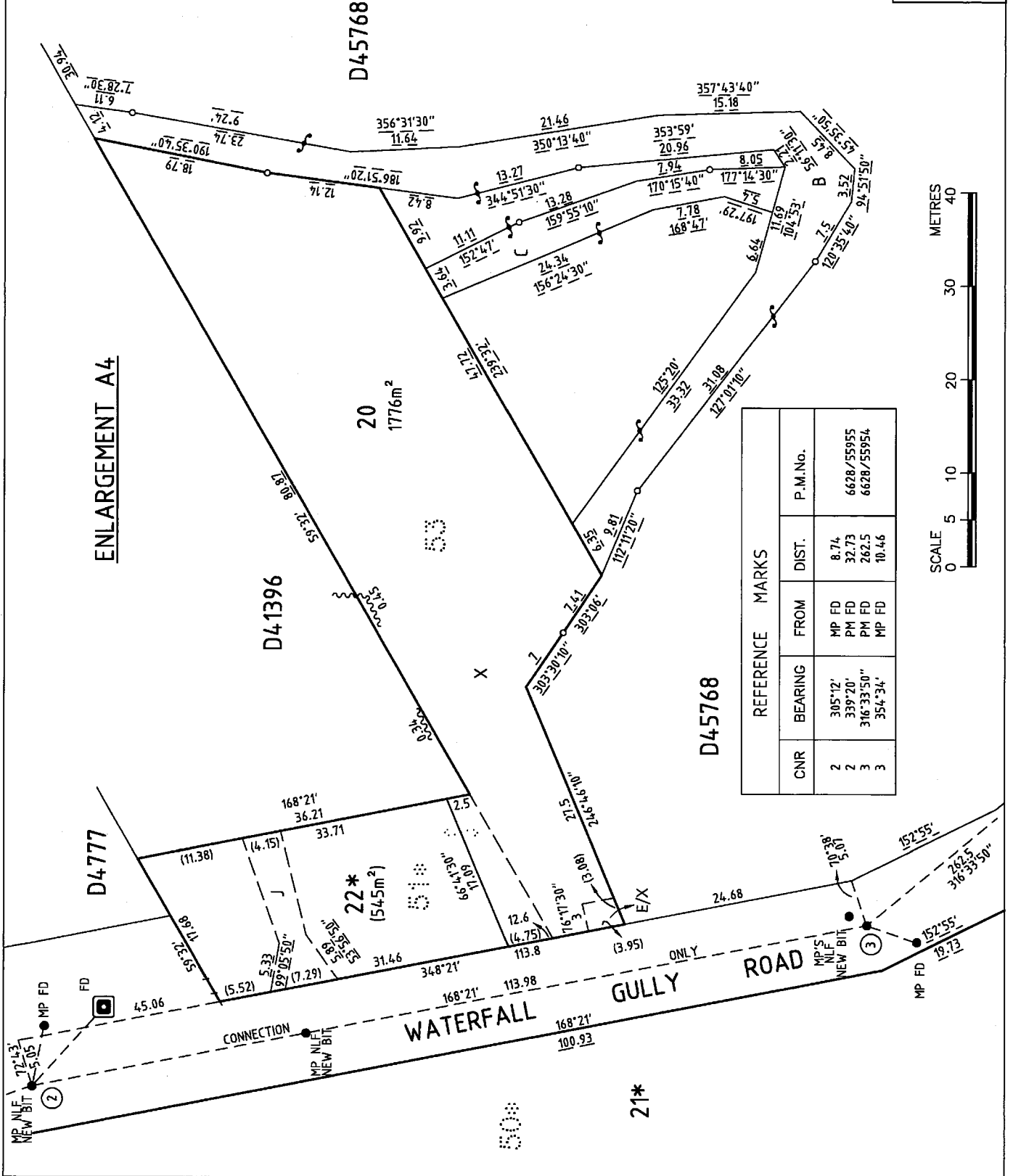


D128268

SHEET 4 OF 4

107186_pland_2_V04_Version_6

MICHAEL GREAR SURVEYS
 178-19A DARLING TERRACE
 BLACKWOOD SA 5051
 PHONE: (08) 8278 8732
 FAX: (08) 8278 8050
 REF: 2020195-4C
 ABN: 920634474



State Planning Commission Letter

OFFICIAL



STATE
PLANNING
COMMISSION

Contact	Planning Services
Email	Dhud.planningservices@sa.gov.au
Phone:	7133 3030

Level 10
83 Pirie Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

1800 752 664
saplanningcommission@sa.gov.au

2 March 2026

The Form 1 Company
GPO Box 1651
ADELAIDE SA 5001

Dear Sir/Madam

**Re: *Land and Business (Sale and Conveyancing) Act 1994 - Section 7 Enquiry*
 Property at 155 Waterfall Gully Road, Waterfall Gully
 *Registered Proprietor(s): J and H Elder***

I refer to your enquiry to the Department for Housing and Urban Development (DHUD) concerning the parcel of land comprised in Certificate of Title Volume 6269 Folio 601 and the subsequent Property Interest Report (PIR) issued. (Reference No. 2758469 dated 25/2/26).

The land is the subject of an application for development which was granted approval, subject to certain conditions, by the State Planning Authority pursuant to the Planning and Development Act 1966 (repealed).

The land is also the subject of an application for development which was granted approval, subject to certain conditions, by the South Australian Planning Commission pursuant to the *Planning Act 1982* (repealed).

Copies of the Planning Decision Notifications are attached, refer item 6.1 of PIR.

There is no record of any condition that continues to apply under either of the repealed Acts referred to in item 5.1 or 29.2 of the PIR.

Yours faithfully

Planning Services Unit
on behalf of
STATE PLANNING COMMISSION

Inter Copy

180/776/90

DEVELOPMENT APPLICATION

DATED 6 / 11 / 190

180/776/90

REGISTERED ON 12 / 12 / 90

Mr & Mrs J Elder
155 Waterfall Gully Road
WATERFALL GULLY SA 5066

Location: Lot 1002, 155 Waterfall Gully Road
Section 1002
Proposed Development Hundred of Adelaide

Nature of
Proposed
Development Garage

From S.A. PLANNING COMMISSION

In respect of this proposed development you are informed that:

- ☐ consent is refused
☐ consent is granted
☒ consent is granted subject to (5) condition(s)

No representations(s) from third parties concerning your proposal were received.

If there were third party representations, any consent or consent with conditions does not operate until the periods specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

Conditions of approval are attached

Date of Decision

Signed

Date

As delegate of the
S.A. PLANNING COMMISSION

- ☐ Chairman, S.A. Planning Commission
☐ Town Clerk
☐ District Clerk
☐ Sheets attached

Appeal(s):

☐ Yes

☐ No

☐ By Applicant

☐ By Third Party

Result of Appeal:

Southern
Planning
Development Control Regulations

3-REGISTER COPY

CONDITIONS OF APPROVAL

DEVELOPMENT APPLICATION NO 180/0776/90

1. The development hereby approved shall be carried out in accordance with the plans accompanying the application, subject to these conditions and contained in the docket SAPC 43/1002/-.
2. The external finishes of the garage herein approved shall be in accordance with the materials specified.

Garage - roof Evergreen Colorbond
walls Bluestone with rendered Quoins

3. The five dormer windows on the eastern side of the structure, as shown in the East Elevation, are deleted. The windows must be replaced with continuous corrugated roof sheeting or alternatively may be replaced with windows of the same area which are mounted flush to the roof line.
4. All lopping or removal of trees and scarring or physical disturbance of the land shall be restricted to that which is required for building and/or access purposes.
5. The applicants or other persons making the use of the subject land, shall, at all times, maintain in good and substantial condition to the satisfaction of the Commission in all respects, all buildings and structures, and the painting thereof, and all trees, shrubs and ground covers.

NOTES

- . These conditions are imposed in order that the natural character of the Hills Face Zone in this locality will not be impaired. Any landscaping conditions are an essential part of the approval to ensure that your development attempts to retain and relate to the natural character of the Hills Face Zone.
- . Any condition imposed or expressed under this consent shall be binding upon and enforceable against all persons who may hereafter acquire the benefit of this consent.
- . This consent is valid for 36 months only. If development is not substantially commenced within 12 months of the date of this consent or substantially completed within 36 months of this consent a fresh consent must be obtained.

AS DELEGATE OF THE S.A. PLANNING COMMISSION

Miché Smith
21/1/91

PLANNING DECISION NOTIFICATION

Development Number

189/828/89

Register Copy

FOR DEVELOPMENT APPLICATION

DATED

19 / 12 / 89

REGISTERED ON

15 / 1 / 90

To

Mr & Mrs J. E. Brown
105 WAREHAM ROAD
WATERBURY, CT 06706

Location

of

Proposed

Development

As above (C.T. 3809/77)

Nature of

Proposed

Development

Stables

From

S.A. PLANNING COMMISSION

In respect of this proposed development you are informed that:

- ☐ consent is refused
- ☐ consent is granted
- ☒ consent is granted subject to (4) condition(s)

No

representations(s) from third parties concerning your proposal were received.

If there were third party representations, any consent or consent with conditions does not operate until the periods specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

Conditions of approval are attached

Date of Decision

Signed

Date

As (or) Secretary

S.A. PLANNING COMMISSION

☒ Chairman, S.A. Planning Commission

☐ Town Clerk

☐ District Clerk

☐ Sheets attached

Appeal(s)

By Third Party

By Third Party

By Third Party

3-REGISTER COPY

Regulation 41
Sixth Schedule

South
Planning
Development Control Regulations

CONDITIONS OF APPROVAL

DEVELOPMENT APPLICATION NO: .180/828/89

1. The development hereby approved shall be carried out in accordance with the plans accompanying the application approved by the Commission and contained in the docket SAPC 43/1002/-.
2. The external finishes to any buildings or structures herein approved shall be:

Walls - P.G.H. "Terrace Tan" bricks
Roof - Colorbond "Evergreen"
Trim - Colours which blend with the natural features of the landscape.
3. All lopping or removal of trees and scarring or physical disturbance of the land shall be restricted to that which is required for building and/or access purposes.
4. The applicants or other persons making the use of the subject land, shall, at all times, maintain in good and substantial condition to the satisfaction of the Commission in all respects, all buildings and structures, and the painting thereof, and all trees, shrubs and ground covers.

NOTES

- . These conditions are imposed in order that the natural character of the Hills Face Zone in this locality will not be impaired.
- . Any condition imposed or expressed under this consent shall be binding upon and enforceable against all persons who may hereafter acquire the benefit of this consent.
- . This consent is valid for 36 months only. If development is not substantially commenced within 12 months of the date of this consent or substantially completed within 36 months of this consent a fresh consent must be obtained.
- . Stables and the agistment area shall be maintained to satisfy the Health Act requirements.

AS DELEGATE OF THE S.A. PLANNING COMMISSION

Miché Smith

12/4/90

PLANNING DECISION NOTIFICATION

Development Number

180/767/89

Register Copy

FOR DEVELOPMENT APPLICATION

DATED 23 / 11 / 89

REGISTERED ON 19 / 12 / 89

To

Mr J Elder
C/- Delta Garages
19 Research Road, POORAKA, SA 5095.

Location
of
Proposed
Development

155 Waterfully Gully Road
WATERFALL GULLY, SA 5066.

Nature of
Proposed
Development

Garage for domestic use.

From

SOUTH AUSTRALIAN PLANNING COMMISSION

In respect of this proposed development you are informed that:

- ☐ consent is refused.
☐ consent is granted.
☒ consent is granted subject to (5) condition(s)

representations(s) from third parties concerning your proposal were received.

If there were third party representations, any consent or consent with conditions does not operate until the periods specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

Please see attached conditions of approval.

Date of Decision

Signed:

Date:

- ☐ Chairman, S.A. Planning Commission
☐ Town Clerk
☐ District Clerk
☐ Sheets attached

As delegate of the
S.A. PLANNING COMMISSION

Appeal(s):

☐ Yes

☐ No

☐ By Applicant

☐ By Third Party

Result of Appeal:

3-REGISTER COPY

Regulation 41
Sixth Schedule

South Australia
Planning
Development Control Regulations

CONDITIONS OF APPROVAL

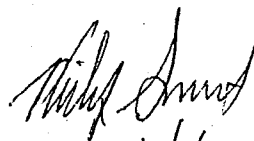
DEVELOPMENT APPLICATION NO: 180/767/89

1. The development hereby approved shall be carried out in accordance with the plans accompanying the application approved by the Commission and contained in the docket SAPC 43/1002/-
2. The exterior of the shed shall be finished in bronze olive colorbond.
3. Providing a screen of additional trees where necessary to supplement those existing on the land so as to reduce the visual impact of the shed when viewed from the surrounding locality. Trees to be planted shall meet the requirements of condition 4 below and be planted within 6 months of the date of this consent and maintained thereafter.
4. Trees and shrubs shall not be located closer to a building or powerlines than a distance equal to their mature height.
5. All lopping or removal of trees and scarring or physical disturbance of the land shall be restricted to that which is required for building and/or access purposes or to meet the requirements of condition 4 above.
6. The applicants or other persons making the use of the subject land, shall, at all times, maintain in good and substantial condition to the satisfaction of the Commission in all respects, all buildings and structures, and the painting thereof, and all trees, shrubs and ground covers.

NOTES

- These conditions are imposed in order that the natural character of the Hills Face Zone in this locality will not be impaired. Any landscaping conditions are an essential part of the approval to ensure that your development attempts to retain and relate to the natural character of the Hills Face Zone.
- Any condition imposed or expressed under this consent shall be binding upon and enforceable against all persons who may hereafter acquire the benefit of this consent.
- This consent is valid for 36 months only. If development is not substantially commenced within 12 months of the date of this consent or substantially completed within 36 months of this consent a fresh consent must be obtained.

AS DELEGATE OF THE S.A. PLANNING COMMISSION


16/1/40

PLANNING DECISION NOTIFICATION

Register Copy

FOR DEVELOPMENT APPLICATION

DATED

7 7 11 84

REGISTERED ON

7 17 84

To

J. ELDER
C/- RICHARD GROVE
15 ROBERT STREET, GLENELG 5045

Location
of
Proposed
Development

NO. 155 WATERFALL GULLY ROAD, WATERFALL GULLY

Nature of
Proposed
Development

CONSTRUCTION OF GARDEN DECKS AND NEW WALKWAY

From

S.A. PLANNING COMMISSION

In respect of this proposed development you are informed that:

- ☐ consent is refused
☐ consent is granted
☒ consent is granted subject to (6) condition(s)

N.I.I.

representations (s) from third parties concerning your proposal were received.
If there were third party representations, any consent or consent with conditions does not operate until the period specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

Please see attached conditions.

Signed:

Date:

[Signature]

17 12 84

- ☒ Chairman, S.A. Planning Commission
☐ Town Clerk
☐ District Clerk
☐ Sheets attached

PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM

CONDITIONS OF APPROVAL

SAPC 180/703/84/H

1. The development hereby approved shall be carried out in accordance with the plans accompanying the application approved by the Commission and contained in the docket SAPC 43/1002/-.
2. The garden decks and walkway herein approved shall be finished in appropriate colours to blend with the natural features of the landscape.
3. Providing and maintaining a screen of additional trees and shrubs to supplement the screen of existing trees, to the satisfaction of the Commission.
4. All scarring or physical disturbance of the land surface during any excavation work shall be restricted to only that which is shown on the approved plan as required for building and/or access purposes. All exposed faces around such scarred areas and spoil shall be screened with trees and shrubs and planted with suitable ground covers to the satisfaction of the Commission within 12 months of the date of this consent.
5. The applicants or other persons for the time being making the use of the subject land now approved, shall, at all times, maintain in good and substantial condition to the satisfaction of the Commission in all respects the subject land, all buildings and structures, and the painting thereof, and all trees, shrubs and ground covers.
6. This consent is valid for 36 months only. If development is not substantially commenced within 12 months of the date of this consent or substantially completed within 36 months of the date of this consent a fresh consent must be obtained before commencing or continuing the use of land.

NOTE:- These conditions are imposed in order that the natural character of the Hills Face Zone in this locality will not be impaired.

NOTE:- Any condition imposed or expressed under this consent shall be binding upon and enforceable against all persons who may hereafter acquire the benefit of this consent.

NOTE:- Landscaping conditions are an essential part of this approval to ensure that your development attempts to retain and relate to the natural character of the Hills Face Zone. However, landscaping should be set back a reasonable distance from all buildings to protect them from fire and to avoid creating any additional fire hazard.



for the SOUTH AUSTRALIAN PLANNING COMMISSION

PLANNING DECISION NOTIFICATION

Register Copy

FOR DEVELOPMENT APPLICATION

DATED

2 / 11 / 84

REGISTERED ON

- / - / -

Development Number

189/704/84

180/704/84

To

J. ELDER,
C/- CONSTRUCTION SERVICES CIVIL P/L.,
21 JACOBSEN CRESCENT, HOLDEN HILL.

Location
of
Proposed
Development

155 WATERFALL GULLY ROAD.

Nature of
Proposed
Development

CONSTRUCTION OF INGROUND SWIMMING POOL

From:

S.A. PLANNING COMMISSION

In respect of this proposed development you are informed that:

- ☐ consent is refused
☐ consent is granted
☒ consent is granted subject to (6) condition(s)

Nil representations(s) from third parties concerning your proposal were received.

If there were third party representations, any consent or consent with conditions does not operate until the periods specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

Please see attached conditions.

Signed

Date

- ☐ Chairman, S.A. Planning Commission
☐ Town Clerk
☐ District Clerk
☐ Sheets attached

PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM

3-REGISTER COPY

Regulation 41
Sixth Schedule
Development Control Regulations
Australia
Planning Act

CONDITIONS OF APPROVAL

SAPC 180/704/84

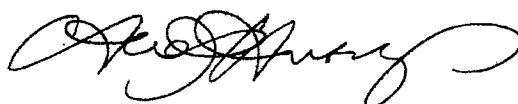
1. The development hereby approved shall be carried out in accordance with the plans accompanying the application approved by the Commission and contained in the docket SAPC 43/1002/-.
2. Providing and maintaining a screen of additional trees and shrubs to supplement the screen of existing trees, to the satisfaction of the Commission.
3. All scarring or physical disturbance of the land surface during any excavation work shall be restricted to only that which is shown on the approved plan as required for building and/or access purposes. All exposed faces around such scarred areas and spoil shall be screened with trees and shrubs and planted with suitable ground covers to the satisfaction of the Commission within 12 months of the date of this consent.
4. All spoil from the excavation of the pool site shall be disposed of to the satisfaction of the Commission.
5. The applicants or other persons for the time being making the use of the subject land now approved, shall, at all times, maintain in good and substantial condition to the satisfaction of the Commission in all respects the subject land, all buildings and structures, and the painting thereof, and all trees, shrubs and ground covers.
6. This consent is valid for 36 months only. If development is not substantially commenced within 12 months of the date of this consent or substantially completed within 36 months of the date of this consent a fresh consent must be obtained before commencing or continuing the use of land.

NOTE:- These conditions are imposed in order that the natural character of the Hills Face Zone in this locality will not be impaired.

NOTE:- Your attention is drawn to the "Swimming Pools (Safety) Act 1972" and the fact that any fence around a swimming pool will require the approval of the South Australian Planning Commission pursuant to the Development Control Regulations, 1982 under the Planning Act, 1982.

NOTE:- Any condition imposed or expressed under this consent shall be binding upon and enforceable against all persons who may hereafter acquire the benefit of this consent.

NOTE:- Landscaping conditions are an essential part of this approval to ensure that your development attempts to retain and relate to the natural character of the Hills Face Zone. However, landscaping should be set back a reasonable distance from all buildings to protect them from fire and to avoid creating any additional fire hazard.



for the SOUTH AUSTRALIAN PLANNING COMMISSION

6/12/84

SPA 43/1002/-

STATE PLANNING AUTHORITY
PLANNING AND DEVELOPMENT ACT, 1966-1975
South Australia

METROPOLITAN PLANNING AREA DEVELOPMENT PLAN
HILLS FACE ZONE PLANNING REGULATIONS, 1971

To the Applicant by application dated 21/1/81

Consent to }
~~Refusal of~~ } proposed use of land

Owner's Name MR. J. ELDER
(Surname) (Other names)

Address C/- Hames Sharley, 45 Hackney Road, HACKNEY

Your application for use of land at Pt. Sec. 1002, 155 Waterfall Gully Road,
WATERFALL GULLY

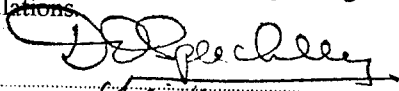
for the purpose of construct an inground swimming pool with fence

in accordance with application dated 21/1/81

is hereby ~~refused consent~~ ^{granted consent} subject to the following conditions:—

PLEASE SEE ATTACHED CONDITIONS OF APPROVAL

This consent is valid for a period of 12 months only. If development is not substantially completed within this period a fresh consent must be obtained before commencing or continuing the use of land. A right of appeal to the Planning Appeal Board is available in respect of refusals of consent or granting of consent subject to conditions. For procedure, see Planning Appeal Board Regulations.

Signature 
Chairman
Secretary to the Authority

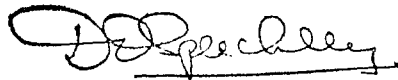
Date 21/FEB 1981

NOTE—This approval does not obviate the need to obtain any other consent which may be required under other legislation, or to observe any conditions which may be attached to such consent.

-2-
SPA 43/1002/-
CONDITIONS OF APPROVAL

1. The development hereby approved shall be carried out in accordance with the plans accompanying the application and approved by the Authority on 13/2/81, and contained in State Planning Authority docket 43/1002/-.
2. The exterior surfaces of the perimeter safety fence herein approved, shall be painted an appropriate colour to blend with the natural features of the landscape.
3. All exposed faces of "cut" and "fill" created by the excavation work and the spoil from such, shall be screened with trees and shrubs and covered with suitable ground cover to the satisfaction of the Authority.
4. The abovementioned conditions must be complied with within a period of 12 months from the date of this consent.
5. All existing trees on the site are to be retained wherever practicable to the satisfaction of the Authority.
6. The applicants or other persons for the time being making the use of the subject land now approved, shall, at all times, maintain in good and substantial condition to the satisfaction of the Authority in all respects the subject land, all buildings and structures, and the painting thereof, and all trees, shrubs and ground covers.
7. Any condition imposed or expressed under this consent shall be binding upon and enforceable against all persons who may hereafter acquire the benefit of this consent.

These conditions are imposed in order that the natural character of the Hills Face Zone in this locality will not be impaired.



Chairman
STATE PLANNING AUTHORITY
21/2/81

Department for Environment and Water Letter



State Heritage Reference: 14014 (SHP); SAHPDB Reference: 8417 (SHP)
SAILIS Reference: 2758469

PROPERTY INTEREST REPORT RESPONSE

(Enquiry under Section 7 of the *Land & Business (Sale & Conveyancing) Act 1994*)

The property described below was the subject of a Property Interest Report enquiry and has been referred from Land Services South Australia to Heritage South Australia, Department for Environment and Water for reply because there is a heritage interest recorded on either the Certificate of Title or against the Land.

Registered Name: **Hotel - Former Waterfall Gully Hotel and Stables**

Address of Property: **155 Waterfall Gully Road, Waterfall Gully SA 5066**

Local Government Area: **Burnside**

Certificate of Title Reference/s: **CT 6269/601**

Prescribed encumbrances in relation to the land for the purposes of Section 7 of the *Land and Business (Sale and Conveyancing) Act 1994*.

1. Is the property Confirmed as a State Heritage Place in the SA Heritage Register? (Section 18 *Heritage Places Act 1993*) **Yes**
2. Is the property Provisionally Entered as a State Heritage Place in the SA Heritage Register? (Section 17 *Heritage Places Act 1993*) **No**
3. Is the property within a State Heritage Area? * **No**
* N.B. Until 15 January 1994 State Heritage Areas were designated by the Heritage Minister pursuant to Section 13(1) of the *South Australian Heritage Act 1978*. Since 15 January 1994 they have been created by inclusion in a council Development Plan under the *Development Act 1993 [Planning, Development and Infrastructure Act 2016]*, so you should also check with the local council.
4. Has the place been designated as a place of archaeological, geological, palaeontological or speleological significance? (Section 14(7) *Heritage Places Act 1993*) **No**
5. Is the property subject to a Stop Order? (Section 30 *Heritage Places Act 1993*) **No**
6. Is the property subject to a No Development Order? (Section 38 *Heritage Places Act 1993*) **No**
7. Is the property subject to a Heritage Agreement? (Section 32 *Heritage Places Act 1993*) **No**

8. Are there any objects of heritage significance entered in the SA Heritage Register in association with the property? (Section 14(2)(b) *Heritage Places Act 1993*) **No**
9. Is the property listed as a World Heritage Property in the SA Heritage Register? (Section 14(1)(f) *Heritage Places Act 1993*) **No**
10. Is the property listed as a Commonwealth Heritage Place in the SA Heritage Register? (Section 14(1)(f) *Heritage Places Act 1993*) **No**
11. Is the property listed as a National Heritage Place in the SA Heritage Register? (Section 14(1)(f) *Heritage Places Act 1993*) **No**



Celeste Klose
Heritage Register Officer

Date: **2/03/2026**

Heritage South Australia | Environment, Heritage and Sustainability
Department for Environment and Water
Phone: 08 8372 7521
DEWHeritage@sa.gov.au