## 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 <u>not</u> 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, <u>but not</u> 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:	
	Robert Leslie Fisher as Executor of the Estate of David Sydney Fisher	
	Address:	
	PO Box 224, Clare SA 5453	
4	Vendor's registered agent:	_
	Dove Real Estate Pty Ltd Trading As Lands Real Estate	<b>V</b>
	Address:	
	Unit 1, 78 Payneham Road Stepney SA 5069	
5	Date of contract (if made before this statement is served):	
6	Description of the land: [Identify the land including any certificate of title reference]	
	Allotment 92 in Filed Plan 130784 being the whole of the land comprised in Certificate of Title	
	Register Book Volume 5349 Folio 385 being improved land located at 4 Wiley Street, Elizabeth South SA 5112	

### 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-

- if this form is served on you <u>before</u> 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 <u>after</u> the making of the contract before the end of the second clear business day from the day on which this form is served.

However, if this form is not served on you at least 2 clear business days before the time at which settlement takes place, the cooling-off notice may be served at any time before settlement.

#### 3-Form of cooling-off notice

The cooling-off notice must be in writing and must be signed by you.

#### 4-Methods of service

The cooling-off notice must be-

- (a) given to the vendor personally; or
- (b) posted by registered post to the vendor at the following address:

PO Box 224, Clare SA 5453

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

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

matthew.lipari@landsrealestate.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:

Unit 1, 78 Payneham Road Stepney SA 5069

(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 <u>purchaser</u>. It is therefore strongly recommended that-

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

#### 5-Effect of service

If you serve such cooling-off notice on the vendor, the contract will be taken to have been rescinded at the time when the notice was served.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

- (a) the amount of any deposit paid if the deposit did not exceed \$100; or
- (b) an amount paid for an option to purchase the land.

## Proceeding with the purchase

If you wish to proceed with the purchase-

- (a) it is strongly recommended that you take steps to make sure your interest in the property is adequately insured against loss or damage; and
- (b) pay particular attention to the provisions in the contract as to time of settlement it is essential that the necessary arrangements are made to complete the purchase by the agreed date if you do not do so, you may be in breach of the contract; and
- (c) you are entitled to retain the solicitor or registered conveyancer of your choice.

## Part C - Statement with respect to required particulars

(section 7(1))

	state of David Sydney Fisher	
PO Box 224, Clare SA 5453		
TO BOX 22 1, Glare Of Color		
g the * <del>vender(s)./</del> person authorised to act on behalf of th in lars required to be given to you pursuant to section 70°	ne vendor(s) in relation to the transaction state that the Schedule contains all 1) of the <i>Land and Business (Sale and Conveyancing) Act</i> 1994.	
	Date:	
e: 8/4/2024 led DocuSigned by:	Signed	
	3.5.	
83E892148C274DF		
e:	Date:	
ned	Signed	
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\*Vendor's / Purchaser's agent-

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# Schedule - Division 1 - Particulars of mortgages charges and prescribed encumbrances affecting the land (section 7(1)(b))

#### Note-

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

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

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

## Table of particulars

Column 1 Column 2 Column 3

[If an item is applicable, ensure that the box for the item is ticked and complete the item.]

[If an item is not applicable, ensure that the box for the item is empty or else strike out the item or write

"NOT APPLICABLE" or "N/A" in column 1.

Alternatively, the item and any inapplicable heading may be omitted, but not in the case of-

(a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and

(b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and

(c) the heading "6. Repealed Act conditions" and item 6.1; and

(d) the heading "29. Planning, Development and Infrastructure Act 2016" and items 29.1 and 29.2,

which must be retained as part of this statement whether applicable or not.]

[If an item is applicable, all particulars requested in column 2 must be set out in the item unless the Note preceding this table otherwise permits. Particulars requested in **bold type** must be set out in column 3 and all other particulars must be set out in column 2.]

[If there is more than 1 mortgage, charge or prescribed encumbrance of a kind referred to in column 1, the particulars requested in column 2 must be set out for <u>each</u> such mortgage, charge or prescribed encumbrance.]

[If requested particulars are set out in the item and then continued on an attachment due to insufficient space, identify the attachment in the place provided in column 2. If all of the requested particulars are contained in an attachment (instead of in the item) in accordance with the Note preceding this table, identify the attachment in the place provided in column 2 and (if required by the Note) identify the parts of the attachment that contain the particulars.]

## 1. General

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

	•.				
s this	item	appl	ica	ы	e.

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):

Number of mortgage (if registered):	
9539780	
	_

Name of mortgagee:

COMMONWEALTH BANK OF AUSTRALIA

✓

YES NO

NO

YES

4	_	
7	٠,	Facemen

(whether over the land or annexed to the land)

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

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

## Is this item applicable?

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

#### Are there attachments?

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

Property Interest Report Page 13 of 14	1
Description of land subject to easement:	

The whole of the land in Certificate of Title Volume 5349 Folio 385

#### Nature of easement:

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

Are you aware of any encroachment on the easement?

NO

If YES, give details:

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

If YES, give details:

#### **1.3** Restrictive covenant

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

### Is this item applicable?

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

#### Are there attachments?

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

particulars):
Encumbrance 2164518

Nature of restrictive covenant:

Encumbrance

Name of person in whose favour restrictive covenant operates:

South Australian Housing Trust

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

YES

If NO, give details:

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

YES

✓

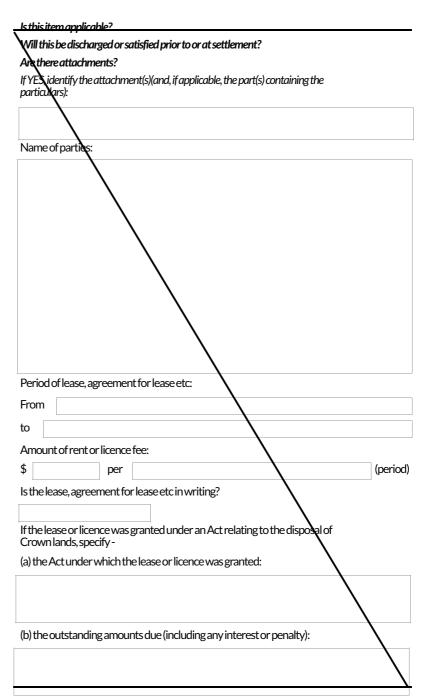
NO

YES

1.4 Lease, agreement for lease, tenancy agreement or licence

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

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



# 5. Development Act 1993 (repealed)

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

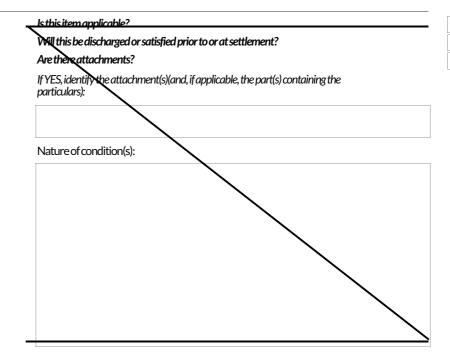
[Note - Do not omit this item. This item and its heading must be included in the statement even if not applicable.]

ls 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):
Condition(s) of authorisation:

## 6. Repealed Act conditions

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

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



## 7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy

Is this item applicable?

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

Are there attachments?

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

**Emergency Services Levy Certificate** 

Date of notice:

Refer to attached ESL Certificate

Amount of levy payable:

Refer to attached ESL Certificate



YES

# 8. Environment Protection Act 1993

8.1	section 59 - Environment performance agreement that is registered in relation to the land	Vill this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):  Date of agreement:	
8.2	section 93 - Environment protection order that is registered in relation to the land	Vill this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):  Date of issue:	
		Compliance date(s) specified in the order:	
8.3	section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land	Vill this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):  Date of issue:  Compliance date(s) specified in the order:	
8.4	section 99 - Clean-up order that is registered in relation to the land	Vilithis be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):  Date of issue:  Compliance date(s) specified in the order:  Amount of charge on the land (if applicable and known):	

8.5	section 100 - Clean-up authorisation	Is this item applicable?	
	that is registered in relation to the land	Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):	
		Date of issue:	
		Amount of charge on the land (if known):	
8.6	section 103H-Site contamination	_lsthisitemapplicable?	
	assessment order that is registered in relation to the land	Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		If YES, identify the attackment(s)(and, if applicable, the part(s) containing the particulars):	
		Date of issue:	
		Compliance date(s) specified in the order:	
		Amount of charge on the land (if applicable and known):	
8.7	section 103J-Site remediation order	_lsthisitemapplicable?	
0.7	that is registered in relation to the land	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?	
		If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):	
		Date of issue:	
		Compliance date(s) specified in the order:	
		Amount of charge on the land (if applicable and known):	

8.8	section 103N - Notice of declaration
	of special management area in
	relation to the land (due to possible
	existence of site contamination)

Is this item applicable?	
Wilkthis be discharged or satisfied prior to or at settlement?	
Are there attachments?	
If YES, identify this attachment(s)(and, if applicable, the part(s) containing the particulars):	
Date of notice:	
Date of Gazette in which notice published:	
Description of area or areas to which the notice relates:	
Isthisitemapplicable?	
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):	

8.10 section 103S-Notice of prohibition or restriction on taking water affected by site contamination in relation to the land

section 103P - Notation of site contamination audit report in relation

to the land

8.9

## Is this item applicable?

Date of notation:

 $\label{prior} Will this be \ discharged \ or \ satisfied \ prior \ to \ or \ at \ settlement?$ 

section 109 of the Environment Protection Act 1995

Are there attachments?

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

Environment Protection Authority Response Pages 2 and 5 of 5

Note - Site contamination audit reports are kept by the EPA in the public register under

Date of notice:

Refer to attached Environment Protection Authority Response

Date of Gazette in which notice published:

Refer to attached Environment Protection Authority Response

Description of the water to which the notice relates:

Refer to attached Environment Protection Authority Response

Particulars given in the notice of the site contamination affecting the water:

Refer to attached Environment Protection Authority Response

✓

NO

YES

✓

YES

YES

## 19. Land Tax Act 1936

19.1 Notice, order or demand for payment of land tax

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):

Certificate of Land Tax Payable

Date of notice, order or demand:

Refer to attached Certificate of Land Tax Payable

Amount payable (as stated in the notice):

Refer to attached Certificate of Land Tax Payable

# 20. Local Government Act 1934 (repealed)

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

Stosteronianorie
Will this be discharged or satisfied prior to or at settlement?
Arethere attachments?
If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):
Date of notice, order etc:
Name of council by which, or person by whom, notice, order etc is given or made:
Land subject thereto:
Nature of requirements contained in notice, order etc:
Time for carrying out requirements:
Amount payable (if any):

#### 000003015662

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

21. Local Government Act 1999

the Act

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 Playford Council Search Page 1 of 9

Date of notice, order etc:

Refer to attached City of Playford Council Search

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

City of Playford

Land subject thereto:

CT 5349/385

Nature of requirements contained in notice, order etc:

Refer to attached City of Playford Council Search

Time for carrying out requirements:

Refer to attached City of Playford Council Search

Amount payable (if any):

Refer to attached City of Playford Council Search

## 22. Local Nuisance and Litter Control Act 2016

22.1 section 30 - Nuisance or litter abatement notice

ls this item applicable?
Wilh his be discharged or satisfied prior to or at settlement?
Are there attachments?
If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):
Date of notice:
Notice issued by:
Nature of requirements contained in notice:
Time for carrying out requirements:

✓

YES YES

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# 23. Metropolitan Adelaide Road Widening Plan Act 1972

23.1	section 6 - Restriction on building work	_lsthisitemapplicable?	
		Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		If YES, identify the attachment(s)(and, if applicable, the part(s) containing the particulars):	
		Does the restriction apply to all of the land?	_
		If NO, give details about the part of the land to which the restriction applies:	
			•

## 29. Planning, Development and Infrastructure Act 2016

29.1 Part 5 - Planning and Design Code

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

Is this item applicable?

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

#### Are there attachments?

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

Property Interest Report Page 8 of 14 City of Playford Council Search (including Plan SA Data Extract for Section 7 Search Purposes) Pages 3 and 8-9 of 9

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

CT 5349/385

Zones

Employment (E)

Subzones

No

Zoning overlays

Overlays

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

**Building Near Airfields** 

Defence Aviation Area (All structures over 45 metres)

Prescribed Wells Area

Regulated and Significant Tree

Traffic Generating Development

Refer to attached City of Playford Council Search (including Plan SA Data Extract for Section 7 Search Purposes) for further information and details pertaining to zoning overlays.

Is there a State heritage place on the land or is the land situated in a State heritage area?

Is the land designated as a local heritage place?

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?

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?

 ${\bf Note} \hbox{ - For further information about the Planning and Design Code visit www.code.plan.sa.gov.au.} \\$ 

10

**√** NO

YES

YES

UNKNOWN

NO

NO

29.2	section 127 - Condition	<u>Is this item applicable?</u>	
	(that continues to apply) of a development authorisation	Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
	[ <b>Note</b> - Do not omit this item. The item and its heading must be included in the attachment even if not applicable.]	If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
		Date of authorisation:	
		Name of relevant authority that granted authorisation:	
		Condition(s) of authorisation:	
29.3	section 139 - Notice of	Is this item applicable?	
	proposed work and notice may require access	Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
		Date of notice:	
		Name of person giving notice of proposed work:	
		Building work proposed (as stated in the notice):	
		Other building work as required pursuant to the Act:	

29.4	section 140 - Notice requesting	<u>Is this item applicable?</u>	
	access	Wilkthis 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):	
		(and, if applicable, the part(s) containing the particulars):	
		Date of notice:	
		Name of person requesting access:	
		Reason for which access is sought (as stated in the notice):	
		Activity of work to be carried out:	
29.5	section 141 - Order to remove	Is this item applicable?	
29.5	section 141 - Order to remove or perform work		
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?	
29.5	section 141 - Order to remove or perform work	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):	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?	
29.5	section 141 - Order to remove or perform work	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):	
29.5	section 141 - Order to remove or perform work	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):	
29.5	section 141 - Order to remove or perform work	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):	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:  Terms of order:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:  Terms of order:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:  Terms of order:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:  Terms of order:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:  Terms of order:  Building work (if any) required to be carried out:	
29.5	section 141 - Order to remove or perform work	Will this be discharged or satisfied prior to or at settlement?  Are there attachments?  If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):  Date of order:  Terms of order:	

29.6	section 142 - Notice to complete	ls this item applicable?	_
	development	Wilkthis 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):	
		(and, if applicable, the part(s) containing the particulars):	
		Date of notice:	
		Requirements of notice:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	
			7
			_
29.7	section 155 - Emergency order	Is this item applicable?	_
		Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		•	
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
			7
		Date of order:	
		Name of authorised officer who made order:	
		, tame of data of the first of	
		None of suth with the Assuration of the suth winds	_
		Name of authority that appointed the authorised officer:	
		Nature of order:	
		Amount payable (if any):	
			7

29.8	section 157 - Fire safety notice	Is this item applicable?	•
		Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
		(and, if applicable, the part(s) containing the particulars):	
		Date of notice:	
		Name of authority giving notice:	
		Requirements of notice:	
		Building work (if any) required to be carried out:	
		Amount novable (if any)	
		Amount payable (if any):	
		<del></del>	•
29.9	section 192 or 193 - Land management agreement	Is this item applicable?	•
		Wilh this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
		Date of agreement:	
		Names of parties:	
		Terms of agreement:	
			<u> </u>

29.10	section 198(1) - Requirement to vest land in a council or the	Is this item applicable?	
	vest land in a council or the Crown to be held as open space	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):	
		(min, ), appreciation (o) containing are paracelarity.	
		Date requirement given:	
		Name of body giving requirement:	
		Nature of requirement:	
		Contribution payable (if any):	
		+	
29.11	saction 100/2) Agreement to	Is this item applicable?	
27.11	section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	Wilkthis be discharged or satisfied prior to or at settlement?	
	Crown to be field as open space	Are there attachments?	
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
		(and, if applicable, the part(s) containing the particulars):	
		Date of agreement:	
		Names of parties:	
		T (	
		Terms of agreement:	
		Terms of agreement:	
		Terms of agreement:	
		Terms of agreement:  Contribution payable (if any):	

29.12	Part 16 Division 1 - Proceedings	Is this item applicable?	
		Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		•	
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
		Date of commencement of proceedings:	
		Date of determination or order (if any):	
		Terms of determination or order (if any):	
29.13	section 213 - Enforcement notice	Is this item applicable?	
		Will this be discharged or satisfied prior to or at settlement?	
		Are there attachments?	
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
		(and, if applicable, the part(s) containing the particulars):	
		Date notice given:	
		Name of designated as the wife of its action.	
		Name of designated authority giving notice:	
		Nature of directions contained in notice:	
		Building work (if any) required to be carried out:	
		3 1 , 1 , 1 , 1 , 1 , 1 , 1 , 1 , 1 , 1	
		A	
		Amount payable (if any):	

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

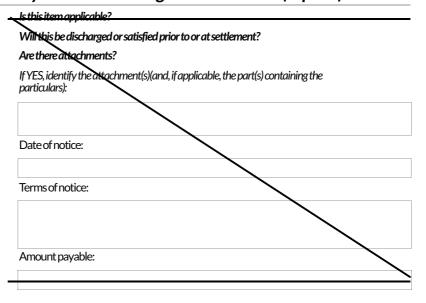
Is this item applicable?
Will this be discharged or satisfied prior to or at settlement?
Are there attachments?
If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):
Date order made:
Name of court that made order:
Action number:
Names of parties:
Terms of order:
Building work (if any) required to be carried out:

✓

YES YES

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

**33.1** section 23 - Notice of contribution payable



# 34. Water Industry Act 2012

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

ls 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):
SA Water Certificate
Date of notice or order:
Refer to attached SA Water Certificate
Name or person or body who served notice or order:
South Australian Water Corporation
Amount payable (if any) as specified in the notice or order:
Refer to attached SA Water Certificate
Nature of other requirement made (if any) as specified in the notice or order:
Refer to attached SA Water Certificate

## Particulars relating to asbestos at workplaces

<b>√</b>	

1 In these particulars-

asbestos and asbestos containing material have the same meaning as in the Work Health and Safety Regulations 2012; workplace has the same meaning as in the Work Health and Safety Act 2012.

2 Is there a workplace on the land?

YES

3 If YES, is there an asbestos register for the workplace?

YES

4 If YES, does that register record any asbestos or asbestos containing material at the workplace (or likely to be present at the workplace from time to time) and specify the location, type and condition of that asbestos or asbestos containing material?

YES

5 If YES-

(a) give details of the location, type and condition of the asbestos or asbestos containing material:

Please refer to Workplace Asbestos Register

(b) has a plan been prepared for the management of asbestos at the workplace?

YES

If YES, give details:

Please refer to Workplace Asbestos Register

(c) is any asbestos or asbestos containing material to be removed before settlement?

NO

If YES, give details:

### Note-

- 1. A register is not required to be prepared for a workplace-
  - (a) if a register has already been prepared for the workplace; or
  - (b) if-
    - (i) the workplace is a building that was constructed after 31 December 2003; and
    - (ii) no asbestos has been identified at the workplace; and
    - (iii) no asbestos is likely to be present at the workplace from time to time.

See regulation 425 of the Work Health and Safety Regulations 2012

2. A person with management or control of a workplace who plans to relinquish management or control must ensure (so far as is reasonably practicable) that the asbestos register is given to the person assuming management or control of the workplace.

See regulation 428 of the Work Health and Safety Regulations 2012.

## 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-

- 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;

 $\textit{pre-1July 2009 site audit report} \ \text{means a detailed written report that sets out the findings of a pre-1July 2009 site audit;}$ 

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 2009) is a prescribed commercial or industrial activity:

#### **EPA 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 treatment, storage 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

Is the vendor aware of any of the following activities ever having taken place at the land: storage, handling or disposal of waste or fuel or other chemicals (other than in the ordinary course of domestic activities)? (a) (b) importation of soil or other fill from a site at whichan activity of a kind listed in paragraph (a) has taken place; or (i) (ii) a prescribed commercial or industrial activity (see item 1(2) above) has taken place? 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: (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: 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 (4)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

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 $\textit{Environment Protection Act 1993}$ )?

NO

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

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

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?

YES

(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 103l 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 103l 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)	acopy of a pre-1	1 July 2009 site audit report?
	NO	
(e)	details relating t	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-

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

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

It should be noted that-

- 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)(1)).

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.

## **ANNEXURES**

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

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

Filed Plan
Property Interest Report
Council Search (including Plan SA Data Extract)
Certificate of Emergency Services Levy Payable
Certificate of Land Tax Payable
SA Water Certificate of Charges
Encumbrance 2164518
Environment Protection Authority
Workplace Asbestos Register

(\*Strike out whichever is not applicable)

# ACKNOWLEDGEMENT OF RECEIPT OF FORM 1 – VENDOR'S STATEMENT (Section 7, Land and Business (Sale and Conveyancing) Act 1994)

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

ated this	Day of	20
Signed:		

Purchaser(s)

# Form R3

# Buyers information notice

Land and Business (Sale and Conveyancing) Act 1994 section 13A Land and Business (Sale and Conveyancing) Regulations 2010 regulation 17

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

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

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

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

## Safety

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

## **Enjoyment**

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

### Value

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

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

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



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5349/385) 25/03/2024 08:40AM

20240325000415

REAL PROPERTY ACT, 1886



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 5349 Folio 385

Parent Title(s) CT 3757/64

Creating Dealing(s) CONVERTED TITLE

**Title Issued** 01/07/1996 **Edition** 2 **Edition Issued** 24/09/2003

# **Estate Type**

**FEE SIMPLE** 

# **Registered Proprietor**

DAVID SYDNEY FISHER
OF UNIT 4 44 ORLANDO AVENUE HAMPSTEAD GARDENS SA 5086

# **Description of Land**

ALLOTMENT 92 FILED PLAN 130784 IN THE AREA NAMED ELIZABETH SOUTH HUNDRED OF MUNNO PARA

## **Easements**

NIL

# **Schedule of Dealings**

Dealing Number Description

2164518 ENCUMBRANCE TO SOUTH AUSTRALIAN HOUSING TRUST

9539780 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

## **Notations**

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan NIL

Registrar-General's Notes NIL

Administrative Interests NIL

Land Services SA Page 1 of 2



Product
Date/Time
Customer Reference
Order ID

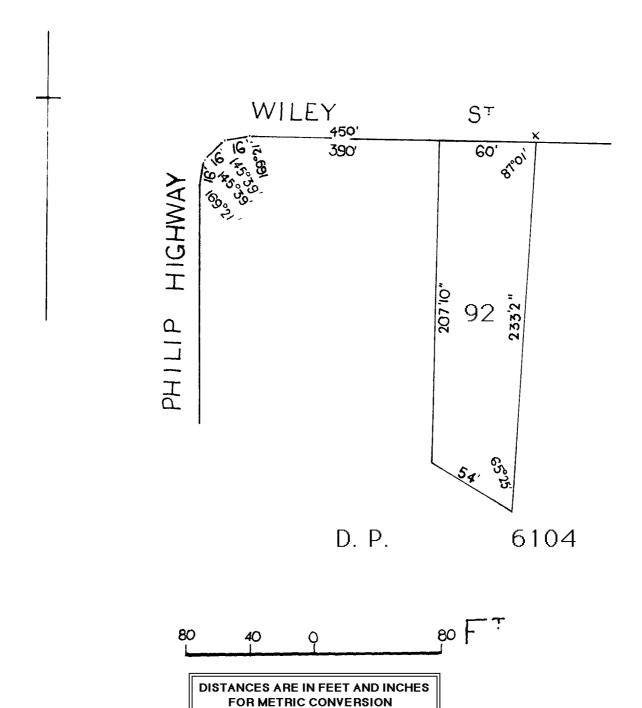
Register Search (CT 5349/385) 25/03/2024 08:40AM

20240325000415

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE

3757/64

LAST PLAN REF: D.P. 6104



0-3048 METRES

0.0254 METRES

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

1 INCH

PLAN NUMBER

FP 130784

SHEET 1 OF 1
ACCEPTED FOR FILING
09/12/1994

REGISTRAR-GENERAL

LAST PLAN REF: D.P. 6104

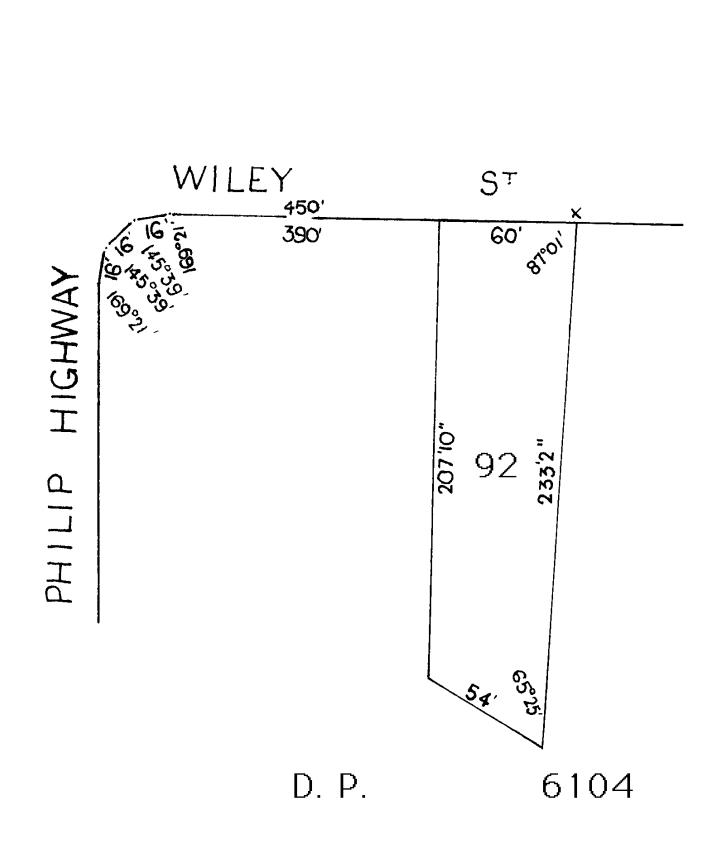
AREA : ELIZABETH SOUTH

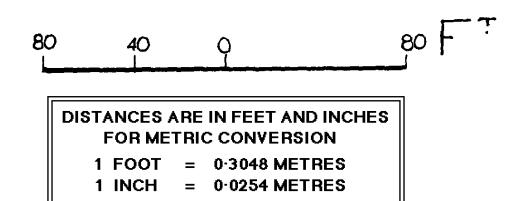
LGA: CORP OF THE CITY OF ELIZABETH

**HUNDRED: MUNNO PARA** 

SECTION: PS 3108

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 3757/64





# **Property Interest Report**

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

Title Reference Reference No. 2554159 CT 5349/385

**Registered Proprietors** D S\*FISHER Prepared 25/03/2024 08:40

4 WILEY STREET, ELIZABETH SOUTH, SA 5112 Address of Property

Local Govt. Authority CITY OF PLAYFORD

Local Govt. Address 12 BISHOPSTONE RD DAVOREN PARK, SA 5113

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

Refer to the Certificate of Title

encumbrance

Prescribed encumbrance

Particulars (Particulars in bold indicates further information will be provided)

Refer to the Certificate of Title for details of any restrictive covenants as an

#### 1. General

1.1 Mortgage of land Refer to the Certificate of Title

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

1.2 Easement

(whether over the land or annexed to the

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

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

1.3 Restrictive covenant

> [Note - Do not omit this item. The item and its heading must be included in the statement

even if not applicable.]

Lease, agreement for lease, tenancy agreement or licence (The information does not include information about any sublease or subtenancy. That

from the lessee or tenant or sublessee or subtenant.)

Caveat

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

information may be sought by the purchaser

also

Contact the vendor for these details

Refer to the Certificate of Title

Refer to the Certificate of Title

even if not applicable.]

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 šite 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

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1.4

1.5

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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 Trade and Investment has no record of any conditions that continue to apply, affecting this title

[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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment has no record of any notice affecting this title

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5.10	section 84 - Enforcement notice	State Planning Commission in the Department for Trade and Investment 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 Trade and Investment 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. Re	epealed 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</i>	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title
	Adelaide Development Control Act, 1976 (repealed), the Planning Act 1982 (repealed)	also
	or the <i>Planning and Development Act 1966</i> (repealed)	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. <i>E</i> I	mergency Services Funding Act 1998	
7.1	section 16 - Notice to pay levy	An Emergency Services Levy Certificate will be forwarded.
		If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.
		RevenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au
8. <i>E</i> i	nvironment Protection Act 1993	RévenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates
<b>8. E</b> 1	nvironment Protection Act 1993  section 59 - Environment performance agreement that is registered in relation to the land	RévenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates
	section 59 - Environment performance agreement that is registered in relation to the	RévenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au
8.1	section 59 - Environment performance agreement that is registered in relation to the land section 93 - Environment protection order	RévenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au  EPA (SA) will respond with details relevant to this item
8.1	section 59 - Environment performance agreement that is registered in relation to the land section 93 - Environment protection order that is registered in relation to the land section 93A - Environment protection order relating to cessation of activity that is	RévenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item
8.1 8.2 8.3	section 59 - Environment performance agreement that is registered in relation to the land section 93 - Environment protection order that is registered in relation to the land section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land section 99 - Clean-up order that is registered	RévenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item
<ul><li>8.1</li><li>8.2</li><li>8.3</li><li>8.4</li></ul>	section 59 - Environment performance agreement that is registered in relation to the land  section 93 - Environment protection order that is registered in relation to the land  section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land  section 99 - Clean-up order that is registered in relation to the land  section 100 - Clean-up authorisation that is	RévenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item
8.1 8.2 8.3 8.4 8.5	section 59 - Environment performance agreement that is registered in relation to the land  section 93 - Environment protection order that is registered in relation to the land  section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land  section 99 - Clean-up order that is registered in relation to the land  section 100 - Clean-up authorisation that is registered in relation to the land  section 103H - Site contamination assessment order that is registered in relation	RévenueSA Customer Contact Centre on (08) 8226 3750.  Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item  EPA (SA) will respond with details relevant to this item

8.9 section 103P - Notation of site contamination EPA (SA) will respond with details relevant to this item audit report in relation to the land section 103S - Notice of prohibition or 8.10 EPA (SA) will respond with details relevant to this item restriction on taking water affected by site contamination in relation to the land 9. Fences Act 1975 9.1 section 5 - Notice of intention to perform Contact the vendor for these details fencing work 10. Fire and Emergency Services Act 2005 10.1 section 105F - (or section 56 or 83 Contact the Local Government Authority for other details that might apply (repealed)) - Notice to take action to prevent outbreak or spread of fire Where the land is outside a council area, contact the vendor 11. Food Act 2001 11.1 section 44 - Improvement notice Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply section 46 - Prohibition order 11.2 Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply 12. Ground Water (Qualco-Sunlands) Control Act 2000 12.1 Part 6 - risk management allocation Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title 12.2 section 56 - Notice to pay share of Trust DEW Water Licensing has no record of any notice affecting this title costs, or for unauthorised use of water, in respect of irrigated property 13. Heritage Places Act 1993 13.1 section 14(2)(b) - Registration of an object of Heritage Branch in DEW has no record of any registration affecting this title heritage significance 13.2 section 17 or 18 - Provisional registration or Heritage Branch in DEW has no record of any registration affecting this title registration 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 14. Highways Act 1926 14.1 Part 2A - Establishment of control of access Transport Assessment Section within DIT has no record of any registration affecting from any road abutting the land this title 15. Housing Improvement Act 1940 (repealed) 15.1 section 23 - Declaration that house is Contact the Local Government Authority for other details that might apply undesirable or unfit for human habitation Part 7 (rent control for substandard houses) -Housing Safety Authority has no record of any notice or declaration affecting this title 15.2 notice or declaration

## 16. Housing Improvement Act 2016

16.1	Part 3 Division 1 - Assessment, improvement or demolition orders	Housing Safety Authority has no record of any notice or declaration affecting this title		
16.2	section 22 - Notice to vacate premises	Housing Safety Authority has no record of any notice or declaration affecting this title		
16.3	section 25 - Rent control notice	Housing Safety Authority has no record of any notice or declaration affecting this title		
17. <i>La</i>	and Acquisition Act 1969			
17.1	section 10 - Notice of intention to acquire	Refer to the Certificate of Title for any notice of intention to acquire		
		also		
		Contact the Local Government Authority for other details that might apply		
18. <i>La</i>	andscape 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		
	unautionsed activity	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

A Land Tax Certificate will be forwarded.

If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.

Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au

#### 20. Local Government Act 1934 (repealed)

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

Contact the Local Government Authority for other details that might apply

#### 21. Local Government Act 1999

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

Contact the Local Government Authority for other details that might apply

### 22. Local Nuisance and Litter Control Act 2016

22.1 section 30 - Nuisance or litter abatement notice

Contact the Local Government Authority for other details that might apply

#### 23. Metropolitan Adelaide Road Widening Plan Act 1972

23.1 section 6 - Restriction on building work

Transport Assessment Section within DIT has no record of any restriction affecting this title

### 24. Mining Act 1971

24.1 Mineral tenement (other than an exploration licence)

Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title

24.2 section 9AA - Notice, agreement or order to waive exemption from authorised operations

Contact the vendor for these details

24.3 section 56T(1) - Consent to a change in authorised operations

Contact the vendor for these details

24.4 section 58(a) - Agreement authorising tenement holder to enter land

Contact the vendor for these details

24.5 section 58A - Notice of intention to commence authorised operations or apply for lease or licence

Contact the vendor for these details

24.6 section 61 - Agreement or order to pay compensation for authorised operations

Contact the vendor for these details

24.7 section 75(1) - Consent relating to extractive minerals

Contact the vendor for these details

24.8 section 82(1) - Deemed consent or agreement

Contact the vendor for these details

24.9 Mineral Tenements in the Department of Energy and Mining has no record of any Proclamation with respect to a private mine proclamation affecting this title 25. Native Vegetation Act 1991 25.1 Part 4 Division 1 - Heritage agreement DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title 25.2 section 25C - Conditions of approval DEW Native Vegetation has no record of any agreement affecting this title regarding achievement of environmental benefit by accredited third party provider 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. DEW Native Vegetation has no record of any refusal or condition affecting this title or condition of a consent, to clear native vegetation 26. Natural Resources Management Act 2004 (repealed) 26.1 The regional landscape board has no record of any notice affecting this title section 97 - Notice to pay levy in respect of costs of regional NRM board 26.2 section 123 - Notice to prepare an action plan The regional landscape board has no record of any notice affecting this title for compliance with general statutory duty 26.3 section 134 - Notice to remove or modify a The regional landscape board has no record of any notice affecting this title dam, embankment, wall or other obstruction or object 26.4 section 135 - Condition (that remains in force) The regional landscape board has no record of any notice affecting this title of a permit 26.5 section 181 - Notice of instruction as to The regional landscape board has no record of any notice affecting this title keeping or management of animal or plant 26.6 section 183 - Notice to prepare an action plan 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

plants

for the destruction or control of animals or

The regional landscape board has no record of any notice affecting this title

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

26.8

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

28.1 section 23(1) - Notice of contribution payable

The Phylloxera and Grape Industry Board of South Australia has no vineyard registered against this title. However all properties with greater than 0.5 hectares of planted vines are required to be registered with the board

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

29.1 Part 5 - Planning and Design Code [Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]

Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.

also

Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title

also

For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority

also

Contact the Local Government Authority for other details that might apply to a place of local heritage value

also

For details of declared significant trees affecting this title, contact the Local Government Authority

also

#### **Code Amendment**

Residential Driveway Crossovers –draft design standard aiming to improve public safety and enhance streetscapes across SA. Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery and are open for consultation as part of this process. For more information, refer to the 'Code Amendments' page on the PlanSA portal: https://plan.sa.gov.au/have\_your\_say/ or phone PlanSA on 1800752664.

#### **Code Amendment**

Statewide Bushfire Hazards Overlay - aims to review the current policy framework (spatial layers and policy content) of the six Hazard (Bushfire Risk) Overlays as well as explore other planning instruments and mechanisms to assist in mitigating bushfire hazard impacts. Please note that this Code Amendment only applies to a portion of some council areas. To understand if your property is affected, please check the bushfire hazard map at https://plus.geodata.sa.gov.au/bushfire/index.html. For more information, please visit https://plan.sa.gov.au/have\_your\_say/ or contact PlanSA via email (PlanSA@sa.gov.au) or telephone (1800 752 664).

#### **Code Amendment**

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

https://plan.sa.gov.au/have\_your\_say/general\_consultations or phone PlanSA on 1800752664.

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 Trade and Investment 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

29.2

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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment has no record of any conditions that continue to apply, affecting this title
	Space	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 Trade and Investment has no record of any conditions that continue to apply, affecting this title
	эриос	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 Trade and Investment 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 Trade and Investment has no record of any conditions that continue to apply, affecting this title
30. <i>Pl</i>	ant Health Act 2009	
30.1	section 8 or 9 - Notice or order concerning pests	Plant Health in PIRSA has no record of any notice or order affecting this title

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

Part 3 - Notice Public Health in DHW has no record of any notice or direction affecting this title 31.1 also Contact the Local Government Authority for other details that might apply 31.2 Public and Environmental Health (Waste Public Health in DHW has no record of any condition affecting this title Control) Regulations 2010 (or 1995) (revoked) Part 2 - Condition (that continues to apply) of an approval Contact the Local Government Authority for other details that might apply 31.3 Public and Environmental Health (Waste Public Health in DHW has no record of any order affecting this title Control) Regulations 2010 (revoked) regulation 19 - Maintenance order (that has also not been complied with) 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 Public Health in DHW has no record of any direction or requirement affecting this title spread of disease 32.2 section 92 - Notice Public Health in DHW has no record of any notice affecting this title also Contact the Local Government Authority for other details that might apply 32.3 South Australian Public Health (Wastewater) Public Health in DHW has no record of any condition affecting this title Regulations 2013 Part 4 - Condition (that continues to apply) of an approval also Contact the Local Government Authority for other details that might apply 33. Upper South East Dryland Salinity and Flood Management Act 2002 (expired) 33.1 section 23 - Notice of contribution payable DEW has no record of any notice affecting this title 34. Water Industry Act 2012 An SA Water Certificate will be forwarded. 34.1 Notice or order under the Act requiring If you do not receive the certificate please contact the SA Water Customer Contact payment of charges or other amounts or making other requirement Centre on 1300 650 950 The Office of the Technical Regulator in DEM has no record of any notice or order affecting this title 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) DEW has no record of any condition affecting this title

DEW has no record of any notice affecting this title

CT 5349/385

35.2

of a permit

section 125 (or a corresponding previous

enactment) - Notice to pay levy

# 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) will respond with details relating to items 3, 4 or 5 affecting this title also Contact the Local Government Authority for information relating to item 6
10.	Particulars relating to Livestock Act, 1997	Animal Health in PIRSA has no record of any notice or order affecting this title

## **Additional Information**

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

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

CT 5349/385

#### **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:

CT 5349/385

- 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.



Check Search 25/03/2024 08:40AM

20240325000415

# **Certificate of Title**

Title Reference: CT 5349/385

Status: CURRENT

Edition: 2

# **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

Land Services SA Page 1 of 1



Historical Search 25/03/2024 08:40AM

20240325000415

# **Certificate of Title**

Title Reference: CT 5349/385

Parent Title(s): CT 3757/64

Dealing(s) Creating Title:

**CONVERTED TITLE** 

Title Issued:

Status:

01/07/1996

**CURRENT** 

**Edition:** 2

# **Dealings**

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
04/03/2003	24/09/2003	9539780	MORTGAGE	REGISTERE D	COMMONWEALTH BANK OF AUSTRALIA
04/03/2003	24/09/2003	9539779	DISCHARGE OF MORTGAGE	REGISTERE D	7586469
29/01/1997	19/02/1997	8239488	TRANSFER OF MORTGAGE	REGISTERE D	JACK LOCKIE BAKER, DOROTHY MABEL BAKER, TREVOR MAX MATERNE
					7586469
27/11/1996	14/01/1997	8209694	TRANSFER OF MORTGAGE	REGISTERE D	MARGARET HEATHER BARTOLO, JOHN PATRICK BARTOLO
					7586469
27/11/1996	14/01/1997	8209689	TRANSMISSIO N APPLICATION (SUBSIDIARY INTEREST)	REGISTERE D	MAVIS BLANCHE ROBBINS (DECD), MARGARET HEATHER BARTOLO (EXEC)
			INTEREST)		7586469
31/07/1996	02/09/1996	8153624	APPLICATION TO REGISTER DEATH (SUBSIDIARY	REGISTERE D	REX MURRAY YEATES (DECD), IVY KATHLEEN YEATES
			INTEREST)		7586469
22/07/1996	30/07/1996	8148339	TRANSFER OF MORTGAGE	REGISTERE D	GEORGE GOINY-GRABOWSKI, PATRICIA DAWN GOINY- GRABOWSKI
					7586469
28/02/1996	04/07/1996	8073023A	TRANSMISSIO N APPLICATION (SUBSIDIARY INTEREST)	REGISTERE D	DOROTHY ISABELL LAFFER (DECD), JOHN BEITH PRIDHAM (EXEC) 7586469
01/10/1993	10/11/1993	7586469	MORTGAGE	REGISTERE D	
13/11/1959	20/11/1959	2164518	ENCUMBRANC	REGISTERE	

Land Services SA Page 1 of 2



Product
Date/Time
Customer Reference

Order ID

Historical Search 25/03/2024 08:40AM

20240325000415

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
			E	D	

Land Services SA Page 2 of 2



Title and Valuation Package 25/03/2024 08:40AM

20240325000415

## **Certificate of Title**

Title Reference CT 5349/385
Status CURRENT

Easement NO

Owner Number 01209535

Address for Notices POST OFFICE BOX 224, CLARE, SA 5453

Area 2900m² (APPROXIMATE)

# **Estate Type**

Fee Simple

# **Registered Proprietor**

DAVID SYDNEY FISHER
OF UNIT 4 44 ORLANDO AVENUE HAMPSTEAD GARDENS SA 5086

# **Description of Land**

ALLOTMENT 92 FILED PLAN 130784 IN THE AREA NAMED ELIZABETH SOUTH HUNDRED OF MUNNO PARA

## **Last Sale Details**

There are no sales details recorded for this property

## **Constraints**

#### **Encumbrances**

Dealing Type	Dealing Number	Beneficiary	
ENCUMBRANCE	2164518	SOUTH AUSTRALIAN HOUSING TRUST	
MORTGAGE	9539780	COMMONWEALTH BANK OF AUSTRALIA	

## **Stoppers**

NIL

## **Valuation Numbers**

Valuation Number	Status	Property Location Address
3231884003	CURRENT	4 WILEY STREET, ELIZABETH SOUTH, SA 5112

## **Notations**

## **Dealings Affecting Title**

NIL

## Notations on Plan



Title and Valuation Package 25/03/2024 08:40AM

20240325000415

NIL

## **Registrar-General's Notes**

NIL

#### **Administrative Interests**

NIL

## **Valuation Record**

Valuation Number 3231884003

Type Site & Capital Value

Date of Valuation 01/01/2023
Status CURRENT

Operative From 01/07/1971

Property Location 4 WILEY STREET, ELIZABETH SOUTH, SA 5112

Local Government PLAYFORD

Owner Names DAVID SYDNEY FISHER

Owner Number 01209535

Address for Notices POST OFFICE BOX 224, CLARE, SA 5453

**Zone / Subzone** E - Employment

Water Available Yes

Sewer Available Yes

Land Use 2910 - Motor Vehicle Repair Services

**Description** IR W/S

**Local Government** 

Description

Industry - Light

# **Parcels**

Plan/Parcel	Title Reference(s)	
F130784 ALLOTMENT 92	CT 5349/385	

# **Values**

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$305,000	\$355,000			
Previous	\$174,000	\$250,000			

# **Occupants**

Land Services SA Page 2 of 3



Title and Valuation Package 25/03/2024 08:40AM

20240325000415

Occupant Id	Property Id	Occupant Name	Land Use	Local Governm ent Descripti on	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
10	ENGINE ERING	ENGINE ERING	2910 - Motor Vehicle Repair Services	Industry - Light	\$305,000	\$355,000			

# **Building Details**

Valuation Number 3231884003

Building Style Not Available

Year Built Not Available

Building Condition Not Available

Wall Construction Not Available

Roof Construction Not Available

Equivalent Main Area Not Available

Number of Main Rooms Not Available

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

Land Services SA Page 3 of 3



25 March 2024

**SEARCH NO: 70644** 

Searchlight Technology PO Box 223 RUNDLE MALL SA 5000

ALLOTMENT / LOT 92 SEC 3108 FP 130784 HD OF MUNNO PARA, PROPERTY ADDRESS 4 WILEY STREET, ELIZABETH SOUTH SA 5112

TITLE: CT-5349/385 VALUATION NO: 3231884003 ASSESSMENT NO: 633545

OWNER: EST LATE MR D S FISHER

In response to your enquiry, I supply the following information:

# PARTICULARS OF COUNCIL RATES & OTHER LAWFUL CHARGES Rates Declared 27 June 2023

Current rates	\$5,199.75	Quarter 1 due 01/09/23
Rebate/Remissions	\$0.00	
Current fines	\$0.00	
Arrears	\$0.00	Monthly fines to be applied
		on arrears
Legal Fees	\$0.00	
Property related debts	\$0.00	
Regional Landscape Levy	\$22.20	
Payments/Adjustment	\$-3,916.95	
Overpayments	\$0.00	
TOTAL OUTSTANDING	\$1,305.00	Please check the balance before settlement

\*\*\*When notifying the City of Playford regarding the change of ownership please include the mobile phone number and email address of new Ratepayers to enable future SMS and email contact\*\*\*

Please ensure your Vendor cancels any existing Direct Debit, Centrepay or Bpay payment deductions and Bpayview for this property.

City of Playford

Post

Visit

#### Payment of rates balance at settlement can be made by:

EFT: City of Playford BSB 065 137 Account Number 1039 5805

Reference must include Rates Assessment number and Remittance details emailed to

Revenue@playford.sa.gov.au

Bpay: Biller Code: 303206 Biller reference: Refer Rates Assessment number

**Credit Card**: pay by credit card on our website <a href="www.playford.sa.gov.au">www.playford.sa.gov.au</a>

# OTHER MATTERS PURSUANT TO SECTION 187 (4) OF THE LOCAL GOVERNMENT ACT CERTIFICATES ARE ONLY VALID AS AT THE DATE OF ISSUE.

Legal action taken Notice issued under the Local Government Act 1999 Easement, Right of Way, Restricted covenant, Lien or caveat in which council has an interest NO YES RATES REFER TO TITLE

<u>Please note:</u> The above information is supplied for the purposes of Section 7 of the Land & Business (Sale and Conveyancing) Act 1994 and relates only to matters in which council has an interest.

For Chief Executive Officer.

Rates Administration Officer Rates Officer

# 4 Wiley Street ELIZABETH SOUTH SA 5112

Plannin	g, Development & Infrastructure Act 2016	
29.1	Planning and Design Code   Employment E	
	Zone / Subzone / Overlay	
	Is the land situated in a State Heritage place	NO
	Is the land designated as a place of local heritage value	NO
	Is there a tree declared to be a significant tree or a stand of trees	Unknown
	declared to be significant trees on the land	
	Is there a current amendment to the Planning and Design Code	Yes
	released for public consultation by the State Planning Commission	See Below
	on which consultation is continuing or on which consultation has	
	ended but whose proposed amendment has not yet come into	
	operation	
29.2	Section 127 - Condition (that continues to apply) of a development	NO
	authorisation under the Planning, Development and Infrastructure	
	Act	
29.3	Planning, Development and Infrastructure Act Notices / Orders /	NO
29.4	Requirements	
29.5		
29.6		
29.7		
29.8		
29.13		
29.14		
29.9	Land Management Agreement (Section 192 or 193)	SEE CERTIFICATE OF
		TITLE
29.10	Requirement or Agreement to vest land in Council or Crown to be	NO
29.11	held as open space	
29.12	General rights of review and appeal (Part 16 Division 1	NO
	Proceedings).	
Develop	oment Act 1993	

5.1	Development Plan Zone / NA	
	Policy Area	
	Is the land situated in a designated State Heritage Area	Development Act now
		repealed – refer to 29.1
	Is the land designated as a place of local heritage value	Development Act now
		repealed – refer to 29.1
	Is there a current Development Plan Amendment released for	NO
	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	
	Subject to a Development Consent / Conditions (under the	NO
	Development Act 1993) which continue to apply	
	Is there a current Development Plan Amendment released for	
	public consultation by the council on which consultation is	Development Act now
	continuing or on which consultation has ended but whose proposed	repealed
	amendment has not yet come into operation?	
	Is there a current Development Plan Amendment released for	
	public consultation by the Minister on which consultation is	Development Act now
	continuing or on which consultation has ended but whose proposed	repealed
	amendment has not yet come into operation?	
5.2	Requirement or Agreement to vest land in Council or Crown to be	NO
5.3	held as open space	
5.4	Development Act Notices / Orders / Requirements	NO
5.5		
5.6		
5.7		
5.8		
5.9		
5.10		
5.11		
5.12		
5.6	Land Management Agreement (Section 57)	SEE CERTIFICATE OF
		TITLE
Repea	ed Act Conditions	

6.1	Condition (that continues to apply) of an approval or authorisation	NO
	granted under the Building Act 1971 (repealed), the City of	
	Adelaide Development Control Act 1976 (repealed), the Planning	
	Act 1982 (repealed) or the Planning and Development Act 1966	
	(repealed)	
	Notices	
	Development Act / Public & Environmental Health Act Notices	NO
Fire an	nd Emergency Services Act 2005	
10.1	Fire & Emergency Services Act 2005 Notice (Section 105F)	NO
Public	Health Act 2011	
32.3	Condition (that continues to apply) of an approval under the South	SEE BELOW IF
	Australian Public Health (Wastewater) Regulations 2013 or Public and	APPLICABLE
	Environmental Health (Waste Control) Regulations 2010 (revoked)	
Furthe	r Information Held by Council	
36.1	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	NO
	meaning of the Development Act 1993)?	
	Proclamations / Agreements	SEE CERTIFICATE OF
		TITLE

For Chief Executive Officer.

Nil

## **Planning & Design Code Amendments**

The Planning and Design Code must be read in conjunction with any amendments published in the online Planning and Design Code, on the SA Planning portal.

The following amendments are currently on consultation, under consideration or still to come into operation

Code Amendments | PlanSA

#### **Development Plan Amendments (DPA)**

The Playford Council Development Plan must be read in conjunction with any amendments published in the Government Gazette, but not yet consolidated in the plan.

The following amendments are currently on consultation, under consideration or still to be consolidated into the Playford Development Plan:

- NIL

#### **Important Information**

Please note: Where Section 34 of the Building Work Contractors Act 1995 requires that building indemnity insurance be taken out in respect of certain types of domestic building work commenced after 1st May 1987, intending purchasers of this property should contact the Council's Building Section for information on whether an insurance policy exists in respect of any building erected on this land.

# Particulars Relating to Environment Protection - Further information held by councils Note—

The question relates to information that the council for the area in which the land is situated may hold. If the council answers "YES" to the question, it will provide a description of the nature of each development approved in respect of the land. The purchaser may then obtain further details from the council (on payment of any fee fixed by the council). However, it is expected that the ability to supply further details will vary considerably between councils. A "YES" answer to paragraph (a) of the question may indicate that a potentially contaminating activity has taken place at the land (see sections 103C and 103H of the Environment Protection Act 1993) and that assessments or remediation of the land may be required at some future time. It should be noted that—

- 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.

**PLEASE TAKE NOTE**: Various areas within the Council are at risk of flooding. The Council is not required by Section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* to provide information in relation to whether this property is within a flood risk area or the possible extent of any flood risk as part of this Statement. Nevertheless, the Council can inform you that it has received a report by the Department for Transport, Energy & Infrastructure containing new hydrological data for the Gawler River Flood Plain area which may result in the boundaries of the flood risk area being amended. Flood mapping and modelling has been undertaken using this new hydrological data.

The Floodplain Mapping Report is available at the following website:

http://www.gawler.sa.gov.au/page.aspx?u=704

## Swimming Pool Legislation

On 1st October 2008, new provisions for swimming pool safety took effect in South Australia. A new clause 71AA has been inserted under the Development Act 1993. The effect of the legislative changes is that all swimming pools approved, constructed or installed prior to 1st July 1993 must be upgraded to the current standard required by the Development Act 1993 on or before the date of transfer of the title of the land where the swimming pool is situated. The onus is on the owner of the land to ensure the swimming pool safety features are upgraded prior to settlement being affected upon sale of the land.



# Data Extract for Section 7 search purposes

#### **VALUATION ID 3231884003**

Data Extract Date: 25/03/2024

Parcel ID: F130784 A92 Certificate Title: CT5349/385

Property Address: 4 WILEY ST ELIZABETH SOUTH SA 5112

#### **Zones**

Employment (E)

#### **Subzones**

No

## Zoning overlays

### **Overlays**

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

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

The Building Near Airfields Overlay seeks to ensure development does not pose a hazard to the operational and safety requirements of commercial and military airfields.

#### **Defence Aviation Area (All structures over 45 metres)**

The Defence Aviation Area Overlay seeks to ensure building height does not pose a hazard to the operational and safety requirements of Defence Aviation Areas.

#### **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.

#### **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.

## Is the land situated in a State Heritage Place/Area

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

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).

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



# 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:

2554159

**DATE OF ISSUE** 

25/03/2024

THE TRUSTEE FOR CASS AND CO CONVEYANC UNIT TRUST

10 SUNBIRD COURT GREENWITH SA 5125

**ENQUIRIES:** 

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

OWNERSHIP NUMBER OWNERSHIP NAME

01209535 ESTATE OF D S FISHER

PROPERTY DESCRIPTION

4 WILEY ST / ELIZABETH SOUTH SA 5112 / LT 92

ASSESSMENT NUMBER TITLE REF. CAPITAL VALUE AREA / FACTOR LAND USE / FACTOR

(A "+" indicates multiple titles)

R4 IN

= AMOUNT PAYABLE

3231884003 CT 5349/385 \$355,000.00 1.000 1.815

**LEVY DETAILS: FIXED CHARGE** 50.00 + VARIABLE CHARGE \$ 652.75 **FINANCIAL YEAR** - REMISSION \$ 0.00 2023-2024 - CONCESSION \$ 0.00 + ARREARS / - PAYMENTS \$ -702.75

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** 

23/06/2024



0.00

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



#### CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

\$

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

#### **Please Note:**

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

Visit: <a href="www.revenuesa.sa.gov.au">www.revenuesa.sa.gov.au</a>
Email: <a href="mailto:revsupport@sa.gov.au">revsupport@sa.gov.au</a>

Phone: (08) 8226 3750

### PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at: OR By Post to:

www.revenuesaonline.sa.gov.au RevenueSA

Locked Bag 555 ADELAIDE SA 5001

**OFFICIAL: Sensitive** 



## **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.

THE TRUSTEE FOR CASS AND CO CONVEYANC UNIT TRUST 10 SUNBIRD COURT GREENWITH SA 5125 PIR Reference No: 2

2554159

DATE OF ISSUE

25/03/2024

**ENQUIRIES:** 

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

OWNERSHIP NAME

FINANCIAL YEAR

2023-2024

ESTATE OF D S FISHER

PROPERTY DESCRIPTION

4 WILEY ST / ELIZABETH SOUTH SA 5112 / LT 92

ASSESSMENT NUMBER TITLE REF.
(A "+" indicates multiple titles)

TAXABLE SITE VALUE

AREA

3231884003

CT 5349/385

\$305,000.00

0.1168 HA

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

CURRENT TAX

0.00

SINGLE HOLDING

0.00

- DEDUCTIONS

0.00

**,** 0.0

+ 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** 

23/06/2024



See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



**CERTIFICATE OF LAND TAX PAYABLE** 

**PAYMENT REMITTANCE ADVICE** 

No payment is required on this Certificate

#### **Please Note:**

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

Visit: <a href="www.revenuesa.sa.gov.au">www.revenuesa.sa.gov.au</a>
Email: <a href="mailto:revsupport@sa.gov.au">revsupport@sa.gov.au</a>

Phone: (08) 8226 3750

#### PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at: OR By Post to:

www.revenuesaonline.sa.gov.au RevenueSA

Locked Bag 555 ADELAIDE SA 5001

**OFFICIAL: Sensitive** 



 Account Number
 L.T.O Reference
 Date of issue
 Agent No.
 Receipt No.

 32 31884 00 3
 CT5349385
 25/3/2024
 8940
 2554159

CASS AND CO CONVEYANCING PTY LTD 10 SUNBIRD CT GREENWITH SA 5125 info@cassandcoconveyancing.com.au

Section 7/Elec

192.99CR

# Certificate of Water and Sewer Charges & Encumbrance Information

Arrears as at: 30/6/2023

Property details:

Customer: MR DS FISCHER

Location: 4 WILEY ST ELIZABETH SOUTH LT 92

Description: IR W/S Capital \$ 355 000

Value:

Rating: Commercial

Periodic charges

Water main available:

Sewer main available:

Raised in current years to 31/3/2024

1/10/1970 Water rates : 222.60 1/7/1971 Sewer rates : 243.09 Water use : 59.75 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 : 332.45CR
Balance outstanding : 0.00

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

Next quarterly charges: Water supply: 74.20 Sewer: 81.03 Bill: 15/5/2024

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

The last Water Use Year ended on 01/05/2023.

The property owner is currently using SA Water Corporation's direct debit system to pay water and sewer charges. Please advise the customer to make arrangements to cease the current direct debit payment method prior to property settlement.





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

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





## South Australian Water Corporation

Name:	Water & Sewer Account	
MR DS FISCHER	Acct. No.: 32 31884 00 3	Amount:

Address:

4 WILEY ST ELIZABETH SOUTH LT 92

## **Payment Options**



**EFT Payment** 

Bank account name: SA Water Collection Account

BSB number: 065000

Bank account number: 10622859

Payment reference: 3231884003



Biller code: 8888 Ref: 3231884003

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: 3231884003



## GEORGE WILLIAM KING and NANCY KING

Encumbrancers

## SOUTH AUSTRALIAN HOUSING TRUST

Encumbrancees

Memorandum: A Memorial of the within Instrument No. 2164518 was entered in the Register

Book, Vol. 2729

Folio /75

the

<sup>l</sup> . Registrar-General.

Certificate of Registrar-General, Justice of the Peace, etc., before whom instrument may have been executed by the parties thereto.

Appeared before me at

the

day of

one thousand nine hundred and fifty-

within described

executing the within instrument, being the part well known to me and did freely and voluntarily person sign the same.

(Signed)...

Certificate of Registrar-General, Justice of the Peace, etc., taking declaration of attesting witness.

Appeared before me at

the

one thousand nine hundred and fift

to this instrument, and acknowledged signature

same; and did further declare that

within described personally known to him,

the particles executing the same

the said that the signature \( \sigma \) to the said instrument

of the said N Ka

(Signed).

SAH Correct for the purposes of the Real Property Act, 1886-1945.

Solicitor,

ADELAIDE.

13-11-50 At the \$1-5-OLstlTi-195698

* *	
13 NOA	1959 ). JY
LTO FEES	251
NOTING	
CNESTSENC.	

& JAN RECO

SOUTH AUSTRALIAN HOUSING TRUST,

ADELAIDE.

SOUTH AUSTRALIA

**-12.57** 

7885

# Do not moisten.—For Official Use Only

DocuSign Envelope ID: DE3208C5-588F-423A-B4A0-8BC5E694990B



2/6

(Industrial Site)

SOUTH AUSTRALIA.

#### MEMORANDUM OF ENCUMBRANCE

We GEORGE WILLIAM KING of Harvey Road Elizabeth in the State of South Australia Nurseryman and NANCY KING his wife (who and each of whom are hereinafter included in the term "the encumbrancer") being registered or entitled to be registered as the proprietors of an estate in fee simple subject however to such encumbrances liens and interests as are notified by memorandum underwritten or endorsed hereon in all that piece of land situated in The Hundred of Munno Para County of Adelaide being allotment 10 of the Subdivision of portion of Block 14 of Sections 3108 and 3114 laid out as Elizabeth South and being portion of the land comprised in Certificate of Title Register Book Volume 2595 Folio 125 which is comprised in the Memorandum of Transfer from the Trust hereinafter named to the encumbrancer dated the 20 day of Cotober 1959 and encumbrancer dated the 20" day of Cotales 1959 and lodged for registration herewith AND DESIRING to render the said land available for the purpose of securing to and for the benefit of the SOUTH AUSTRALIAN HOUSING TRUST 17 Angas Street Adelaide in the said State (constituted under the South Australian Variation) the said State (constituted under the South Australian Housing Trust Act 1936-1952 and hereinafter referred to as "the Trust") the payment of the sum of money and performance and observance of the covenants on the part of the encumbrancer hereinafter contained and as part of the consideration for the transfer by the Trust to the encumbrancer of the said land lodged for registration herewith DO HEREBY ENCUMBER the said land for the benefit of the Trust with the payment of the annual sum or yearly rent charge of one shilling (1s.) payable (if demanded) on the thirtieth day of June each year commencing on the thirtieth day of June next (to the intent that the Trust shall hold the said yearly rent charge in fee simple) AND with the performance or observance of the covenants by the encumbrancer hereinafter contained AND the encumbrancer hereby covenants with the Trust (in addition and without prejudice to the covenants on the part of the encumbrancer and the powers rights and remedies of the Trust as an encumbrancee implied herein under and by virtue of the provisions of the Real Property Act 1886-1945 and amendments thereof for the time being in force except insofar as the same are hereby expressly or impliedly negatived or modified) in manner following that is to say:-

- 1. The encumbrancer will pay to the Trust the sum of one shilling (1s.) (if demanded) on the thirtieth day of June next and each succeeding thirtieth day of June.
- 2. (a) The encumbrancer will not during the continuance of this encumbrance erect or suffer to be erected on the said land or any part thereof any building or buildings designed or suitable or adaptable in the opinion of the Trust for hotel service station shopping centre or shop purposes or any building or buildings other than a building or buildings for factory office or industrial purposes as mentioned in paragraph 2 (b) hereof Provided that this provision shall not prohibit the erection of a single shop for the retailing of nursery plants seeds flowers and other nursery produce from the said land only.
- (b) The encumbrancer will on or before the first day of May One thousand nine hundred and sixty commence and complete the cultivation planting and laying out of the said land as a plant nursery suitable for carrying on thereon the business of nurseryman seedsman and florist (including the growth and sale of trees and shrubs and including the laying out of reasonable space for parking customers' motor cars or vehicles and the planting of suitable trees and shrubs or arboretum on the said land along the Trimmer Road and Wiley Street boundaries) and will commence and complete the erection on portion of the said land of a building or buildings in the opinion of the Trust suitable for use as a nursery office and delivery centre in accordance with the requirements of the Building Act and any other Act and regulations thereunder respectively applicable thereto and for the time being in force and so that the area so cultivated planted and laid out and used for the erection of such building or buildings shall occupy or utilize the whole or a reasonably substantial portion of the said land.



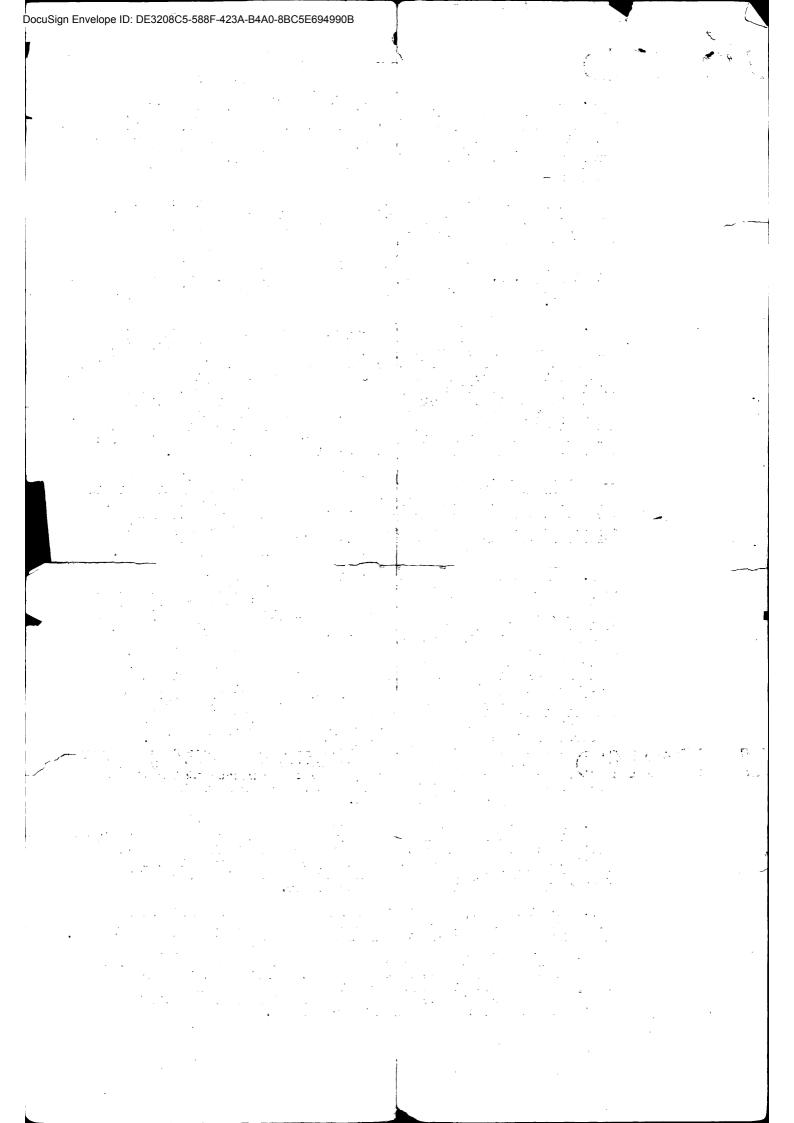
- 3. If the encumbrancer make default under paragraph 2 hereof the Trust shall have the option (exercisable at the expiration of not less than three calendar months' notice to the encumbrancer of its intention to exercise the same) of repurchasing from the encumbrancer all or any such portions of the said land as are not so occupied or utilized as mentioned in paragraph 2 hereof at a price equal to the total of:-
- (a) the price paid by the encumbrancer to the Trust on the purchase thereof from the Trust or a proportionate part of such price for any portion of the said land according to area or frontage as the Trust shall determine and
- (b) interest thereon at the rate of Four pounds fifteen shillings (£4.15.0) per centum per annum from the date of this encumbrance to the date of completion of the repurchase (if any) by the Trust.
- 4. During the period of five (5) years from and after the date of this encumbrance the encumbrancer will not sell or transfer or agree to transfer or except with the previous consent in writing of the Trust mortgage charge let or part with the possession or occupation of the said land or any part thereof which is not occupied or utilized as aforesaid to any person or corporation other than the Trust without first offering such land (not so occupied or utilized as aforesaid) for resale to the Trust by notice in writing to the Trust signed by or on behalf of the encumbrancer at a price equal to the total of the price paid by the encumbrancer therefor and interest thereon as mentioned in the last preceding paragraph hereof.

AND the encumbrancer hereby confers upon the Trust an option to accept such offer by notice in writing to the encumbrancer at any time within one calendar month after receiving notice of such offer and upon the terms that the encumbrancer shall within one calendar month after the acceptance of such offer upon payment by the Trust of the said price execute a transfer of the last-mentioned land to the Trust such transfer to be prepared and registered at the expense of the Trust.

- 5. Any notice or demand may be given to or made upon the encumbrancer hereunder by delivering the same in writing signed by an officer of and on behalf of the Trust or any solicitor or agent of the Trust to the encumbrancer personally or (if a corporation) at the registered office for the time being thereof or by posting the same at any Post Office in South Australia in an envelope directed to the encumbrancer at his last known place of business or abode in South Australia or at the address of the encumbrancer or any one of the encumbrancers (if more than one) abovementioned or by leaving the same upon any portion of the said land AND any notice or offer may be given or made to the Trust by delivering the same in writing at the principal office of the Trust for the time being in Adelaide aforesaid or by posting the same at any Post Office as aforesaid in an envelope directed to the Trust at its said principal office.

  Any notice or demand so delivered posted or left and addressed generally after the death of the encumbrancer (not being a corporation) to "the personal representatives" (of the encumbrancer naming him) "deceased" shall be sufficient whether the encumbrancer shall leave any personal representatives or not.
- 6. If there shall be more than one person included in the definition of "the encumbrancer" hereunder all covenants and obligations herein contained on the part of the encumbrancer shall take effect as joint and several covenants by such persons and words in the singular shall include the plural number and words in the masculine shall include the feminine and neuter gender.
- 7. Provided always and it is hereby agreed and declared between the Trust and the encumbrancer that the said GEORGE WILLIAM KING and NANCY KING and the successive transferees of the land from the said GEORGE WILLIAM KING and NANCY KING shall respectively be released and discharged from the payment of the said rent charge and from the performance and observance of the covenants herein contained or hereby implied forthwith upon the said GEORGE WILLIAM KING and NANCY KING and the successive transferees of the said land respectively ceasing to be registered as proprietor thereof.





Signed by the said GEORGE WILLIAM KING in the presence of

Signed by the said NANCY KING in the presence of

A Komo

The Common Seal of SOUTH AUSTRALIAN HOUSING TRUST was hereto affixed in the presence of

A Char

Deputy Chairman.

Assistant Secretary.

DocuSign Envelope ID: DE3208C5-588F-423A-B4A0-8BC5E694990B Environment Protection Authority



GPO Box 2607 Adelaide SA 5001 211 Victoria Square Adelaide SA 5000 T (08) 8204 2004

Country areas 1800 623 445

Receipt No : 2554159

Admin No : 123453 (84610)

**CASS & CO CONVEYANCING PO BOX 136 GREENWITH SA 5125** 

Contact: Section 7 Telephone: (08) 8204 2026 Email: epasection7@sa.gov.au

> Contact: Public Register Telephone: (08) 8204 9128

Email: epa.publicregister@sa.gov.au

03 April, 2024

#### **EPA STATEMENT TO FORM 1 - CONTRACTS FOR SALE OF LAND OR BUSINESS**

The EPA provides this statement to assist the vendor meet its obligations under section 7(1)(b) of the Land and Business (Sale and Conveyancing) Act 1994. A response to the questions prescribed in Schedule 1-Contracts for sale of land or business-forms (Divisions 1 and 2) of the Land and Business (Sale and Conveyancing) Act 1994 is provided in relation to the land.

I refer to your enquiry concerning the parcel of land comprised in

Title Reference CT Volume 5349 Folio 385

4 Wiley Street, ELIZABETH SOUTH SA 5112 Address

Schedule - Division 1 - Land and Business (Sale and Conveyancing) Regulations 2010

#### PARTICULARS OF MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES AFFECTING THE LAND

#### 8. Environment Protection Act 1993

Does the EPA hold any of the following details relating to the *Environment Protection Act* 1993:

8.1	Section 59 - Environment performance agreement that is registered in relation to the land.	NO
8.2	Section 93 - Environment protection order that is registered in relation to the land.	NO
8.3	Section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land.	NO
8.4	Section 99 - Clean-up order that is registered in relation to the land.	NO
8.5	Section 100 - Clean-up authorisation that is registered in relation to the land.	NO
8.6	Section 103H - Site contamination assessment order that is registered in relation to the land.	NO
8.7	Section 103J - Site remediation order that is registered in relation to the land.	NO

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8.8	Section 103N - Notice of declaration of special management area in relation to the land (due to possible existence of site contamination).	NO
8.9	Section 103P - Notation of site contamination audit report in relation to the land.	NO
8.10	Section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land.	YES

## Schedule - Division 2 - Land and Business (Sale and Conveyancing) Regulations 2010

#### PARTICULARS RELATING TO ENVIRONMENT PROTECTION

## 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 <i>Environment Protection Act 1993</i> 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 <i>Environment Protection Act</i> 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 <i>Environment Protection Act 1993</i> 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 <i>Environment Protection</i> 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 <i>Waste Management Act 1987</i> to operate a waste depot at the land?	NO
g)	details of a licence issued under the repealed <i>South Australian Waste Management Commission Act 1979</i> 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 <i>Waste Management Act 1987</i> to produce prescribed waste (within the meaning of that Act) at the land?	NO

## 4-Pollution and site contamination on the land - details recorded by the 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*)?

CT Volume 5349 Folio 385 page 2 of 5

b)	details of site contamination notified to the EPA under section 83A of the <i>Environment Protection Act</i> 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?	YES
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 <i>Environment Protection Act 1993</i> 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 <i>Environment Protection Act</i> 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 <i>Environment Protection Act 1993?</i>	NO
h)	details of a notification under section 103Z(1) of the <i>Environment Protection Act 1993</i> relating to the commencement of a site contamination audit?	NO
i)	details of a notification under section 103Z(2) of the <i>Environment Protection Act 1993</i> 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
5-Poll	ution 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 <i>Environment Protection Act 1993?</i>	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 <i>Environment Protection Act 1993</i> ?	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

CT Volume 5349 Folio 385 page 3 of 5

Records identified in this EPA Statement to Form 1: SC62792

The above records have been identified with a YES response in this EPA Statement to Form 1 and can be obtained by contacting the Public Register on (08) 8204 9128 or email epa.publicregister@sa.gov.au

All care and diligence has been taken to access the above information from available records. Historical records provided to the EPA concerning matters arising prior to 1 May 1995 are limited and may not be accurate or complete.

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#### NOTE

Section 103S of the Environment Protection Act 1993 - GROUNDWATER PROHIBITION AREA - PORTIONS OF EDINBURGH, EDINBURGH NORTH, ELIZABETH SOUTH, SALISBURY NORTH. Date of Notice: 10/08/2023. Date of Gazette in which notice published: 10/08/2023. Description of the groundwater to which the notice relates: The prohibition relates to groundwater in: (i) The 1st Quaternary aquifer of the Pooraka Formation and the 2nd and 3rd Quaternary aquifers of the underlying Hindmarsh Clay Formation, being the body of groundwater encountered from the ground surface to approximately 35 metres below ground surface within the specified area. Particulars in the notice of the site contamination affecting the groundwater: The site contamination affecting the groundwater is in the form of petroleum hydrocarbons, chlorinated hydrocarbons, metals and per - and polyfluoroalkyl substances (PFAS) which represent actual or potential harm to human health or safety.

#### NOTE

General

Resources regarding this site can be found on the EPA website, https://www.epa.sa.gov.au/environmental info/site contamination/gpa

**CT Volume 5349 Folio 385** page 5 of 5





# **WORKPLACE ASBESTOS REGISTER**

# 4 Wiley St. Elizabeth South

**Date Inspected: 22/02/2024** 

Next Inspection Due: 22/02/2025

## **Inspector:**

Brenton Lord - 0413 564 406

Jim's Building Inspections (Munno Para)

munnopara@jimsbuildinginspections.com.au





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## 1.0 FOREWORD

The following Workplace Asbestos Register records the locations of known or assumed Asbestos Containing Materials and their condition. The Register should be supplied to contractors or any persons undertaking works or any other activities in affected areas which may result in exposure.

Further general information on Management of Asbestos in the workplace is also contained within this document, however each Register should be accompanied by a detailed Asbestos Management Plan which documents the planned risk mitigation strategies.

All Registers and Management plans must be updated annually or as directed.

For more information contact:

Brenton Lord on 0413 564 406 or you can email: munnopara@jimsbuildinginspections.com.au





## 2.0 STATEMENT OF LIMITATIONS

This report has been prepared in accordance with and subject to the pre-inspection agreement in place between Jim's Building Inspections and David Sydney Fisher.

Within the limitations of the agreed upon scope of services, this work has been undertaken and performed in a professional manner, in accordance with generally accepted practices, using a degree of skill and care ordinarily exercised by members of its profession and consulting practice. No other warranty, expressed or implied, is made.

Inaccessible areas and areas requiring destruction or demolition have not been inspected. An intrusive or destructive audit is required if demolition or significant alterations are contemplated.

This report is solely for the use of the parties of whom the report has been prepared for, and any reliance on this report by third parties shall be at such party's sole risk and may not contain sufficient information for purposes of other parties or for other uses. This report shall only be presented in full and may not be used to support any other objective than those set out in the report, except where written approval with comments provided by Jim's Building Inspections.

This is not an Asbestos Management Plan. Jim's Building Inspections can prepare a detailed management plan, undertake annual recurrent inspection, and provide services to label the presence of Asbestos Containing Materials.





## 3.0 LEGISLATIVE REQUIREMENTS

The South Australian Work Health & Safety Act 2012 in conjunction with the South Australian Work Health & Safety Regulations 2012, proclaim that a Person with Management or Control of a Workplace must ensure that a current up to date asbestos register is prepared and kept and accessible at the workplace. The Person Conducting a Business or Undertaking (PCBU) must also ensure that exposure of a person to airborne asbestos is eliminated so far as is reasonably practicable.

A Person with Management or Control of a Workplace must also ensure that an Asbestos Management Plan (AMP) is prepared, available and accessible, with policies and procedures for the management of asbestos at a workplace, together with procedures for recording incidents or emergencies involving asbestos containing materials at the workplace. These policies should be strictly adhered to and enforced by the Person with Management and Control of a Workplace and other persons (as defined) so that safe work practices in relation to asbestos management are in place as prescribed and required under the regulations.

- WHS Regulation 420 requires that a person conducting a business or undertaking must ensure, so
  far as is reasonably practicable, exposure of a person at the workplace to airborne asbestos is
  eliminated or minimised and that the exposure standard must never be exceeded.
- WHS Regulation 422 and 423 requires that Asbestos be identified and sampled where applicable to confirm the presence or absence of Asbestos in the workplace.
- WHS Regulations 424 and 425 requires that locations containing Asbestos be labelled and all locations and building elements containing Asbestos be documented in a Register.
- WHS Regulation 429 requires that an Asbestos Management Plan be developed.
- WHS Regulation 426 and 430 require that Asbestos Registers and Management Plans be regularly reviewed.

In addition, this plan should be read in conjunction with applicable Safe Work Australia adopted Model Codes of Practice including:

Code of Practice How to Manage and Control Asbestos in the Workplace.

**Building Inspections** 

- Code of Practice Removal of Asbestos.
- Code of Practice How to Manage Work Health and Safety Risks.

This summary is not a comprehensive listing of all applicable provisions and is intended to provide guidance only. It does not replace the employer's responsibility to have a comprehensive understanding of the WHS Act, its Regulations, and related Codes of Practice.

Similarly other laws relating to matters such as environmental protection, public health, building and construction and local government regulation may apply in addition to the WHS Act and WHS Regulations.



In summary these Regulations aim to ideally remove the Asbestos risk from workplaces or reduce the likelihood of harm, where removal is not possible. In particular the regulatory requirements include:

- 1) Managing the risks associated with Asbestos involves:
- Identifying Asbestos and ACM at the workplace and recording this in the Asbestos register.
- Assessing the risk of exposure to airborne Asbestos.
- Eliminating or minimising the risks by implementing control measures.
- Reviewing control measures to ensure they are effective.
- 2) When choosing the most appropriate control measure, the following hierarchy of controls must be considered:
- Eliminating the risk (for example, removing the Asbestos).
- Substituting the risk, isolating the risk, or applying engineering controls (for example, enclosing, encapsulation, sealing or using certain tools).
- Using administrative controls (for example, safe work practices).
- Using PPE.

A combination of these controls may be required in order to adequately manage and control Asbestos or Asbestos Containing Materials.





## 4.0 INSPECTION LIMITATIONS

Asbestos is known to have been used in some 3,000 building products, the most common being in fibre cement products, vinyl flooring, electrical switchboards and Insulation materials to hot water and steam pipes. However, Asbestos can also be found in many other products located in **inaccessible components** of buildings, plant and equipment including the following areas:

- Interior parts of air conditioning systems.
- Wall cavities, slabs, underside of floors.
- Interior workings of plant and equipment.
- Services, in ceiling or floor spaces or underground.
- Wall "chased" lagged pipework.
- Floor coverings subsequently overlaid.
- Where asbestos products have been removed (e.g., vinyl floor coverings), then residue may exist under skirting boards and/or subsequently laid floor coverings.

Whilst this report provides approximate measurements and quantities of some materials found, we stress that they are approximate only. Accurate details would require a further visit to the site. The work involved in preparing an Asbestos Register is based on visual inspection of the building and/or plant and equipment. As well, representative samples of suspect materials are collected, and reasonable assumptions are made from those samples. These samples may not be a true representation of every element, part, or component of the area of material concerned. Further, it is becoming increasingly apparent that some building materials containing asbestos have been removed and replaced by non-asbestos containing materials, particularly cement sheeting. In numerous cases only partial removal has occurred, leaving asbestos product remaining and this is often painted. While appropriate sampling has occurred the only sure determinant is to sample and analyse every section or piece in question. Full clarification would require a further visit to the site to obtain and analyse appropriate samples.

This Asbestos Register includes known Asbestos building products detected at the time of inspection. Additionally, where applicable, assumptions made on where Asbestos is likely to be found are also stated. In some cases, builders have been known to mix Asbestos into materials that would not normally contain Asbestos (e.g. mortar, plaster, renders etc.) and, unless stated otherwise, these have not been sampled during the course of this survey. If an inaccessible area is suspected of having Asbestos, it may need further verification. The decision regarding this will remain purely at the discretion of the client.

It is important to note that this report is not intended for use as a pre demolition or pre refurbishment survey. If demolition, significant alterations, or refurbishment incorporating demolition or structural disturbance is contemplated, please contact Jim's Building Inspections for information regarding recommendations relevant to an intrusive audit.





## 5.0 IDENTIFICATION OF ASBESTOS HAZARDS

An Asbestos Inspection of David Sydney Fisher's buildings has been conducted by Brenton Lord on the 22/2/2024.

The inspection included the confirmation of the assumed presence of Asbestos. The findings have been documented in the Asbestos Register and the physical locations of the ACM have been labelled on the site plan. {as applicable}

Each item of Asbestos has been given an Item Number in the Asbestos Register.





## **6.0 ASBESTOS REGISTER**

\*It was common practice until the late 1970s for small diameter hot water pipes to be concealed in walls and to be partially or totally insulated with brown or white asbestos. Confirmation or otherwise as to the presence of these "chased" pipes is simply not possible with a non-destructive visual inspection. Appropriate precaution must be observed if the walls are disturbed in the vicinity of concealed hot water pipes.

#### 6.1 Internal Areas

Location		Material Description	
1.Main Workshop		Switchboard Backing Panel	
Quantity3m2		Method of Assessment - Visual	
Risk Rating	Signage	Friability	Condition
Low	Warning Labels In Place	Non-Friable	Sound Condition

#### **Notes:**

- Please note that material was not tested. Due to the age of the building and other factors such as type and appearance of material, the likelihood of this type of product containing Asbestos is high, the area should be treated as Asbestos until proven otherwise by NATA approved testing.

#### **Photos**







Location		Material Description	
2.Front Office		Ceiling cladding – Cement sheet	
Quantity – 12m2		Method of Assessment - Visual	
Risk Rating	Signage	Friability	Condition
Moderate	Warning Labels In Place	Non-Friable	Deteriorating Condition

#### Notes:

- Please note that material was not tested. Due to the age of the building and other factors such as type and appearance of material, the likelihood of this type of product containing Asbestos is high, the area should be treated as Asbestos until proven otherwise by NATA approved testing.

## Photos



Location		Material Description	
3.			
Quantity -		Method of Assessment - Select	
Risk Rating Signage		Friability	Condition
Select	Select	Select	Select

## **Notes:**

- Please note that material was not tested. Due to the age of the building and other factors such as type and appearance of material, the likelihood of this type of product containing Asbestos is high, the area should be treated as Asbestos until proven otherwise by NATA approved testing.

## **Photos**



## 6.2 External Areas

Location		Material Description	
4.			
Quantity -		Method of Assessment -	Select
Risk Rating	Signage	Friability	Condition
Select	Select	Select	Select
Notes			
Notes:	<u> </u>		
		to the age of the building a	
as type and appearance	ce of material, the likeliho	od of this type of product o	containing Asbestos is
high, the area should	be treated as Asbestos unt	til proven otherwise by NA	TA approved testing.
Photos			





			mg mspections
Location		Material Description	
5.			
Quantity -		Method of Assessment -	Select
Risk Rating	Signage	Friability	Condition
Select	Select	Select	Select
Notes:			
- Please note that ma	terial was not tested. Due	to the age of the building a	nd other factors such
as type and appearan	ce of material, the likeliho	od of this type of product o	containing Asbestos is
high, the area should	be treated as Asbestos un	til proven otherwise by NA	TA approved testing.
Photos			
_			

Location		Material Description	
6.			
Quantity -		Method of Assessment -	Select
Risk Rating	Signage	Friability	Condition
Select	Select	Select	Select
Notes:			
- Please note that mat	terial was not tested. Due	to the age of the building a	and other factors such
as type and appearan	ce of material, the likeliho	od of this type of product of	containing Asbestos is
high, the area should	be treated as Asbestos un	til proven otherwise by NA	TA approved testing.
Photos			



		<b>D</b> 0.	namy inspections	
Location		Material Description		
7.				
Quantity -		Method of Assessmen	<b>t -</b> Select	
Risk Rating	Signage	Friability	Condition	
Select	Select	Select	Select	
Notes:				
	aterial was not tested. Due		_	
	type of product containing		ume the presence of	
•	n otherwise by NATA appro	ved testing.		
Photos				
Location		Material Description		
8.				
Quantity -		Method of Assessment - Select		
Risk Rating	Signage	Friability	Condition	
Select	Select	Select	Select	
Notes:				
	aterial was not tested. Due	to the age of the produc	t not being known and	
	type of product containing		_	
	n otherwise by NATA appro		anie the presence of	
	IT Otherwise by NATA appro	iveu testing.		
Photos				



## 6.3 Sampled Suspected Asbestos Containing Materials - No Asbestos Detected

As per WSP - certificate of analysis

Location		Material Description	Result
			Sample
			no.2 - No Asbestos
			Detected
	-		Sample
			no.3 - No
			Asbestos
			Detected
	_		6 1
			Sample no.4 - No
			Asbestos
			Detected
			Sample
			no.5 - No
			Asbestos Detected
			Detected





## 6.4 Previously Sampled Suspected Asbestos Containing Materials

Location	Material Description	Result/Date





6.5 Sample Results
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## 6.6 Site Plan







## 7.0 Access Control Form

Persons listed below declare they have read and understand the Asbestos Register.

Name/ Company	Work to be carried out	Signed	Date





## **Access Control Form**

Persons listed below declare they have read and understand the Asbestos Register.

Name/ Company	Work to be carried out	Signed	Date





## Access Control Form

Persons listed below declare they have read and understand the Asbestos Register.

Name/ Company	Work to be carried out	Signed	Date





## 8.0 Inspection Record

Year	Inspected By	Signature of Inspector
2024	Brenton Lord	BU
2025		
2026		
2027		
2028		
2029		
2030		
2031		





## Appendix A - RISK MANAGEMENT PROCESS

The Safe Work Australia Code of Practice How to Manage Work Health and Safety Risks provides information on the Risk Management Processes. This process is known as *risk management* and involves the four steps set out in this Code (see Figure 1 below):

Identify hazards – find out what could cause harm.

Assess risks if necessary – understand the nature of the harm that could be caused by the hazard, how serious the harm could be and the likelihood of it happening.

**Control risks** – implement the most effective control measure that is reasonably practicable in the circumstances.

**Review control measures** to ensure they are working as planned.



Figure 1: The risk management process





## Appendix B - RISK ASSESSMENT OF ASBESTOS HAZARDS

A matrix comprising the condition of the ACM and the likelihood of disturbance has been applied to all material found or assumed to contain asbestos during inspection. A qualitative risk ranking has subsequently been assigned to each occurrence of ACM.

## Category 1 Risk Ranking Items – Urgent and Serious Safety Hazard

All category 1 items identified at inspection have been reported by the asbestos inspector and recommended for immediate remedial action.

Category 1 items indicate Asbestos or ACM in poor condition, friable or unstable and deteriorating in an area that is accessible to people and consequently represents an immediate risk of potentially severe harm to health through inhalation of airborne Asbestos fibres.

Category 1 items identified in the future, through register review, prior oversight, or damage, are to be reported and immediately rectified through normal business or organisation's maintenance actions.

Any friable, unstable ACM must be treated as a category 1 risk.

#### Category 2 Risk Ranking Items – High Risk Condition

Category 2 risks are characterised by an elevated risk due to a deteriorating or ageing condition, short term likelihood of asbestos fibres becoming airborne and a greater likelihood of disturbance through contact with the material.

The control measure is designed to reduce or eliminate the possibility of disturbance.

## Category 3 Risk Ranking Items – Moderate Risk Condition

Category 3 items are programmed for removal prior to a time of likely disturbance for another purpose, such as renovation. Management decision is necessary as to when this should be done.

#### Category 4 Risk Ranking Items – Low Risk Condition

These items are low risk due to good condition with a low probability of disturbance and need only future management and monitoring. Generally, they are well bonded, for example in a cement matrix, stable and relatively inaccessible.





## Appendix C - SAFE WORK PRACTICES

It is important that safe work practices are in place when carrying out asbestos work or asbestosrelated work. Safe Work Practices and content required for related SWMS are included as Appendix F to the Code of Practice How to Manage and Control Asbestos in the Workplace.

Appendix F outlines examples of safe work practices of service and maintenance tasks that are likely to disturb asbestos and control measures that have been implemented to eliminate or minimise exposure to airborne asbestos.

In particular the following Safe Work Practices should be adopted in relation to:

- Restrictions on the use of power tools
- Use of PPE
- Safe Work Practices for service and maintenance tasks
- Appropriate Containment and Clean Up of Work Sites





## Appendix D - CONTROL MEASURES

A recommended control measure which reflects the risk assessment of all Asbestos items located is included in this plan.

The ways of controlling risks are ranked from the highest level of protection and reliability to the lowest as shown in Figure 2 (Safe Work Australia Code of Practice How to Manage Work Health and Safety Risks).

This ranking is known as the hierarchy of risk control. The WHS Regulations require duty holders to work through this hierarchy when managing risk under the WHS Regulations.

You must always aim to eliminate a hazard, which is the most effective control. If this is not reasonably practicable, you must minimise the risk by working through the other alternatives in the hierarchy.

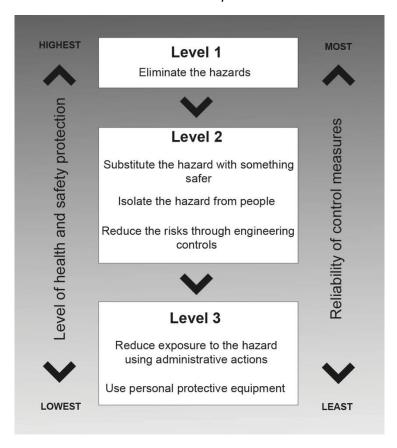


Figure 2: The hierarchy of risk control





## **Control Measure Strategies**

Each Level of Control Measure has a number of strategies which may be considered. More than one strategy may be required or may be chosen from. Some strategies can only be implemented by licensed Asbestos removal firms.

Control measure strategies are also documented in detail in section 7.0 of the Code of Practice How to Manage and Control Asbestos in the Workplace. They are summarised in the following excerpts from this Code:

## Category 1 – Urgent and Serious Safety Hazards

Level 1 - Hazard Elimination (Requires Immediate Action)

- Immediate isolation until remedial action completed
- Immediate removal of asbestos containing material

## Category 2 – High Risk Condition

Level 2 – Substitution, Isolation and Engineering Controls (Requires Immediate Action)

- Remove source of disturbance; or
- Isolate asbestos containing material

## Category 3 – Low Risk Condition

Level 3 - Administrative Controls and PPE

- Remove before possible disturbance, such as demolition, partial demolition, renovation or refurbishment to ensure potential health risks do not arise.
  - Monitor risk until remedial action is completed

## Category 4 – Good Condition

Level 3 - Administrative Controls

 Monitor and manage in accordance with the review of Asbestos Register and Management Plans





## Appendix E- REMOVING ASBESTOS

The ultimate goal is to have a workplace free from asbestos. Removal may be the most appropriate way to achieve this. For example:

**Friable asbestos** – If asbestos is friable and it has been determined that it should be removed, it must be removed by a Class A licensed removalist as soon as reasonably practicable. Instances where removal should be of the highest priority would include friable asbestos that is in poor condition and is located in an area where it poses a significant risk of exposure.

Non-friable asbestos – If asbestos is non-friable, is more than 10 m² and has been determined that it should be removed, it must be removed by a licensed asbestos removalist as soon as reasonably practicable. Where it is not reasonably practicable to remove it, control measures must be put in place to eliminate any exposure, so far as is reasonably practicable, or to minimise exposure so far as is reasonably practicable, but always ensuring the exposure standard is not exceeded.

Specific instances where removal may be the best control measure include:

- asbestos lagging on pipes
  - asbestos in plant
- asbestos-contaminated dust (ACD)
  - loose fibre insulation
- cracked or damaged fibreboard containing asbestos.

If it is not reasonably practicable to remove asbestos, then other control measures must be implemented to ensure people are not exposed to airborne asbestos, including either enclosing or sealing the asbestos.

## **Enclosing Asbestos**

Where it is not reasonably practicable to remove asbestos, the preferred alternative control measure is enclosure. This is an interim control measure and should be supported through regular inspections by a competent person to identify if the asbestos requires removal due to damage or deterioration.

#### What Is Enclosure?

Enclosure is the creation of a structure built around the asbestos so that it is completely covered to prevent exposure of the asbestos to air and other substances. Enclosure creates a separate physical barrier that prevents access to the asbestos and therefore minimises the potential for exposure to airborne fibres.

Enclosure should only be used on non-friable asbestos where removal is not reasonably practical and where the asbestos is at risk of damage from work activities.





## **Restriction & Control of Access**

Similar to the intent of the use of an Enclosure is the application of a related Administrative Control which restricts access to the Asbestos by restriction of access to certain locations and the requirement for permissions, permit and recording of access to the affected areas.

The area where Asbestos is held may be able to be locked or signed so as to restrict public or otherwise unnecessary access to the area. Access can be restricted to only necessary personnel who have had appropriate training, are familiar with required administrative controls and PPE and who gain access through a permit system, logbook or other security measures.

## Encapsulation and Sealing Asbestos

If the asbestos cannot be removed or enclosed, encapsulation or sealing is the next appropriate control measure. For example, if the asbestos is weathered, damaged or broken, it should be removed.

#### What Is Encapsulation?

Asbestos that is encapsulated in a resilient matrix, for example in reinforced plastics, vinyls, resins, mastics, bitumen, flexible plasters and cements have little opportunity to release airborne asbestos unless the matrix is damaged. This type of encapsulation will seal any loose fibres into place and should be used only when the original asbestos bond is still intact.

Although encapsulation has limited application and can create a health risk for workers undertaking the activity, it is used when it would create a greater risk to remove the asbestos.

Encapsulation helps protect the asbestos from mechanical damage, increases the length of serviceability of the product and may also be used to prevent the release of airborne asbestos during the removal process.

If encapsulation is recommended, the person carrying out the work should be trained and experienced in working with asbestos and apply relevant procedures and administrative controls.

#### What Is Sealing?

Sealing is the process of covering the surface of the material with a protective coating over the asbestos to prevent exposure to airborne asbestos. Sealing asbestos is the least effective method for controlling the release of airborne asbestos.

It should only be considered as an interim control while a more effective control such as removing, or enclosing can be implemented.

It is commonly used for pipe, furnace, and boiler insulation. The process either coats the material, reducing fibre release, or binds the fibres together. Asbestos should be sealed, coated, or painted to protect it. Sealing is inappropriate where the sealed material is likely to suffer mechanical damage (for example, drilling or sanding).

The use of sealants of a different colour to the asbestos being sprayed is helpful in identifying its condition over time and when conducting reviews of the asbestos register. A date-stamped photograph of the sealed surface is also a good way of assisting in the recording of condition.







Pre-Purchase Building Inspections

New Construction Inspections

Asbestos Inspections, Sampling and Registers

Dilapidation Inspections

Depreciation Schedules

Pool Fence Compliance Inspections

