

## Form 1—Vendor's statement

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

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### Preliminary

#### To the purchaser:

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

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

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

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

#### Instructions to the vendor for completing this statement:

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

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

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

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

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

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

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**Part A—Parties and land**

- 1 Purchaser:  
Address:
- 2 Purchaser's registered agent: \_\_\_\_\_  
Address:
- 3 Vendor: **Timothy Mark Staker**  
Address: **1/2 Wimba Avenue KEW VIC 3101**
- 4 Vendor's registered agent: **Ouwens Casserly Real Estate Pty Ltd**  
Address: **210 Greenhill Road EASTWOOD 5063**
- 5 Date of contract (if made before this statement is served):     /     /20
- 6 Description of the land:  
*[Identify the land including any certificate of title reference]*

**Allotment 138 Deposited Plan 843 in the area named Rosslyn Park Hundred of Adelaide and known as 40 Park Avenue ROSSLYN PARK SA 5072 being the whole of the land comprised in Certificate of Title Volume 5708 Folio 126**

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

To the purchaser:

**Right to cool-off (section 5)****1—Right to cool-off and restrictions on that right**

You may notify the vendor of your intention not to be bound by the contract for the sale of the land UNLESS—

- (a) you purchased by auction; or
- (b) you purchased on the same day as you, or some person on your behalf, bid at the auction of the land; or
- (c) you have, before signing the contract, received independent advice from a legal practitioner and the legal practitioner has signed a certificate in the prescribed form as to the giving of that advice; or
- (d) you are a body corporate and the land is not residential land; or
- (e) the contract is made by the exercise of an option to purchase not less than 5 clear business days after the grant of the option and not less than 2 clear business days after service of this form; or
- (f) the sale is by tender and the contract is made not less than 5 clear business days after the day fixed for the closing of tenders and not less than 2 clear business days after service of this form; or
- (g) the contract also provides for the sale of a business that is not a small business.

**2—Time for service**

The cooling-off notice must be served—

- (a) if this form is served on you before the making of the contract—before the end of the second clear business day after the day on which the contract was made; or
- (b) if this form is served on you after the making of the contract—before the end of the second clear business day from the day on which this form is served.

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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:  
**1/2 Wimba Avenue KEW VIC 3101**  
  
(being the vendor's last known address); or
- (c) transmitted by fax or email to the following fax number or email address:  
**markb@ocre.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:  
**210 Greenhill Road EASTWOOD SA 5063**  
(being ~~\*the agent's address for service under the *Land Agents Act 1994*/an address nominated by the agent to you for the purpose of service of the notice).~~

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

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

### 5—Effect of service

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

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

### Proceeding with the purchase

If you wish to proceed with the purchase—

- (a) it is strongly recommended that you take steps to make sure your interest in the property is adequately insured against loss or damage;
- (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;
- (c) you are entitled to retain the solicitor or registered conveyancer of your choice.

**Part C—Statement with respect to required particulars**

(section 7(1))

To the purchaser:

I, **Timothy Mark Staker**  
of **1/2 Wimba Avenue KEW VIC 3101**

being the vendor/~~person authorised to act on behalf of the vendor(s)~~ in relation to the transaction state that the Schedule contains all particulars required to be given to you pursuant to section 7(1) of the *Land and Business (Sale and Conveyancing) Act 1994*.

Date: 29 May 2025 .....

Signed: Timothy Mark Staker .....

**Part D—Certificate with respect to prescribed inquiries by registered agent**

(section 9)

To the purchaser:

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

Exceptions:

Nil

Date: 29th May 2025 .....

Signed: [Signature] .....

\*Vendor's/Purchaser's agent

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



**Schedule—Division 1—Particulars of mortgages, charges and prescribed encumbrances affecting the land****(section 7(1)(b))****Note—**

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

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

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

**Table of particulars**

**Column 1**

**Column 2**

**Column 3**

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

*[If an item is not applicable, ensure that the box for the item is empty or else strike out the item or write "NOT APPLICABLE" or "N/A" in column 1. Alternatively, the item and any inapplicable heading may be omitted, but not in the case of—*

- (a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and*
- (b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and*
- (c) the heading "6. Repealed Act conditions" and item 6.1 and*
- (d) the heading "29. Planning, Development and Infrastructure Act 2016" and items 29.1 and 29.2,*

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

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

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

*[If requested particulars are set out in the item and then continued on an attachment due to insufficient space, identify the attachment in the place provided in column 2.*

*If all of the requested particulars are contained in an attachment (instead of in the item) in accordance with the Note preceding this table,*

*identify the attachment in the place provided in column 2 and (if required by the Note) identify the parts of the attachment that contain the particulars.]*

**1. General**

1.1	Mortgage of land  <b>[Note-</b>  Do not omit this item. The item and its heading must be included in the statement even if not applicable]	<p><b>Is this item applicable?</b> <input type="checkbox"/></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b> YES</p> <p><b>Are there attachments?</b> YES If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): <b>Certificate of Title Volume 5708 Folio 126</b></p> <p>Number of mortgage (if registered): <b>11218619</b></p> <p>Name of mortgagee: <b>NATIONAL AUSTRALIA BANK LTD.</b></p>	
1.2	Easement (whether over the land or annexed to the land)  <b>Note—</b>  "Easement" includes rights of way and party wall rights  <b>[Note-</b>	<p><b>Is this item applicable?</b> <input checked="" type="checkbox"/></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b> YES/NO</p> <p><b>Are there attachments?</b> YES/NO If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Description of land subject to easement:</p> <p>Nature of easement:</p>	

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<p><i>Do not omit this item. The item and its heading must be included in the statement even if not applicable]</i></p>	<p>Are you aware of any encroachment on the easement? [*YES/NO]</p>	<p>If YES, give details:</p>	<p>If there is an encroachment, has approval for the encroachment been given?</p>	<p>[*YES/NO]</p>
<p>1.3 Restrictive covenant</p>	<p><b>[Note-</b></p>	<p><b>Is this item applicable?</b></p>	<p><input type="checkbox"/></p>	<p>YES/NO</p>
<p><i>Do not omit this item. The item and its heading must be included in the statement even if not applicable]</i></p>	<p><b>Will this be discharged or satisfied prior to or at settlement?</b></p>	<p><b>Are there attachments?</b></p>	<p>YES/NO</p>	
		<p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p>		
		<p>Nature of restrictive covenant:</p>		
		<p>Name of person in whose favour restrictive covenant operates:</p>		
		<p>Does the restrictive covenant affect the whole of the land being acquired?</p>		
		<p>YES/NO</p>		
		<p>If NO, give details:</p>		
		<p>Does the restrictive covenant affect land other than that being acquired?</p>		
		<p>YES/NO</p>		
<p>1.4 Lease, agreement for lease, tenancy agreement or licence</p>	<p>(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.)</p>	<p><b>Is this item applicable?</b></p>	<p><input checked="" type="checkbox"/></p>	<p>NO</p>
<p><b>[Note-</b></p>	<p><i>Do not omit this item. The item and its heading must be included in the statement even if not applicable]</i></p>	<p><b>Will this be discharged or satisfied prior to or at settlement?</b></p>	<p>NO</p>	
		<p><b>Are there attachments?</b></p>	<p>NO</p>	
		<p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p>		
		<p>Names of parties:</p>		
		<p>Vendor as Landlord</p>		
		<p><b>Emma Leedham, Geraldine Leedham &amp; Francisco Marcia Esquvel Riveros as Tenants</b></p>		
		<p>Period of lease, agreement for lease etc:</p>		
		<p><b>From 13/04/2023 to 09/04/2026</b></p>		
		<p>Amount of rent or licence fee:</p>		
		<p><b>\$820.00 per week</b></p>		
		<p>Is the lease, agreement for lease etc in writing?</p>		
		<p>YES</p>		

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

- (a) the Act under which the lease or licence was granted:
- (b) the outstanding amounts due (including any interest or penalty):

**5. Development Act 1993 (repealed)**

5.1	section 42—Condition (that continues to apply) of a development authorisation	<b>Is this item applicable?</b>	F
		<b>Will this be discharged or satisfied prior to or at settlement?</b>	YES/NO
	<b>[Note-</b> <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable]</i>	<b>Are there attachments?</b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	YES/NO

Conditions of Authorisation:

**6. Repealed Act conditions**

6.1	Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971 (repealed)</i> , the <i>City of Adelaide Development Control Act 1976 (repealed)</i> , the <i>Planning Act 1982 (repealed)</i> or the <i>Planning and Development Act 1966 (repealed)</i>	<b>Is this item applicable?</b>	F
		<b>Will this be discharged or satisfied prior to or at settlement?</b>	YES/NO
	<b>[Note-</b> <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable]</i>	<b>Are there attachments?</b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	YES/NO

Nature of condition(s):

**19. Land Tax Act 1936**

19.1	Notice, order or demand for payment of land tax	<b>Is this item applicable?</b>	<input checked="" type="checkbox"/>
		<b>Will this be discharged or satisfied prior to or at settlement?</b>	YES
		<b>Are there attachments?</b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> LAND TAX CERTIFICATE	YES

Date of notice, order or demand: **SEE ATTACHED LAND TAX CERTIFICATE**

Amount payable (as stated in the notice): **SEE ATTACHED LAND TAX CERTIFICATE**

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

29.1	<p>Part 5- Planning and Design Code</p> <p>[Note - Do not omit this item. The item and its heading must be included in the attachment even if not applicable.]</p>	<p><b>Is this item applicable?</b> <input checked="" type="checkbox"/></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b> NO</p> <p><b>Are there attachments?</b> YES</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p><b>Refer Plan SA Section 7 Report attached to enquiries from City of Burnside and page 8 of the Property Interest Report</b></p> <p>Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code)::</p> <p><b>Refer Plan SA Section 7 Report attached to enquiries from City of Burnside</b></p> <p>Is the land situated in a State Heritage place? NO</p> <p>Is the land designated as a place of local heritage value? NO</p> <p>Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land? UNKNOWN</p> <p>Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? YES</p> <p>Note:- For further information about the Planning and Design Code visit <a href="http://www.code.plan.sa.gov">www.code.plan.sa.gov</a></p>	
29.2	<p>section 127—Condition (that continues to apply) of a development authorisation</p> <p>[Note- Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</p>	<p><b>Is this item applicable?</b> <input type="checkbox"/></p> <p><b>Will this be discharged or satisfied prior to or at settlement?</b> YES/NO</p> <p><b>Are there attachments?</b> YES/NO</p> <p>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Date of authorisation: _____</p> <p>Name of relevant authority that granted authorisation:</p> <p>Condition(s) of authorisation:</p>	

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## Annexures

\* The following documents are annexed hereto -

- \* Certificate of Title Volume 5708 Folio 126
- \* Responses to Enquiries from the City of Burnside (Including PlanSA Section 7 Report)
- \* Emergency Services Levy Certificate
- \* Land Tax Certificate
- \* SA Water Certificate
- \* Property Interest Report
- \* Form R3 – Buyers Information Notice

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## Acknowledgement of Receipt

\*I/We, the abovenamed Purchaser(s), hereby acknowledge having received this day this Statement under section 7 under the *Land and Business (Sale and Conveyancing) Act* with the annexures as set out above.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20

Signed: \_\_\_\_\_

\_\_\_\_\_  
Purchaser(s)

(\*Strike out whichever is not applicable)

**CERTIFICATE OF TITLE**  
**VOLUME 5708 FOLIO 126**



<b>Product</b>	Register Search (CT 5708/126)
<b>Date/Time</b>	23/05/2025 02:30PM
<b>Customer Reference</b>	12933
<b>Order ID</b>	20250523007141

REAL PROPERTY ACT, 1986



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 5708 Folio 126

<b>Parent Title(s)</b>	CT 1961/152		
<b>Creating Dealing(s)</b>	CONVERTED TITLE		
<b>Title Issued</b>	09/11/1999	<b>Edition</b>	3
		<b>Edition Issued</b>	06/08/2009

## Estate Type

FEE SIMPLE

## Registered Proprietor

TIMOTHY MARK STAKER  
OF 1/87 EARL STREET KEW VIC 3101

## Description of Land

ALLOTMENT 138 DEPOSITED PLAN 843  
IN THE AREA NAMED ROSSLYN PARK  
HUNDRED OF ADELAIDE

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
11218619	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (SINGLE COPY ONLY)

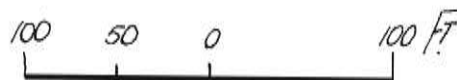
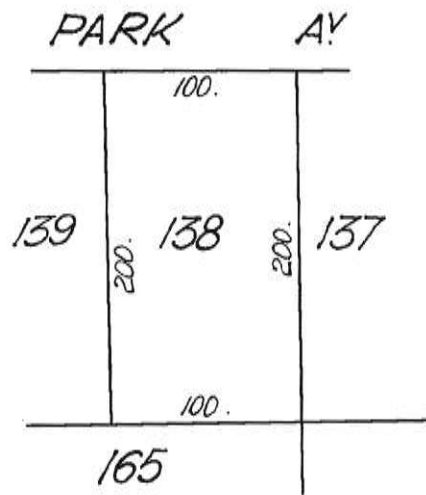
## Notations

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



Product  
Date/Time  
Customer Reference  
Order ID

Register Search (CT 5708/126)  
23/05/2025 02:30PM  
12933  
20250523007141



**DISTANCES ARE IN FEET AND INCHES  
FOR METRIC CONVERSION**  
1 FOOT = 0.3048 METRES  
1 INCH = 0.0254 METRES

**RESPONSES TO ENQUIRIES  
FROM  
CITY OF BURNSIDE  
(Including PlanSA Section 7 Report)**



**Civic Centre:** 401 Greenhill Road, Tasmore SA 5065  
**Postal Address:** PO Box 9, Glenside SA 5065  
**ABN:** 66 452 640 504  
**Telephone:** (08) 8366 4200  
**Fax:** (08) 8366 4299

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

<b>Request No.:</b>	Cert0671\25	<b>Date of Issue:</b>	26/05/2025
<b>Applicant:</b>	Essential Conveyancing Pty Ltd 7a/259 Glen Osmond Road FREWVILLE SA 5063	<b>CT No.:</b>	ALLOT 138 Sec 286 DP 843 Vol 5708 Fol 126
<b>Property:</b>	40 Park Avenue ROSSLYN PARK SA 5072		

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

**PRESCRIBED ENCUMBRANCES AND PARTICULARS REQUIRED**

**Part 3 – Development Plan, Development Act 1993**

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

**Part 5 - PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016**

• Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code)	Z5707 (SN) Suburban Neighborhood  Refer to PlanSA Section 7 Report for further information.
• Is the land situated in a designated state heritage area?	No
• Is the land designated as a place of local heritage value?	Refer to PlanSA Section 7 Report for further information.
• Is there a tree declared to be a significant tree or a stand of trees declared to be significant on the land?	Refer to PlanSA Section 7 Report for further information.
• Is there a Planning and Design Code amendment released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Yes

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

<b>PUBLIC AND ENVIRONMENTAL HEALTH ACT 1987</b>				
Notice or declaration of insanitary conditions				No
<b>BUILDING INDEMNITY INSURANCE</b>				
<b>Approval No.</b>	<b>Insurer</b>	<b>Policy Issued</b>	<b>Contract Date</b>	<b>Builder</b>
Nil				
<small>#INDEMNITY ATTRIBUTE RECORD MAY BE MISSING FROM APPLICATION. SEE CERTIFICATES MANUAL FOR MORE INFORMATION!</small>				
<b>ENVIRONMENT PROTECTION</b>				
<ul style="list-style-type: none"> <li>Does the council hold details of any development approvals relating to                             <ul style="list-style-type: none"> <li>(a) commercial or industrial activity at the land; or</li> <li>(b) change in the use of the land or part of the land (per the Development Act 1993)?</li> </ul> </li> </ul>				No No
<b>Notes</b>				

**Swimming Pools (if applicable)**

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

**APPROVAL NOTICES WITHOUT ON-GOING CONDITIONS**

No



\_\_\_\_\_  
 Authorised Officer  
 City of Burnside

**Note:**

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




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**LOCAL GOVERNMENT SEARCH**
**Cert0671\25**
**23/05/2025**

Essential Conveyancing Pty Ltd  
 7a/259 Glen Osmond Road  
 FREWVILLE SA 5063

Billing number: 661919 Valuer General No: 1841897005  
 Owner: Timothy M Staker  
 Property Address: 40 Park Avenue ROSSLYN PARK SA 5072  
 Legal Description: ALLOT 138 Sec 286 DP 843 Vol 5708 Fol 126

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

Rates and Arrears - prior 30/06/2024	0.00
Legal Fees	0.00
Rates for current financial year, which fall due on 01/07/2024 and payable as four instalments on or before 02/06/2025	3,369.90
Fines and interest for current financial year (2% fine for each late instalment, and .75% interest rate per month on all other outstanding amounts). Fines and interest are incurred on day 2 of each month	0.00
Less Rate Capping Rebate	0.00
Less amount paid for current financial year	(2,527.40)
Balance of rates and other monies due and payable	\$842.50
Instalment/s Due:	
Due 02/06/2025 \$842.50	

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**ON BEHALF OF THE CITY OF BURNSIDE**

Post PO Box 9, Glenside SA 5065  
 Civic Centre 401 Greenhill Road, Tusmore SA 5065  
 Phone (08) 8366 4200 Fax (08) 8366 4299  
 Email [burnside@burnside.sa.gov.au](mailto:burnside@burnside.sa.gov.au) [www.burnside.sa.gov.au](http://www.burnside.sa.gov.au)

### Street Numbering

Please note Council's official street number for this property is **40 Park Avenue ROSSLYN PARK SA 5072.**

### Regulated and Significant Trees

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

### Waste Collection Service

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

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

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

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

Refer to the Kerbside Waste Management Policy for further details.

### Payment of Rates at Settlement

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

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

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

### To pay these rates via PEXA

Bpay Biller Code: 8722

Reference Number: 661919



OFFICIAL

## Data Extract for Section 7 search purposes

Valuation ID 1841897005

**Data Extract Date:** 26/05/2025

**Parcel ID:** D843 AL138

**Certificate Title:** CT5708/126

**Property Address:** 40 PARK AV ROSSLYN PARK SA 5072

Zones

Suburban Neighbourhood (SN)

Subzones

No

Zoning overlays

Overlays

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

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

**Prescribed Wells Area**

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

**Regulated and Significant Tree**

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

**Stormwater Management**

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

**Traffic Generating Development**

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

**Urban Tree Canopy**

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

## OFFICIAL

Is the land situated in a State Heritage Place/Area

No

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

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

Is the land designated as a Local Heritage Place

No

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

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

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

No

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

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

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

### Associated Development Authorisation Information

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

No

Land Management Agreement (LMA)

No

# **EMERGENCY SERVICES LEVY CERTIFICATE**



ABN 19 040 349 865  
Emergency Services Funding Act 1998

# CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

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

PIR Reference No: 2676590

**ESSENTIAL CONVEYANCING  
SUITE 7A, 259 GLEN OSMOND RD  
FREWVILLE SA 5063**

**DATE OF ISSUE**

26/05/2025

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

<b>OWNERSHIP NUMBER</b>		<b>OWNERSHIP NAME</b>		
05824279		T M STAKER		
<b>PROPERTY DESCRIPTION</b>				
40 PARK AVE / ROSSLYN PARK SA 5072 / LT 138				
<b>ASSESSMENT NUMBER</b>	<b>TITLE REF.</b> <small>(A "+" indicates multiple titles)</small>	<b>CAPITAL VALUE</b>	<b>AREA / FACTOR</b>	<b>LAND USE / FACTOR</b>
1841897005	CT 5708/126	\$1,875,000.00	R4 1.000	RE 0.400
<b>LEVY DETAILS:</b>				
	<b>FIXED CHARGE</b>	\$	50.00	
	<b>+ VARIABLE CHARGE</b>	\$	706.50	
<b>FINANCIAL YEAR</b>	<b>- REMISSION</b>	\$	435.00	
2024-2025	<b>- CONCESSION</b>	\$	0.00	
	<b>+ ARREARS / - PAYMENTS</b>	\$	-321.50	
	<b>= AMOUNT PAYABLE</b>	\$	0.00	

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

**EXPIRY DATE** 24/08/2025



**Government of South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Emergency Services Funding Act 1998

# CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

**PAYMENT REMITTANCE ADVICE**

**No payment is required on this Certificate**

# LAND TAX CERTIFICATE



# CERTIFICATE OF LAND TAX PAYABLE

ABN 19 040 349 865  
Land Tax Act 1936

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

PIR Reference No: 2676590

**ESSENTIAL CONVEYANCING  
SUITE 7A, 259 GLEN OSMOND RD  
FREWVILLE SA 5063**

**DATE OF ISSUE**

26/05/2025

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

<b>OWNERSHIP NAME</b>		<b>FINANCIAL YEAR</b>	
T M STAKER		2024-2025	
<b>PROPERTY DESCRIPTION</b>			
40 PARK AVE / ROSSLYN PARK SA 5072 / LT 138			
<b>ASSESSMENT NUMBER</b>	<b>TITLE REF.</b> <small>(A "+" indicates multiple titles)</small>	<b>TAXABLE SITE VALUE</b>	<b>AREA</b>
1841897005	CT 5708/126	\$1,775,000.00	0.1858 HA
<b>DETAILS OF THE LAND TAX PAYABLE FOR THE ABOVE PARCEL OF LAND:</b>			
<b>CURRENT TAX</b>	\$ 10,659.80	<b>SINGLE HOLDING</b>	\$ 8,850.00
<b>- DEDUCTIONS</b>	\$ 0.00		
<b>+ ARREARS</b>	\$ 0.00		
<b>- PAYMENTS</b>	\$ 5,329.90		
<b>= AMOUNT PAYABLE</b>	\$ 5,329.90		

**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** 24/08/2025



**Government of South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



# CERTIFICATE OF LAND TAX PAYABLE

Land Tax Act 1936

**PAYMENT REMITTANCE ADVICE**

**OWNERSHIP NUMBER**

05824279

**OWNERSHIP NAME**

T M STAKER

**AGENT NUMBER**

100019061

**ASSESSMENT NUMBER**

1841897005

**AGENT NAME**

ESSENTIAL CONVEYANCING

**AMOUNT PAYABLE**

\$5,329.90

**PAYABLE ON OR BEFORE**

24/08/2025

+70023320260012> +000927+ <0550101621> <0000532990> +444+

## **SA WATER CERTIFICATE**





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

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

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:**  
TM STAKER

**Water & Sewer Account**  
Acct. No.: **18 41897 00 5**

**Amount:** \_\_\_\_\_

**Address:**  
40 PARK AVE ROSSLYN PARK LT 138

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### Payment Options

**EFT**

#### EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	1841897005



**Biller code: 8888**  
**Ref: 1841897005**

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](http://bpay.com.au)



#### Paying online

Pay online at [www.sawater.com.au/paynow](http://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: 1841897005



Government of  
South Australia

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

1300 SA WATER  
(1300 729 283)  
ABN 69 336 525 019  
[sawater.com.au](http://sawater.com.au)

# PROPERTY INTEREST REPORT



an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement

Aboriginal Affairs and Reconciliation in AGD has no record of any agreement affecting this title

also

Refer to the Certificate of Title

**3. Burial and Cremation Act 2013**

- 3.1 section 8 - Human remains interred on land

Births, Deaths and Marriages in AGD has no record of any gravesites relating to this title

also

contact the vendor for these details

**4. Crown Rates and Taxes Recovery Act 1945**

- 4.1 section 5 - Notice requiring payment

Crown Lands Program in DEW has no record of any notice affecting this title

**5. Development Act 1993 (repealed)**

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

State Planning Commission in the Department for Housing and Urban Development 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 Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.3 section 50(2) - Agreement to vest land in a council or the Crown to be held as open space

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.4 section 55 - Order to remove or perform work

State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.5 section 56 - Notice to complete development

State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.6 section 57 - Land management agreement

Refer to the Certificate of Title

- 5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

- 5.8 section 69 - Emergency order

State Planning Commission in the Department for Housing and Urban Development has no record of any order affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.9 section 71 - Fire safety notice

Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any notice affecting this title

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

**6. Repealed Act conditions**

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

**7. Emergency Services Funding Act 1998**

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

**8. Environment Protection Act 1993**

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

- |   |  |   |
|---|--|---|
| 8.9   | section 103P - Notation of site contamination audit report in relation to the land   | EPA (SA) does not have any current Orders registered on this title  |
| 8.10  | section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land | EPA (SA) does not have any current Orders registered on this title  |
| <b>9. <i>Fences Act 1975</i></b>                                  |  |   |
| 9.1   | section 5 - Notice of intention to perform fencing work  | Contact the vendor for these details  |
| <b>10. <i>Fire and Emergency Services Act 2005</i></b>            |  |   |
| 10.1  | section 105F - (or section 56 or 83 (repealed)) - Notice to take action to prevent outbreak or spread of fire              | Contact the Local Government Authority for other details that might apply<br>Where the land is outside a council area, contact the vendor                               |
| <b>11. <i>Food Act 2001</i></b>                                   |  |   |
| 11.1  | section 44 - Improvement notice  | Public Health in DHW has no record of any notice or direction affecting this title<br>also<br>Contact the Local Government Authority for other details that might apply |
| 11.2  | section 46 - Prohibition order   | Public Health in DHW has no record of any notice or direction affecting this title<br>also<br>Contact the Local Government Authority for other details that might apply |
| <b>12. <i>Ground Water (Qualco-Sunlands) Control Act 2000</i></b> |  |   |
| 12.1  | Part 6 - risk management allocation  | Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title   |
| 12.2  | section 56 - Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property        | DEW Water Licensing has no record of any notice affecting this title  |
| <b>13. <i>Heritage Places Act 1993</i></b>                        |  |   |
| 13.1  | section 14(2)(b) - Registration of an object of heritage significance  | Heritage Branch in DEW has no record of any registration affecting this title   |
| 13.2  | section 17 or 18 - Provisional registration or registration  | Heritage Branch in DEW has no record of any registration affecting this title   |
| 13.3  | section 30 - Stop order  | Heritage Branch in DEW has no record of any stop order affecting this title   |
| 13.4  | Part 6 - Heritage agreement  | Heritage Branch in DEW has no record of any agreement affecting this title<br>also<br>Refer to the Certificate of Title   |
| 13.5  | section 38 - "No development" order  | Heritage Branch in DEW has no record of any "No development" order affecting this title   |
| <b>14. <i>Highways Act 1926</i></b>                               |  |   |
| 14.1  | Part 2A - Establishment of control of access from any road abutting the land   | Transport Assessment Section within DIT has no record of any registration affecting this title  |
| <b>15. <i>Housing Improvement Act 1940 (repealed)</i></b>         |  |   |
| 15.1  | section 23 - Declaration that house is undesirable or unfit for human habitation   | Contact the Local Government Authority for other details that might apply   |
| 15.2  | Part 7 (rent control for substandard houses) - notice or declaration   | Housing Safety Authority has no record of any notice or declaration affecting this title  |
| <b>16. <i>Housing Improvement Act 2016</i></b>                    |  |   |

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

**17. Land Acquisition Act 1969**

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

**18. Landscape South Australia Act 2019**

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

Act

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

**19. Land Tax Act 1936**

- 19.1 Notice, order or demand for payment of land tax  

**A Land Tax Certificate will be forwarded. If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.**

**Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates [www.revenuesaonline.sa.gov.au](http://www.revenuesaonline.sa.gov.au)**

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

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

**21. Local Government Act 1999**

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

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

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

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

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

**24. Mining Act 1971**

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

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

**25. Native Vegetation Act 1991**

25.1 Part 4 Division 1 - Heritage agreement DEW Native Vegetation has no record of any agreement affecting this title  
also  
Refer to the Certificate of Title

25.2 section 25C - Conditions of approval regarding achievement of environmental benefit by accredited third party provider DEW Native Vegetation has no record of any agreement affecting this title  
also  
Refer to the Certificate of Title

25.3 section 25D - Management agreement DEW Native Vegetation has no record of any agreement affecting this title  
also  
Refer to the Certificate of Title

25.4 Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation DEW Native Vegetation has no record of any refusal or condition affecting this title

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

26.1 section 97 - Notice to pay levy in respect of costs of regional NRM board The regional landscape board has no record of any notice affecting this title

26.2 section 123 - Notice to prepare an action plan for compliance with general statutory duty The regional landscape board has no record of any notice affecting this title

26.3 section 134 - Notice to remove or modify a dam, embankment, wall or other obstruction or object The regional landscape board has no record of any notice affecting this title

26.4 section 135 - Condition (that remains in force) of a permit The regional landscape board has no record of any notice affecting this title

26.5 section 181 - Notice of instruction as to keeping or management of animal or plant The regional landscape board has no record of any notice affecting this title

26.6 section 183 - Notice to prepare an action plan for the destruction or control of animals or plants The regional landscape board has no record of any notice affecting this title

26.7 section 185 - Notice to pay costs of destruction or control of animals or plants on road reserve The regional landscape board has no record of any notice affecting this title

26.8 section 187 - Notice requiring control or quarantine of animal or plant The regional landscape board has no record of any notice affecting this title

26.9 section 193 - Protection order to secure compliance with specified provisions of the Act The regional landscape board has no record of any order affecting this title

26.10 section 195 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act The regional landscape board has no record of any order affecting this title

26.11 section 197 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act The regional landscape board has no record of any authorisation affecting this title

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

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

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

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

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

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

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

also

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

also

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

also

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

also

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

also

**The Planning and Design Code (the Code) is a statutory instrument under the *Planning, Development and Infrastructure Act 2016* for the purposes of development assessment and related matters within South Australia. The Code contains the planning rules and policies that guide what can be developed in South Australia. Planning authorities use these planning rules to assess development applications. To search and view details of proposed statewide code amendments or code amendments within a local government area, please search the code amendment register on the SA Planning Portal: [https://plan.sa.gov.au/have\\_your\\_say/code-amendments/code\\_amendment\\_register](https://plan.sa.gov.au/have_your_say/code-amendments/code_amendment_register) or phone PlanSA on 1800 752 664.**

29.2 section 127 - Condition (that continues to apply) of a development authorisation  
*[ Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

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

Contact the vendor for these details

29.4 section 140 - Notice requesting access

Contact the vendor for these details

29.5 section 141 - Order to remove or perform work

State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.6 section 142 - Notice to complete development

State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.7 section 155 - Emergency order

State Planning Commission in the Department for Housing and Urban Development

- 29.8 section 157 - Fire safety notice

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

Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply
- 29.10 section 198(1) - Requirement to vest land in a council or the Crown to be held as open space

Refer to the Certificate of Title
- 29.11 section 198(2) - Agreement to vest land in a council or the Crown to be held as open space

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply
- 29.12 Part 16 Division 1 - Proceedings

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply
- 29.13 section 213 - Enforcement notice

Contact the Local Government Authority for details relevant to this item

also

Contact the vendor for other details that might apply
- 29.14 section 214(6), 214(10) or 222 - Enforcement order

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

**30. Plant Health Act 2009**

- 30.1 section 8 or 9 - Notice or order concerning pests

Plant Health in PIRSA has no record of any notice or order affecting this title

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

- 31.1 Part 3 - Notice

Public Health in DHW has no record of any notice or direction affecting this title

also

Contact the Local Government Authority for other details that might apply
- 31.2 *Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)* (revoked) Part 2 - Condition (that continues to apply) of an approval

Public Health in DHW has no record of any condition affecting this title

also

Contact the Local Government Authority for other details that might apply
- 31.3 *Public and Environmental Health (Waste Control) Regulations 2010* (revoked) regulation 19 - Maintenance order (that has not been complied with)

Public Health in DHW has no record of any order affecting this title

also

Contact the Local Government Authority for other details that might apply

**32. South Australian Public Health Act 2011**

- 32.1 section 66 - Direction or requirement to avert spread of disease Public Health in DHW has no record of any direction or requirement affecting this title
- 32.2 section 92 - Notice Public Health in DHW has no record of any notice affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- 32.3 *South Australian Public Health (Wastewater) Regulations 2013* Part 4 - Condition (that continues to apply) of an approval Public Health in DHW has no record of any condition affecting this title  
also  
Contact the Local Government Authority for other details that might apply

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

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

**34. Water Industry Act 2012**

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

**35. Water Resources Act 1997 (repealed)**

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

**36. Other charges**

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

## Other Particulars

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

- |     |   |   |
|-----|---|---|
| 1.  | Particulars of transactions in last 12 months                                   | Contact the vendor for these details  |
| 2.  | Particulars relating to community lot (including strata lot) or development lot | Enquire directly to the Secretary or Manager of the Community Corporation   |
| 3.  | Particulars relating to strata unit   | Enquire directly to the Secretary or Manager of the Strata Corporation  |
| 4.  | Particulars of building indemnity insurance                                     | Contact the vendor for these details<br>also<br>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<br>also<br>EPA (SA) has no record of any particulars relating to items 3, 4 or 5 affecting this title<br>also<br>Contact the Local Government Authority for information relating to item 6 |
| 10. | Particulars relating to <i>Livestock Act, 1997</i>                              | Animal Health in PIRSA has no record of any notice or order affecting this title  |

## Additional Information

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

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

## Notices

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

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

#### Building restrictions

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

In addition, if a building or structure is erected in proximity to a powerline of an electricity entity in contravention of the *Electricity Act*, the entity may seek a court order:

- a) requiring the person to take specified action to remove or modify the building or structure within a specified period;
- b) for compensation from the person for loss or damage suffered in consequence of the contravention; and/or
- c) for costs reasonably incurred by the entity in relocating the powerline or carrying out other work.

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

#### Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

#### ***Landscape South Australia 2019***

Water Resources Management - Taking of underground water

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

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

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



**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Check Search  
23/05/2025 02:30PM  
12933  
20250523007141

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## Certificate of Title

**Title Reference:** CT 5708/126  
**Status:** CURRENT  
**Edition:** 3

## 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



<b>Product</b>	Historical Search
<b>Date/Time</b>	23/05/2025 02:30PM
<b>Customer Reference</b>	12933
<b>Order ID</b>	20250523007141

## Certificate of Title

**Title Reference:** CT 5708/126  
**Status:** CURRENT  
**Parent Title(s):** CT 1961/152  
**Dealing(s) Creating Title:** CONVERTED TITLE  
**Title Issued:** 09/11/1999  
**Edition:** 3

## Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
16/07/2009	06/08/2009	11218619	MORTGAGE	REGISTERED	NATIONAL AUSTRALIA BANK LTD.
16/07/2009	06/08/2009	11218618	TRANSFER	REGISTERED	TIMOTHY MARK STAKER
16/07/2009	06/08/2009	11218617	DISCHARGE OF MORTGAGE	REGISTERED	8891313
17/05/2000	31/05/2000	8891313	MORTGAGE	REGISTERED	NATIONAL AUSTRALIA BANK LTD.



Product  
Date/Time  
Customer Reference  
Order ID

Title and Valuation Package  
23/05/2025 02:30PM  
12933  
20250523007141

## Certificate of Title

**Title Reference** CT 5708/126  
**Status** CURRENT  
**Easement** NO  
**Owner Number** 05824279  
**Address for Notices** U 1/87 EARL ST KEW VIC 3101  
**Area** NOT AVAILABLE

## Estate Type

Fee Simple

## Registered Proprietor

TIMOTHY MARK STAKER  
OF 1/87 EARL STREET KEW VIC 3101

## Description of Land

ALLOTMENT 138 DEPOSITED PLAN 843  
IN THE AREA NAMED ROSSLYN PARK  
HUNDRED OF ADELAIDE

## Last Sale Details

**Dealing Reference** TRANSFER (T) 11218618  
**Dealing Date** 27/05/2009  
**Sale Price** \$0  
**Sale Type** CHANGE OF OWNERSHIP FOR NO MONETARY CONSIDERATION OR UNDISCLOSED CONSIDERATION

## Constraints

### Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	11218619	NATIONAL AUSTRALIA BANK LTD.

### Stoppers

NIL

## Valuation Numbers

Valuation Number	Status	Property Location Address
1841897005	CURRENT	40 PARK AVENUE, ROSSLYN PARK, SA 5072

## Notations

### Dealings Affecting Title



**Product** Title and Valuation Package  
**Date/Time** 23/05/2025 02:30PM  
**Customer Reference** 12933  
**Order ID** 20250523007141

NIL

**Notations on Plan**

NIL

**Registrar-General's Notes**

NIL

**Administrative Interests**

NIL

**Valuation Record**

**Valuation Number** 1841897005  
**Type** Site & Capital Value  
**Date of Valuation** 01/01/2024  
**Status** CURRENT  
**Operative From** 01/07/1966  
**Property Location** 40 PARK AVENUE, ROSSLYN PARK, SA 5072  
**Local Government** BURNSIDE  
**Owner Names** TIMOTHY MARK STAKER  
**Owner Number** 05824279  
**Address for Notices** U 1/87 EARL ST KEW VIC 3101  
**Zone / Subzone** SN - Suburban Neighbourhood  
**Water Available** Yes  
**Sewer Available** Yes  
**Land Use** 1100 - House  
**Description** 8H DBG  
**Local Government Description** Residential

**Parcels**

Plan/Parcel	Title Reference(s)
D843 ALLOTMENT 138	CT 5708/126

**Values**

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$1,775,000	\$1,875,000			
Previous	\$1,775,000	\$1,875,000			

**Building Details**



<b>Product</b>	Title and Valuation Package
<b>Date/Time</b>	23/05/2025 02:30PM
<b>Customer Reference</b>	12933
<b>Order ID</b>	20250523007141

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<b>Valuation Number</b>	1841897005
<b>Building Style</b>	Conventional
<b>Year Built</b>	1952
<b>Building Condition</b>	Basic
<b>Wall Construction</b>	Stone; Freestone
<b>Roof Construction</b>	Tiled (Terra Cotta or Cement)
<b>Equivalent Main Area</b>	250 sqm
<b>Number of Main Rooms</b>	8

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

**FORM R3**  
**BUYERS INFORMATION NOTICE**

# Form R3

## Buyers information notice

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

*Land and Business (Sale and Conveyancing) Regulations 1995 regulation 15A*

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 the Office of Consumer and Business Affairs recommends that you check the website:

[www.ocba.sa.gov.au/Realestate/](http://www.ocba.sa.gov.au/Realestate/)

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 e.g. sheds and fences?
- Does the property have any significant **defects** e.g. **cracking or salt damp**? Have the wet areas been waterproofed?
- Is the property in a **bushfire** prone area?
- Are the **electrical wiring, gas installation, plumbing and appliances** in good working order and in good condition? Is a **safety switch** (RCD) installed? Is it working?
- Are there any prohibited **gas appliances** in bedrooms or bathrooms?
- Are **smoke alarms** installed in the house? If so, are they hardwired? Are they in good working order and in good condition? Are they compliant?
- Is there a **swimming pool and/or spa pool** installed on the property? Are there any safety barriers or fences in place? Do they conform to current standards?
- Does the property have any **termite** or other pest infestations? Is there a current preventative termite treatment program in place? Was the property treated at some stage with persistent organochlorines (now banned) or other **toxic** termiticides as 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?

## ESSENTIAL forms & contracts pty ltd

- 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? Do you understand the restrictions of use and the financial obligations of ownership? Will you have to pay a previous owner's debt or the cost of planned improvements?
- Is the property close to a hotel, restaurant or other venue with entertainment consent for live music? Is the property close to any industrial or commercial activity, a busy road or airport, etc that may result in the generation of noise or the **emission of materials or odours** into the air?
- What appliances, equipment and fittings are included in the sale of the property?
- Is there sufficient car parking space available to the property?

### Value

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

For more information on these matters visit:

[www.ocba.sa.gov.au/consumeradvice/realestate](http://www.ocba.sa.gov.au/consumeradvice/realestate)

**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.