

To Brenton Ward Real Estate
PO Box 3150
Norwood SA 5067

Certificate No: 23204
Certificate Date: 01/10/2019

LOCAL GOVERNMENT INQUIRY

(Certificate of Liabilities pursuant to Section 187(1) of the Local Government Act 1999)

Land:

Assessment No:	16867
Valuer-General's No:	4714030007
Owner/s:	T Goldsmith & J Smith & Estate of Susannah Redden
Property Details:	Isaac Road Cudlee Creek 5232
Legal Description:	Sec: 174 CT:6116/177; Sec: 174 CT:6116/178; Sec: 175 CT:6116/177; Sec: 175 CT:6116/178

Rates and other monies due as known by Adelaide Hills Council as at 01/10/2019

Due Dates for Payment:	1st Qtr due	02/09/2019	2nd Qtr due	02/12/2019
	3rd Qtr due	02/03/2020	4th Qtr due	01/06/2020

Arrears/Credits as at 01/07/2019	\$8,392.88
Rates for the 2019/2020 rating year (Declared 25/06/2019)	\$1,113.80
Rates - Primary Production	\$434.54
Fixed Charge	\$662.00
Adelaide & Mt Lofty Ranges NRM Levy	\$17.26
Rates Postponed (arrears and current)	\$0.00
Postponed Interest	\$0.00
PLUS Other property Related Debts	
PLUS Fines and/or Interest to date	\$141.15
PLUS other adjustments, including Legal Fees	\$2,250.00
LESS Rebate (if applicable)	\$0.00
LESS Payments/Rounding	\$0.00
TOTAL OWING AS AT 01/10/2019	\$11,897.83

Fines on Rates: Council Rates are deemed to be overdue if not paid by 02/09/19 and a 2% fine will be added to this outstanding balance. Interest at the prescribed percentage rate of 6.35% p.a. will be added to the total amount in arrears (including amount of any unpaid fine) on the 10th of each month following until the total balance owing is paid.

Fines on Payments by Instalments: Where rates are paid quarterly the total rate is divided by four which is then required to be paid on the due dates set for September, December, March and June. If the quarterly payments are not received by the due date, a 2% fine will be added to that amount with interest at the prescribed percentage rate 6.35% p.a. added on the 10th of each month following, until the total amount overdue is paid.

The charges as shown are valid for the date of the certificate.

If settlement occurs within three months from the date of this certificate, you may check the above details quoting the assessment number. If this information falls outside of the above time frame, a new Section 187 certificate is required.

Any verbal information provided by Council for the above is not deemed a certificate for the purposes of a Section 187 of the Local Government Act 1999.

Certified - Adelaide Hills Council

Date - 01-October-2019



PO Box 44
WOODSIDE SA 5244

Telephone: (08) 8408 0400
Fax: (08) 8389 7440

Brenton Ward Real Estate
PO Box 3150
NORWOOD SA 5067

Certificate No: 18084
Certificate Date: 25/09/2019

REQUEST FOR INFORMATION

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

Land:

Assessment No:	16867
Valuer-General's No:	4714030007
Owner/s:	T Goldsmith & J Smith & Estate of Susannah Redden
Property Details:	Isaac Road CUDLEE CREEK SA 5232 Sec: 174 CT:6116/177; Sec: 174 CT:6116/178; Sec: 175 CT:6116/177; Sec: 175 CT:6116/178

PRESCRIBED INFORMATION**Part 1 – Items that must be included in statement****Development Act 1993****Part 3 Development Plan**

Title or other brief description of zone and/or policy area in which the land is situated (as shown in the Development Plan):

Watershed (Primary Production) Zone ✓

Is the land situated in a designated State Heritage Area?

YES ☒ NO

Is the land designated as a place of Local Heritage Value?

YES ☒ NO

Is there a current Development Plan Amendment released for public consultation by a council on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?

YES / NO

If YES, state the name of the Council:

Is there a current Development Plan Amendment released for public consultation by the Minister on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?

YES / NO

NS

PRESCRIBED INFORMATION

Section 42 – Condition (that continues to apply) of a development authorisation.

Nil

~~See attached approvals~~

Repealed Act conditions

Condition (that continues to apply) of an approval or authorisation granted under the following repealed Acts:

Building Act 1971 (repealed)
City of Adelaide Development Control Act 1976 (repealed)
Planning Act 1982 (repealed)
Planning and Development Act 1966 (repealed)

Nil

~~See attached approvals~~

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PRESCRIBED INFORMATION**Part 2 – Items to be included if land affected****Development Act 1993**

Section 50 (1) – Requirement to vest land in a council or the Crown to be held as open space

Date requirement given:

Name of body giving requirement:

N/A

Nature of requirement:

Contribution payable (if any):

Section 50 (2) – Agreement to vest land in a council or the Crown to be held as open space

Date of agreement:

Names of parties:

N/A

Terms of agreement:

Contribution payable (if any):

Section 55 – Order to remove or perform work

Date of order:

Terms of order:

N/A

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

Amount payable (if any):

Section 56 – Notice to complete development

Date of notice:

Requirements of Notice:

N/A

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

Amount payable (if any):

PRESCRIBED INFORMATION

Section 57 - Land management agreement

Date of
agreement:Names of
parties:YES ☒ NOTerms of
agreement:

If yes, copy attached.

Section 69 – Emergency Order

Date of order:

Name of authorised officer who made order:

Nature of authority that appointed the authorised officer:

☒ N/A

Nature of order:

Amount payable (if any):

Section 71 – Fire safety notice

Date of notice:

Names of authority giving notice:

Requirements of notice:

☒ N/A

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

Amount payable (if any):

Section 84 – Enforcement notice

Date notice given:

Name of the relevant authority giving notice:

Nature of directions contained in notice:

☒ N/A

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

Amount payable (if any):

PRESCRIBED INFORMATION

Section 85(6), 85(10) or 106 – Enforcement order

Date order made:

Name of court that made order:

Action number:

N/A

Names of parties:

Terms of order:

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

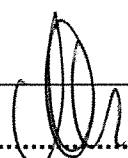
Part 11 Division 2 – Proceedings

Date of commencement of proceedings:

Date of determination or order (if any):

N/A

Terms of determination or order (if any):

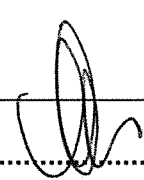
Confirmed – Planning/Development Section**Housing Improvement Act 1940**

Section 23 – Declaration that house is undesirable or unfit for human habitation

Date of declaration:

N/A

Those particulars required to be provided by a council under Section 23:

Confirmed – Building/Development Section:

PRESCRIBED INFORMATION**Food Act 2001**

Section 44 – Improvement notice

Date of notice:

Name of authorised officer who served notice:

Name of authority that appointed officer:

Requirements of notice:

Section 46 – Prohibition order

Date of order:

Name of authority or person who served order:

Requirements of order:

Public and Environmental Health Act 1987 (repealed)

Part 3 - Notice

Date of Notice:

Name of council or other authority giving notice:

Requirements of notice:

Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) Part 2 – Condition (that continues to apply) of an approval

Date of approval:

Name of relevant authority that granted the approval:

Condition(s) of approval:

Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19 – Maintenance order (that has not been complied with)

Date of order:

Name of authority giving order:

Requirements of order:

Confirmed – Environmental Health Section:

PRESCRIBED INFORMATION**South Australian Public Health Act 2011****Section 66—Direction or requirement to avert spread of disease**

Date of direction or requirement:

N/A

Name of Authority giving or making requirement:

Nature of direction or requirement:

Section 92 – Notice

Date of notice:

Name of Council or other relevant authority giving notice:

N/A

Requirements of notice

South Australian Public Health (Wastewater) Regulations 2013 Part 4-Condition (that continues to apply) of an approval

Date of approval:

Name of person or body that granted the approval:

N/A

Condition (s) of approval:

Confirmed – Health Section:

PRESCRIBED INFORMATION

Water Industry Act 2012

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

Date of notice or order:

Name of person or body who served notice or order:

N/A

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

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

Confirmed – Water Section:

PRESCRIBED INFORMATION**Local Government Act 1934**

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

Date of Notice, order etc:

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

Land subject thereto:

N/A

Nature of requirements contained in notice, order etc:

Time for carrying out requirements:

Amount payable (if any):

Local Government Act 1999

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

Date of Notice, order etc:

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

Land subject thereto:

N/A

Nature of requirements contained in notice, order etc:

Time for carrying out requirements:

Amount payable (if any):

Confirmed – General Section:

PRESCRIBED INFORMATION

Fire and Emergency Services Act 2005

Section 105F (or section 56 or 83 (repealed))—Notice of action required concerning flammable materials on land

Date of notice:

Person or body who issued notice:

N/A

Requirements of notice (as stated therein):

Amount payable (if any):

Confirmed – Enforcement/Compliance Section:

PRESCRIBED INFORMATION**Particulars of Building Indemnity Insurance**

Note: Building indemnity insurance is not required for:

- (a) domestic building work for which approval under the *Development Act 1993* or the repealed *Building Act 1971* is or was not required; or
- (b) minor domestic building work (see section 3 of the *Building Work Contractors Act 1995*); or
- (c) domestic building work commenced before 1 May 1987; or
- (d) building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* applies under the *Building Work Contractors Regulations 2011*; or
- (e) building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* has been granted under section 45 of that Act.

Details of Building Indemnity Insurance still in existence for building work on the land:

YES / **NO**

.....
Copy not supplied to Council / Copy attached

YES / **NO**

.....
Copy not supplied to Council / Copy attached

YES / **NO**

.....
Copy not supplied to Council / Copy attached

Exemption from holding insurance:

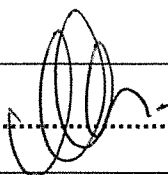
If particulars of insurance are not given –

If particulars of insurance are not given, has an exemption been granted under section 45 of the *Building Work Contractors Act 1995* from the requirement to hold an insurance policy in accordance with Division 3 of Part 5 of that Act?

YES / **NO**

If yes, refer to copy attached

Confirmed – Development Section:.....



PRESCRIBED INFORMATION**Particulars relating to Environment Protection****Further information held by Councils**

Does the Council hold details of any development 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)?

YES/NO

Primary production- sheep/mutton

Development Consents Attached

YES/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 of remediation of the land may be required at some future time.

It should be noted that-

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

REAL PROPERTY ACT, 1886



South Australia

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



Certificate of Title - Volume 6116 Folio 177

Parent Title(s) CT 191/156
Creating Dealing(s) RT 11928827
Title Issued 12/08/2013 Edition 1 Edition Issued 12/08/2013

Estate Type

LIFE ESTATE (WIDOWHOOD)

Registered Proprietor

SUSANNAH REDDEN
OF MILLBROOK SA 5231

OF AN ESTATE OF FREEHOLD FOR LIFE DURING WIDOWHOOD

Description of Land

SECTIONS 174 AND 175
HUNDRED OF TALUNGA
IN THE AREA NAMED CUDLEE CREEK

Easements

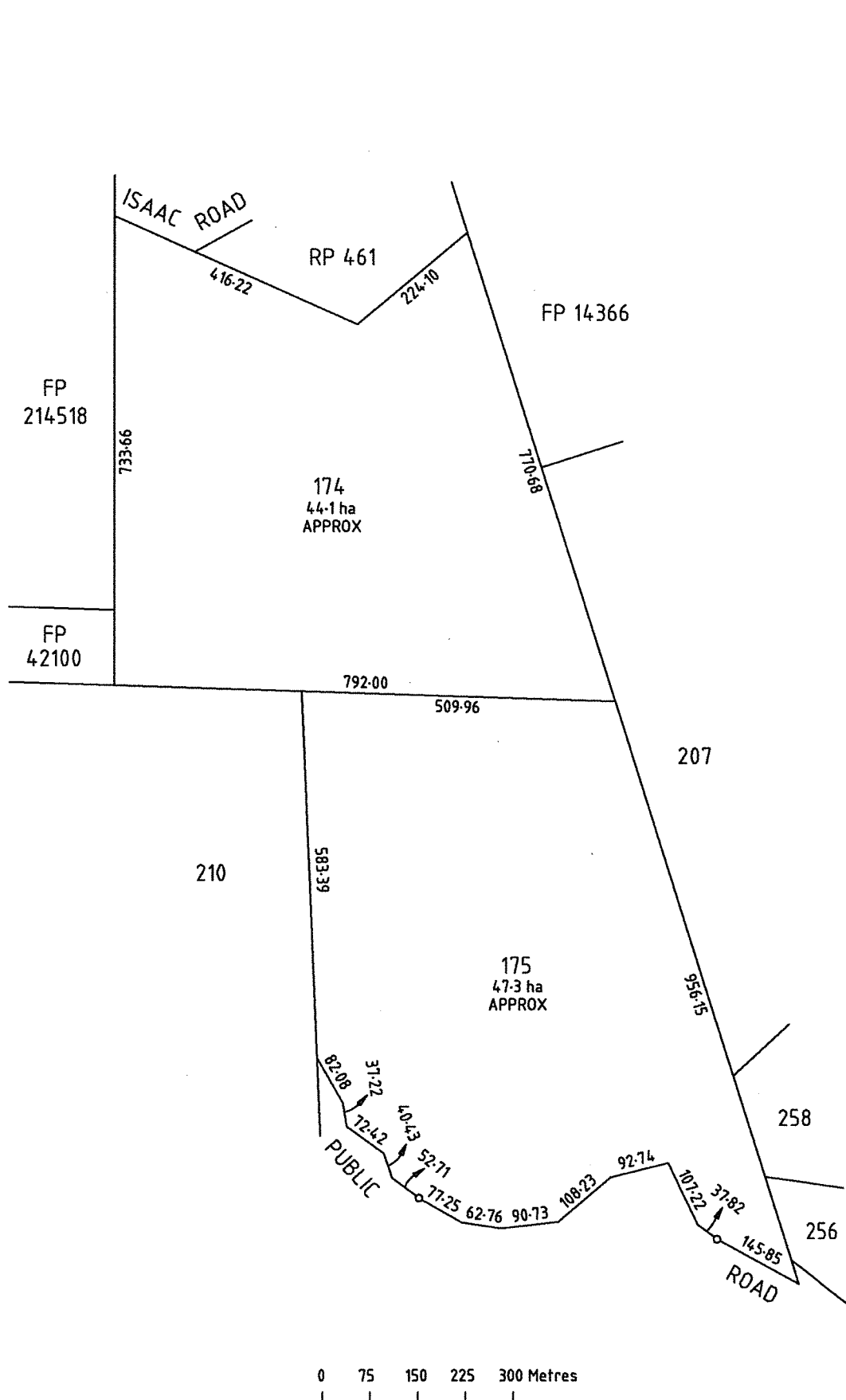
NIL

Schedule of Dealings

NIL

Notations

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



REAL PROPERTY ACT, 1886



South Australia

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Certificate of Title - Volume 6116 Folio 178

Parent Title(s)	CT 191/156			
Creating Dealing(s)	RT 11928827			
Title Issued	12/08/2013	Edition	1	Edition Issued 12/08/2013

Estate Type

LIFE ESTATE (REMAINDER EXPECTANT)

Registered Proprietor

JAMES SMITH
THOMAS GOLDSMITH
OF ADELAIDE SA 5000
AS JOINT TENANTS

IN REMAINDER EXPECTANT UPON THE DETERMINATION OF THE LIFE ESTATE DURING WIDOWHOOD OF
SUSANNAH REDDEN

Description of Land

SECTIONS 174 AND 175
HUNDRED OF TALUNGA
IN THE AREA NAMED CUDLEE CREEK

Easements

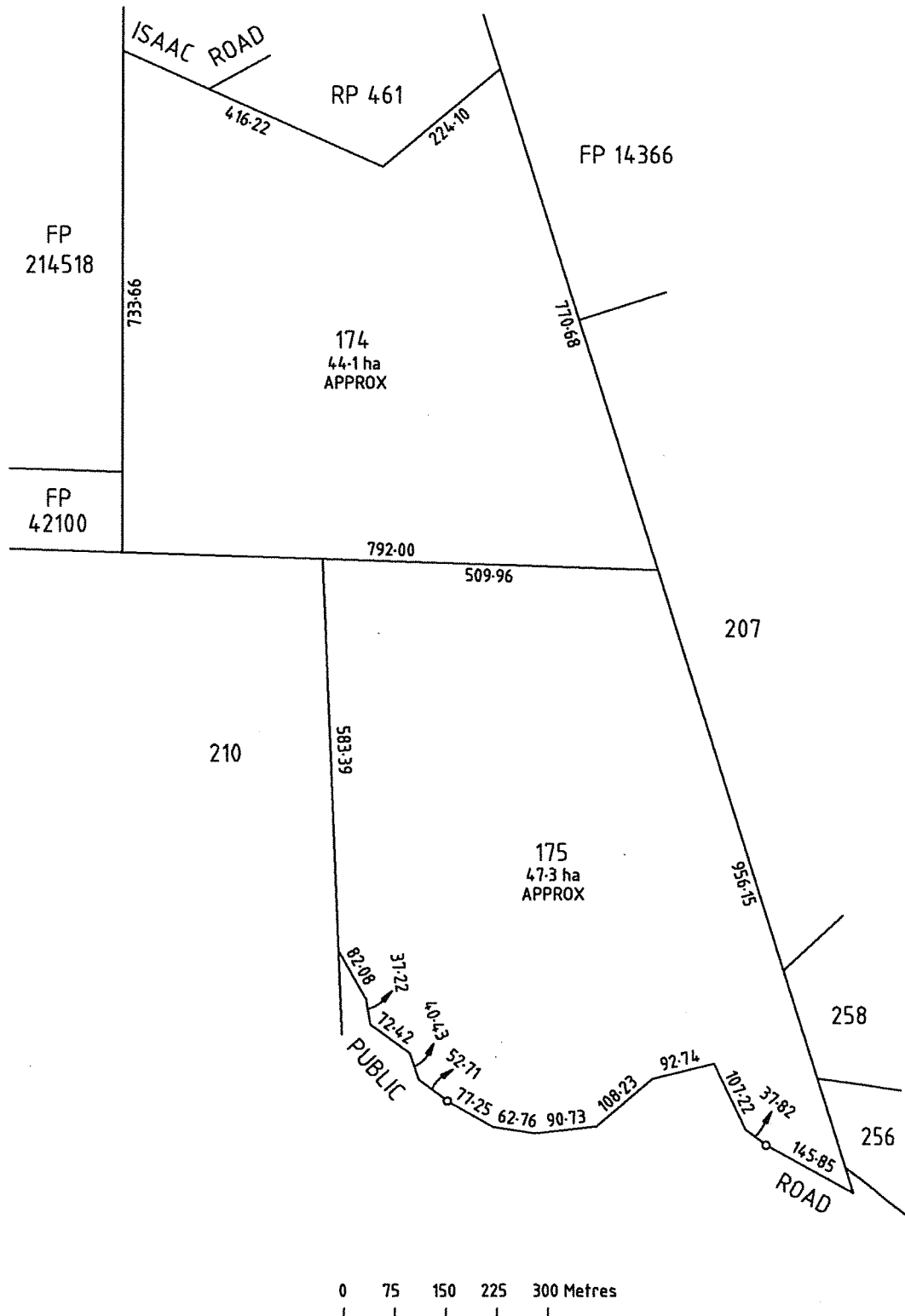
NIL

Schedule of Dealings

NIL

Notations

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



Do you propose to further develop this property?

General Advice

The Section 7 of the Land and Business (Sales & Conveyancing) Act 1994 provides information relating to a property as prescribed by legislation. Included in the search by Council is the zoning of the land and where applicable, the more recent development consents for the property.

Intended purchasers of land are requested to refer to the relevant provisions of the Adelaide Hills Council's Development Plan and contact the Development Services team on 08 8408 0558 before doing anything on the said property, if they are proposing to, for example, construct a new dwelling, undertake alterations or additions to a dwelling, construct a tennis court or swimming pool, build retaining walls, undertake boundary realignments or land divisions.

The Development Plan (the document that guides development within the Council) can be viewed at any of the Council's Service Centres/Libraries or at the Department of Planning, Transport & Infrastructure, 136 North Terrace, Adelaide, or via its web site www.dpti.sa.gov.au. Information sheets relating to development applications and various land uses are also available from the Department of Planning, Transport & Infrastructure or from Council's web site at www.ahc.sa.gov.au.

Development in the Mt Lofty Ranges has more development controls and restrictions as compared to other areas of the State primarily due to:

- bushfire protection
- watershed protection
- retention of native vegetation

This advice is provided for your information to promote a better understanding of the requirements for development and other obligations in the Adelaide Hills Council area.

Developments prior to 1998

Council records for developments prior to 1998 may be incomplete due to differing standards of recordkeeping applied in the various Hills Councils prior to amalgamation and formation of the Adelaide Hills Council in 1998.

Building Indemnity Insurance

This is insurance taken out by a building work contractor when performing domestic building work costing \$12,000 or more that requires Council approval. This insurance protects the current building owner and future owner if:

- work has not been completed or faulty work has not been rectified; and
- the builder dies, disappears or is declared bankrupt.

Claims can usually be made up to five years from the date the building work was completed.

Source: www.sa.gov.au/subject/Housing,+property+and+land/Building+and+development/Financial+considerations+when+building/Insurance+requirements/Building+indemnity+insurance

Further information can be found from the housing, property and land section of the State Government website directory www.sa.gov.au or from the Office of Consumer and Business Affairs website www.ocba.sa.gov.au.

Andrew Aitken
Chief Executive Officer