

# Property Interest Report

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

Title Reference	CT 5812/788	Reference No. 1448937
Registered Proprietors	L A*BROPHY	Prepared 21/01/2020 16:17
Address of Property	40-42 BYWATERS ROAD, MURRAY BRIDGE, SA 5253	
Local Govt. Authority	RURAL CITY OF MURRAY BRIDGE	
Local Govt. Address	PO BOX 421 MURRAY BRIDGE 5253	

This report provides information that may be used to complete a Form 1 as prescribed in the *Land and Business (Sale and Conveyancing) Act 1994*

## Table of Particulars

Particulars of mortgages, charges and prescribed encumbrances affecting the land as identified in Division 1 of the Schedule to Form 1 as described in the Regulations to the *Land and Business (Sale and Conveyancing) Act 1994*

All enquiries relating to the Regulations or the Form 1 please contact the Consumer & Business Services between 8:30 am and 5:00 pm on 131 882 or via their website [www.cbs.sa.gov.au](http://www.cbs.sa.gov.au)

Prescribed encumbrance	Particulars (Particulars in bold indicates further information will be provided)
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### 1. General

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|-----|---|--|
| 1.1 | Mortgage of land  | Refer to the Certificate of Title  |
| 1.2 | Easement<br>(whether over the land or annexed to the land)<br>Note--"Easement" includes rights of way and party wall rights   | Refer to the Certificate of Title  |
| 1.3 | Restrictive covenant  | Refer to the Certificate of Title for details of any restrictive covenants as an encumbrance |
| 1.4 | Lease, agreement for lease, tenancy agreement or licence<br>(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.) | Refer to the Certificate of Title<br>also<br>Contact the vendor for these details            |
| 1.5 | Caveat  | Refer to the Certificate of Title  |
| 1.6 | Lien or notice of a lien  | Refer to the Certificate of Title  |

### 2. *Aboriginal Heritage Act 1988*

- |     |  |  |
|-----|--|--|
| 2.1 | section 9 - Registration in central archives of an Aboriginal site or object   | Aboriginal Heritage Branch in Aboriginal Affairs and Reconciliation Division in DPC has no registered entries for Aboriginal sites or objects affecting this title                       |
| 2.2 | section 24 - Directions prohibiting or restricting access to, or activities on, a site or an area surrounding a site | Aboriginal Heritage Branch in Aboriginal Affairs and Reconciliation Division in DPC has no record of any direction affecting this title  |
| 2.3 | Part 3 Division 6 - Aboriginal heritage agreement  | Aboriginal Heritage Branch in Aboriginal Affairs and Reconciliation Division in DPC has no record of any agreement affecting this title<br><br>also<br>Refer to the Certificate of Title |

### 3. *Crown Rates and Taxes Recovery Act 1945*

- |     |                                      |  |
|-----|--------------------------------------|--|
| 3.1 | section 5 - Notice requiring payment | Land Administration Branch in DEWNR has no record of any notice affecting this title |
|-----|--------------------------------------|--|

## 4. *Development Act 1993*

### 4.1 Part 3 - Development Plan

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

also

Heritage Branch in DEWNR 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

Contact the Local Government Authority for other details that might apply on any Development Plan Amendment Reports

also

Department of Planning, Transport and Infrastructure has no record of a Ministerial Development Plan Amendment affecting this title

**The Minister is proposing to revoke all Development Plans within South Australia and replace them with The Planning and Design Code (the Code). The Code is the cornerstone of South Australia's new planning system, and will become the single source of planning policy for assessing development applications across the state. The Code will replace all South Australian Development Plans by mid-2020.**

The purpose of this is to make the planning process quicker, simpler and more equitable than ever before, affording South Australian's greater access to planning information that is consistent and clear. This in turn will help the community to navigate the planning system when building a house, developing a business, or progressing large commercial developments.

Phase 2 covers the majority of Regional Councils. The content in Phase Two of the Planning and Design Code is applicable to regional Councils that do not incorporate a town or settlement with a population of more than 10,000 people, where limited urban policy would apply. Phase 2 is on consultation from 1 October 2019 for a period of 8 weeks.

Phase 3 covers all Metro Councils, remaining Regional Councils and Metro Coastal Waters.

Phase Three is applicable to Greater Adelaide Councils and Regional Councils that incorporate a town or settlement with a population over 10,000 people where urban policy would apply. Phase 3 is on consultation from 1 October 2019 for a period of 22 weeks.

Further information on the Planning and Design Code is available on the SA Planning Portal.

[www.saplanningportal.sa.gov.au/planning\\_reforms/new\\_planning\\_tools/planning\\_and\\_design\\_code](http://www.saplanningportal.sa.gov.au/planning_reforms/new_planning_tools/planning_and_design_code)

Or call 1800 752 664 (Option 4): Planning Reform and Rezoning

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

State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure 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

### 4.3 section 50(1) - Requirement to vest land in a council or the Crown to be held as open space

State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure 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

4.4	section 50(2) - Agreement to vest land in a council or the Crown to be held as open space	State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure 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
4.5	section 55 - Order to remove or perform work	State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure has no record of any order or notice affecting this title  also  Contact the Local Government Authority for other details that might apply
4.6	section 56 - Notice to complete development	State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure has no record of any order or notice affecting this title  also  Contact the Local Government Authority for other details that might apply
4.7	section 57 - Land management agreement	Refer to the Certificate of Title
4.8	section 60 - Notice of intention by building owner	Contact the vendor for these details
4.9	section 69 - Emergency order	State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure has no record of any order affecting this title  also  Contact the Local Government Authority for other details that might apply
4.10	section 71 - Fire safety notice	Building Fire Safety Committee in the Department of Planning, Transport and Infrastructure has no record of any notice affecting this title
4.11	section 84 - Enforcement notice	State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure 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
4.12	section 85(6), 85(10) or 106 - Enforcement order	State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure 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
4.13	Part 11 Division 2 - Proceedings	Contact the Local Government Authority for other details that might apply  also  Contact the vendor for these details

## 5. Repealed Act conditions

5.1	Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed)	State Commission Assessment Panel in the Department of Planning, Transport and Infrastructure 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
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## 6. Emergency Services Funding Act 1998

6.1	section 16 - Notice to pay levy	<b>An Emergency Services Levy Certificate will be forwarded.</b> <b>If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on 1300 366 150, fax (08) 8207 2100.</b>  <b>Clients who have misplaced or not received their certificates and are RevNet users should log into RevNet and reprint their certificates <a href="http://www.revnet.sa.gov.au">www.revnet.sa.gov.au</a></b>
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## **7. *Environment Protection Act 1993***

- |      |   |   |
|------|---|---|
| 7.1  | 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        |
| 7.2  | 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 |
| 7.3  | 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                        |
| 7.4  | 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               |
| 7.5  | 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       |
| 7.6  | 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                        |
| 7.7  | 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                        |
| 7.8  | 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                        |
| 7.9  | 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                        |
| 7.10 | 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                        |

## **8. *Fences Act 1975***

- |     |   |                                      |
|-----|---|--------------------------------------|
| 8.1 | section 5 - Notice of intention to perform fencing work | Contact the vendor for these details |
|-----|---|--------------------------------------|

## **9. *Fire and Emergency Services Act 2005***

- |     |   |   |
|-----|---|---|
| 9.1 | 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 |
|-----|---|---|

## **10. *Food Act 2001***

- |      |                                 |  |
|------|---------------------------------|--|
| 10.1 | section 44 - Improvement notice | Public Health in DH 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 |
| 10.2 | section 46 - Prohibition order  | Public Health in DH has no record of any order or direction affecting this title<br>also<br>Contact the Local Government Authority for other details that might apply  |

## **11. *Fruit and Plant Protection Act 1992 (repealed)***

- |      |   |  |
|------|---|--|
| 11.1 | section 14 or 15 - Notice or order concerning disease | Land & Biodiversity Services in DEWNR has no record of any notice or order affecting this title<br>also<br>Plant Health in PIRSA has no record of any notice or order affecting this title |
|------|---|--|

## **12. *Ground Water (Qualco-Sunlands) Control Act 2000***

12.1	Part 6 - risk management allocation	Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title
12.2	section 56 - Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property	Resource Allocation in DEWNR 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 DEWNR has no record of any registration affecting this title
13.2	section 17 or 18 - Provisional registration or registration	Heritage Branch in DEWNR has no record of any registration affecting this title
13.3	section 30 - Stop order	Heritage Branch in DEWNR has no record of any stop order affecting this title
13.4	Part 6 - Heritage agreement	Heritage Branch in DEWNR has no record of any agreement affecting this title  also  Refer to the Certificate of Title
13.5	section 38 - "No development" order	Heritage Branch in DEWNR 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 Services Division in DPTI has no record of any registration affecting this title
<b>15. <i>Housing Improvement Act 1940</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 in Housing SA in DCSI has no record of any notice or declaration affecting this title
<b>16. <i>Land Acquisition Act 1969</i></b>		
16.1	section 10 - Notice of intention to acquire	Refer to the Certificate of Title for any notice of intention to acquire
<b>17. <i>Land Tax Act 1936</i></b>		
17.1	Notice, order or demand for payment of land tax	<b>A Land Tax Certificate will be forwarded.</b> <b>If you do not receive the certificate within four (4) working days, please contact the RevenueSA Customer Contact Centre on (08) 8204 9870, fax (08) 8207 2100.</b>  <b>Clients who have misplaced or not received their certificates and are RevNet users should log into RevNet and reprint their certificates <a href="http://www.revnet.sa.gov.au">www.revnet.sa.gov.au</a></b>
<b>18. <i>Local Government Act 1934</i></b>		
18.1	Notice, order, declaration, charge, claim or demand given or made under the Act	Contact the Local Government Authority for other details that might apply
<b>19. <i>Local Government Act 1999</i></b>		
19.1	Notice, order, declaration, charge, claim or demand given or made under the Act	Contact the Local Government Authority for other details that might apply
<b>20. <i>Metropolitan Adelaide Road Widening Plan Act 1972</i></b>		
20.1	section 6 - Restriction on building work	Transport Services Division in DPTI has no record of any restriction affecting this title
<b>21. <i>Mining Act 1971</i></b>		
21.1	Mining tenement (other than an exploration licence)	Mineral Tenements in PIRSA has no record of any mining tenement affecting this title
21.2	section 9AA - Agreement or order to waive exemption from mining operations	Contact the vendor for these details

21.3	section 58(a) or 59(8)(b) - Agreement authorising mining operator to enter land or use declared equipment on land	Contact the vendor for these details
21.4	section 61 - Agreement or order to pay compensation for mining operations	Contact the vendor for these details
21.5	Proclamation with respect to a private mine	Mineral Tenements in PIRSA has no record of any proclamation affecting this title

## **22. *Native Vegetation Act 1991***

22.1	Part 4 Division 1 - Heritage agreement	Native Vegetation & Biodiversity Management Unit in DEWNR has no record of any agreement affecting this title  also  Refer to the Certificate of Title
22.2	Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation	Native Vegetation & Biodiversity Management Unit in DEWNR has no record of any refusal or condition affecting this title

## **23. *Natural Resources Management Act 2004***

23.1	section 97 - Notice to pay levy in respect of costs of regional NRM board	Regional NRM board has no record of any notice affecting this title
23.2	section 105 - Notice to pay levy in respect of right to take water or taking of water	Customer & Corporate Services in DEWNR has no record of any notice affecting this title
23.3	section 115 - Notice declaring a penalty	Regional NRM board has no record of any notice affecting this title
23.4	section 123 - Notice to prepare an action plan for compliance with general statutory duty	Regional NRM board has no record of any notice affecting this title  also  DEWNR has no record of any notice affecting this title
23.5	section 130 - Notice to rectify effects of unauthorised activity	Regional NRM board has no record of any notice affecting this title  also  DEWNR has no record of any notice affecting this title
23.6	section 131 - Notice to maintain watercourse or lake in good condition	Regional NRM board has no record of any notice affecting this title  also  DEWNR has no record of any notice affecting this title
23.7	section 132 - Notice restricting the taking of water or directing action in relation to the taking of water	DEWNR has no record of any notice affecting this title
23.8	section 134 - Notice to remove or modify a dam, embankment, wall or other obstruction or object	DEWNR has no record of any notice affecting this title
23.9	section 135 - Condition (that remains in force) of a permit	Regional NRM board has no record of any notice affecting this title  also  Resource Allocation in DEWNR has no record of any notice affecting this title
23.10	section 145 - Notice to take remedial or other action in relation to a well	Regional NRM board has no record of any notice affecting this title
23.11	section 181 - Notice of instruction as to keeping or management of animal or plant	Regional NRM board has no record of any notice affecting this title
23.12	section 183 - Notice to prepare an action plan for the destruction or control of animals or plants	Regional NRM board has no record of any notice affecting this title  also  Contact the Local Government Authority for other details that might apply

23.13	section 185 - Notice to pay costs of destruction or control of animals or plants on road reserve	Regional NRM board has no record of any notice affecting this title also Contact the Local Government Authority for other details that might apply
23.14	section 187 - Notice requiring control or quarantine of animal or plant	Regional NRM board has no record of any notice affecting this title also Contact the Local Government Authority for other details that might apply
23.15	section 193 - Protection order to secure compliance with specified provisions of the Act	Regional NRM board has no record of any order affecting this title
23.16	section 195 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act	Regional NRM board has no record of any order affecting this title
23.17	section 197 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act	Regional NRM board has no record of any authorisation affecting this title
<b>24. <i>Phylloxera and Grape Industry Act 1995</i></b>		
24.1	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
<b>25. <i>Plant Health Act 2009</i></b>		
25.1	section 8 or 9 - Notice or order concerning pests	Plant Health in PIRSA has no record of any notice or order affecting this title
<b>26. <i>Public and Environmental Health Act 1987 (repealed)</i></b>		
26.1	Part 3 - Notice	Public Health in DH has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
26.2	<i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)</i> (revoked) Part 2 - Condition (that continues to apply) of an approval	Public Health in DH has no record of any condition affecting this title also Contact the Local Government Authority for other details that might apply
26.3	<i>Public and Environmental Health (Waste Control) Regulations 2010</i> (revoked) regulation 19 - Maintenance order (that has not been complied with)	Public Health in DH has no record of any order affecting this title also Contact the Local Government Authority for other details that might apply
<b>27. <i>Sewerage Act 1929 (repealed)</i></b>		
27.1	Notice, order or demand for payment of sewerage rates, other amounts payable or other requirements made under the Act	<b>An SA Water Certificate will be forwarded.</b> <b>If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950</b>
<b>28. <i>South Australian Public Health Act 2011</i></b>		
28.1	section 66 - Direction or requirement to avert spread of disease	Public Health in DH has no record of any direction or requirement affecting this title
28.2	section 92 - Notice	Public Health in DH has no record of any notice affecting this title also Contact the Local Government Authority for other details that might apply

28.3	<i>South Australian Public Health (Wastewater) Regulations 2013</i> Part 4 - Condition (that continues to apply) of an approval	Public Health in DH has no record of any condition affecting this title also Contact the Local Government Authority for other details that might apply
<b>29.</b>	<b><i>Upper South East Dryland Salinity and Flood Management Act 2002 (expired)</i></b>	
29.1	section 23 - Notice of contribution payable	Infrastructure and Business in DEWNR has no record of any notice affecting this title
<b>30.</b>	<b><i>Water Industry Act 2012</i></b>	
30.1	Notice or order under the Act requiring payment of charges or other amounts or making other requirement	<b>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</b>  also  The Office of the Technical Regulator in DSD 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.
<b>31.</b>	<b><i>Water Resources Act 1997</i></b>	
31.1	section 18 (repealed) - Condition (that remains in force) of a permit	Customer & Corporate Services in DEWNR has no record of any condition affecting this title
31.2	section 125 (or a corresponding previous enactment) - Notice to pay levy	Customer & Corporate Services in DEWNR has no record of any notice affecting this title
<b>32.</b>	<b><i>Waterworks Act 1932 (repealed)</i></b>	
32.1	Notice, order or demand for payment of water rates, other amounts payable or other requirements made under the Act	<b>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</b>
<b>33.</b>	<b><i>Other charges</i></b>	
33.1	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



## Other Particulars

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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*

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|--|---|
| 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 court or tribunal process                               | Contact the vendor for these details  |
| 7. Particulars relating to land irrigated or drained under Irrigation Acts         | SA Water will arrange for a response to this item where applicable  |
| 8. 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 |
| 9. 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

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

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|--|---|
| 1. Pipeline Authority of S.A. Easement   | Epic Energy has no record of a Pipeline Authority Easement relating to this title   |
| 2. State Commission Assessment Panel refusal                                     | No recorded State Commission Assessment Panel 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 in DPC has no record affecting this title   |
| 8. Gravesites ( <i>Burial and Cremation Act 2013</i> )                           | Births, Deaths and Marriages in AGD has no record of any gravesites relating to this title<br>also contact the vendor for these details         |
| 9. Dog Fence ( <i>Dog Fence Act 1946</i> )                                       | Dog Fence Board has no current record of Dog Fence rates relating to this title   |
| 10. Pastoral Board ( <i>Pastoral Land Management and Conservation Act 1989</i> ) | The Pastoral Board has no current interest in this title  |
| 11. Heritage Branch DEWNR ( <i>Heritage Places Act 1993</i> )                    | Heritage Branch in DEWNR has no record of any World, Commonwealth or National Heritage interest affecting this title                            |
| 12. Health Protection Programs – Department for Health and Ageing                | Health Protection Programs in the Department for Health and Ageing 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 Infrastructure - Building Restrictions and Statutory Easements**

#### 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 DMITRE for further details.

#### Statutory easements

Separate from the above 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 provide these 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 telecommunications cables or equipment that may be incorporated in, or attached to, their equipment (Clause 2 of Schedule 1 of the *Electricity Corporations (Restructuring and Disposal) Act 1999*; section 48A of the *Electricity Act 1996*).

A statutory easement is not generally registered on the title for the land.

To avoid risking injury and damage, it is recommended that the location of underground services be confirmed by telephoning Dial-Before-You-Dig on 1100.

For further clarification on these matters, please contact SA Power Networks' Real Estate Branch on telephone 8404 5897 or 8404 5894.

### ***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.

### ***Natural Resources Management Act 2004***

#### Water Resources Management - Taking of underground water

Under the provisions of the *Natural Resources Management Act 2004*, 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 contact the Department on the telephone number 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 Specifications for well construction, modification and abandonment in South Australia

Further information may be obtained by contacting the Department of Water, Land and Biodiversity Conservation, Level 1 Grenfell Centre, 25 Grenfell Street, Adelaide or on telephone 8463 6898.