

Certificate No: **3544**
Receipt No:
Reference No: **ID 1042239**
Mr L A Brophy
40-42 Bywaters Road
MURRAY BRIDGE SA 5253

Date: **30/01/2020**
Application No: **12463**
Certificate Fee: **\$60.00**
Assessment No. 5415

THE RURAL CITY OF MURRAY BRIDGE

Local Government Centre, 2 Seventh Street (PO Box 421) MURRAY BRIDGE SA 5253
Phone 08 85391100 Fax 08 85322766

SECTION 187 OF THE LOCAL GOVERNMENT ACT 1999

PROPERTY DESCRIPTION:

Property Address: 40-42 Bywaters Road MURRAY BRIDGE 5253
Property Description: LOT: 157 HD: MOB SEC: 49 PL: F166972 CT: 5812/788
Valuation No: 4103389002
Owner(s): Mr L A Brophy

Pursuant to Section 187 of the Local Government Act, 1999, I certify that the following amounts are due and payable in respect of and are a charge against the above property.

Please direct any queries regarding this certificate to Council's Rates Assessment Officer

ANNUAL RATES:

Date Declared:	Last Payment Date: 09/09/2019	
Arrears of Previous Rates & Fines		\$14,380.64
Residential		\$1,654.75
NRM Levy - Separate Rate		\$56.93
Kerbside Recycling Service		\$85.00
Green Waste Collection Service		\$54.00
Less Pensioner Concession		\$0.00
Less payments received		\$0.00
Current Legal Fees		\$6136.75
Current Fines Incurred		\$476.33

Total Rates Outstanding	\$	\$22,844.40
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Details of Fines/Interest for Non-payment of Rates:

If an instalment of rates is not paid on or before the due date, the instalment will be regarded as being in arrears and a fine of two (2) percent of the amount of the instalment is payable. Further interest at the prescribed percentage rate is payable on the total amount of any arrears of rates (including unpaid fines) on the first day of each month thereafter.

The total amounts shown on this certificate are valid only as at the date of this certificate. If settlement occurs before the last day to pay the first rate instalment for the current financial year, any pensioner concession listed against this property will not be applicable.

OTHER CHARGES:

Charge for Property	
Fines & Arrears	\$
Previous other Charges	\$
Total Other Charges Outstanding:	\$

TOTAL OUTSTANDING:	\$	\$22,844.40
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CERTIFIED: Jodie Hagger – Rates Officer _____

DATE: 03.02.2020 _____

PRESCRIBED INFORMATION DEVELOPMENT

SECTION – DEVELOPMENT ACT

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (*Strike out the responses not applicable or write N/A)	
Development Act 1993		
<p>1. Development Plan under the Development Act 1993</p> <div data-bbox="167 459 446 571" style="border: 1px solid red; padding: 5px; margin: 10px 0; text-align: center;"> RURAL CITY OF MURRAY BRIDGE DEVELOPMENT PLAN </div> <p>Rural Living Zone Precinct 12 Two Hectare</p>	<p>Title or other brief description of zone or policy area in which the land is situated (as shown in the Development Plan)</p> <p>Is the land situated in a designated State Heritage Area? NO</p> <p>Is the land designated as a place of local heritage value? NO</p> <p>Is there a current Development Plan Amendment released for public consultation by Council on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? NO</p> <p>If YES, state the name of the Council:</p> <p>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? NO</p>	
<p>2. Section 42 –Condition (that continues to apply) of a development authorisation</p>	<p>Date of authorisation:</p> <p>Name of relevant authority that granted authorisation:</p> <p>Conditions of authorisation:</p> <div data-bbox="534 1310 1021 1377" style="border: 1px solid black; border-radius: 15px; padding: 5px; text-align: center;"> See attached authorization </div> <p>415/45/1993 – garage – Paperwork n/available</p>	
<p>3. Condition (that continues to apply) of an approval or authorisation granted under any of the following repealed Acts: Building Act 1971, Planning Act 1982 Planning & Development Act 1966</p>	<p>Nature of condition(s):</p>	N/A

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (*Strike out the responses not applicable or write N/A)	
4. Requirements under Section 50(1) of the Development Act 1993 to vest land in a Council or the Crown to be held as open space.	Date requirement given: Name of body giving requirement: Nature of requirement: Contribution payable (if any): \$ See attached agreement (if applicable)	N/A
5. Agreement under Section 50(2) of the Development Act 1993 to vest land in a Council or the Crown to be held as open space.	Date requirement given: Name of body giving requirement: Nature of requirement: Contribution payable (if any): \$ See attached agreement (if applicable)	N/A
6. Section 55 -Order to remove or perform work	Date of order: Terms of order: Building work (if any) required to be carried out: Amount payable (if any): \$	N/A
7. Section 56 – Notice to complete development	Date of notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any): \$	N/A

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (*Strike out the responses not applicable or write N/A)	
8. Section 57 – Land Management Agreement	Date of Agreement: Names of Parties: Terms of Agreement	N/A
9. Section 60 – Notice of intention by Building Owner	Date of Notice: Building work proposed (as stated in the notice): Other building work as required pursuant to the Act:	N/A
10. Section 69 – Emergency Order	Date of Notice Name of authorised officer who made order: Name of authority that appointed the authorised officer Nature of order: Amount payable (if any):	N/A
11. Section 71 – Fire Safety Notice	Date of notice Name of Authority giving notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any)	N/A
12. Section 84 – Enforcement Notice	Date of notice Name of Authority giving notice: Nature of directions contained in notice: Building work (if any) required to be carried out: Amount payable (if any)	N/A

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (*Strike out the responses not applicable or write N/A)	
13. Section 85(6), 85(10), or 106 – Enforcement Order	Date of notice Name of court that made order Action Number: Names of parties: Terms of order: Building work (if any) required to be carried out	N/A
14. Part 11 Division 2 – Proceedings	Date of commencement of proceedings: Date of determination or order (if any): Terms of determination or order (if any):	N/A
FIRE AND EMERGENCY SERVICES ACT 2005		
15. 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: Requirements of notice (as stated therein): Amount Payable (if any):	N/A
Local Government Act 1934		
16. Notice, order, declaration, charge, claim or demand given or made under the Act.	Date of Notice: Name of Council by which, or person by whom notice, order is given or made: Land subject thereto: Nature of requirements contained in notice, order etc.: Time for carrying out requirements: Amount payable (if any): See attached notice/order etc.	

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (*Strike out the responses not applicable or write N/A)	
Local Government Act 1999		
17. Notice, order, declaration, charge, claim or demand given or made under the Local Government Act 1999.	Date of Notice: Name of Council by which, or person by whom notice, order is given or made: Land subject thereto: Nature of requirements contained in notice, order etc.: Time for carrying out requirements: Amount payable (if any): See attached notice/order etc.	
FOOD ACT 2001		
18. Section 44 – Improvement Notice	Date of notice: Name of authorised officer who serviced notice Name of Authority that appointed officer Requirements of Notice	N/A
19. Section 46 – Prohibition Order	Date of order: Name of Authority or person who served order Requirements of Order:	N/A
HOUSING IMPROVEMENT ACT 1940		
20. Section 23 - Declaration that house is undesirable or unfit for human habitation	Date of Declaration: Those particulars required to be provided by council under Section 23	N/A

PRESCRIBED INFORMATION HEALTH

PRESCRIBED ENCUMBERANCES	PARTICULARS REQUIRED (*Strike out the responses not applicable or write N/A)	
Public and Environmental Health Act 1987 (Repealed)		
21. Part 3 - Notice	Date of Notice: Name of Council or other authority giving notice: Requirements of Notice:	N/A
22. Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) Part 2 – Condition (that continues to apply) of an approval Council has no record of a complying Wastewater system at this address. Advice from plumber regarding system is recommended prior to purchase.	Date of Notice: Name of authority that granted approval: Conditions of approval:	
23. 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	N/A
South Australia Public Health Act 2011		
24. Section 66 – Direction or requirement to avert spread or disease	Date of direction or requirement Name of authority giving or making requirement Nature of direction or requirement	N/A

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (*Strike out the responses not applicable or write N/A)	
25. Section 92 – Notice	Date of notice Name of Council or authority giving notice Requirements of notice:	N/A
26. South Australian Public Health (Wastewater) Regulations 2013 Part 4 – Condition (that continues to apply) of an approval Council has no record of a complying Wastewater system at this address. Advice from plumber regarding system is recommended prior to purchase.	Date of approval Name of person or body that granted the approval Condition(s) of approval	
Water Industry Act 2012		
27. 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: Amount payable (if any) as specified in the notice or order Nature of other requirements made (if any) as specified in the notice or order:	N/A

CERTIFIED:

Senior Rates Officer

Date

PARTICULARS OF BUILDING INDEMNITY INSURANCE

(Section 7(1) c))

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 *Builders 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 the Act.

Details of building indemnity insurance still in existence for building work on the land:

Building Indemnity Insurance is required....***YES/NO** (refer above note):

- 1 Name(s) of person(s) insured:.....
- 2 Name of insurer:.....
- 3 Limitations on the liability of the insurer:.....
- 4 Name of builder:.....
- 5 Builder's licence number:.....
- 6 Date of issue of insurance:.....
- 7 Description of insured building work:.....
.....
.....

Exemption from holding insurance:

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**, give details:

- (a) Date of the exemption:.....
- (b) Name of builder granted the exemption:.....
- (c) Licence number of builder granted the exemption:.....
- (d) Details of building work to which the exemption applies:
.....
.....
- (e) Details of conditions (if any) to which the exemption is subject:
.....
.....

Certified Development Section..... Date.....

Particulars relating to Environment Protection

Further information held by councils

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

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

*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 or remediation of the land may be required at some future time.

It should be noted that—

- (a) the approval of development by a 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.

INFORMATION NOTE

CHANGES TO PLANNING POLICY AFFECTING LAND IN COUNCIL'S AREA

The information provided in this note is additional to, and not in substitution of, any information provided in response to your request for statutory search information. The response to your request, provided with this note, does not reference changes to planning policy affecting all South Australian Councils.

Council takes this opportunity to inform you that pursuant to the *Planning Development and Infrastructure Act 2016* (Section 65, Clause 2 of Schedule 6 and Clause 9 (7) of Schedule 8), the Council's Development Plan will be repealed in full and replaced with the Planning and Design Code (**Code**) at a time on or before 1 July 2020. For further information regarding this change, including the opportunity for comment in relation to the content of the Code, please refer to the SA Planning Portal at <https://www.saplanningportal.sa.gov.au>.



RECEIVED
22 JAN 2020

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South Australia Incorporated
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Item No. 3215

LOCAL GOVERNMENT INQUIRY

[Pursuant to the Land and Business (Sale and Conveyancing) Act 1994]

TO: THE CHIEF EXECUTIVE OFFICER

DATE: 21/1/2020

MURRAY BRIDGE COUNCIL

of PO BOX 421

MURRAY BRIDGE SA 5253

FROM: BRENTON WARD REAL ESTATE

of PO BOX 3150, NORWOOD SA 5067

Ph 0412348212 Fax 8333 3069 email: brenton@brentonward.com.au

as *Agent/Conveyancer for the *owner/prospective purchaser/prospective mortgagee.

Dear Sir/Madam,

We are required by Section 7 of the Land and Business (Sale and Conveyancing) Act and Regulation 12 of that Act to make the Prescribed Inquiries shown as Items numbered 23, 25, 28, 30, 33, 5, 6, 7, 8, 9, 10, 24, 26, 27, 29, 32, 34 and 36 in Table 1 of Schedule 2 of the above mentioned Regulations and the Prescribed Matter shown as Building Indemnity Insurance in Table 2 of Schedule 2 of the above mentioned Regulations.

We hereby make those inquiries to you in regard to the Land described below.

Information on rates and charges is also required and we request from you a Certificate pursuant to Section 194 of the Local Government Act in regard to the Land.

Enclosed is > a cheque for \$ NIL and
a copy of the Certificate(s) of Title to the Land

It would be appreciated if your response to the Section 7 inquiry can be given on the Form recommended by the Local Government Association of S.A.

Thank you for your help.

Signed by or on behalf of the *Agent/Conveyancer:

Brenton
Ward

THE LAND: Lot No: 157 Section No: Plan No: 166972

Certificate(s) of Title 5812/788

Property Address 40-42 BYWATERS ROAD

MURRAY BRIDGE SA 5253

Owner(s) LUKE BROPHY

Assessment No(s)

Valuer General No



Certificate of Title - Volume 5812 Folio 788

Parent Title(s)	CT 2990/180			
Creating Dealing(s)	CONVERTED TITLE			
Title Issued	05/10/2000	Edition	5	Edition Issued 25/11/2011

Estate Type

FEE SIMPLE

Registered Proprietor

LUKE ADRIAN BROPHY
OF 40-42 BYWATERS ROAD MURRAY BRIDGE SA 5253

Description of Land

ALLOTMENT 157 FILED PLAN 166972
IN THE AREA NAMED MURRAY BRIDGE
HUNDRED OF MOBILONG

Easements

NIL

Schedule of Dealings

Dealing Number	Description
12546171	CHARGE UNDER CRIMINAL LAW (SENTENCING) ACT 1988 PURSUANT TO SECTION 70G

Notations

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

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 2890/180

LAST PLAN REF: DP 6283



200 100 0 200 FT

FOR METRIC CONVERSION	
1 FOOT	= 0.3048 METRES
1 INCH	= 0.0254 METRES
1 ACRE	= 0.404686 HECTARES
1 ROOD	= 1011.7m ²
1 PERCH	= 25.29 m ²

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION