

# Form 1 - Vendor's statement

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

### Contents

- Preliminary
- Part A - Parties and land
- Part B - Purchaser's cooling-off rights and proceeding with the purchase
- Part C - Statement with respect to required particulars
- Part D - Certificate with respect to prescribed inquiries by registered agent
- Schedule



### Preliminary

#### To the purchaser:

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

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

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

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

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

- means the Part, Division, particulars or item may not be applicable.  
If it is applicable, ensure the box is ticked and complete the Part, Division, particulars or item.  
If it is 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.

### Part A - Parties and land

1 Purchaser:

Address:

2 ~~Purchaser's registered agent:~~

Address:

3 Vendor:

Neville Ashley Mannix, Patricia Ann Mannix, Darren John Mannix, Melissa Ann Bagg, Michelle Jeanine Burton

Address:

83 Saints Road Salisbury Plain SA 5109

4 Vendor's registered agent:

First National Real Estate Burton Groves

Address:

1332 North East Road TEA TREE GULLY SA 5091

5 Date of contract (if made before this statement is served):

6 Description of the land: *[Identify the land including any certificate of title reference]*

CT 5089/442

5 Minlacowie Road Port Vincent SA 5581

## 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.

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

(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:

(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; and
- (b) pay particular attention to the provisions in the contract as to time of settlement - it is essential that the necessary arrangements are made to complete the purchase by the agreed date - if you do not do so, you may be in breach of the contract; and
- (c) you are entitled to retain the solicitor or registered conveyancer of your choice.

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

(section 7(1))

To the purchaser:

~~I/We~~ Russell Burton

of 1332 North East Road Tea Tree Gully SA 5091

being the ~~vendor(s)~~ 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: 04/10/2023  
Signed: *Russell Burton*

Date:   
Signed:

Date:   
Signed:

Date:   
Signed:

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

(section 9)



To the purchaser:

I, Russell Burton

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:

Date: 04/10/2023  
Signed: *Russell Burton*

~~\*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 1 of the following items in the table:
    - (A) under the heading 1. General -
      - 1.1 Mortgage of land
      - 1.4 Lease, agreement for lease, tenancy agreement or licence
      - 1.5 Caveat
      - 1.6 Lien or notice of a lien
    - (B) under the heading 36. Other charges -
      - 36.1 Charge of any kind affecting the land (not included in another item); and
  - (ii) is registered on the certificate of title to the land; and
  - (iii) is to be discharged or satisfied prior to or at settlement.

# Table of particulars

Column 1

Column 2

Column 3

[If an item is applicable, ensure that the box for the item is ticked and complete the item.]  
[If an item is not applicable, ensure that the box for the item is empty or else strike out the item or write "NOT APPLICABLE" or "N/A" in column 1.  
Alternatively, the item and any inapplicable heading may be omitted, but not in the case of-  
(a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and  
(b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and  
(c) the heading "6. Repealed Act conditions" and item 6.1; and  
(d) the heading "29. Planning, Development and Infrastructure Act 2016" and items 29.1 and 29.2, which must be retained as part of this statement whether applicable or not.]  
[If an item is applicable, all particulars requested in column 2 must be set out in the item unless the Note preceding this table otherwise permits. Particulars requested in **bold type** must be set out in column 3 and all other particulars must be set out in column 2.]  
[If there is more than 1 mortgage, charge or prescribed encumbrance of a kind referred to in column 1, the particulars requested in column 2 must be set out for 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

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

Is this item applicable?

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

Are there attachments?

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

Number of mortgage (if registered):

Name of mortgagee:

**1.2 Easement**

(whether over the land or annexed to the land)

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

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

*Is this item applicable?*

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

*Are there attachments?*

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

Description of land subject to easement:

Nature of easement:

Are you aware of any encroachment on the easement?

If YES, give details:

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

If YES, give details:

**1.3 Restrictive covenant**

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

*Is this item applicable?*

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

*Are there attachments?*

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

Nature of restrictive covenant:

Name of person in whose favour restrictive covenant operates:

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

If NO, give details:

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

**1.4** Lease, agreement for lease, tenancy agreement or licence

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

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

**Is this item applicable?**

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

**Are there attachments?**

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

Name of parties:

Period of lease, agreement for lease etc:

From

to

Amount of rent or licence fee:

\$  per  (period)

Is the lease, agreement for lease etc in writing?

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

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

**Is this item applicable?**



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

 NO

**Are there attachments?**

 YES

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

Local Government Inquiry Certificate

Condition(s) of authorisation:

See copy of Local Government Inquiry Certificate attached

## 6. Repealed Act conditions

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

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

~~**Is this item applicable?**~~

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

~~Are there attachments?~~

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

~~Nature of condition(s):~~

## 7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy

~~**Is this item applicable?**~~

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

~~Are there attachments?~~

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

~~Date of notice:~~

~~Amount of levy payable:~~

## 29. Planning, Development and Infrastructure Act 2016

29.1 Part 5 - Planning and Design Code

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

**Is this item applicable?**

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

**Are there attachments?**

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

Local Government Inquiry Certificate - PlanSA extract

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

Neighbourhood (N)  
Overlays and Variations on Local Government Inquiry Certificate - PlanSA extract

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

Is the land designated as a local heritage place?

Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land?

Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?

**Note** - For further information about the Planning and Design Code visit [www.code.plan.sa.gov.au](http://www.code.plan.sa.gov.au).

**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 attachment even if not applicable.]*

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date of authorisation:~~

~~Name of relevant authority that granted authorisation:~~

~~Condition(s) of authorisation:~~

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

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date of notice:~~

~~Name of person giving notice of proposed work:~~

~~Building work proposed (as stated in the notice):~~

~~Other building work as required pursuant to the Act:~~

29.4 section 140 - Notice requesting access

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date of notice:~~

~~Name of person requesting access:~~

~~Reason for which access is sought (as stated in the notice):~~

~~Activity of work to be carried out:~~

29.5 section 141 - Order to remove or perform work

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date of order:~~

~~Terms of order:~~

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

~~Amount payable (if any):~~

29.6 section 142 - Notice to complete development

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date of notice:~~

~~Requirements of notice:~~

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

~~Amount payable (if any):~~

29.7 section 155 - Emergency order

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date of order:~~

~~Name of authorised officer who made order:~~

~~Name of authority that appointed the authorised officer:~~

~~Nature of order:~~

~~Amount payable (if any):~~

29.8 section 157 - Fire safety notice

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~[ ]~~

~~[ ]~~

~~[ ]~~

~~[ ]~~

~~Date of notice:~~

~~[ ]~~

~~Name of authority giving notice:~~

~~[ ]~~

~~Requirements of notice:~~

~~[ ]~~

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

~~[ ]~~

~~Amount payable (if any):~~

~~[ ]~~

[ ]

[ ]

[ ]

29.9 section 192 or 193 - Land management agreement

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~[ ]~~

~~Date of agreement:~~

~~[ ]~~

~~Names of parties:~~

~~[ ]~~

~~Terms of agreement:~~

~~[ ]~~

[ ]

[ ]

[ ]

**29.10** section 198(1) - Requirement to vest land in a council or the Crown to be held as open space

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date requirement given:~~

~~Name of body giving requirement:~~

~~Nature of requirement:~~

~~Contribution payable (if any):~~

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

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date of agreement:~~

~~Names of parties:~~

~~Terms of agreement:~~

~~Contribution payable (if any):~~



29.12 Part 16 Division 1 - Proceedings

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date of commencement of proceedings:~~

~~Date of determination or order (if any):~~

~~Terms of determination or order (if any):~~

29.13 section 213 - Enforcement notice

~~**Is this item applicable?**~~

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

~~**Are there attachments?**~~

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

~~Date notice given:~~

~~Name of designated authority giving notice:~~

~~Nature of directions contained in notice:~~

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

~~Amount payable (if any):~~

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

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

Date order made:

Name of court that made order:

Action number:

Names of parties:

Terms of order:

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

**ANNEXURES**

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

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

- Property Interest Report
- Local Government Inquiry Certificate - including PlanSA Extract
- SA Water
- Land Tax
- Emergency Services Levy Certificate
- Check Search
- Historical Search
- Title and Valuation Package
- Form R4
- Form R5
- Form R7
- Public Auction Terms and Terms and Conditions

(\*Strike out whichever is not applicable)

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

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

Dated this  Day of  20

Signed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Purchaser(s)

# Form R3

## Buyers information notice

---

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

*Land and Business (Sale and Conveyancing) Regulations 2010 regulation 17*

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

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

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

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

### Safety

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

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

## Value

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

For more information on these matters visit: [www.cbs.sa.gov.au](http://www.cbs.sa.gov.au)

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



REAL PROPERTY ACT, 1886



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



## Certificate of Title - Volume 5089 Folio 442

Parent Title(s) CT 2222/87  
Creating Dealing(s) RT 7353751  
Title Issued 21/09/1992 Edition 2 Edition Issued 05/09/1994

### Estate Type

FEE SIMPLE

### Registered Proprietor

NEVILLE ASHLEY MANNIX  
PATRICIA ANN MANNIX  
OF 7 CLARIDGE COURT ST AGNES SA 5097  
4 / 7 SHARE AS JOINT TENANTS  
  
DARREN JOHN MANNIX  
OF 28 DECLIVITY STREET HIGHBURY SA 5089  
1 / 7 SHARE  
  
MELISSA ANN BAGG  
OF 7 BRONHILL CRESCENT GOLDEN GROVE SA 5125  
1 / 7 SHARE  
  
MICHELLE JEANINE BOWERING  
OF 5 MOORHEN PLACE WYNN VALE SA 5127  
1 / 7 SHARE

### Description of Land

ALLOTMENT 44 FILED PLAN 29701  
IN THE AREA NAMED PORT VINCENT  
HUNDRED OF RAMSAY

### Easements

NIL

### Schedule of Dealings

NIL

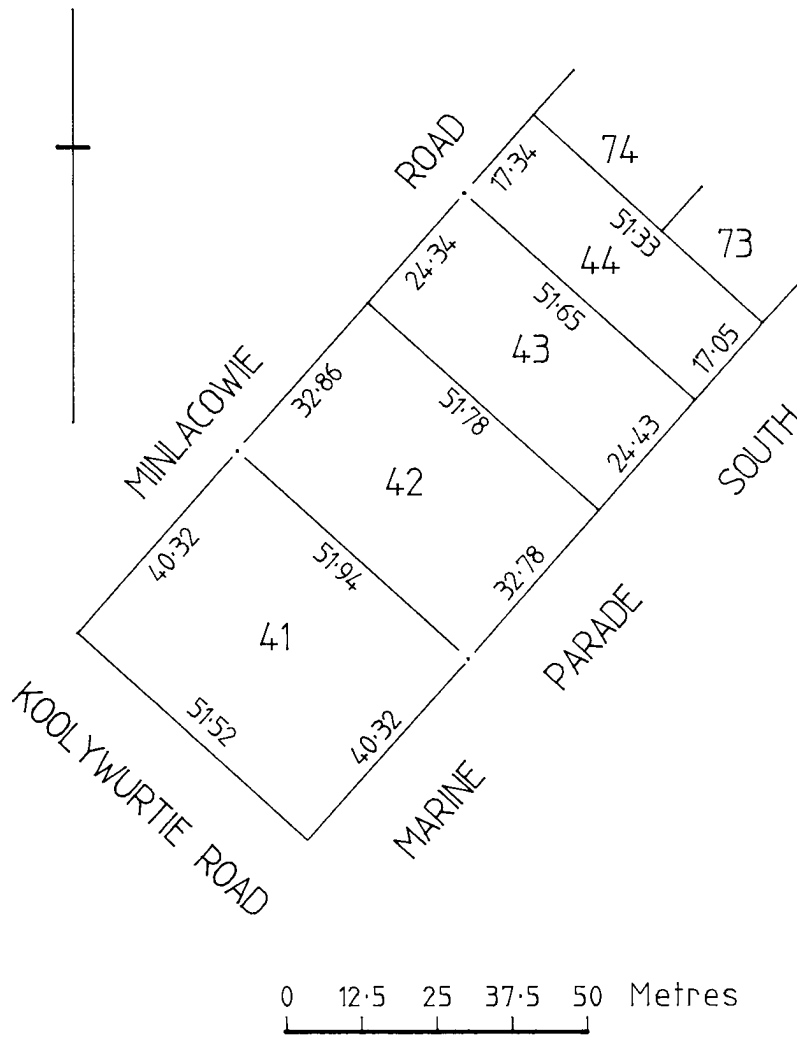
### Notations

Dealings Affecting Title NIL  
Priority Notices NIL  
Notations on Plan NIL

### Registrar-General's Notes

REDESIGNATED TITLE VIDE 7353751

Administrative Interests NIL



# Property Interest Report

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

Title Reference	CT 5089/442	Reference No. 2503904
Registered Proprietors	N A*MANNIX & ORS	Prepared 21/09/2023 12:03
Address of Property	5 MINLACOWIE ROAD, PORT VINCENT, SA 5581	
Local Govt. Authority	YORKE PENINSULA COUNCIL	
Local Govt. Address	PO BOX 88 MINLATON SA 5575	

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

## Table of Particulars

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

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

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

### 1. General

- |     |  |  |
|-----|--|--|
| 1.1 | Mortgage of land<br><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>  | Refer to the Certificate of Title  |
| 1.2 | Easement<br>(whether over the land or annexed to the land)<br><br>Note--"Easement" includes rights of way and party wall rights<br><br><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>   | Refer to the Certificate of Title  |
| 1.3 | Restrictive covenant<br><br><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>  | 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.)<br><br><i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title<br><br>also<br><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 Affairs and Reconciliation in AGD has no registered entries for Aboriginal sites or objects affecting this title |
| 2.2 | section 24 - Directions prohibiting or restricting access to, or activities on, a site or | Aboriginal Affairs and Reconciliation in AGD has no record of any direction affecting this title                            |



an area surrounding a site

2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

3. **Burial and Cremation Act 2013**

3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

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

4.1 section 5 - Notice requiring payment

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

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

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

5.4 section 55 - Order to remove or perform work

State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

5.5 section 56 - Notice to complete development

State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

5.6 section 57 - Land management agreement

Refer to the Certificate of Title

5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

5.8 section 69 - Emergency order

State Planning Commission in the Department for Trade and Investment has no record of any order affecting this title

also

Contact the Local Government Authority for other details that might apply

5.9 section 71 - Fire safety notice

Building Fire Safety Committee in the Department for Trade and Investment has no record of any notice affecting this title

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

## 6. 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 Trade and Investment has no record of any conditions that continue to apply, affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- [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
- 9. Fences Act 1975**
- 9.1 section 5 - Notice of intention to perform fencing work Contact the vendor for these details
- 10. Fire and Emergency Services Act 2005**
- 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  
Where the land is outside a council area, contact the vendor
- 11. Food Act 2001**
- 11.1 section 44 - Improvement notice Public Health in DHW has no record of any notice or direction affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- 11.2 section 46 - Prohibition order Public Health in DHW has no record of any notice or direction affecting this title  
also  
Contact the Local Government Authority for other details that might apply
- 12. Ground Water (Qualco-Sunlands) Control Act 2000**
- 12.1 Part 6 - risk management allocation Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title
- 12.2 section 56 - Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property DEW Water Licensing has no record of any notice affecting this title
- 13. Heritage Places Act 1993**
- 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  
also  
Refer to the Certificate of Title
- 13.5 section 38 - "No development" order Heritage Branch in DEW has no record of any "No development" order affecting this title
- 14. Highways Act 1926**
- 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
- 15. Housing Improvement Act 1940 (repealed)**
- 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
- 16. Housing Improvement Act 2016**

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

**17. 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 | <b>A Land Tax Certificate will be forwarded.</b><br><b>If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.</b><br><br>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a> |
|------|---|--|

**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
- Code Amendment**
- Point Turton and Port Victoria Urban Growth - seeks to rezone two areas currently zoned "Deferred Urban": 55.7 hectares (approx.) in Point Turton to "Rural Settlement"; and another 16.7 hectares (approx.) in Port Victoria to "Neighbourhood". For more information, refer to the 'Code Amendments' page on the PlanSA portal: [https://plan.sa.gov.au/have\\_your\\_say/](https://plan.sa.gov.au/have_your_say/) or phone 1800752664.**
- Code Amendment**
- Residential Driveway Crossovers –draft design standard aiming to improve public safety and enhance streetscapes across SA. Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery and are open for consultation as part of this process. For more information, refer to the 'Code Amendments' page on the PlanSA portal: [https://plan.sa.gov.au/have\\_your\\_say/](https://plan.sa.gov.au/have_your_say/) or phone PlanSA on 1800752664.**
- 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 Trade and Investment has no record of any conditions that continue to apply, affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.3 section 139 - Notice of proposed work and notice may require access
- Contact the vendor for these details
- 29.4 section 140 - Notice requesting access
- Contact the vendor for these details
- 29.5 section 141 - Order to remove or perform work
- State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.6 section 142 - Notice to complete development
- State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.7 section 155 - Emergency order State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.8 section 157 - Fire safety notice Building Fire Safety Committee in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.9 section 192 or 193 - Land management agreement Refer to the Certificate of Title

29.10 section 198(1) - Requirement to vest land in a council or the Crown to be held as open space State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

29.11 section 198(2) - Agreement to vest land in a council or the Crown to be held as open space State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

29.12 Part 16 Division 1 - Proceedings Contact the Local Government Authority for details relevant to this item

also

Contact the vendor for other details that might apply

29.13 section 213 - Enforcement notice State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

29.14 section 214(6), 214(10) or 222 - Enforcement order Contact the Local Government Authority for details relevant to this item

also

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

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



*Control) Regulations 2010 (revoked)  
regulation 19 - Maintenance order (that has  
not been complied with)*

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> )                                      | The Dog Fence Board has no current interest in Dog Fence rates relating to this title.                                      |
| 9.  | Pastoral Board ( <i>Pastoral Land Management and Conservation Act 1989</i> ) | The Pastoral Board has no current interest in this title  |
| 10. | Heritage Branch DEW ( <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

---

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).

**PRINCIPAL OFFICE:**  
 8 Elizabeth Street, Maitland  
 Telephone (08) 8832 0000

**ALL CORRESPONDENCE TO:**  
 PO Box 57, MAITLAND, SA 5573  
 Fax (08) 8853 2494  
 Email: admin@yorke.sa.gov.au  
 Website: www.yorke.sa.gov.au



<b>LOCAL GOVERNMENT ENQUIRY (SECTION 7 SEARCH)</b>	SF015
	Responsible Officer: C&CS
	Issue Date: 20/09/2022
	Next Review Date: September 2026

**PRESCRIBED INFORMATION  
DEVELOPMENT SECTION**

<b>Assessment:</b>	306688	<b>CT:</b>	5089/442
<b>Property:</b>	(LOT 44) 5 Minlacowie Road, Port Vincent		

PRESCRIBED ENCUMBRANCES	OTHER PARTICULARS REQUIRED (Strike out responses not applicable)
<b>Part 1 – Items that must be included in statement.</b>	
<b>Development Act 1993</b>	
Part 3 - Development Plan	<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>N/A</p> <p>Is the land situated in a designated State Heritage Area?</p> <p>N/A</p> <p>Is the land designated as a place of local heritage value?</p> <p>N/A</p> <p>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?</p> <p><input checked="" type="checkbox"/> NO                      <input type="checkbox"/> YES</p> <p>If YES, state the name of the Council:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <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?</p> <p><input checked="" type="checkbox"/> NO                      <input type="checkbox"/> YES</p>

## PRESCRIBED INFORMATION DEVELOPMENT SECTION

PRESCRIBED ENCUMBRANCES	OTHER PARTICULARS REQUIRED (Strike out responses not applicable)
<b>Development Act 1993 (cont)</b>	
Section 42 – Condition (that continues to apply) of a development authorisation.	<input type="checkbox"/> Nil <input type="checkbox"/> Date of authorisation: <input type="checkbox"/> Name of relevant authority that granted authorisation: <input type="checkbox"/> Condition(s) of authorisation: <input checked="" type="checkbox"/> See attached authorisation
<b>Planning, Development and Infrastructure Act 2016</b>	
Part 5 – Planning and Design Code	Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):  See Attached PlanSA Report  Is the land situated in a designated State Heritage place? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  Is the land designated as a place of local heritage value? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  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? <input checked="" type="checkbox"/> N/A
Section 127 - Condition (that continues to apply) of a development authorisation	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of authorisation: <input type="checkbox"/> Name of relevant authority that granted authorisation: <input type="checkbox"/> Condition(s) of authorisation: <input type="checkbox"/> See attached Plan SA report

## SF015 Local Government Enquiry (Section 7 Search)

<b>Repealed Act Conditions</b>	
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).	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Nature of condition(s) : <input type="checkbox"/> See attached
<b>Part 2 – Items to be included if land affected</b>	
<b>Development Act 1993</b>	
Section 50(1) – Requirement to vest land in a Council or the Crown to be held as open space.	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date requirement given: Name of body giving requirement: Nature of requirement: Contribution payable (if any): \$..... <input type="checkbox"/> See attached agreement.
Section 50(2) – Agreement to vest land in a Council or the Crown to be held as open space.	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of Agreement: Names of parties: Terms of agreement: Contribution payable (if any): \$..... <input type="checkbox"/> See attached agreement.
Section 55 – Order to remove or perform work	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of order: Terms of order: Building work (if any) required to be carried out: Amount payable (if any): \$..... <input type="checkbox"/> See attached order/s.
Section 56 – Notice to complete development	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any): \$..... <input type="checkbox"/> See attached notice/s.
Section 57 – Land Management Agreement	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of agreement: Names of parties: Terms of agreement: <input type="checkbox"/> See attached agreement.


## SF015 Local Government Enquiry (Section 7 Search)

<p>Section 69 – Emergency order</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date of order:        Name of authorised officer who made order:        Name of authority that appointed the authorised officer:</p> <p>Nature of order:        Amount payable (if any) \$.....</p> <p><input type="checkbox"/> See attached order.</p>
<p>Section 71 - Fire safety notice</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date of notice:        Name of authority giving notice:        Requirements of notice:        Building work (if any) required to be carried out:        Amount payable (if any): \$.....</p> <p><input type="checkbox"/> See attached notice.</p>
<p>Section 84 – Enforcement notice</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date notice given:        Name of relevant authority giving notice:        Nature of directions contained in notice:        Building work (if any) required to be carried out:        Amount payable (if any): \$.....</p> <p><input type="checkbox"/> See attached notice.</p>
<p>Section 85(6), 85(10) or 106 – Enforcement order</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date order made:        Name of court that made order:        Action number:        Names of parties:        Terms of order:        Building work (if any) required to be carried out:</p> <p><input type="checkbox"/> See attached order.</p>
<p>Part 11 Division 2 - Proceedings</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date of commencement of proceedings:        Date of determination or order (if any):        Terms of determination or order (if any):</p> <p><input type="checkbox"/> See attached proceedings or determination.</p>
<p><b>Housing Improvement Act 1940</b></p>	
<p>Section 23 – Declaration that house is undesirable or unfit for human habitation</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date of declaration:        Those particulars required to be provided by a Council under section 23:</p> <p><input type="checkbox"/> See attached declaration.</p>




<b>Planning, Development and Infrastructure Act 2016</b>	
Section 141 – Order to remove or perform work	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of order: Terms of order: Building work (if any) required to be carried out: Amount payable (if any): \$.....  <input type="checkbox"/> See attached order/s.
Section 142 – Notice to complete development	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any): \$.....  <input type="checkbox"/> See attached notice/s.
Section 155 – Emergency order	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of order: Name of authorised officer who made order: Name of authority that appointed the authorised officer:  Nature of order: Amount payable (if any) \$.....  <input type="checkbox"/> See attached order.
Section 157 - Fire safety notice	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of notice: Name of authority giving notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any): \$.....  <input type="checkbox"/> See attached notice.
Section 198(1) – Requirement to vest land in a council or the Crown to be held as open space	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date requirement given: Name of body giving requirement: Nature of requirement: Contribution payable (if any):  <input type="checkbox"/> See attached
Section 198(2) – Agreement to vest land in a council or the Crown to be held as open space	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date requirement given: Name of body giving requirement: Nature of requirement: Contribution payable (if any):  <input type="checkbox"/> See attached

SF015 Local Government Enquiry (Section 7 Search)

<p>Part 16 - Division 1 - Proceedings</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date of commencement of proceedings:          Date of determination or order (if any):          Terms of determination or order (if any):</p> <p><input type="checkbox"/> See attached proceedings or determination.</p>
<p>Section 213 – Enforcement notice</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date notice given:          Name of designated authority giving notice:          Nature of directions contained in notice:          Building work (if any) required to be carried out:          Amount payable (if any): \$.....</p> <p><input type="checkbox"/> See attached notice.</p>
<p>Section 214(6), 214(10) or 222 – Enforcement order</p>	<p><input checked="" type="checkbox"/> Nil</p> <p><input type="checkbox"/> Date notice given:          Name of relevant authority giving notice:          Nature of directions contained in notice:          Building work (if any) required to be carried out:          Amount payable (if any): \$.....</p> <p><input type="checkbox"/> See attached notice.</p>
<p>Confirmed by the Planning / Development Section</p> 	<p>Date</p> <p>22/09/2023</p>


## PRESCRIBED INFORMATION ENFORCEMENT / COMPLIANCE

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (Strike out responses not applicable)
<b>Fire and Emergency Services Act 2005</b>	
Section 105F (or Section 56 or 83 (repealed) – Notice of action required concerning flammable materials on land	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of notice: Name of authority giving notice: Requirements of notice (as stated therein):  Amount payable (if any) \$.....  <input type="checkbox"/> See attached notice.
<b>Local Nuisance and Litter Control Act 2016</b>	
Section 30 – Nuisance or litter abatement notice	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of notice: Name of authority giving notice: Requirements of notice (as stated therein):  Amount payable (if any) \$.....  <input type="checkbox"/> See attached notice.
Confirmed by Development Services  	Date  22/09/2023


## PRESCRIBED INFORMATION HEALTH

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (Strike out responses not applicable)
<b>Food Act 2001</b>	
Section 44 – Improvement notice	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of notice: Name of authorised officer who served notice: Name of authority that appointed officer:  Requirements of notice:  <input type="checkbox"/> See attached notice.
Section 46 – Prohibition order	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of order: Name of authority or person who served order:  Requirements of order:  <input type="checkbox"/> See attached order.

SF015 Local Government Enquiry (Section 7 Search)

Public and Environmental Health Act 1987 (repealed)	
Part 3 - Notice	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of notice: Name of Council or other authority giving notice: Requirements of notice: <input type="checkbox"/> See attached notice.
<i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) Part 2 – Condition (that continues to apply) of an approval.</i>	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of approval: Name of relevant authority that granted the approval: Condition(s) of approval: <input type="checkbox"/> See attached approval.
<i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked) Regulation 19 – Maintenance order (that has not been complied with)</i>	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of order: Name of authority giving order: Requirements of order: <input type="checkbox"/> See attached order.
South Australian Public Health Act 2011	
Section 66 – Direction or requirement to avert spread of disease	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of direction or requirement: Name of authority giving or making requirement: Nature of direction or requirement: <input type="checkbox"/> See attached direction or requirement.
Section 92 - Notice	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of notice: Name of Council or other relevant authority giving notice: Requirements of notice <input type="checkbox"/> See attached notice.
<i>South Australian Public Health (Wastewater) Regulations 2013 Part 4 - Condition (that continues to apply) of an approval</i>	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Date of approval: Name of person or body that granted approval: Condition (s) of approval: <input type="checkbox"/> See attached approval.
Confirmed by Development Services 	Date 22/09/2023

## PRESCRIBED INFORMATION GENERAL

PRESCRIBED ENCUMBRANCES	PARTICULARS REQUIRED (Strike out responses not applicable)
<b>Local Government Act 1934</b>	
Notice, order, declaration, charge, claim or demand given or made under the Act.	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of notice, order etc.: Name of Council by which, or person by whom, notice, order etc. is given or made:  Land subject thereto:  Nature of requirements contained in notice, order etc.: Time for carrying out requirements:  Amount payable (if any) \$.....  <input type="checkbox"/> See attached notice.
<b>Local Government Act 1999</b>	
Notice, order, declaration, charge, claim or demand given or made under the Act.	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> Date of notice, order etc.: Name of Council by which, or person by whom, notice, order etc. is given or made:  Land subject thereto:  Nature of requirements contained in notice, order etc.: Time for carrying out requirements:  Amount payable (if any) \$.....  <input type="checkbox"/> See attached notice.
<b>Water Industry Act 2012</b>	
Notice or order under the Act requiring payment of charges or other amounts or making other requirement.	<input checked="" type="checkbox"/> Nil  <input type="checkbox"/> 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 any requirement made (if any) as specified in the notice or order:  <input type="checkbox"/> See attached notice.
Confirmed by Development Services  	Date  22/09/2023

## PARTICULARS OF BUILDING INDEMNITY INSURANCE

**Note: Building Indemnity Insurance is not required for –**

- (a) domestic building work for which approval under the *Planning, Development and Infrastructure Act 2016*, the repealed *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:**

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 for which the exemption applies .....
- .....
- e) Details of conditions (if any) to which the exemption is subject .....
- .....

Certified Development Section 	Date 22/09/2023
--	--------------------

## PRESCRIBED INFORMATION PARTICULARS RELATING TO ENVIRONMENTAL 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*) or the *Planning, Development and Infrastructure Act 2016*?

\*  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.

Certified Development Section 	Date 22/09/2023
--	--------------------

---

# ATTACHMENTS





## Data Extract for Section 7 search purposes

Valuation ID 5408176002

**Data Extract Date:** 22/09/2023

**Parcel ID:** F29701 A44

**Certificate Title:** CT5089/442

**Property Address:** 5 MINLACOWIE RD PORT VINCENT SA 5581

Zones

Neighbourhood (N)

Subzones

No

Zoning overlays

Overlays

**Affordable Housing**

The Affordable Housing Overlay seeks to ensure the integration of a range of affordable dwelling types into residential and mixed use development.

**Coastal Flooding**

The Coastal Flooding Overlay seeks to minimise coastal flood hazard risk to property and infrastructure.

**Hazards (Flooding - Evidence Required)**

The Hazards (Flooding - Evidence Required) Overlay adopts a precautionary approach to mitigate potential impacts of potential flood risk through appropriate siting and design of development.

**Native Vegetation**

The Native Vegetation Overlay seeks to protect, retain and restore areas of native vegetation.

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



## DECISION NOTIFICATION FORM

Section 126(1) of the *Planning, Development and Infrastructure Act 2016*

### TO THE APPLICANT:

Name:	Mannix Home Improvements
Postal address:	<b>83 Saints Road</b> <b>SALISBURY PLAINS SA 5109</b>
Email:	mwilkinson@mannixroofing.com.au

### IN REGARD TO:

Development application no.: <b>544 / 1486 / 2017</b>	Lodged on: <b>20/12/2017</b>
Nature of proposed development: Verandah	

### LOCATION OF PROPOSED DEVELOPMENT:

Property title:	LOT: 44 PLN: 29701 CT: 5089/442
Property location:	5 Minlacowie Road PORT VINCENT 5581

### DECISION:

Decision type	Decision (granted/refused)	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision (relevant authority)
Planning consent	Granted	30/01/2018	3	-	Yorke Peninsula Council
Building consent	Granted	6/02/2018	1	-	Salisbury Development Services
Development approval	Granted	30/09/2020	4	-	Yorke Peninsula Council

<b>FROM THE RELEVANT AUTHORITY.</b>
Date: 30/09/2020

# YORKE PENINSULA COUNCIL DECISION NOTIFICATION FORM

Section 126(1) of the *Planning, Development and Infrastructure Act 2016*

## CONDITIONS OF PLANNING CONSENT:

- (1) Any footings within prescribed distances of wastewater systems as set out in the On-site Wastewater Systems Code 2013, shall be appropriately engineered such that the integrity of the building work and the wastewater system is maintained.
- (2) The applicant shall proceed strictly in accordance with the plans submitted and conditions imposed by this consent, except where minor changes are required to comply with the Building Code of Australia.
- (3) Stormwater run-off, including surface stormwater generated by the development, shall be managed on site or directed to the street water table so as not to trespass on to adjoining properties, lie against any building or create unsanitary conditions. All associated works shall be to the satisfaction of Council.

## CONDITIONS OF BUILDING CONSENT:

Refer Building Consent issued by Salisbury Development Services dated 2 February 2018

## ADVISORY NOTES:

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 12 months from its operative date, subject to the below.
4. An approved development must be substantially commenced within 12 months of the date of Development Approval, and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - (a) until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - (b) if an appeal is commenced—
    - (i) until the appeal is dismissed, struck out or withdrawn; or
    - (ii) until the questions raised by the appeal have been finally determined (other than any question as to costs).

## INFORMATION TO BE INCLUDED ON DECISION TO GRANT DEVELOPMENT APPROVAL PURSUANT TO SECTION 99(4) OF THE ACT

### CONTACT DETAILS OF CONSENT AUTHORITIES:

Name: <b>Yorke Peninsula Council</b>	Type of consent: <b>Development Approval</b>
Postal Address: <b>PO Box 57, Maitland SA 5573</b>	
Telephone: <b>08 8832 0000</b>	Email: <b>admin@yorke.sa.gov.au</b>

## INFORMATION TO BE INCLUDED ON DECISION TO GRANT BUILDING CONSENT

Building classification/s: 10a

### Contact details of for the purposes of notification:

Name: **Yorke Peninsula Council**

Email: [admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au)

Phone: **08 8832 0000**

**PRINCIPAL OFFICE:**  
8 Elizabeth Street, Maitland  
Telephone (08) 8832 0000

**ALL CORRESPONDENCE TO:**  
PO Box 57, MAITLAND, SA 5573  
Fax (08) 8853 2494  
Email: [admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au)  
Website: [www.yorke.sa.gov.au](http://www.yorke.sa.gov.au)



## LOCAL GOVERNMENT INQUIRY

(Certificate of liabilities pursuant to Section 187(1) of the Local Government Act 1999, as amended)

**To:** First National Real Estate - Burton Groves  
PO Box 200  
ST AGNES SA 5097

Certificate No : 16150  
Receipt No : 27597991

Property details:	LOT: 44 PLN: 29701 CT: 5089/442 5 Minlacowie Road PORT VINCENT 5581
Principal Ratepayer(s):	P A & N A & D J MANNIX & M A BAGG
<b>Assessment No:</b>	<b>306688</b>
Valuation No:	5408176002

### Rates and Charges:

Arrears as at 01/07/2023	\$0.00
<b>Rates &amp; Regional Landscape Levy plus, if applicable, Service Charges for the 2023/24 rating year</b>	<b>\$2,155.86</b>
PLUS Other Related Property Charges	
PLUS Fines and/or Interest already incurred	\$0.00
PLUS Other adjustments	\$0.00
LESS Rebate (if applicable)	\$0.00
LESS Payments received this financial year	-\$541.86
<b>TOTAL OWING AT DATE OF THIS REPLY</b>	<b>\$1,614.00</b>

**\*Please contact Council prior to settlement for an updated outstanding balance – Assessments with a credit balance are to be adjusted at settlement, no refunds will be issued\***

For Adjustment purposes please note:

- That works may be carried out, for which charges will be raised subsequent to this certificate. (See attached notice where applicable)
- If the property is located in **Balgowan, Black Point, Hardwicke Bay or Port Rickaby** and is serviced by a Council Water Supply Scheme please email [admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au) to request a final meter reading just prior to settlement. Please note that a fee of \$50.00 is payable to Council for this reading.

The charges as shown are valid only for the date of the certificate. If you are seeking updated rating information more than 30 days from the date of this certificate, or in a new financial year, a new Section 187 request is required to be lodged.

Fines and interest will be added to overdue amounts as provided by the Local Government Act, 1999.

### PRESCRIBED PARTICULARS ONLY ARE PROVIDED

**Enquiries or updates regarding this certificate should only be directed to the Rates Department at the Maitland Branch Office, via email to [admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au)**



Billor Code: 10264  
Reference: 306688

Certified:....

.....Date: 22 September 2023

Account Number      L.T.O Reference      Date of issue      Agent No.      Receipt No.  
**54 08176 00 2**      CT5089442      22/9/2023      7922      2503904

BURTON GROVES & WELSH PTY LTD  
PO BOX 200  
ST AGNES SA 5097  
mail@burtongroves.com.au

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

**Customer:** NA MANNIX  
**Location:** 5 MINLACOWIE RD PORT VINCENT LT 44 F29701  
**Description:** 6HGDI/G      **Capital Value:** \$ 540 000  
**Rating:** Residential

### Periodic charges

Raised in current years to 30/9/2023

			\$
		Arrears as at: 30/6/2023	0.00
Water main available:	1/6/1966	Water rates	74.20
Sewer main available:		Sewer rates	0.00
		Water use	6.09
		SA Govt concession	0.00
		Recycled Water Use	0.00
		Service Rent	0.00
		Recycled Service Rent	0.00
		Other charges	0.00
		Goods and Services Tax	0.00
		Amount paid	80.29CR
		<b>Balance outstanding</b>	<b>0.00</b>

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

**Next quarterly charges:**      Water supply: 74.20      Sewer: 0.00      Bill: 8/11/2023

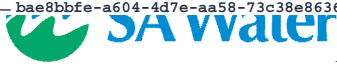
---

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

The last Water Use Year ended on 28/04/2023.

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

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



## South Australian Water Corporation

**Name:** NA MANNIX      **Water & Sewer Account**      **Amount:** \_\_\_\_\_  
**Acct. No.:** 54 08176 00 2

**Address:**  
5 MINLACOWIE RD PORT VINCENT LT  
44 F29701

### Payment Options



#### EFT Payment

Bank account name: SA Water Collection Account  
BSB number: 065000  
Bank account number: 10622859  
Payment reference: 5408176002



**Biller code: 8888**  
**Ref: 5408176002**

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: 5408176002



ABN 19 040 349 865  
Land Tax Act 1936

# CERTIFICATE OF LAND TAX PAYABLE

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

PIR Reference No: 2503904

FIRST NATIONAL REAL ESTATE  
BURTON GROVES  
POST OFFICE BOX 200  
ST AGNES SA 5097

**DATE OF ISSUE**

22/09/2023

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

<b>OWNERSHIP NAME</b>		<b>FINANCIAL YEAR</b>	
N A MANNIX & ORS		2023-2024	
<b>PROPERTY DESCRIPTION</b>			
5 MINLACOWIE RD / PORT VINCENT SA 5581 / LT 44 F29701			
<b>ASSESSMENT NUMBER</b>	<b>TITLE REF.</b> <small>(A "+" indicates multiple titles)</small>	<b>TAXABLE SITE VALUE</b>	<b>AREA</b>
5408176002	CT 5089/442	\$305,000.00	0.0885 HA
<b>DETAILS OF THE LAND TAX PAYABLE FOR THE ABOVE PARCEL OF LAND:</b>			
<b>CURRENT TAX</b>	\$ 0.00	<b>SINGLE HOLDING</b>	\$ 0.00
<b>- DEDUCTIONS</b>	\$ 0.00		
<b>+ ARREARS</b>	\$ 0.00		
<b>- PAYMENTS</b>	\$ 0.00		
<b>= AMOUNT PAYABLE</b>	\$ 0.00		

**Please Note:** If the Current Tax details above indicate a Nil amount, the property may be subject to an Exemption. This exemption should be validated prior to settlement. In order to ensure indemnity for the purchaser of this land, full payment of the amount payable is required:

**ON OR BEFORE** 21/12/2023



**Government of South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Land Tax Act 1936

# CERTIFICATE OF LAND TAX PAYABLE

**PAYMENT REMITTANCE ADVICE**

**No payment is required on this Certificate**



## Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

Visit: [www.revenuesa.sa.gov.au](http://www.revenuesa.sa.gov.au)  
Email: [revsupport@sa.gov.au](mailto:revsupport@sa.gov.au)  
Phone: (08) 8226 3750

## PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

**Online at:**

**OR**

**By Post to:**

**[www.revenuesaonline.sa.gov.au](http://www.revenuesaonline.sa.gov.au)**

RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001



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: 2503904

FIRST NATIONAL REAL ESTATE  
BURTON GROVES  
POST OFFICE BOX 200  
ST AGNES SA 5097

**DATE OF ISSUE**

22/09/2023

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

OWNERSHIP NUMBER	OWNERSHIP NAME			
09911759	N A MANNIX & ORS			
PROPERTY DESCRIPTION				
5 MINLACOWIE RD / PORT VINCENT SA 5581 / LT 44 F29701				
ASSESSMENT NUMBER	TITLE REF.	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
(A "+" indicates multiple titles)				
5408176002	CT 5089/442	\$540,000.00	R2 0.500	RE 0.400
LEVY DETAILS:				
		<b>FIXED CHARGE</b>	\$	50.00
		<b>+ VARIABLE CHARGE</b>	\$	109.25
FINANCIAL YEAR		<b>- REMISSION</b>	\$	68.45
2023-2024		<b>- CONCESSION</b>	\$	0.00
		<b>+ ARREARS / - PAYMENTS</b>	\$	-90.80
		<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** 21/12/2023



**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**

**Please Note:**

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

Visit: [www.revenuesa.sa.gov.au](http://www.revenuesa.sa.gov.au)  
Email: [revsupport@sa.gov.au](mailto:revsupport@sa.gov.au)  
Phone: (08) 8226 3750

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

**Online at:**

**OR**

**By Post to:**

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

RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001



## Certificate of Title

**Title Reference:** CT 5089/442  
**Status:** CURRENT  
**Edition:** 2

## Dealings

No Unregistered Dealings and no Dealings completed in the last 90 days for this title

## Priority Notices

NIL

## Registrar-General's Notes

REDESIGNATED TITLE VIDE 7353751



## Certificate of Title

**Title Reference:** CT 5089/442  
**Status:** CURRENT  
**Parent Title(s):** CT 2222/87  
**Dealing(s) Creating Title:** RT 7353751  
**Title Issued:** 21/09/1992  
**Edition:** 2

## Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
26/08/1994	06/09/1994	7780088	TRANSFER	REGISTERED	NEVILLE ASHLEY MANNIX, PATRICIA ANN MANNIX, DARREN JOHN MANNIX, MELISSA ANN BAGG, & others



## Certificate of Title

**Title Reference** CT 5089/442  
**Status** CURRENT  
**Easement** NO  
**Owner Number** 09911759  
**Address for Notices** 43 THIRD AVE ST PETERS 5069  
**Area** 890m<sup>2</sup> (APPROXIMATE)

## Estate Type

Fee Simple

## Registered Proprietor

NEVILLE ASHLEY MANNIX  
PATRICIA ANN MANNIX  
OF 7 CLARIDGE COURT ST AGNES SA 5097  
4 / 7 SHARE AS JOINT TENANTS

DARREN JOHN MANNIX  
OF 28 DECLIVITY STREET HIGHBURY SA 5089  
1 / 7 SHARE

MELISSA ANN BAGG  
OF 7 BRONHILL CRESCENT GOLDEN GROVE SA 5125  
1 / 7 SHARE

MICHELLE JEANINE BOWERING  
OF 5 MOORHEN PLACE WYNN VALE SA 5127  
1 / 7 SHARE

## Description of Land

ALLOTMENT 44 FILED PLAN 29701  
IN THE AREA NAMED PORT VINCENT  
HUNDRED OF RAMSAY

## Last Sale Details

**Dealing Reference** TRANSFER (T) 7780088  
**Dealing Date** 22/08/1994  
**Sale Price** \$82,000  
**Sale Type** TRANSFER FOR FULL MONETARY CONSIDERATION

## Constraints

### Encumbrances

NIL

### Stoppers

NIL

## Valuation Numbers



Valuation Number	Status	Property Location Address
5408176002	CURRENT	5 MINLACOWIE ROAD, PORT VINCENT, SA 5581

## Notations

### Dealings Affecting Title

NIL

### Notations on Plan

NIL

### Registrar-General's Notes

REDESIGNATED TITLE VIDE 7353751

### Administrative Interests

NIL

## Valuation Record

<b>Valuation Number</b>	5408176002
<b>Type</b>	Site & Capital Value
<b>Date of Valuation</b>	01/01/2023
<b>Status</b>	CURRENT
<b>Operative From</b>	01/07/1966
<b>Property Location</b>	5 MINLACOWIE ROAD, PORT VINCENT, SA 5581
<b>Local Government</b>	YORKE PENINSULA
<b>Owner Names</b>	MELISSA ANN BAGG PATRICIA ANN MANNIX MICHELLE JEANINE BOWERING DARREN JOHN MANNIX NEVILLE ASHLEY MANNIX
<b>Owner Number</b>	09911759
<b>Address for Notices</b>	43 THIRD AVE ST PETERS 5069
<b>Zone / Subzone</b>	N - Neighbourhood\\
<b>Water Available</b>	Yes
<b>Sewer Available</b>	No
<b>Land Use</b>	1100 - House
<b>Description</b>	6HGDI/G
<b>Local Government Description</b>	Residential

## Parcels



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

Title and Valuation Package  
21/09/2023 12:03PM  
5Minlacowie  
20230921004233

Plan/Parcel	Title Reference(s)
F29701 ALLOTMENT 44	CT 5089/442

## Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$305,000	\$540,000			
Previous	\$255,000	\$450,000			

## Building Details

<b>Valuation Number</b>	5408176002
<b>Building Style</b>	Conventional
<b>Year Built</b>	1955
<b>Building Condition</b>	Very Good
<b>Wall Construction</b>	Cement Sheet; Weatherbrd; Log
<b>Roof Construction</b>	Imitation Tile
<b>Equivalent Main Area</b>	144 sqm
<b>Number of Main Rooms</b>	6

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



# Form R4

## Bidders Guide

---

### Guide to the sale of residential property by auction

*Land and Business (Sale and Conveyancing) Act 1994 section 24I and section 24J(1)(f)*

Under the Act, the real estate agent responsible for this auction must provide each person registered on the bidders register with this guide.

#### Who needs to register?

Any person who intends to bid at an auction for residential property must register.

Registering for an auction does not mean you must bid. Registering simply gives you the right to bid. You can register with the agent at any time before the auction, such as when you inspect the property, or on the day of the auction.

If you are bidding to buy the property jointly, for example, with a spouse or partner, only one person needs to register, however, only that person will be able to bid at the auction.

If you are bidding on behalf of another person you will need to provide that person's name and present a copy of a document signed by that person that authorises you to bid on their behalf.

#### Proof of identity

To register, you must show the agent one of the following\*:

- a current document or card issued to you from a Commonwealth, State, Territory or local government authority (e.g. passport, driver's licence, or pension/health concession card, council or water rates notice)
- a document or card issued to you from a utility company (e.g. an electricity supply company)
- a document or card issued to you by a bank (e.g. visa card)
- a passport issued to you by a foreign government.

\*you do not need to leave the document with the agent or allow them to make a copy

If you are bidding on behalf of another person, you must also provide a copy of one of the documents listed above that has been issued to that person.

It is against the law to provide false information for entry onto the bidders register.

#### What happens at registration?

Once you have registered, the agent will provide you with a unique identifier (comprising a number, letter, colour or some other identifying feature). Each time you make a bid you must display this unique identifier.

## What if I arrive at the auction late?

Once an auction has commenced, the agent may interrupt the auction to allow you to register. It is up to the agent to determine whether or not to stop the auction to allow you to register. If you are entered on the register you may bid at the auction.

## Prescribed standard conditions for auction of residential property

Apart from any conditions of auction that the agent also displays at the auction, the following prescribed standard conditions will apply to all auctions of residential land:

- (a) any person may bid in the auction in person, or by their proxy or representative, subject to the conditions of auction;
- (b) the vendor's reserve price will be as recorded in the auction record;
- (c) to make a bid a person must be registered in the bidders register, having satisfied the requirements as to proof of identity and, if applicable, authority to bid as a proxy or representative;
- (d) the auctioneer will only accept a bid if the person making the bid displays a unique identifier (comprising a number, letter, colour, or some other identifying feature) allocated to the person by the auctioneer
- (e) the auctioneer will, when accepting a bid, audibly announce the unique identifier so displayed by the bidder;
- (f) the auctioneer may refuse a bid if of the opinion that it is not in the best interests of the vendor, and will not be obliged to give any reason for refusing a bid;
- (g) the auctioneer may make bids on behalf of the vendor but not more than 3 such bids and only for amounts below the reserve price; any such bid will be audibly announced by the auctioneer as a "vendor's bid";
- (h) bidding increments will be accepted at the discretion of the auctioneer;
- (i) the person accepted by the auctioneer as having made the highest bid at or above the reserve price will be the purchaser and that bid will be the purchase price;
- (j) the auctioneer will not accept a bid made after the fall of the auctioneer's hammer;
- (k) unless otherwise agreed in writing by the purchaser and the vendor before the commencement of the auction—
  - (i) a contract for the sale of the property, in the form displayed by the auctioneer at the auction, will be completed and signed by or on behalf of the purchaser and the vendor immediately after the fall of the hammer; and
  - (ii) the purchaser will pay a deposit immediately after the fall of the hammer, as specified in the conditions of auction\*;
- (l) the auctioneer will have irrevocable authority, after the fall of the auctioneer's hammer, to complete and sign the contract on behalf of the purchaser or the vendor, or both; completion and signing under that authority will be at the auctioneer's discretion in the event of breach by the purchaser of any of the conditions of auction;
- (m) the cooling-off rights under section 5 of the *Land and Business (Sale and Conveyancing) Act 1994* do not apply to a sale by auction or a sale on the day of auction to a person who has made a bid in the auction (whether in person or by their proxy or representative).

\*NOTE: Conditions of auction includes conditions displayed by the auctioneer at the auction as conditions of the auction, together with the standard conditions set out above.

## Dummy and vendor bidding

It is against the law for the vendor of the property, or a person acting on behalf of the vendor, to make a bid at the auction. This type of activity is called dummy bidding and can attract a maximum penalty of \$20,000.

However, the vendor of the property is entitled to have up to three bids made on their behalf by the auctioneer, who must announce each such bid as a 'vendor bid'. The amount of a vendor bid must be less than the vendor's reserve price.

### Interrupting auctions

It is against the law to knowingly prevent a rival bidder from freely bidding at an auction, or to harass a bidder.

It is also against the law to do anything with the intention of preventing, causing a major disruption to, or causing cancellation of an auction. A maximum penalty of \$20,000 applies.

### Cooling-off period

There is no cooling-off period when you buy at auction.

If you are the successful bidder at auction no further bids can be made or accepted. You must then sign a binding sale contract as soon as possible after the conclusion of the auction. You will usually be required to pay a deposit at the time. The deposit amount is usually around 10% of the purchase price, however you may seek to negotiate a lesser amount with the agent before the auction.

If the property is passed in at auction and if you made a bid at the auction then any sale contract you enter into before midnight on the same day as the auction, as a result of further negotiations with the vendor, is not subject to a cooling-off period.

### Your privacy

The agent is not permitted to disclose information on the bidders register to anyone unless required to by an authorised person under the *Fair Trading Act 1987*.

Disclaimer: This publication is a plain language guide to your rights and responsibilities. It must not be relied upon as legal advice. For more information please refer to the appropriate legislation or seek independent legal advice.

# Form R5

## Collusive Practices

---

### Collusive practices at auctions of land or a business

*Land and Business (Sale and Conveyancing) Act 1994* section 24L

Land and Business (Sale and Conveyancing) Regulations 2010 regulation 28

Section 24L of the *Land and Business (Sale and Conveyancing) Act 1994* makes it unlawful to engage in collusive practices in relation to an auction of land or a business. Under that section a person must not do any of the following as a result of a collusive practice, or induce or attempt to induce another person by a collusive practice to do any of the following:

- (a) abstain from bidding;
- (b) bid to a limited extent;
- (c) do anything else that might tend to prevent free and open competition.

The maximum penalty for committing such an offence is \$20 000.

\* *“Collusive practice” is defined in section 24L(4) of the Act. If you are intending to bid at an auction and are unsure whether your activity constitutes a collusive practice, it is advisable to seek independent legal advice.*

*NOTE: At auctions of land or businesses this form must be made available for perusal by members of the public for at least 30 minutes immediately before the auction is due to commence.*

# Form R7

## Warning Notice

---

### Financial and Investment Advice

*Land and Business (Sale and Conveyancing) Act 1994 section 24B*

Land and Business (Sale and Conveyancing) Regulations 2010 regulation 21

A land agent or sales representative who provides financial or investment advice to you in connection with the sale or purchase of land or a business is obliged to tell you the following —

**You should assess the suitability of any purchase of the land or business in light of your own needs and circumstances by seeking independent financial and legal advice.**

NOTE: For the purposes of section 24B of the Act, an agent or sales representative who provides financial or investment advice to a person in connection with the sale or purchase of land or a business must

- in the case of oral advice - immediately before giving the advice, give the person warning of the matters set out in this Form orally, prefaced by the words "**I am legally required to give you this warning**"; or
- in the case of written advice - at the same time as giving the advice or as soon as reasonably practicable after giving the advice, give the person this Form, printed or typewritten in not smaller than 12-point type.

# PUBLIC AUCTION OF REAL PROPERTY TERMS AND CONDITIONS



## 1. The Auctioneer presents the Property for sale by auction

The Auctioneer, as authorised by the Agent acting for the Vendor, presents the Property for sale by auction on behalf of the Vendor. An offer to purchase the Property may be made by any person present in person or by proxy or representative ("Bidder") by making a bid at auction, subject to these Terms and Conditions.

## 2. Bidders are bound by these Terms and Conditions

By bidding at auction, a Bidder agrees to be bound by these Terms and Conditions.

## 3. Vendor's reserve price

3.1 The Vendor's reserve price ("Reserve Price") will be as recorded in the Auction Record.

3.2 In the event that the Reserve Price is not reached at auction, the Auctioneer and/or the Agent shall attempt to negotiate immediately with the highest Bidder to sell the Property and if no agreement is reached, the Auctioneer and/or Agent will attempt to negotiate with other Bidders and then with any other interested parties.

## 4. Vendor may withdraw the Property from sale

The Vendor may at any time before the Property is sold at auction:

4.1 withdraw the Property from sale; or

4.2 consolidate, divide, or otherwise alter the organisation or arrangement of the Property in any way deemed convenient by the Auctioneer.

## 5. Cooling-off rights do not apply

Cooling-off rights under section 5 of the *Land and Business (Sale and Conveyancing) Act 1994* do not apply to a sale by auction or a sale on the day of auction to a person who has made a bid at the auction (whether in person or by their proxy or representative).

## 6. Registration of Bidders (Residential land only)

6.1 To make a bid at an auction for residential land (as defined in the *Land and Business (Sale and Conveyancing) Act 1994*), a person must be registered in the bidders register.

6.2 To be entered in the bidders register, the person must satisfy the Agent as to the person's identity through providing proof of identity in the required form (through the provision of a driver's licence, passport, credit/debit card, utilities account or similar documentation).

6.3 Where a person intends to bid on the property as a proxy or representative of another person ("Proxy Bidder"), the person intending to bid must produce a signed authority from the other person or entity authorising them to bid on their behalf.

6.4 A person making a bid must do so by displaying their unique identifier, obtained through the Bidder registration process.

## 7. Bidding at auction

### 7.1 Proxies and representatives at auction

If the Proxy Bidder is the successful bidder at auction and the Purchaser is not present to sign the Contract of Sale immediately following the auction, then the Proxy Bidder will be required to sign the Contract of Sale.

### 7.2 Bidder offers to purchase the Property

With each bid at auction, a Bidder makes an unconditional offer to purchase the Property which may be accepted by the Auctioneer.

### 7.3 Vendor may bid at auction

The Auctioneer may make bids on behalf of the Vendor but if the auction is for residential land (as defined in the *Land and Business (Sale and Conveyancing) Act 1994*) the Auctioneer may not make more than 3 such bids and only for amounts below the Reserve Price. Where a Vendor bid is made by the Auctioneer, the Auctioneer will audibly announce the bid as a "vendor's bid".

### 7.4 Advancement of bids

The bidding increments during the course of the auction will be accepted at the discretion of the Auctioneer.

### 7.5 Auctioneer may refuse any bid

The Auctioneer may refuse a bid if of the opinion that it is not in the best interests of the Vendor and will not be obliged to give any reason for doing so.

### 7.6 Bids are binding

A bid accepted by the Auctioneer is binding on the Bidder and may not be withdrawn.

# PUBLIC AUCTION OF REAL PROPERTY TERMS AND CONDITIONS



## 7.7 Disputes concerning bids

If there is a dispute concerning bids made at auction ("Dispute") where the Dispute arises before or after the fall of the hammer or some similar indication that the Property is sold ("Fall of Hammer"), then the Auctioneer will decide the Dispute in a way that he or she deems appropriate. The decision of the Auctioneer is final and gives rise to no claim by any person against another.

## 7.8 Selection of the Purchaser and determination of the purchase price

A person accepted by the Auctioneer as having made the highest bid at or above the Reserve Price will be the Purchaser ("Purchaser") and that bid will be the purchase price ("Purchase Price"). The Auctioneer will not accept a bid made after the fall of the Auctioneer's hammer.

## 7.9 The Purchaser must pay the deposit and sign the Contract

Subject to the determination of any Dispute, unless otherwise agreed in writing and advised before commencement of the auction, the Purchaser, upon being acknowledged by the Auctioneer as the Purchaser must:

- 7.9.1 immediately complete all necessary details required by the Auctioneer to enter into a contract for the sale and purchase of the Property in the form of contract that is displayed by the Auctioneer at the auction ("Contract"); and
- 7.9.2 immediately pay to the Auctioneer a deposit equal to ten percent (10%) of the Purchase Price; and
- 7.9.3 complete the purchase of the Property in accordance with the Terms and Conditions contained in the Contract for the Purchase Price.

## 8. Auctioneer may sign the Contract

The Auctioneer will have irrevocable authority, after the fall of the Auctioneer's hammer, to complete and sign the Contract on behalf of the Purchaser or the Vendor, or both. Completion and signing under the Auctioneer's authority will be at the Auctioneer's discretion in the event of a breach by the Purchaser of any of the conditions of the auction. The party for whom the Auctioneer has signed the Contract is bound by the Contract.

## 9. Variations of Terms and Conditions before auction

Where the Vendor has agreed in writing with a Bidder to vary these Terms or other conditions, before the Auction, then those variations will apply to that Bidder only.

## 10. Property may be re-auctioned

10.1 If the Purchaser fails:

- (a) to pay the deposit; or
- (b) to execute the Contract

(or both) immediately after the fall of the Auctioneer's hammer, then the Purchaser is deemed by the Auctioneer to have breached his or her obligation to complete the purchase of the Property.

10.2 Where clause 10.1 applies, the Auctioneer/Agent is authorised by the Vendor to terminate the Contract and:

- (a) re-auction the Property; or
- (b) to sell the Property by private treaty.

## 11. Vendor may sue Purchaser for damages

Notwithstanding clause 10.2, the Vendor may sue the Purchaser for damages for any failure to comply with these Terms and Conditions and/or the Contract.

## 12. Holding over the auction

The Auctioneer may hold over the Property and re-offer it for auction at another time on the same day on Terms and Conditions as the Vendor may nominate.

## 13. Auctioneer may vary these Terms and Conditions

Subject to legislative requirements, the Auctioneer is entitled to vary these Terms and Conditions by announcement immediately before or during the auction including, but not limited to, advising registered bidders that any variations sought by them have been accepted by the Vendor.

## 14. Legal age of Purchaser

A Bidder must be at least 18 years of age.

## 15. Foreign Investment Review Board Approval

A person who wishes to bid for or purchase the Property warrants that they do not require approval from the Foreign Investment Review Board (or any similar organisation) for the purchase herein.

A person who wishes to make a bid at the auction for the Property who requires approval from the Foreign Investment Review Board (or any similar organisation) for the purchase herein must make arrangements suitable to the Auctioneer before the auction.