



address 43 Dauncey Street, Kingscote  
 postal PO Box 121, Kingscote SA 5223  
 phone 08 8553 4500 | fax 08 8553 2885  
 email [kicouncil@kicouncil.sa.gov.au](mailto:kicouncil@kicouncil.sa.gov.au)  
 web [kangarooisland.sa.gov.au](http://kangarooisland.sa.gov.au)  
 abn 93 741 277 391

Date: 22 August 2024

Assessment N<sup>o</sup>: A25072  
 VG N<sup>o</sup>.: 5206676682

[conveyancingvandiss@gmail.com](mailto:conveyancingvandiss@gmail.com)

BPay biller code: 88963  
 BPay reference No. 1000250727

Property owner/s:	Haven Estates Pty Ltd
Property address:	LOT 826 SOUTH COAST ROAD STUN'SAIL BOOM SA 5223

Certificate of Title/s:	CT5828/202	CT5828/198	CT5620/703	CT5828/199	
Section/s					
Lot/s	826	827	828	829	

Current Year's General Rates:	\$	5329.60
Current Year's Waste - Treatment & Disposal	\$	285.00
Current Year's Waste - Collection	\$	
Current Year's Landscape Levy	\$	91.43
Current Year's CWMS	\$	
less Rate Rebates (Capping)	\$	0.00
<b>Total 2024/25 Rates</b>	<b>\$</b>	<b>5706.03</b>

plus Rate Arrears (including fines & interest)	\$	79235.60
plus Sundry Debtors	\$	
less Rebates & Concessions	\$	0.00
less Payments	\$	0.00
<b>Total Rates Payable</b>	<b>\$</b>	<b>88076.63</b>

A free update of the rates payable for the same financial **quarter** is available by emailing a request within two weeks of settlement occurring (please advise date with request) to Council at: [rates@kicouncil.sa.gov.au](mailto:rates@kicouncil.sa.gov.au)

I certify that the charges set out above were due and payable at the date of giving this certificate.

**Daryl Buckingham**  
 Chief Executive Officer



# Local Government Enquiry

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

To Chief Executive Officer  
 PO Box 121  
 KINGSCOTE, SA 5223

RECEIVED	
21 AUG 2024	
KANGAROO ISLAND COUNCIL	
FILE:	7.11.5
RECORD:	

Dear Sir/Madam,

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

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

**For a full rates search a Certificate of title must be attached pursuant to Section 194 of the Local Government Act in regard to the Land. \*\* (Availability of Urgent searches is at the discretion of Council and must have confirmation by phone prior to sending.) \*\***

Name:

Phone:  Date:

Email:

The Land:

Property Address:

Owner(s) Name:

Assessment No:  Valuer General No:

To ensure Council returns your request as required by the Land and Business (Sale and Conveyancing) Act 1994, please ensure all property details are completed.

Please Tick:  Full Rates  Rates Only  Unconditional offer Pending (Full Rates)

**Searches will not be processed until payment is received.**

Payment Enclosed:  Cheque  Eftpos (proceed below)

Credit Card details:  Master card  Visa

Card Number:  Expiry Date:

Signature of Card holder:  CVV Code:



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 5828 Folio 202

**Parent Title(s)** CT 4028/994  
**Creating Dealing(s)** CONVERTED TITLE  
**Title Issued** 07/12/2000      **Edition** 1      **Edition Issued** 07/12/2000

### Estate Type

FEE SIMPLE

### Registered Proprietor

HAVEN ESTATES PTY. LTD. (ACN: 007 769 066)  
OF 161 FLINDERS STREET ADELAIDE SA 5000

### Description of Land

ALLOTMENT 826 FILED PLAN 180858  
IN THE AREA NAMED STUN'SAIL BOOM  
HUNDRED OF RITCHIE

### Easements

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

### Schedule of Dealings

Dealing Number	Description
6138767	CAVEAT BY ERNST ABRAHAM SIEWERTSZ VAN REESEMA
10734737	CAVEAT BY BROOKE DOUGLAS HILL
10903435	CAVEAT BY COMMISSIONER OF STATE TAXATION

### Notations

**Dealings Affecting Title** NIL  
**Priority Notices** NIL  
**Notations on Plan** NIL

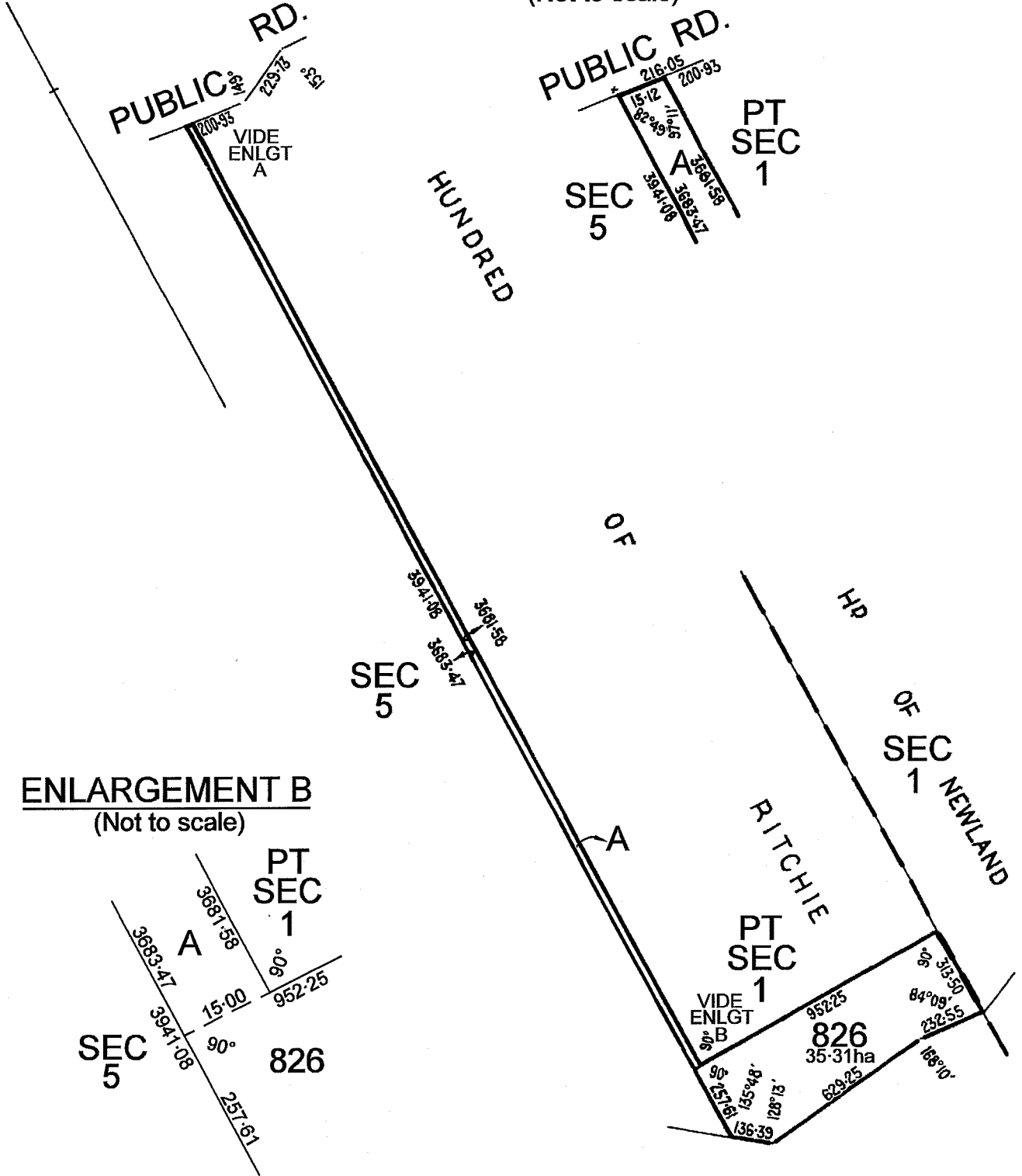
### Registrar-General's Notes

COMPARE ADDRESS FOR SERVICE OF NOTICE WITH 3835535

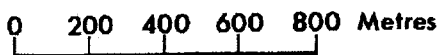
**Administrative Interests** NIL

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 4028/994  
 SEE TITLE TEXT FOR EASEMENT DETAILS

**ENLARGEMENT A**  
 (Not to scale)



**ENLARGEMENT B**  
 (Not to scale)



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

### Local Government Search

<b>Applicant</b>	Van Dissel Solicitors
<b>Property Address</b>	LOT 826 SOUTH COAST ROAD STUN'SAIL BOOM SA 5223
<b>Property Description</b>	Lot 826 FP 180858, Stun'sail Boom, Hundred of Ritchie
<b>Assessment No</b>	A25072
<b>Certificate of Title Reference:</b>	CT5828/202

The information herein is provided pursuant to Council's obligations under Section 7 of the Land and Business (Sales and Conveyancing) Act and Regulations.

<b>Prescribed Encumbrances affecting the land at LOT 826 SOUTH COAST ROAD STUN'SAIL BOOM SA 5223</b>	<b>Other Particulars Required</b>
<b>General</b>	
Any Caveat, Lien, Encumbrance, Restrictive Covenant or other registered interest in the Land by <b>Kangaroo Island Council</b>	<b>No</b>
<b><i>Development Act 1993 (Repealed)</i></b>	
Section 42 – Condition (that continues to apply) of a development authorisation	<b>No</b>
<b>Repealed Act conditions</b>	
Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971 (repealed)</i> , the <i>City of Adelaide Development Control Act 1976 (repealed)</i> , the <i>Planning Act 1982 (repealed)</i> or the <i>Planning and Development Act 1966 (repealed)</i>	<b>No</b>

Prescribed Encumbrances affecting the land at LOT 826 SOUTH COAST ROAD STUN'SAIL BOOM SA 5223	Other Particulars Required
<b><i>Planning, Development and Infrastructure Act 2016</i></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):	<b>Refer to Attached PlanSA Report</b>
Is there a State heritage place on the land or is the land situated in a State heritage area?	<b>No</b>
Is the land designated as a local heritage place?	<b>No</b>
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?	<b>Refer to Attached PlanSA Report.</b>
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?	<b>Refer to Attached PlanSA Report.</b>
Section 127 – Condition (that continues to apply) of a development authorisation	<b>Refer to Attached PlanSA Report.</b>
<b><i>Development Act 1993 (Repealed)</i></b>	
Section 50(1) – Requirement to vest land in a council or the Crown to be held as open space	<b>No</b>
Section 50(2) – Agreement to vest land in a council or Crown to be held as open space	<b>No</b>
Section 55 – Order to remove or perform work	<b>No</b>
Section 56 – Notice to complete development	<b>No</b>
Section 57 – Land management agreement	<b>No</b>

<b>Prescribed Encumbrances affecting the land at LOT 826 SOUTH COAST ROAD STUN'SAIL BOOM SA 5223</b>	<b>Other Particulars Required</b>
Section 69 – Emergency order	<b>No</b>
Section 71 – Fire safety notice	<b>No</b>
Section 84 – Enforcement notice	<b>No</b>
Section 85(6), 85(10) or 106—Enforcement order	<b>No</b>
Part 11 Division 2 – Proceedings	<b>No</b>
<b><i>Planning, Development and Infrastructure Act 2016</i></b>	
Section 141 – Order to remove or perform work	<b>No</b>
Section 142 – Notice to complete development	<b>No</b>
Section 155 – Emergency order	<b>No</b>
Section 157 – Fire safety notice	<b>No</b>
Section 192 or 193 – Land Management Agreement	<b>No</b>
Section 198(1) – Requirement to vest land in a council or the Crown to be held as open space	<b>No</b>
Section 198(2) – Agreement to vest land in a council or the Crown to be held as open space	<b>No</b>
Part 16 – Division 1 – Proceedings	<b>No</b>
Section 213 – Enforcement notice	<b>No</b>
Section 214(6), 214(10) – Applications to Court	<b>No</b>

Prescribed Encumbrances affecting the land at LOT 826 SOUTH COAST ROAD STUN'SAIL BOOM SA 5223	Other Particulars Required
Section 222 – Enforcement order to rectify breach	No
<b><i>Fire and Emergency Services Act 2005</i></b>	
Section 105F (or Section 56 or 83 (repealed)) – Notice of action required concerning flammable materials on land	No
<b><i>Housing Improvement Act 1940 (repealed)</i></b>	
Section 23 – declaration that house is undesirable or unfit for human habitation	No
Part 7 – (rent control for substandard houses) Notice of declaration	No
<b><i>Local Nuisance and Litter Control Act 2016</i></b>	
Section 30 – Nuisance or litter abatement notice	No
<b><i>Food Act 2001</i></b>	
Section 44 – Improvement notice	No
Section 46 – Prohibition order	No
<b><i>Public and Environmental Health Act 1987 (repealed)</i></b>	
Part 3 – Notice	No
<i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)</i> Part 2 – Condition (that continues to apply) of an approval	No
<i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked)</i> Regulation 19 – Maintenance order (that has not been complied with)	No



Prescribed Encumbrances affecting the land at LOT 826 SOUTH COAST ROAD STUN'SAIL BOOM SA 5223	Other Particulars Required
<b><i>South Australian Public Health Act 2011</i></b>	
Section 66 – Direction or requirement to avert spread of disease	<b>No</b>
Section 92 – Notice	<b>No</b>
South Australian Public Health (Wastewater) Regulations 2013 Part 4 – Condition (that continues to apply) of an approval	<b>No</b>
<b><i>Local Government Act 1934 (repealed)</i></b>	
Notice, order, declaration, charge, claim or demand given or made under the Act	<b>No</b>
<b><i>Local Government Act 1999</i></b>	
Notice, order, declaration, charge, claim or demand given or made under the Act	<b>Yes</b>  <b>Outstanding rates, debits, arrears (and the like) will be discharged upon payment in full- See attached rates charges schedule.</b>
<b><i>Water Industry Act 2012</i></b>	
Notice or order under the Act requiring payment of charges or other amounts or making other requirement	<b>No</b>
<b><i>Land Acquisitions Act 1969</i></b>	
Section 10 Notice of intention to acquire	<b>No</b>
<b><i>Other Charges</i></b>	
Charge of any kind affecting the land (not included in another item)	<b>No</b>

## Particulars relating to Environment Protection

Further information held by councils

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

- (a) commercial or industrial activity at the land; or
- (b) a change in the use of the land or part of the land (within the meaning of the Development Act 1993) or the Planning, Development and Infrastructure Act 2016?

**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.

## 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: **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?

**No**

If YES, give details:

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

**COUNCIL INFORMATION AND ADVISORY NOTES**

This information is provided as additional information, it is not information that Council is statutorily obliged to provide.

- **Aluminium Composite Panel Cladding (ACP)** is defined as flat or profiled aluminium sheet material in composite with any type of material. ACP is an external building cladding material which can create a fire risk if used or installed incorrectly.

Both Vendors and Purchasers should take reasonable steps to determine if ACP has been identified on any buildings on the land, and also the status of any required remediation works related to the presence of ACP on such building.

- **Planning and Design Code** - Council takes this opportunity to inform you that a new planning system is now in effect across South Australia. This system is underpinned by *the Planning, Development and Infrastructure Act 2016* which replaced the *Development Act 1993*.

Under the new Act, Council Development Plans have now been replaced by the Planning and Design Code. This came into effect on 19 March 2021.

**For further information regarding the new planning system, please visit the PlanSA portal:**  
[www.plan.sa.gov.au](http://www.plan.sa.gov.au)

**ADVISORY NOTE 1 - Smoke Detectors** - The Planning, Development and Infrastructure (General) regulations 2017 (Regulation 95) require the installation of suitable smoke alarms in all Class 1 & 2 (residential premises) buildings. New owners are required to comply with these requirements.

**ADVISORY NOTE 2 - Septic Tank Effluent Disposal Scheme** - the townships of Kingscote, American River and Parndana are serviced by an effluent disposal scheme which is operated and maintained by the Kangaroo Island Council. Some allotments may not be provided with a connection or may have drains installed over a portion of the property which may restrict the location of future buildings and require access to be maintained for maintenance and asset replacement purposes. For specific information enquire at the Council office.

**ADVISORY NOTE 3 - Watercourses** - An owner of a land that has a watercourse running through or adjacent to the land must comply with the Landscapes South Australia Act 2019. Approval may be required to deposit anything in the water course obstruct the watercourse or do anything that might result in the obstruction of the watercourse, alter the course of the watercourse, or remove rock sand or soil from the bed or banks of the watercourse or otherwise interfere with the bed or banks of a watercourse, unless authorised to do so by the Relevant Authority.

**ADVISORY NOTE 4 – Further Information** – Should you seek any further detail additional to the above information provided pursuant to the *Land and Business (Sale and Conveyancing) Act 1994*, an application must be made in writing to Council, indicating the specific nature of the information being sought. Records retrieval of photocopying charges may apply.

**Certified**



**Chief Executive Officer**

**Date: 23 August 2024**

## Data Extract for Section 7 search purposes

Valuation ID 5206676682

**Data Extract Date:** 23/08/2024

**Parcel ID:** F180859 A827, F180858 A826, F180860 A828, F180861 A829

**Certificate Title:** CT5828/198, CT5828/202, CT5620/703, CT5828/199

**Property Address:** LOT 826 SOUTH COAST RD STUN'SAIL BOOM SA 5223

### Zones

Conservation (Con)

Rural (Ru)

### Subzones

Kangaroo Island (KI)

Visitor Experience (VEx)

### Zoning overlays

#### Overlays

##### **Coastal Areas**

The Coastal Areas Overlay seeks to ensure the conservation of the natural coastal environment, provide for natural coastal processes and recognise and respond to coastal hazards.

##### **Hazards (Bushfire - High Risk) (High)**

The Hazards (Bushfire - High Risk) Overlay seeks to ensure development responds to the high level of bushfire risk by siting and designing buildings to mitigate threat and impact of bushfires on life and property, facilitating access for emergency service vehicles and situating activities that increase the number of people living and working in the area away from areas of unacceptable bushfire risk.

##### **Heritage Adjacency**

The Heritage Adjacency Overlay seeks to ensure development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those places.

##### **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.

##### **Significant Landscape Protection**

The Significant Landscape Protection Overlay seeks to conserve the natural and rural character and scenic and cultural qualities of significant landscapes.

### **State Significant Native Vegetation**

The State Significant Native Vegetation Overlay seeks to protect, retain and restore significant 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