

54	6 Sep 10	Confidential - Sale of Property	Reason: 90(3)(a), 90(2), 91(7), 90(2) (3a), 91(7)(b), Personal affairs of ratepayers, in that details of their personal financial situation will be disclosed.	Documents and Minutes	Process concluded.	Orders that the documents and all minutes be retained in confidence until 6 September 2015 and that the revocation of confidentiality be delegated to the Chief Executive Officer to determine when there is no legal or commercial need for continued confidentiality, and that this order be reviewed every 12 months.	5 Sept 11	NA	RELEASE 5 Sept 11
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	Part Information released
	Information remains Confidential

23.2 **REPORT TITLE: CONFIDENTIAL – SALE OF PROPERTY**
 DATE OF MEETING: 6 SEPTEMBER 2010
 FILE NUMBER: 124305

Moved Councillor Gamble that Council:

1. Pursuant to Section 90(3)(a)
Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, General Manager Governance and Projects, Acting General Manager Vision and Compliance, General Manager Council Services, Manager Governance & Business Processes and the Minute Secretary be excluded from attendance at the meeting for this agenda item.

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of ratepayers, in that details of their personal financial situation will be disclosed.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details would be ultra vires to Clause 184 of the Local Government Act 1999.

Seconded Councillor Zanker and CARRIED

Moved Councillor Gamble that Council:

2. Set the reserve price for the sale of the property at 16 Princes Road, Mount Barker by auction at \$185,000 ex GST.
3. Pursuant to Section 91(7)
That having considered this agenda item in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7)(b) of the Act orders that the documents and all minutes be retained in confidence until 6 September 2015 and that the revocation of confidentiality be delegated to the Chief Executive Officer to determine when there is no legal or commercial need for continued confidentiality, and that this order be reviewed every 12 months.

Seconded Councillor Zanker and CARRIED

MEETING DECLARED CLOSED AT 9.37PM

MAYOR

DATE

16.2. REPORT TITLE: CONFIDENTIAL – SALE OF PROPERTY**DATE OF MEETING: 6 SEPTEMBER 2010****FILE NUMBER: 124305****Strategic Plan Ref:**

Goal Area 5 – Council Leadership

Purpose:

To gain Council's endorsement to set the reserve price for the sale of property at 16 Princes Road, Mount Barker at \$185,000 (ex GST) based on the independent valuation provided by Egan National Valuers (SA).

Summary – Key Issues:

- Valuation advice has been received to enable Council to set the reserve price for the sale of property at 16 Princes Road, Mount Barker by auction.

Recommendation:

That Council:

1. Pursuant to Section 90(3)(a)
Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, General Manager Governance and Projects, General Manager Vision and Compliance, General Manager Council Services, Senior Rates and Property Officer, Manager Governance & Business Processes and the Minute Secretary be excluded from attendance at the meeting for this agenda item.

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of ratepayers, in that details of their personal financial situation will be disclosed.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details would be ultra vires to Clause 184 of the Local Government Act 1999.

2. Set the reserve price for the sale of the property at 16 Princes Road, Mount Barker by auction at \$185,000 ex GST.
3. Pursuant to Section 91(7)
That having considered this agenda item in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7)(b) of the Act orders that the documents and all minutes

be retained in confidence until 6 September 2015 and that the revocation of confidentiality be delegated to the Chief Executive Officer to determine when there is no legal or commercial need for continued confidentiality, and that this order be reviewed every 12 months.

Background:

1. Council at its meeting on Monday, 7 June 2010 endorsed the sale of the property at 16 Princes Road, Mount Barker for non-payment of rates exceeding a three (3) year period totalling \$8405.50.
2. As part of this process, Council is required to set the reserve amount for the sale, initially by auction, as per its resolution at its meeting on 7 June 2010.

“... to set a reserve amount for the sale of the property based on an independent valuation from a valuer with a further report to be provided to the Council seeking approval of the actual reserve amount to be set.”

Discussion:

3. Attached is a copy of the valuation advice received from Egan National Valuers (SA), which indicates that the valuation for the property at 16 Princes Road, Mount Barker is \$185,000. Quotations for the provision of the valuation was sought from three (3) valuers with Egan National Valuers (SA) offering the best value for Council.
4. It is recommended that Council consider the valuation advice and set a reserve price for the sale of the property initially by auction of \$185,000.
5. Following requests for quotations from local selling agents, Council has engaged L J Hooker, Mount Barker Branch as the real estate agent to conduct the auction and negotiate the sale of the property.
Council is required to advertise on at least two (2) occasions in The Advertiser, the property for sale by auction on the date determined and provide a sign on the property to satisfy requirements of Section 184 of the Local Government Act and to notify the owners of the impending sale process.
6. Council is also able to sell the property by a private sale in the event the sale of the property by auction fails.
7. Proceeds of the sale will be distributed in accordance with the *Local Government Act 1999* as follows:
 - Payment of costs of the Land and any other costs incurred and proceeding with the sale of the Land;
 - Discharging any liabilities to Council in respect of the Land;

- Discharging any liability to the Crown for rates, charges or taxes;
- Discharging any liability secured by registered mortgages, encumbrances and charges of which the Council has notice; and
- Payment to the owner of the Land.

Community Engagement:

Community engagement is not applicable to this report.

Policy:

Section 184 of the Local Government Act 1999 applies.

Budget:

Council will receive the outstanding rates liability on this property of \$8405.50 on the sale of the property. The additional costs incurred by Council as part of the sale of this property will be reimbursed to Council in accordance with Section 184 of the *Local Government Act 1999*.

Statutory/Legal:

In accordance with Section 184 of the *Local Government Act 1999*.

Staff Resource Requirements:

The management of the sale process will be undertaken by the Senior Rates & Property Officer within existing responsibilities assisted by experts in the areas of property valuation and property auctioneering and sale.

Environmental:

There are no environmental implications arising from this report.

Social:

The sale of this property will provide for improved amenity in the area.

Risk Assessment:

Risk Assessment is not necessary for this report.

Asset Management:

There are no Asset Management implications arising from this report.

Conclusion:

To enable the sale of this property to occur as soon as practicable, Council is required to approve the reserve price for the sale of the property initially by auction.

Key Contact

Neville Gay, Senior Rates & Property Officer, Council Services

Manager or Sponsor of Project

Narelle Jeffery, General Manager Council Services

Attachments

- 1: Copy of valuation advice from Egan National Valuers (SA)



Our Ref: 1041124

17 August 2010

Mr Neville Gay
Senior Rates & Property Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251



(Pc/ 6895)

Dear Mr Gay

RE: 16 PRINCES ROAD, MOUNT BARKER SA 5251

We thank you for your recent instructions to complete an assessment of value on the aforementioned property.

We can confirm that our inspection of the property was completed on 12 August 2010 and as requested, we now provide you with a copy of our report in "letter" form, although a more detailed report can be supplied if required, albeit at an additional cost.

PURPOSE OF VALUATION

The purpose of this valuation is to determine the current market value of the freehold interest in the abovementioned property, for consideration as a prelude to sale for the recovery of outstanding rates as prescribed under the Local Government Act.

We confirm the report has been prepared in accordance with the Australian Property Institute's 'Australian & New Zealand Valuation and Property Standards'.

We attach a copy of your letter of instruction, refer Appendices.

CERTIFICATION

We hereby certify that the Valuer:

- has no interest financial or otherwise, in the property subject to appraisal or with the instructing parties;
- confirms the valuation has been prepared for consideration as a prelude to sale for the recovery of outstanding rates as prescribed under the Local Government Act.

DEFINITION OF MARKET VALUE

Market value is the estimated amount for which an asset should exchange on the date of valuation between a willing buyer and a willing seller in an arms length transaction, after proper marketing, wherein the parties had each acted knowledgeably, prudently and without compulsion.

LEGAL DESCRIPTION

The subject property is described as being that portion of land situated in the Hundred of Macclesfield in the area named Mount Barker, more particularly being Allotment 12 as delineated in LTRO Deposited Plan No. 9808, being the **whole** of the land contained and described within Certificate of Title Volume 5475 Folio 969.

16 PRINCES ROAD, MOUNT BARKER SA 5251

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**Registered Proprietors**

As at the date of Title Search, the registered proprietors of the land are noted as being EDWARD GEORGE NICHOLSON and SHIRLEY NICHOLSON as joint tenants.

Easements

As at the date of search, the following easement was noted on the Certificate of Title:

- Subject to the easement for sewerage purposes as provided for by Section 223 1g (1) of the Real Property Act 1886 over the land marked 'Easement C' on title plan.

We are of the opinion that this easement does not detrimentally affect the value of the property as it is currently developed.

Endorsements

As at the date of search, the registered proprietor's interest was endorsed as follows:

- Caveat 11283424 by Commissioner of State Taxation.

This valuation is based on the assumption that there are no restrictive covenants or easements or other onerous restrictions affecting the subject property other than those stated herein and is given on the condition that the valuation will be referred back to the Valuers for reappraisal should future title searches or certificates disclose any other encumbrances or variations from that set out in this report.

We attach a copy of the Certificate of Title, refer Appendices.

LOCATION

The subject property is located at 16 Princes Road within the suburb of Mount Barker, situated approximately 35 kilometres south-east of the Adelaide GPO. More particularly, the subject is positioned on the south-western side of the street some 35.00 metres north-west of the junction formed with Edward Street.

The majority of the surrounding development comprises detached timber framed and asbestos clad dwellings established as public housing circa 1960 on gently undulating terrain in the southern precincts of Mount Barker.

A primary school is located along Princes Road and a high school is in walking distance of the subject property. At the eastern end of the subject street at its junction with Albert Street in a newly established land division that has been developed to modern single storey court yard homes.

The main commercial precinct of Mount Barker is located a short driving distance north-east of the subject land where a full range of retail and commercial premises are established.

We attach a copy of the Location Plan, refer Appendices.

SITE DESCRIPTION

The allotment is irregular in shape and features a frontage to Princes Road of 24.38 metres, a rear boundary dimension of 27.84 metres, a depth of 36.58 metres to the north-western boundary and a depth to the south-eastern boundary of 23.16 metres

The total site area is approximately 728 square metres.

The site is level to the road with an easterly aspect. All essential services are available to the site and the road is bitumen sealed and has concrete kerbs and gutters.

The shape and dimensions of the site are clearly depicted on the Title plan, a copy of which is contained within the Appendices of this report. A current survey has not been sighted.

The valuation is made on the assumption that there are no encroachments by or upon the property. There appears to be no encroachment by the existing improvements, however this has not been confirmed by a current survey report and/or advice from a registered surveyor. If any encroachment or other affectation is noted in the event of a surveyor's report being commissioned, the Valuer should be consulted to assess any effect on the value stated in this report.

TOWN PLANNING

By virtue of the Development Act 1993 (as amended), District Council of Mount Barker, the subject property is designated as lying within a 'Residential' zone. More specifically the subject property is located in Policy Area 20 (Urban Regeneration Area).

The existing use of the subject property as a detached dwelling is considered to be a complying land use.

We attach an extract from the Development Plan, refer Appendices.

HERITAGE LISTING

The subject property is not noted as being an item of Heritage significance by the Local Council, State or Federal Heritage Registers.

PROPERTY DESCRIPTION

Currently erected on the site is a former South Australian Housing Trust designed conventional style asbestos clad dwelling, plus a second storey addition. The original dwelling is estimated to have been constructed in or about 1960.

The improvements are more particularly depicted in the photographs contained within the Appendices of this report.

Construction

Footings	:	Timber stumps.
Walls	:	Asbestos.
Floors	:	Timber.
Windows	:	Timber and aluminium framed.
Ceilings	:	Plasterboard
Roof	:	Concrete tile.

Accommodation

The dwelling has three bedrooms, lounge, family room, single bathroom, kitchen, separate laundry and a toilet.

The kitchen has damaged and dated cupboards, an upright cooker and a stainless steel sink.

The bathroom, laundry and toilet each have a mosaic tiled floor and dated appointments, with rubbish strewn over the floors. The bathroom includes a small bath tub, shower alcove and vanity cupboard.

16 PRINCES ROAD, MOUNT BARKER SA 5251

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The dwelling has been extensively vandalised with most plasterboard walls impact damaged, plus graffiti daubed, on almost every internal and external surface of the dwelling.

Externally the structure has been allowed to deteriorate over many years. Gutters are over grown and the mortar fixing to the ridge caps has fretted out and the concrete tiles covered by extensive moss growth.

PC Items – Fixtures & Fittings

There is a damaged small fireplace in the lounge and two wall mounted air conditioning units the condition of which is not known.

Internally the dwelling has damaged and dated carpets to some of the rooms and timber floorboards in part.

Building Areas

Based on our physical measurements taken, the improvements have a total equivalent building area of some 120 square metres, detailed as follows:

Building Component	Area (m ²)
Dwelling	120.0
Total Equivalent Main	120 em ²

It must however be noted that a detailed survey of areas has not been commissioned in this regard. If further investigations reveal any inaccuracies in the above area calculations, this valuation will require revision. In such event we invite you to resubmit the valuation to us together with a Building Survey for this purpose.

Site Improvements

Site improvements include an attached car port, tool sheds, rainwater tank, perimeter fencing and overgrown gardens with rubbish strewn in front and rear yards. There is a large thicket of gorse in the back yard and two trees (possibly significant) established in the front yard.

This document is a valuation report and not a structural survey, therefore, we must advise that we have not carried out a detailed structural survey, tested any of the services or unexposed or inaccessible portions of the premises and we have, for the purpose of this valuation, assumed that there are no such defects which would impact upon our valuation and in this respect no one has brought to our attention any such defects.

OWNERSHIP HISTORY

Information provided by the Land Services Group of Department for Transport, Energy & Infrastructure (DTEI) and RP Data Ltd reveals the property has not sold within the past three (3) years.

GENERAL COMMENTARY

It is evident that the economic outlook in South Australia and Australia as a whole is beginning to change reflecting higher consumer and business confidence levels and a considerably more aggressive growth outlook expected for the 2010 year.

The Reserve Bank has lifted interest rates by 1.50% since October 2009, with further increases predicted over the next 12 months. The adjustment to the rates is in response to a strengthening in Australia's economy, notwithstanding that weakness still exists in some sectors and in other global economies.

South Australian property buyers appear to have shrugged their shoulders at interest rate rises with housing market reportedly recording an impressive 14% increase over the past 12 months.

Latest available house price statistics for the June 2010 quarter reported by the Real Estate Institute of South Australia indicate that the median house price for metropolitan Adelaide experienced an increase of 1.20% for the quarter up to \$410,000.

The subject property is located in an older established area within Mount Barker that is earmarked for urban renewal with the zoning permitting division of the larger allotments within the area that currently contain old housing stock to be cleared to make way for smaller courtyard and villa style allotments.

We note that significant level of residential development has taken place in the Mount Barker Council area over recent years with the underlying demand for housing stock leading to a planning review that is currently underway that has if approved will significantly increase in population of the council area.

VALUATION RATIONALE

In arriving at our opinion of value the Valuer has considered a range of general and economic factors and in particular has inspected and analysed a number of recent sales transactions that have occurred in the near vicinity of the subject. Among others, a sample of those sales inspected and analysed include the following:

Land Sales

71 Adelaide Road, Mount Barker

Sold in February 2010 for \$155,000. A regular shaped 'inside' allotment with an area of 481 square metres located on the main road and also close to the South Eastern Freeway Interchange and amongst older housing. Analysed sale price equates to a rate of \$322 per square metre of site area.

15 Parker Road, Mount Barker

Sold in February 2010 for \$191,000. A regular shaped 'inside' allotment with an area of 611 square metres located in a new land division amongst modern housing. Analysed sale price equates to a rate of \$313 per square metre of site area.

11 Parker Road, Mount Barker

Sold in February 2010 for \$194,000. A regular shaped 'inside' allotment with an area of 602 square metres located in a new land division amongst modern housing. Analysed sale price equates to a rate of \$322 per square metre of site area.

61 Princes Road, Mount Barker

Sold in December 2009 for \$188,000. A regular shaped allotment with an area of 695 square metres located on the corner of Albert Street in a new land division amongst modern housing. Analysed sale price equates to a rate of \$270 per square metre of site area.

1 Coral Street, Mount Barker

Sold in September 2009 for \$169,000. An irregular shaped allotment with an area of 785 square metres located on the corner of Flaxley Road amongst older housing. Analysed sale price equates to a rate of \$215 per square metre of site area.

7 Coral Street, Mount Barker

Sold in September 2009 for \$169,500. A regular shaped 'inside' allotment with an area of 611 square metres located amongst older housing. Analysed sale price equates to a rate of \$277 per square metre of site area.

Dwellings**85 Adelaide Road, Mount Barker**

Sold in June 2010 for \$240,000. A regular shaped 'inside' allotment with an area of 709 square metres located on the main road and also close to the South Eastern Freeway Interchange amongst older housing. Erected on the land is a timber framed and asbestos clad dwelling providing four main rooms of accommodation and reportedly in fair condition. Analysed sale price equates to a rate of \$339 per square metre of site area improved.

12 James Street, Mount Barker

Sold in May 2010 for \$270,000. A regular shaped 'inside' allotment with an area of 703 square metres located amongst older housing. Erected on the land is a timber framed and asbestos clad dwelling that has been upgraded, providing five main rooms of accommodation, with a reported equivalent main area of 93 square metres and in good condition. Analysed sale price equates to a rate of \$384 per square metre of site area improved.

10 Separation Avenue, Mount Barker

Sold in March 2010 for \$245,000. A regular shaped 'inside' allotment with an area of 842 square metres located amongst older housing. Erected on the land is a timber framed and asbestos clad dwelling providing five main rooms of accommodation, with a reported equivalent main area of 134 square metres and is in fair condition. Analysed sale price equates to a rate of \$291 per square metre of site area improved.

22 James Street, Mount Barker

Sold in March 2010 for \$260,000. A regular shaped 'inside' allotment with an area of 704 square metres located amongst older housing. Erected on the land is a timber framed and asbestos clad dwelling that has been upgraded, providing five main rooms of accommodation, with a reported equivalent main area of 87 square metres and in good condition. Analysed sale price equates to a rate of \$369 per square metre of site area improved.

28 Maldon Street, Mount Barker

Sold in January 2010 for \$245,000. A regular shaped 'inside' allotment with an area of 883 square metres located amongst older housing. Erected on the land is a timber framed and asbestos clad dwelling providing five main rooms of accommodation, with a reported equivalent main area of 90 square metres and is in fair condition. Analysed sale price equates to a rate of \$277 per square metre of site area improved.

The sales information quoted has been obtained from a number of sources including published sales information provided by the Land Services Group of Department for Transport, Energy & Infrastructure (DTEI) and RP Data Ltd. Whilst we understand the information to be reliable, we are unable to guarantee the accuracy. Where the information has been available to us, We have made appropriate adjustments for GST but the recorded sale prices may include all, a part of, or no GST depending on the circumstances and tax liability of the parties to each transaction.

The subject property comprises an 'inside' irregular shaped parcel of land that enjoys a frontage of 24.38 metres to the road and has an area of some 728 square metres. The land is improved to a two storey dwelling that has dated appointments and has been extensively vandalised.

Within the bounds of the land are two very large trees that are possibly significant and may need to be protected, which additionally may limit the appeal of the property to prospective purchasers.

The property is located amongst older timber framed and asbestos clad dwellings close to schools and a short driving distance to retail facilities in what can be described as an attractive environment notwithstanding the dated housing stock in the locality.

We have not been provided a schedule of works or costing that may be necessary to bring the dwelling to habitable condition but from our observation this may be significant, noting that almost all walls within the dwelling have penetration damage and the kitchen and wet areas will need to be modernised. In addition external cleanup and landscaping would be necessary.

16 PRINCES ROAD, MOUNT BARKER SA 5251

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The work is likely to be of a magnitude that only speculators or developers may express any interest in the property.

Noting the above to complete this assessment of value, the most appropriate method of valuation for a property of this nature is considered to be by 'Direct Comparison' where the subject property is compared directly with sales of other properties in similar locations with adjustments made for points of difference. In this instance analysis of land sales and sites improved to housing stock of a similar vintage is deemed to be appropriate.

Our deliberations also have had regard to the cost of clearing the site of rubbish and the demolition of the structure which we have estimated to be in the order of \$10,000 to \$15,000. This estimated cost should be independently verified.

Investigations of the immediate surrounds of the subject have revealed a range of comparable evidence that has generally occurred within a broad price range of between \$155,000 and \$270,000.

The analysed sales indicate that the value of the holdings on a dollar rate per square metre generally lies within the range of \$215 to \$384 per square metre of site area improved.

The sites of most relevance are considered to have sold in the range of \$169,000 to \$194,000. The broad range reflects the location attributes, noting the sales at the upper end comprised allotments of land in new housing estates. It was noted that the lower priced allotments also included sales that could be considered dated and therefore of limited utility. The rates disclosed by the most relevant land sales fell in the range \$270 to \$322 per square of site area.

By way of contrast the improved sales comprising habitable dwellings ranged from \$240,000 to \$270,000. The dwellings generally provided similar living areas but varied in terms of condition the highest prices achieved for dwellings that offered upgraded appointments including kitchen and wet areas. The rates disclosed by the sales fell in the range \$277 to \$384 per square of site area improved.

The properties offering more modest appointments are at the lower end of the range which upon review indicates relatively low added values for the building improvements for those properties that offer modest but still habitable facilities.

In the case of the subject, we are mindful of the 'inside' position of the site, condition of the improvements and the limited market appeal for premises offered in a poor state of presentation and we would suggest the market value of the subject lies at the lower end of the aforementioned broad price range, more particularly, in the order of \$170,000 to \$200,000.

Adopting the midpoint of this range we have assessed the value of the subject property at the sum of \$185,000 which equates to a rate of \$254 per square metre of site area which also includes allowance for the estimated cost of demolishing the existing improvements erected on the site.

VALUATION STATEMENT

Therefore, after due consideration of recent sales transactions and other relevant market data, we are of the opinion that as at 12 August 2010 the property situated at **16 Princes Road, Mount Barker SA 5251** warrants a current market value of **\$185,000 (One Hundred and Eighty Five Thousand Dollars)** for consideration as a prelude to sale for the recovery of outstanding rates as prescribed under the Local Government Act, subject to our remarks and qualifications herein.

We also take this opportunity to advise that neither Egan National Valuers (SA) nor related companies or individuals have any pecuniary interest that would conflict with the valuation of this property.

We hope that this brief letter is sufficient for your immediate requirements. If you should require any additional assistance with regard to this or any other property matters please do not hesitate to contact us.

Please also find enclosed our account for this service at our agreed fee.

16 PRINCES ROAD, MOUNT BARKER SA 5251

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egan **DISCLAIMERS**

This valuation is for the use only of the party to whom it is addressed and is not to be relied upon by any other person or for any other purpose. We accept no liability to third parties nor do we contemplate that this report will be relied upon by third parties. Neither the whole of the report or any part or reference thereto, may be published in any document, statement or circular nor in any communication with third parties without prior written approval of the form and context in which it will appear. We reserve the right to withhold consent or to review the contents of this report in the event that our consent is sought.

No soil analysis, geological studies or contamination report were ordered or made in conjunction with this report and, as such, it is assumed that there are no environmentally hazardous materials on, in, or near the property that would cause loss in value. As far as we are aware, there is no evidence to suggest that the property may have been contaminated by any such materials in its present or previous use and this valuation makes no such allowance. Should an environmental audit report prove otherwise, then the valuation should be returned to the Valuer for re-appraisal.

This valuation is current as at the date of valuation only. The value assessed herein may change significantly, unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value.

Yours faithfully
EGAN NATIONAL VALUERS (SA)


Stan Pamula
B Bus., Grad Dip Maths, AAPI
Certified Practising Valuer

CONFIDENTIAL



CONFIDENTIAL

APPENDICES

**Letter of Instruction
Certificate of Title
Extract from Development Plan
Photographs**

Stan Pamula

From: Neville Gay [ngay@dcmtbarker.sa.gov.au]
Sent: Monday, 2 August 2010 9:41 AM
To: Stan Pamula
Cc: Terry Nicholas
Subject: Quotation for market valuation of residential property

Hi Stan

I am pleased to advise your quotation has been accepted based on the fees indicated in your email dated 9/7/2010.

(\$770 to \$990 inclusive of GST and cost of one single title search).

I advise the property is owned by Edward Geroge Nicholson and Shirley Nicholson and is situated at 16 Princes Rd, Mount Barker, CT5475/969.

Please note when you do the valuation you will need to be accompanied by an authorised officer.

A part of this process requires Council to notify the owners of the site visit. As this notification will be in writing, can you please give me at least 7 days prior notice of the day you intend to undertake the valuation. Terry Nicholas will be the officer who will accompany you on site so please feel free to contact him to set up a suitable date, he can be contacted on 8391 7221.

Neville Gay

Senior Rates & Property Officer

Direct Line: (08) 8391 7207

Fax: (08) 3917299

Email: ngay@dcmtbarker.sa.gov.au

Be green - read on the screen

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Title Register Search

LANDS TITLES OFFICE, ADELAIDE

For a Certificate of Title issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5475 FOLIO 969 *

COST : \$18.70 (GST exempt)	PARENT TITLE : CT 4016/121
REGION : EMAIL	AUTHORITY : CONVERTED TITLE
AGENT : EGAN BOX NO : 055	DATE OF ISSUE : 27/11/1997
SEARCHED ON : 02/08/2010 AT : 11:22:17	EDITION : 1
CLIENT REF 1041124	

REGISTERED PROPRIETORS IN FEE SIMPLE

EDWARD GEORGE NICHOLSON AND SHIRLEY NICHOLSON BOTH OF 16 PRINCES ROAD
MOUNT BARKER SA 5251 AS JOINT TENANTS

DESCRIPTION OF LAND

ALLOTMENT 12 DEPOSITED PLAN 9808
IN THE AREA NAMED MOUNT BARKER
HUNDRED OF MACCLESFIELD

EASEMENTS

SUBJECT TO THE EASEMENT FOR SEWERAGE PURPOSES AS PROVIDED FOR BY SECTION
223 1g (1) OF THE REAL PROPERTY ACT 1886 OVER THE LAND MARKED EASEMENT C

SCHEDULE OF ENDORSEMENTS

11283424 CAVEAT BY COMMISSIONER OF STATE TAXATION

NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

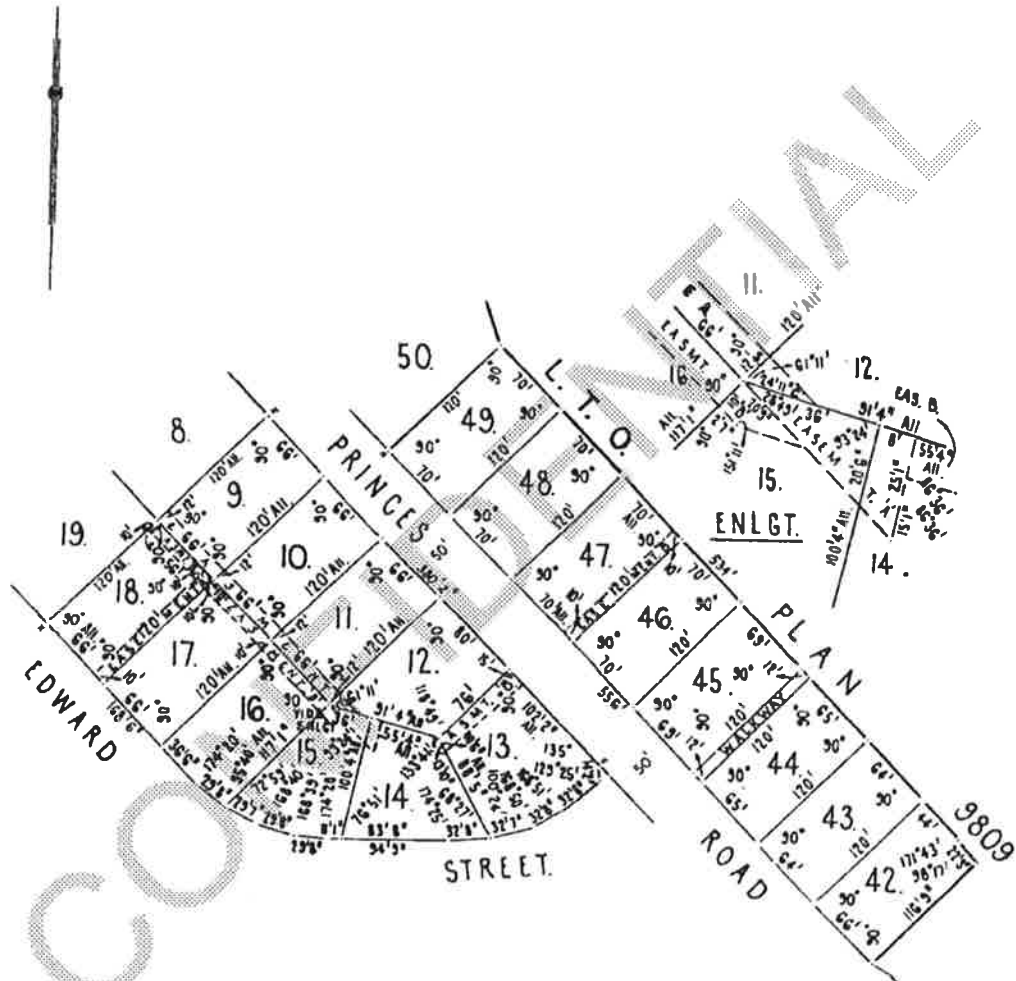
NIL

REGISTRAR-GENERAL'S NOTES

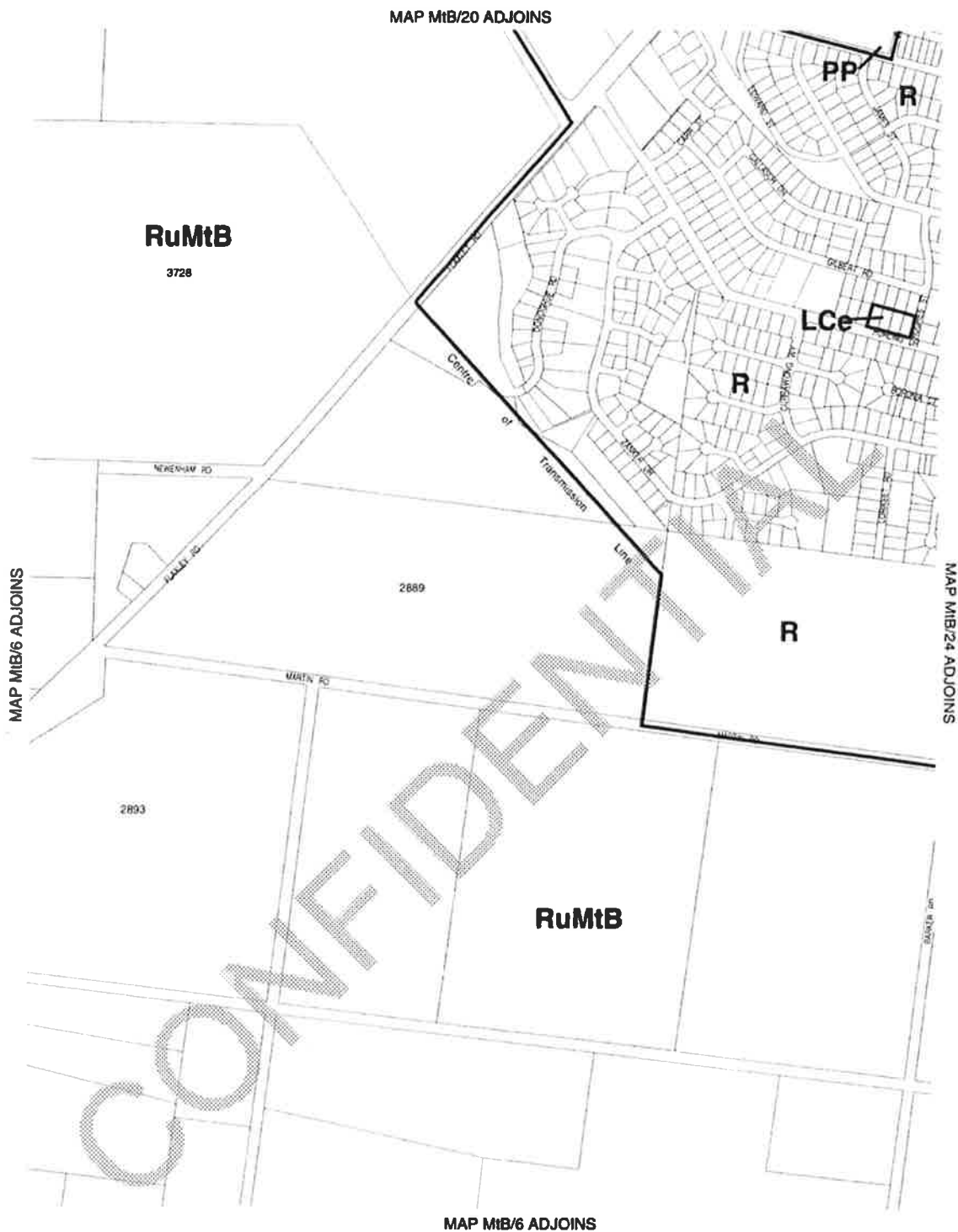
CONVERTED TITLE-WITH NEXT DEALING LODGE CT 4016/121

END OF TEXT.

LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA
DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 5475 FOLIO 969
SEARCH DATE : 02/08/2010 TIME: 11:22:17



DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION
1 FOOT = 0.3048 metres
1 INCH = 0.0254 metres



NOTE : For Policy Areas See MAP MtB/59

MOUNT BARKER TOWNSHIP

DU	Deferred Urban
LCe	Local Centre
PP	Public Purpose
R	Residential
RuMtB	Rural Mount Barker

 Zone Boundary
 Development Plan Boundary



**MOUNT BARKER (DC)
ZONES
MAP MtB/23**

Consolidated - 10 June 2010

**MOUNT BARKER TOWNSHIP**

20 Policy Area 20 (Urban Regeneration Area)

 Policy Area Boundary
 Development Plan Boundary



**MOUNT BARKER (DC)
POLICY AREAS
MAP MtB/59**

Consolidated - 10 June 2010

RESIDENTIAL ZONE

Introduction

The objectives and principles of development control that follow apply in the Residential Zone shown on Maps MtB/12, 13, 15, 17 to 24, 29 to 34 and 36 to 38. They are additional to those expressed for the whole of the Council area and, in cases of apparent conflict, take precedence over the more general provisions.

Additional policies apply within the following Residential Zone Policy Areas shown on Maps MtB/41, 42, 44, 46, 48, 50 and 51:

Policy Area 20 (Urban Regeneration Area); and
Policy Area 21 (Medium Density Area).

The Residential Zone also contains portions of the Historic (Conservation) Policy Area 19 for the townships of Callington, as shown on Maps MtB/36 and 54 and Figure MtB HP/1; Dawesley, as shown on Maps MtB/5 and 33 and Figure MtB (HP/2); Echunga, as shown on Maps MtB/3, 12 and 57 and Figure MtB HP/3; Kanmantoo, as shown on Maps MtB/8, 34 and 53 and Figure MtB HP/4; Littlehampton, as shown on Maps MtB/18 and 44 and Figure MtB HP/5; Macclesfield, as shown on Maps MtB/3, 37 and 56 and Figure MtB HP/6; Meadows, as shown on Maps MtB/10, 38 and 55 and Figure MtB HP/7; Mount Barker, including Druids Avenue as shown on Maps MtB/20, 21, 46 and 48 and Figure MtB HP/8; Hack Street, as shown on Maps MtB/20, 21, 46 and 48 and Figure MtB HP/9; Exhibition Street, as shown on Maps MtB/20, 21 and 46 and Figure MtB HP/10; Paddy's Hill, as shown Maps MtB/21 and 46, and Figure MtB HP/11; and Nairne, as shown on Maps MtB/30 and 31 and Figure MtB HP/12.

The objectives and principles that apply to the Historic (Conservation) Policy Area 19 in the above townships are additional to those expressed for the whole of the Council area and for the Residential Zone and take precedence where a conflict occurs between the policy area and zone provisions.

DESIRED CHARACTER STATEMENTS

General

The Residential Zone is located within the main townships of Mount Barker, Littlehampton and Nairne and the smaller rural townships/settlements of Brukunga, Callington, Dawesley, Echunga, Harrogate, Kanmantoo, Macclesfield and Meadows. An important feature within the Zone is the rural township character created by wide open spaces and mature trees, varied natural topography, watercourses and flood plains.

Development within the Residential Zone should seek to reinforce this rural township character by maintaining a predominance of larger allotments with low profile detached dwellings set in sufficient open space within which to establish mature trees and provide visual separation between dwellings unless otherwise stated in the various Policy Areas.

Mount Barker Township Established Areas

The established parts of the Mount Barker Residential Zone are characterised by a predominance of detached dwellings on generous size allotments. Generally, housing is of masonry and single storey construction with significant front and rear boundary setbacks and reasonable separation between the sides of dwellings. The prevailing landscape character is heavily influenced by existing on-site landscaping within the front and rear yards of individual allotments, which is occasionally supplemented by street trees.

Other important landscape characteristics include the gently undulating land form, the vegetated watercourses that intersperse the residential areas, areas of public open space that sometimes contain significant tracts of mature vegetation and the rural outlook, particularly on the outskirts of the township.

The Desired Character of this area is that it continues to accommodate predominantly low density single storey detached dwellings on generous sized allotments of at least 600 square metres in area within a landscaped setting.

Opportunities for medium density housing, in the form of small lot housing and attached housing, will be encouraged in the designated Medium Density Policy area.

Mount Barker, Littlehampton & Naime Townships - Broad-hectare Land

There are a number of broad-hectare land development opportunities, generally located on the outskirts of the townships of Mount Barker, Littlehampton and Naime that have been identified to be developed predominantly for housing. Concept Plans for each of these areas have been prepared and, in conjunction with the relevant Principles of Development Control, identify a number of on-site and off-site infrastructure and other requirements that will need to be satisfied in a timely manner to facilitate the orderly development of these areas.

The Desired Character for these areas is a high quality residential environment exhibiting diversity of housing types and innovation in dwelling and infrastructure design. Opportunities for integration with existing adjacent residential areas should be maximised through techniques such as linear pedestrian and cyclist path connections and the distribution and layout of public open space. Movement networks should provide for and encourage walking, cycling and the use of public transport.

Residential land division should maximise opportunities for sustainable stormwater and waste water management, including stormwater capture, treatment and re-use, the use of detention and/or retention basins and integrating opportunities for recreation and public open space. Road and allotment layouts should maximise opportunities to create energy efficient housing through appropriate orientation and allotment shapes. Traffic generated by new development should be managed to minimise congestion, through traffic and other impacts within the established residential areas.

Subdivision design should be responsive to the landform and prevailing natural features. In areas that include mature trees or significant vegetation, the subdivision and infrastructure design should ensure their long-term retention and protection. Roads should follow the contours to minimise the need for excavation and/or fill and larger size allotments should be located on steeper slopes to minimise excavation and the visual obtrusiveness of subsequent development. Subdivision design should capitalise on public views to attractive areas of the surrounding rural landscape and maximise opportunities presented by watercourses through the creation of integrated stormwater and open space corridors. Attention should be paid to the design and layout of the interface between new residential areas and existing agricultural land to minimise potential impacts from primary production related activities and allow their continuation.

The establishment of non-residential development within new broad-hectare development areas should only consist of uses that will cater for the day-to-day needs of the new community. Facilities such as community centres, local shops, child-care centres and places of worship should be located in central, accessible locations and integrated with areas of public open space.

The predominant form of housing within these areas will be low-density detached dwellings consistent with the established parts of each township. However, medium density housing will be encouraged in suitable locations adjacent to shops, community facilities, schools and areas of public open space exceeding 2000 square metres on land within the designated 'Subject Areas' delineated in Concept Plan Figure R/1 (Hawthorn South) and Concept Plan Figure R/3 (Hurling Drive).

OBJECTIVES

- Objective 1:** A residential zone primarily containing detached dwellings and land uses ancillary to the residential land use and compatible with the residential character, set in landscaped grounds providing visual separation between dwellings.
- Objective 2:** A range of medium density housing types (including detached dwellings on small allotments, group dwellings, semi-detached dwellings, row dwellings, residential flat buildings and multiple dwellings) in select locations.
- Objective 3:** Limited non-residential development which is undertaken in a manner that minimises adverse impacts on residential amenity and character.
- Objective 4:** Development that complements and reinforces the desired character and amenity of localities.

Objective 5: Development to occur in co-ordination with the orderly provision of infrastructure.

PRINCIPLES OF DEVELOPMENT CONTROL

Form of Development

- 1 Development should be consistent with the Objectives and the Desired Character Statements for each area.
- 2 Development and the provision of infrastructure should occur in accordance with Concept Plan Figures:
 - R/1 Hawthorn Road South
 - R/2 Alexandrina Road
 - R/3 Hurling Drive
 - R/4 Sims Road
 - R/5 Hallett Road
 - R/6 Gum Tree Drive
 - R/7 Gardner Street
 - R/8 Matthew Road
 - R/9 Meadows.
 - R/10 Adelaide Road Mount Barker
- 3 Detached dwellings and allotments intended for detached dwellings should be the dominant form of development in the zone except within Policy Area 20 (Urban Regeneration Area) and Policy Area 21 (Medium Density Area) where other forms of dwelling development may occur.
- 4 Semi-detached dwellings, row dwellings, multiple dwellings and residential flat buildings should only be considered in the following locations:
 - (a) Policy Area 20 (Urban Regeneration Area);
 - (b) Policy Area 21 (Medium Density Area); or
 - (c) immediately adjacent to shops, community facilities, schools and/or areas of public open space exceeding 2000 square metres on land within the designated 'Subject Areas' delineated in Concept Plan Figure R/1 (Hawthorn South) and Concept Plan Figure R/3 (Hurling Drive).
- 5 The development of accommodation designed specifically for the needs of aged persons or persons with a disability* should be convenient to existing shops, public transport services, community facilities and/or areas of public open space exceeding 2000 square metres.
- 6 The development of accommodation designed specifically for the needs of aged persons or persons with a disability* and semi-detached dwellings, row dwellings, multiple dwellings, residential flat buildings should not occur where the site/allotment is within 100 metres of a Light Industry, Home Industry, Mixed Uses, Industry (Kanmantoo), Rural Watershed Protection, Rural (Mount Barker) or Rural (Kanmantoo and Kondoparinga) Zones.
- 7 Residential development should be limited to only detached dwellings and ancillary buildings in townships or settlements that do not have a sewer or a Septic Tank Effluent Disposal Scheme (STEDS) and in townships or settlements where the STEDS is at capacity, except in relation to the development of accommodation designed specifically for the needs of aged persons or persons with a disability* where it can be demonstrated that the land is suitable for on-site effluent disposal to SA Health Commission requirements.

* Accommodation designed specifically for the needs of aged persons or persons with a disability shall be taken to mean accommodation for which a subsidy, funding, grant or other assistance is received or to be received from the Commonwealth Government under the Aged or Disabled Persons Care Act 1954, and or the Aged Care Act, 1997, or such accommodation constructed or controlled by any statutory body or undertaking of the Crown or any other organization pursuant to the Retirement Villages Act 1987 or the Supported Residential Facilities Act 1992, whether subsidy, grant, funding or other assistance is to be granted by the Commonwealth Government or not.

Policy Area 20 (Urban Regeneration Area)

The objectives and principles of development control that follow apply in Policy Area 20 (Urban Regeneration Area) shown on Maps MtB/46, 48, 50 and 51. They are additional to those expressed for the Residential Zone and the whole of the Council area and, in cases of apparent conflict, take precedence over the more general provisions.

DESIRED CHARACTER STATEMENT

The Policy Area 20 (Urban Regeneration Area) relates to two areas within the Mount Barker township that contain a mixture of current and former South Australia Housing Trust properties dating primarily from the 1970's. The majority of existing dwellings are detached and semi-detached and a mixture of fibro and masonry construction, with some small pockets of more recent housing. All four areas are located relatively close to the Regional Town Centre Zone and a range of other facilities and services including public transport, public open space, local shops and services, community facilities and schools.

These areas offer significant opportunities for redevelopment given the age and quality of some of the housing, allotment dimensions, and their proximity to a range of services and facilities.

The Desired Character for these areas is one that involves gradual redevelopment resulting in higher residential densities than those that currently prevail. It is anticipated that this would occur principally through demolition of low value housing and re-subdivision or amalgamation of allotments. Given the relatively short depths of most allotments 'hammerhead' style land division is not anticipated or encouraged unless specified minimum requirements can be satisfied. This will ensure that the landscape character of these areas, which is heavily influenced by on-site landscaping, will not be adversely affected.

Opportunities for more intensive forms of residential development in the form of small lot detached housing, group dwellings, row dwellings, semi-detached dwellings and residential flat buildings exist throughout these areas. Where more intensive forms of development are proposed particular attention is required to protect and retain existing mature vegetation and provide opportunities for new landscaping particularly along street frontages. Generally the prevailing front setbacks should be respected by new development.

OBJECTIVE

Objective 1: An area primarily for the incremental redevelopment of existing housing and its replacement with a variety of low to medium density residential development in accordance with the Desired Character Statement.

Objective 2: A residential policy area comprising a range of dwellings designed to integrate with areas of open space, neighbouring centres or public transport.

Objective 3: Development that supports the viability of community services and infrastructure and reflects good residential design principles.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be consistent with the Desired Character Statement.
- 2 Development should comprise a wide range of dwelling types including low density detached housing and medium density housing in the form of small lot detached housing, semi-detached, row and group dwellings, residential flat buildings and accommodation designed specifically for the needs of aged persons or persons with a disability²⁶.

²⁶ Accommodation designed specifically for the needs of aged persons or persons with a disability shall be taken to mean accommodation for which a subsidy, funding, grant or other assistance is received or to be received from the Commonwealth Government under the Aged or Disabled Persons Care Act 1954, and or the Aged Care Act, 1997, or such accommodation constructed or controlled by any statutory body or undertaking of the Crown or any other organization pursuant to the Retirement Villages Act 1987 or the Supported Residential Facilities Act 1992, whether subsidy, grant, funding or other assistance is to be granted by the Commonwealth Government or not.

- 3 Development located adjacent to the boundaries of other areas of the Residential Zone or Historic (Conservation) Policy Area should minimise any adverse impacts on these areas through attention to the design and siting of buildings and consideration of issues such as bulk, scale, form, external detailing, overshadowing, visual obtrusiveness, visual and aural privacy and external material selection. Lower densities than those prescribed in the relevant Residential Zone provisions may be necessary to adequately satisfy this requirement.
- 4 Development should result in the retention of existing mature vegetation where practicable, and along the front set back in particular, and should provide opportunities for the planting of additional landscaping. Lower densities than those prescribed in the relevant Residential Zone provisions may be necessary to adequately satisfy this requirement.
- 5 Buildings should be sited with respect to property boundaries so as to:
 - (a) maintain the amenity of adjoining dwellings in terms of noise, privacy and sunlight;
 - (b) provide adequate levels of daylight to habitable rooms within the dwellings;
 - (c) minimise the impact of bulk and scale of development on adjoining properties;
 - (d) create space between buildings for landscaping, maintain the character of the locality and help prevent a continuous facade of built-form viewed from the street;
 - (e) provide reasonable outdoor access between the front and rear yard of dwellings;
 - (f) provide adequate space to maintain areas between buildings and property boundaries in a clean, safe and healthy condition; and
 - (g) minimise impacts of overlooking from upper storeys of dwellings.
- 6 External walls of dwellings, other than party walls, should be set-back:
 - (a) one metre from one side boundary of the development site; and
 - (b) three metres from the opposite side boundary; however a garage or open-sided carport may be built to the boundary,
 - (c) where development adjoins a side boundary, it should:
 - (i) not adjoin more than 9 metres of the length of the boundary;
 - (ii) not have a wall greater than three metres high located on the boundary; and
 - (iii) wherever possible, have a separation of at least 2.5 metres from at least one neighbouring dwelling.

Policy Area 21 (Medium Density Area)

The objectives and principles of development control that follow apply in Policy Area 21 (Medium Density Area) shown on Maps 41, 42, 44, 46, 48, 51 and 55. They are additional to those expressed for the Residential Zone and the whole of the Council area and, in cases of apparent conflict, take precedence over the more general provisions.

DESIRED CHARACTER STATEMENT

The Policy Area 21 (Medium Density Area) includes areas in close proximity to the Mount Barker Regional Town Centre Zone, Wellington Road Local Centre, Littlehampton Neighbourhood Centre and Naime Neighbourhood Centre. Because of their proximity to a range of existing and future services and facilities it is desirable that the residential densities be increased and that a range of housing types catering for different household needs be developed in these areas.



