

# COMPLETE AND RETURN

Please complete and return to your Solicitor as soon as possible

## Standard searches – All conveyances

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☑ response)
<b>Title Investigations</b>			Termination (if material defect). Compensation (if material or immaterial defect and Buyer gives notice prior to settling). Termination or damages (if warranties inaccurate) including that the Seller must be the registered owner at the time of settlement.	<b>We will require these searches in order to properly advise you on the Contract and your rights.</b>
<b>Current title search</b>	Now + settlement date	\$47.97 /search		
<b>Plan Image</b>	Now	\$49.23		
<b>Registered encumbrances (e.g. easements), interests and administrative advices</b>	Now	\$77.33 /search		
Real property description, title reference, encumbrances, registered leases, location of land, caveats, lot entitlement, by-laws, details of progressive development of the scheme, administrative advices.				
<b>Dial Before You Dig</b>	Contract signed	Free	Termination (if material defect). Compensation (if claimed before settlement and defect is material, where Buyer doesn't terminate, or immaterial). Termination or damages (if any warranties inaccurate).	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Australian Securities and Investment Commission</b> (if corporate Seller or Buyer)			Termination under Contract if a breach of a warranty.	
<b>Company search</b>	Now + settlement date	\$35.85 / search		Yes <input type="checkbox"/> No <input type="checkbox"/>
Details of Seller corporation including directors, ABN.				
<b>Organisation and business names search</b>	Now	Free		Yes <input type="checkbox"/> No <input type="checkbox"/>
Organisation name, ABN, type of company, registration date and whether the organisation holds a professional licence or registration.				

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☒ response)
<p><b>Court Registers - Supreme, District and Federal Courts and QCAT</b></p> <p>Shows:</p> <ul style="list-style-type: none"> <li>if an action has been commenced by or against the Seller;</li> <li>the nature of any action commenced;</li> <li>copies of all originating summons, interlocutory proceedings, orders, appeals, bills of costs and writs</li> </ul>	Contract signed	<p><u>Federal Court</u> \$28.88</p> <p><u>Supreme / District Court</u> \$28.88</p> <p><u>QCAT</u> \$48.88</p>	Termination under Contract if there is an unsatisfied judgment, order or writ issued affecting the Property, including where Seller is bankrupt.	<p>Federal Court <input type="checkbox"/></p> <p>Supreme / District Court <input type="checkbox"/></p> <p>QCAT <input type="checkbox"/></p>
<p><b>Bankruptcy register</b></p> <p>The bankruptcy register should provide information concerning name of bankrupt, dates of bankruptcy, and orders.</p>	Contract signed	\$47.85	Termination under Contract if Seller is bankrupt.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Department of Environment and Science</b></p> <p>Determine if land is on the Environmental Management Register or Contaminated Land Register. <b>Note:</b> This search does not provide all the information under the <i>Environmental Protection Act 1994</i> (Qld) that could potentially give rise to a statutory right of termination.</p>	Now	\$105.73 (online)	<p>Termination or compensation under Contract if Seller fails to disclose notifiable activity or other circumstances that may lead to classification as contaminated.</p> <p>Termination must be exercised at least two business days prior to settlement.</p> <p>Claim for compensation must be made prior to settlement.</p> <p>Under statute, if Property is on one of the applicable registers a Buyer may terminate if the Seller does not give disclosure before agreeing to sell. Termination must be exercised prior to settlement or possession, whichever is the earlier, or, if the Seller makes disclosure after the Contract, within 21 business days of the Seller's notice.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>QCAT Tree Register and minor civil dispute (fences) searches</b></p> <p>(<i>Neighbourhood Disputes (Dividing Fences and Trees) Act 2011</i> (Qld))</p>			Termination prior to settlement under statute if Seller doesn't give a copy of any tree application or order prior to Contract.	
<p><b>Online search for tree orders</b></p> <p>Details of orders in relation to trees on Property.</p>	<p>Now</p> <p>AND</p> <p>Preferably also a second search just prior to settlement (if possible)</p>	<p>Free if you conduct yourself or</p> <p>\$23.72</p>	<p>Termination under Contract may also be possible.</p>	<p>Also standard over common property if Property is in a Community Titles Scheme)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☒ response)
<p><b>QCAT records for tree applications and dividing fences applications and orders</b></p> <p>Details of applications and orders in relation to trees and fences on the Property.</p>		\$37.00		<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Pool Register</b></p> <p>This search shows whether there is:</p> <ul style="list-style-type: none"> <li>a pool on the land;</li> <li>a current pool safety certificate for the Property;</li> </ul> <p>a revocation notice for a pool safety certificate under s246AG <i>Building Act 1975</i> (Qld).</p>	Now	Free if you conduct yourself or \$23.72	<p>If there is a pool on the land and a Notice of no pool safety certificate was not given prior to Contract, the Buyer may terminate if no pool safety certificate or exemption certificate is provided on or before Settlement.</p> <p>If there is a revocation notice under s246AG <i>Building Act 1975</i> (Qld) issued prior to Contract, Buyer may terminate.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Land Tax</b></p> <ul style="list-style-type: none"> <li>Whether there are any outstanding amounts payable for land tax (which may become payable by the Buyer).</li> </ul>	Contract signed	\$81.60	<p>Arrears of land tax are a defect in title which allows termination if not paid at settlement.</p> <p>Note that the commissioner may issue a notice requiring a Buyer to pay part of the purchase price equal to the unpaid land tax directly to the commissioner.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Mining and other geothermal tenures (online)</b></p> <p>Details of mining, petroleum, gas storage or geothermal tenures granted. <b>Note:</b> access agreements with holders of mining, petroleum, gas and other geothermal tenures on the land or on adjoining property are binding on successors in title. These agreements will not appear on the register and inquiries should be made of the Seller.</p>	Contract signed	Free if you conduct yourself or \$23.72	No contractual termination rights (unless an access agreement).	<p>(If in known mining or gas area, but otherwise optional)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Transport noise corridor search (Business Queensland)</b></p> <p>If the Property is in a noise corridor, the <a href="#">Queensland Development Code</a> requires buildings to achieve certain levels of noise mitigation through the use of appropriate materials for the floor, walls, roof, windows and doors where they are located in the corridor.</p> <p><b>Note:</b> The mapping tool can only search for properties affected by the State Government's designated transport noise corridors. It does not include transport noise corridors designated by a local government or noise-related requirements that may be included in a local government planning scheme. Contact the relevant local government to check for any planning scheme requirements that may apply in the area.</p>	<p>Now</p> <p>(A search should be undertaken early in the conveyance so that a Buyer can exercise other termination rights if necessary.)</p>	Free if you conduct yourself or \$23.72	No contractual termination rights if the Property is in a noise corridor.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☒ response)
<p><b>Personal Property Securities Register</b></p> <p>Details of any personal property affected by a registered security interest – important as assets you may be buying could be repossessed.</p>	Now + settlement date	\$26.20 / search	Seller contractually sells the Property (Land, improvement and chattels) free from encumbrances other than those disclosed. If a security interest is not released at settlement by delivery of a Release and Undertaking to Amend the register then it may entitle termination.	<p>(If personal property forms part of the transaction and advisable even if it does not)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Department of Transport and Main Roads</b></p> <ul style="list-style-type: none"> <li>Roads</li> <li>Port authority (only if on the river)</li> <li>Rail</li> </ul> <p>Current proposals, resumption information for roads, ports and rail.</p> <p>(Department will not provide information on proposals for resumptions not currently approved.)</p>	Contract signed  (takes 12 business days)	\$62.44	Termination under Contract (at any time before settlement) if a current proposal in relation to 'transport infrastructure' that affects the land.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Local government enquiries</b></p> <p>Set out below are some of the enquiries available through the local government.</p>				
<p><b>Rates search</b></p> <p>Rates information.</p> <p>Outstanding infrastructure charges will not generally be shown in a rates search. For details of outstanding infrastructure charges, a planning and development certificate must be obtained.</p> <p>A rates search may show outstanding notices issued and required to be disclosed under Local Law 17. However, the rates search may not fully show whether other Local Law 17 disclosure or maintenance obligations apply.</p> <p>Additional investigations are necessary. See the <b><u>Contract and Property Report</u></b> for more detail.</p>	Contract signed  (takes 12 business days)	<p><u>BCC</u> (incl. water) \$123.62</p> <p><u>Moreton RC</u> (incl. water) \$336.15 House \$273.80 Land</p> <p><u>Sunshine RC</u> (incl. water) \$373.15 House \$310.80 Land</p>	<p>Enquiries may provide termination under Contract (at any time before settlement) if:</p> <ul style="list-style-type: none"> <li>Use of Property is unlawful;</li> <li>Services to the Property which pass through other land are not protected by registered easement, building management statement or statutory authority;</li> </ul> <p>there are Services that pass through the Property which do not service the Property and are not protected by an encumbrance disclosed in the Contract and the effect is material.</p> <p>• Allows for adjustment in accordance with the Contract.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Town planning search (limited)</b></p> <p>(Only standard recommendation if not in a Community Titles Scheme)</p>		<p><u>BCC</u> \$469.85</p> <p><u>Moreton RC</u> \$347.85</p>	See above.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Gold Coast City Council Local Law 17</b></p> <p>(Maintenance of Works in Waterway Areas)</p> <p>If the Property is in the Gold Coast City Council local government area, disclosure obligations and/or ongoing maintenance obligations may apply.</p>				

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☑ response)
Town planning information (zoning, use, future use), summary of the provisions of planning scheme and regulatory provisions applying, any designations applying to the premises and information from infrastructure charges register.  May show if the Property cannot be used as intended.		<u>Sunshine RC</u> \$368.85		
<ul style="list-style-type: none"> <li><b>Sewerage and drainage plans</b></li> </ul> Position of sewerage and drainage pipes.  May show if parts of the Property cannot be used as intended.	Contract signed	<u>BCC</u> \$98.05  <u>Sunshine RC</u> \$166.50  <u>Moreton RC</u> \$166.50  \$23.72 (less reliable summary)	Enquiries may provide termination under Contract (at any time before settlement) if services to the Property which pass through other land are not protected by registered easement, building management statement or statutory authority..	Yes <input type="checkbox"/>  No <input type="checkbox"/>
<ul style="list-style-type: none"> <li><b>Building Notices Search</b></li> </ul> (Property Notices Search in BCC)  Information about show cause and enforcement notices.	Contract signed	<u>BCC</u> \$180.84  <u>Sunshine RC</u> \$273.85  <u>Moreton RC</u> \$400.85	Termination under Contract prior to settlement if an outstanding notice has issued prior to the Contract Date.	Yes <input type="checkbox"/>  No <input type="checkbox"/>
<b>Energex/Ergon</b>  <ul style="list-style-type: none"> <li>If the Property is connected under normal tariff conditions;</li> <li>if the Property is connected under guarantee conditions and the amount of the guarantee;</li> <li>if the Property is not connected upon what conditions it may be connected;</li> </ul> whether there are any underground cables running through the Property.	Contract signed  (takes 14 business days)	Energex \$59.20  Ergon \$59.20	If easement over cables is undisclosed:  <ul style="list-style-type: none"> <li>termination under Contract if material;</li> <li>compensation may be claimed (before settlement) if material (where Buyer doesn't terminate) or immaterial.</li> </ul> No right if easement is a proposed easement.	Yes <input type="checkbox"/>  No <input type="checkbox"/>
<b>Telco search</b>  <ul style="list-style-type: none"> <li>Major telecommunication network cables (including Optic Fibre) belonging to Telstra, Optus, Vodafone, AAPT, PowerTel, their subsidiaries and other providers that pass through the Property and information on communications network that may impact on the Property.</li> </ul>	Now	\$156.36	No contractual termination rights.	(Unlikely to be relevant for a Community Titles Scheme)  Yes <input type="checkbox"/>  No <input type="checkbox"/>

## Optional searches – All conveyances

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☒ response)
<b>Queensland Building and Construction Commission</b> Details of insurance cover for the Property	Contract signed	\$94.91	No contractual termination rights.	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Vegetation Management (State)</b> Details of: <ul style="list-style-type: none"> <li>requirements under the <i>Vegetation Management Act 1999</i> (Qld) for clearing vegetation</li> <li>whether land is high risk and clearing is subject to protected plants framework under <i>Nature Conservation Act 1992</i> (Qld).</li> </ul>	Contract signed	Free if you conduct yourself or \$23.72	No contractual termination rights.	(Advisable if Property is being purchased for development) Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Protected Plants (State)</b> (Department of Environment and Science) Flora survey trigger map identifies high risk areas for endangered, vulnerable or threatened native plants.	Contract signed	Free if you conduct yourself or \$23.72	No contractual termination rights.	(Advisable if Property is being purchased for development) Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Urban Utilities - Special water meter reading</b>	Contract signed (takes 14 days)	\$99.90	No contractual termination rights. Results may be used for adjustment under clause 2.6. Allows for adjustment in accordance with the Contract (particularly prevents liability for large water costs if leak has occurred or other high usage).	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Local government enquiries</b> <ul style="list-style-type: none"> <li><b>Town planning (standard)</b></li> </ul> As per limited town planning advice above, however additional information obtained will generally only be relevant for future development or checking compliance of existing development Per limited search (see above) plus copy of decision notices for current and declined development approvals and copy of infrastructure agreements. See <b>Booklet</b> regarding circumstances where this search might be necessary to reveal obligations attached to the Property which could be significant.	Contract signed (takes 12 business days)	<u>BCC</u> \$1,428.55 <u>Moreton RC</u> \$1,480.85 <u>Sunshine RC</u> \$1,088.85	Termination under Contract (at any time before settlement) if outstanding development approval condition which, if complied with, would constitute a material mistake or omission in Seller's title (e.g. requirement for grant of easement).	(Advisable if you intend to develop or need to check development is compliant) Yes <input type="checkbox"/> No <input type="checkbox"/>
<ul style="list-style-type: none"> <li><b>Town planning (full)</b></li> </ul> As per standard town planning advice above, however Council will be bound by the information provided in the certificate which can provide additional protection if you are considering future development.	Contract signed (takes 30 business days)	<u>BCC</u> \$7,319.85 <u>Moreton RC</u> \$9,754.85 <u>Sunshine RC</u>	Termination under Contract (at any time before settlement) if outstanding development approval condition which, if complied with, would constitute a material mistake or	(Advisable if you intend to develop or need to check development is compliant) Yes <input type="checkbox"/>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☒ response)
<p>Per standard search (see above) plus statement re fulfilment or non-fulfilment of any current development conditions, details of infrastructure agreements, advice of prosecutions for development offences.</p> <p>See <b>Booklet</b> regarding circumstances where this search might be necessary to reveal obligations attached to the Property which could be significant.</p>		Vacant: \$368.85 Built: \$5,183.85	omission in Seller's title (e.g. requirement for grant of easement).	No <input type="checkbox"/>
<ul style="list-style-type: none"> <li> <b>Building approval search</b>            Details of building approvals and inspections.         </li> </ul>	Now	<u>BCC</u> Building records \$180.84 Inspection \$180.84  <u>Moreton RC</u> \$400.85  <u>Sunshine RC</u> \$273.85	No contractual termination rights for lack of building approvals.	(Advisable if you intend to build or renovate) Yes <input type="checkbox"/> No <input type="checkbox"/>
<ul style="list-style-type: none"> <li> <b>Food Business Licence search</b>            The current state of any licences under the <i>Food Act 2006</i> (Qld) and/or the <i>Public Health (Infection Control for Personal Appearance Services) Act</i> that might attach to the Property, and any contraventions.             Whether the Property has a registered food licence and any contraventions.         </li> </ul>	Contract signed	TBA, if required	No contractual termination rights.	(Advisable if business conducted) Yes <input type="checkbox"/> No <input type="checkbox"/>
<ul style="list-style-type: none"> <li> <b>Heritage search</b>            Whether Property listed on Local Government heritage register or any heritage agreements in existence.         </li> </ul>	Contract signed	Search City Plan	Termination under Contract (at any time before settlement) if listed on register or is affected by <i>Queensland Heritage Act 1992</i> (Qld).	(Relevant if building more than 50 years old) Yes <input type="checkbox"/> No <input type="checkbox"/>
<ul style="list-style-type: none"> <li> <b>Online planning and development system search</b>            (Availability depends on Local Government area)            Some Local Governments provide free online searches that provide some, but not necessarily all, Development Application materials and decisions. The information may not be complete and is not warranted by Council.             The information shows applications (whether approved or not) and approvals and may include development conditions that run with the land (i.e. bushfire management plans and other ongoing conditions of approval).         </li> </ul>	Contract signed	Free if you conduct yourself or \$23.72	Potential termination under Contract (at any time before settlement) if outstanding development approval condition which, if complied with, would constitute a material mistake or omission in Seller's title (e.g. requirement for grant of easement).	(Advisable, particularly if a standard or full town planning search is not being conducted or development is intended) Yes <input type="checkbox"/> No <input type="checkbox"/>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☒ response)
<ul style="list-style-type: none"> <li><b>Flood search</b></li> </ul> <p>(Brisbane City Council has Flood Information Online and FloodCheck Queensland has historical data.)</p> <p>Whether the Property has flooded and the level of the last flood.</p>	Now	Free if you conduct yourself or \$23.72	No contractual termination rights.	<p>(Advisable if land located near a waterway or in a flood prone area or you intend to build on land)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li><b>Vegetation Protection Orders</b></li> </ul> <p>(For Brisbane this is under <i>Natural Assets Local Law 2003</i>.)</p> <p>Details of whether vegetation on the Property is protected vegetation or subject to an order.</p>	Contract signed	Free if you conduct yourself or \$23.72	No contractual termination rights.	<p>(Advisable for purchase of properties near waterways, bushland or is rural to be developed)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li><b>Powerlink</b></li> </ul> <p>Information concerning the Authority's future interest in the Property, easements and transmission lines.</p>	Contract signed	\$111.00	<p>If easement over cables is undisclosed:</p> <ul style="list-style-type: none"> <li>termination under Contract if material;</li> <li>compensation may be claimed (before settlement) if material (where Buyer doesn't terminate) or immaterial.</li> </ul> <p>No right if easement is a proposed easement.</p>	<p>(Generally only necessary for large rural or commercial properties)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li><b>Coastal development approval (historical tidal works approvals)</b></li> </ul> <ul style="list-style-type: none"> <li>Historical tidal works approvals issued prior to 18 November 2005;</li> <li>the date of any approval issued;</li> <li>nature of the works approved.</li> </ul>	Contract signed	Free if you conduct yourself or \$23.72 (to identify approvals through Queensland Globe)	No contractual termination rights.	<p>(Advisable if the Property has a jetty or other construction over water)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li><b>Coastal management search</b></li> </ul> <p>Whether the land is within a coastal management control district or an erosion-prone area and therefore the provisions of the <i>Coastal Protection and Management Act 1995</i> (Qld) applies.</p>	Contract signed	Free if you conduct yourself or \$23.72	<p>No contractual termination rights.</p> <p>Right to terminate under <i>Coastal Protection and Management Act 1995</i> (Qld) – requires notice at least 14 days prior to settlement of an undischarged coastal protection notice under s59 or an undischarged tidal works notice under s60.</p>	<p>(Advisable if Property is located in a coastal (beach or harbour) area)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>



Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☒ response)
<b>World Heritage List</b> Whether Property listed on the heritage list.	Now	Free if you conduct yourself or \$23.72	Termination under Contract (at any time before settlement) if on World Heritage List or affected by <i>Queensland Heritage Act 1992</i> (Qld).	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>National Heritage List</b> Information on indigenous, natural and historic sites on the register.	Contract signed	Free if you conduct yourself or \$23.72	Termination under Contract (at any time before settlement) if on World Heritage List or affected by <i>Queensland Heritage Act 1992</i> (Qld).	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Queensland Heritage Register search</b> Whether Property is listed on heritage register or any heritage agreements in existence.	Contract signed	\$88.62	Termination under Contract (at any time before settlement) if affected by <i>Queensland Heritage Act 1992</i> (Qld).	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>ATSI Cultural Heritage Register and Database</b> (Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships) Whether Property listed on heritage register or any heritage agreements in existence.	Contract signed	\$23.72	No contractual termination rights.	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</b> Information about protection of world and national heritage places, wetlands of international importance, biodiversity conservation, threatened and migratory species, marine areas and parks and nuclear actions.	Now	\$23.72	No contractual termination rights.	(Advisable if buying vacant land for development) Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Unexploded Ordnance (UXO)</b> (Department of Defence) Details of whether a site may have potential UXO contamination.	Contract signed	Free if you conduct yourself or \$23.72	No contractual termination rights.	(Generally only necessary for non-urban properties) Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Fish Habitats</b> (Department of Environment and Science) Details of whether a site may be affected by a declared fish habitat area (which may limit coastal development).	Contract signed	\$23.72	No contractual termination rights.	(Advisable if Property is located in a coastal (beach or harbour) area) Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Biosecurity Act - Register of Prohibited Matter and Restricted Matter Permits</b> Details of biosecurity risks present on property.	Contract signed	\$100.79	No contractual termination rights.	(Advisable if Property is located in an agricultural area) Yes <input type="checkbox"/> No <input type="checkbox"/>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☑ response)
<b>Inland Rail</b> Details of inland rail freight line. Further enquiries and costs may be necessary if Property is directly affected or is in proximity to line.	Contract signed	\$23.72	Termination under Contract (at any time before settlement) if a current proposal in relation to 'transport infrastructure' that affects the land.	(Advisable if Property is located in SEQ Queensland between Goondiwindi and Brisbane) Yes <input type="checkbox"/> No <input type="checkbox"/>

## If in a Community Titles Scheme - Additional standard and optional searches

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard CTS search required (☑ response)
<b>Title Investigations</b>			Termination under Contract (if material defect).	<b>We will require these searches in order to properly advise you on the Contract.</b>
<b>Community Management Statement</b> Real property description, title reference, encumbrances, registered leases, location of land, caveats, lot entitlement, by-laws, details of progressive development of the scheme, administrative advices.	Contract signed	\$91.10	Compensation (if material or immaterial defect and Buyer gives notice prior to settling). Termination or damages under Contract (if warranties inaccurate) including that the Seller must be the registered owner at the time of settlement.	
<b>Building management statement</b>	Contract signed	\$91.10		
<b>Title search of common property</b> See details in <a href="#">section 1</a> (as they apply to the common property)	Contract signed	\$47.97 /search	A right of termination if reveals an undisclosed body corporate asset (such as a lease).	
<b>Local government enquiries - Certificate of Occupancy</b> Whether the class of the building allows you to use the premises for your intended use (for example, if purchasing for permanent residence as opposed to temporary letting, that this use is allowed under the certificate of occupancy).	Now	\$180.84	Termination under Contract if there is no certificate of occupancy issued at settlement (where a certificate is required) for a failure to give vacant possession.	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Body Corporate records search</b> Only if the Property is subject to the <i>Building Units and Group Titles Act 1980</i> (Qld) or the <i>Body Corporate and Community Management Act 1997</i> (Qld). A review of body corporate records to identify issues not covered by Form 13 Certificate including Levy information, by-laws, lot entitlement, insurances, details of management and letting agreement, referee's orders, special levies, or where the minutes disclose proposed or recently passed motions to change the CMS pending lodgement., or works required due to building defects such as	Contract signed	\$263.90	Termination under Contract for breach of warranty and if materially prejudiced. Termination rights: <ul style="list-style-type: none"> <li>for inaccuracy in Disclosure Statement</li> <li>for breach of implied warranty.</li> </ul> <b>Note:</b> Time limits apply to the exercise of these rights.	Yes <input type="checkbox"/> No <input type="checkbox"/>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard CTS search required (☒ response)
structural issues, water leak issues, combustible cladding or concrete cancer.				
<p><b>Form 13 Information Certificate</b></p> <p>(Particularly advisable if instructions are not to undertake a body corporate records search, which is more extensive and advisable.)</p> <p>Levy information, by-laws, lot entitlements, insurances.</p>	Contract signed	\$111.26  (plus \$80.48 Insurance Certificate)	<p>Termination under Contract for breach of warranty.</p> <p>Termination Rights:</p> <ul style="list-style-type: none"> <li>for inaccuracy in Disclosure Statement</li> <li>for breach of implied warranty.</li> </ul> <p><b>Note:</b> Time limits apply to the exercise of these rights.</p>	<p>(Optional if body corporate records search is being conducted)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Body Corporate Orders (Form 3 BCCM) from Body Corporate Commissioner</b></p> <p>Details of Orders made against a particular Community Titles Scheme.</p>	Contract signed	\$44.49	<p>Termination under Contract if an order requires work to be done or money spent on the lot or common property.</p> <p>Compensation under Contract only if the order was issued prior to Contract.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Queensland Fire and Emergency Services search</b></p> <p>(This only applies to commercial buildings and units)</p> <p>Whether a fire safety report has been issued for the Property, whether the Property complies.</p>	Contract signed	\$230.35	No contractual termination rights.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

**Please complete, sign and return as soon as possible.**

By signing and returning this form, you acknowledge that:

1. We have advised you to undertake all applicable standard searches;
2. Failure to undertake standard searches may (amongst other things)
  - a. mean that rights of termination and compensation are not identified;
  - b. defects in the Property, or the title to it, may not be identified; and
  - c. result in loss or cause additional expense to you as Buyer(s);
3. You instruct us to undertake the Optional searches marked 'Yes ☒'; and
4. You acknowledge that you will incur additional search costs and may (depending on our fee arrangements) incur additional legal fees in carrying out the Optional searches selected plus about \$275 of other outlays on our Notice of outlays form such as a PEXA fee and a Priority Notice filing fee (to prevent registration of a conflicting interest between settlement and lodgement). There can also be transfer duty and title registration fees if there's no financier.

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[#Client name]

\_\_\_\_\_  
/ /  
Date

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[#Client name]

\_\_\_\_\_  
/ /  
Date

## Further Information – Notes for Author

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- To access Searches on this list, please refer to **Searches Worksheet** Annexure - Links to Searches. All links and references are subject to change. Practitioners should make their own enquiries to determine whether the links have been updated. Different local authority areas and regions may have different options for ordering searches and may provide different information in their search results. If in doubt, please contact the relevant authority for assistance.
- **Land Tax search** – refer to *Taxation Administration Act 2001* (Qld).
- **Local government - building notices search** - show cause and enforcement notices are issued under ss247 and 248 *Building Act 1975* (Qld) or ss167 and 168 *Planning Act 2016* (Qld).
- **QCAT search for fences and trees** - applications and orders in relation to trees and fences on the Property are issued under the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* (Qld).
- **QCAT Tree Register and minor civil dispute fence decision searches** - QCAT Tree Register and minor civil dispute fence decision searches.
- **Mining and other geothermal tenures search** - refer to s185(1)(h), (i), (j) *Land Title Act 1994* (Qld) regarding access agreements with holders of mining, petroleum, gas and other geothermal tenures on the land or on adjoining property being binding on successors in title.
- **Transport noise corridor search** – see Queensland Development Code (QDC) Mandatory Part (MP) 4.4.
- **Queensland Building and Construction Commission search** - refer to *Queensland Building and Construction Commission Act 1991* (Qld).
- **Coastal Development Approval search** – refer to s86 of the *Harbours Act 1955* (Qld) (now part of the *Transport Infrastructure Act 1994* (Qld)).
- **Title search of common property search** – Right of termination under s209 *Body Corporate and Community Management Act 1997* (Qld) for undisclosed Body Corporate Asset.
- **Body Corporate records search and Form 13 Information Certificate** – for inaccuracy in Disclosure Statement – see s209 (existing lot) *Body Corporate and Community Management Act 1997* (Qld). For breach of implied warranty - see s224 *Body Corporate and Community Management Act 1997* (Qld).
- **Body Corporate Orders (Form 3 BCCM) from Body Corporate Commissioner search** – for compensation where order issued prior to Contract, note cl 7.4(4).



### TAKE 2

Take a moment to stop and think.  
What else?