

# COMPLETE AND RETURN

Please complete and return to your Solicitor by no later than

## Standard searches – All conveyances

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☑ response)
<b>Title Investigations - Base Parcel</b>			Termination – (if material defect).	<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	\$26.60 /search		
<b>Registered plan</b>	Now	\$27.90		
<b>Registered encumbrances (e.g. easements), interests and administrative advices</b>	Now	\$51.60 /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>Title Investigations - Lot</b>			Termination – (if material defect).	<b>We will require these searches in order to properly advise you on the Contract and your rights.</b>
<b>Current title search</b>	When Seller calls for settlement+ settlement date	\$24.00 /search		
<b>Registered plan</b>	When Seller calls for settlement	\$24.00		
<b>Registered encumbrances, interests and administrative advices</b>	When Seller calls for settlement	\$50.00 /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	Rights (if any) will depend on terms of Contract and Seller disclosure.	Yes <input type="checkbox"/>
Shows the presence of infrastructure on the Property.				No <input type="checkbox"/>
<b>Australian Securities and Investment Commission</b>			Rights (if any) will depend on terms of Contract and Seller disclosure.	
(If corporate Seller or Buyer.)				

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☒ response)
<b>Company search</b>	Now + settlement date	\$9.00 /search		Yes <input type="checkbox"/>
Company search: Details of Seller corporation including directors, ABN.				No <input type="checkbox"/>
<b>Organisation and business names search</b>	Now	Free		Yes <input type="checkbox"/>
Organisation name, ABN, type of company, registration date and whether the organisation holds a professional licence or registration.				No <input type="checkbox"/>
<b>Court Registers – Supreme, District and Federal Courts and QCAT *</b>	Now	Free	Rights (if any) will depend on terms of Contract and Seller disclosure.	Yes <input type="checkbox"/>
Shows:				No <input type="checkbox"/>
<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> <li>* tree orders only.</li> </ul>				
<b>Bankruptcy register</b>	Now	\$15.00	Rights (if any) will depend on terms of Contract and Seller disclosure.	Yes <input type="checkbox"/>
The bankruptcy register should provide information concerning name of bankrupt, dates of bankruptcy, and orders.				No <input type="checkbox"/>
<b>Personal Property Securities Register</b>	When Seller calls for settlement + settlement date	\$2.00 /search	Generally, Seller contractually sells the Property 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.	(If personal property forms part of the transaction and advisable even if it does not) Yes <input type="checkbox"/>
Details of any personal property affected by a registered security interest – important as assets you may be buying could be repossessed.				No <input type="checkbox"/>
<b>Department of Environment and Science</b>	Now	\$53.00 (online)	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.	Yes <input type="checkbox"/>
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.			Other rights (if any) will depend on terms of Contract and Seller disclosure.	No <input type="checkbox"/>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☑ response)
<p><b>QCAT Tree Register and minor civil dispute (fences) searches</b></p> <p><i>(Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld))</i></p>			<p>Termination prior to settlement under statute if Seller doesn't give a copy of any tree application or order prior to Contract.</p> <p>Other rights (if any) will depend on terms of Contract and Seller disclosure.</p>	
<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>	<p>Now</p> <p>AND</p> <p>Preferably also a second search just prior to settlement (if possible having regard to length of time to receive physical searches)</p>	<p>\$18.85</p>		<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p><b>Land Tax</b></p> <p>Whether there are any outstanding amounts payable for land tax (which may become payable by the Buyer).</p>	<p>When Seller calls for settlement</p>	<p>\$43.65</p>	<p>Rights (if any) will depend on terms of Contract.</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>	<p>Contract signed</p>	<p>Free</p>	<p>Rights (if any) will depend on terms of Contract and Seller disclosure.</p>	<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>Now</p> <p>(A search should be undertaken early in the conveyance so that a Buyer can exercise other termination rights if necessary.)</p>	<p>Free</p>	<p>Rights (if any) will depend on terms of Contract and Seller disclosure.</p>	<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>Rights arising from any enquiries will depend on terms of Contract and Seller disclosure.</p>	

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☒ response)
<ul style="list-style-type: none"> <li><b>Rates search</b></li> </ul> <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>Contract and Property Report</b> for more detail.</p>	When Seller calls for settlement (unless required now to determine application of GCCC Local Law 17)	\$187.80	<p>Allows for adjustment in accordance with Contract.</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>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li><b>Town planning search (limited)</b></li> </ul> <p>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.</p> <p>May show if the Property cannot be used as intended.</p>	When Seller calls for settlement	\$366.00	Rights (if any) will depend on terms of Contract and Seller disclosure.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li><b>Sewerage and drainage plans</b></li> </ul> <p>Position of sewerage and drainage pipes.</p> <p>May show if parts of the Property cannot be used as intended.</p>	When Seller calls for settlement	<p>\$24.70 (often included in rates search)</p> <p>\$45.00 (drainage plan only)</p>	Rights (if any) will depend on terms of Contract and Seller disclosure.	<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	\$38.40	Rights (if any) will depend on terms of Contract and Seller disclosure.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Standard search required (☒ response)
<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> <li>whether there are any underground cables running through the Property.</li> </ul>	When Seller calls for settlement	Energex \$24.43 Ergon \$24.43	Rights (if any) will depend on terms of Contract and Seller disclosure.	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Telco search</b> 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.	Now	\$124.00	Rights (if any) will depend on terms of Contract and Seller disclosure.	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>Computer Inventory of Survey Plans search (Spatial Full History search)</b> (Available from Department of Resources or its distributors.) May point to previous surveys which can then be obtained.	Contract signed	\$51.00	Termination may be possible for material defect.	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	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	(Advisable if Property is being purchased for development) Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Protected Plants (State)</b> (Search in Department of Environment and Science) Flora survey trigger map identifies high risk areas for endangered, vulnerable or threatened native plants.	Contract signed	Free	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	(Advisable if Property is being purchased for development) Yes <input type="checkbox"/> No <input type="checkbox"/>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☒ response)
<p><b>Local government enquiries</b></p> <ul style="list-style-type: none"> <li>• <b>Special water meter reading</b></li> </ul>	<p>When Seller calls for settlement</p> <p>(takes 14 days)</p>	<p>\$49.00</p>	<p>Results may be used for adjustment of outgoings.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li>• <b>Town planning (standard)</b></li> </ul> <p>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.</p> <p>Per limited search (see above) plus copy of decision notices for current and declined development approvals, and copy of infrastructure agreements.</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>	<p>Nearing completion</p> <p>(takes 12 Business Days)</p>	<p>\$976.00</p>	<p>Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.</p>	<p>(Advisable if you need to check development is compliant)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li>• <b>Town planning (full)</b></li> </ul> <p>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.</p> <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>	<p>Nearing completion</p> <p>(takes 30 business days)</p>	<p>Contact us for a quote. May cost between \$3,000.00 and \$8,000.00</p>	<p>Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.</p>	<p>(Advisable if you need to check development is compliant)</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li>• <b>Online Planning and Development System search</b></li> </ul> <p>(Availability depends on Local Government area.)</p> <p>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.</p> <p>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).</p>	<p>Now</p>	<p>Free</p>	<p>Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.</p>	<p>(Advisable, particularly if a standard or full town planning search is not being conducted or development is intended)</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)
<ul style="list-style-type: none"> <li><b>Flood search</b></li> </ul> <p>(Brisbane City Council has online Floodwise Property Reports and FloodCheck Queensland has historical data.)</p> <p>Whether the Property has flooded and the level of the last flood.</p>	Now	Free in most areas	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	<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	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	<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	\$57.75	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	<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> </ul> <p>nature of the works approved.</p>	Contract signed	<p>Free (to identify approvals through Queensland Globe)</p> <p>\$167.90 (Copy of approval)</p> <p>\$23.55 (per plan)</p>	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	<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	<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>Other rights (if any) will depend on Contract and Seller disclosure.</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>
<ul style="list-style-type: none"> <li><b>World Heritage List</b></li> </ul> <p>Whether Property listed on the heritage list.</p>	Now	Free	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<ul style="list-style-type: none"> <li><b>National Heritage List</b></li> </ul> <p>Information on indigenous, natural and historic sites on the register.</p>	Now	Free	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☒ response)
<p><b>Queensland Heritage Register search</b></p> <p>Whether Property is listed on heritage register or any heritage agreements in existence.</p>	Contract signed	\$44.45	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	Yes <input type="checkbox"/> No <input type="checkbox"/>
<p><b>ATSI Cultural Heritage Register and Database</b> (Department of Aboriginal and Torres Strait Islander Partnerships)</p> <p>Whether Property listed on heritage register or any heritage agreements in existence.</p>	Now	Free	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	Yes <input type="checkbox"/> No <input type="checkbox"/>
<p><b>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</b></p> <p>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.</p>	Now	Free	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	(Advisable if buying vacant land for development) Yes <input type="checkbox"/> No <input type="checkbox"/>
<p><b>Unexploded Ordnance (UXO)</b> (Department of Defence)</p> <p>Details of whether a site may have potential UXO contamination.</p>	Now	Free	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	(Generally only necessary for non-urban properties) Yes <input type="checkbox"/> No <input type="checkbox"/>
<p><b>Fish Habitats</b> (Department of National Parks, Sport and Racing)</p> <p>Details of whether a site may be affected by a declared fish habitat area (which may limit coastal development).</p>	Now	Free	Rights (if any) will depend on terms of Contract and Seller disclosure - termination unlikely to be available.	(Advisable if Property is located in a coastal (beach or harbour) area) Yes <input type="checkbox"/> No <input type="checkbox"/>
<p><b>Biosecurity Act - Register of Prohibited Matter and Restricted Matter Permits</b></p> <p>Details of biosecurity risks present on property.</p>	Now	\$51.40	Rights (if any) will depend on terms of Contract and Seller disclosure.	(Unlikely to be relevant unless Property is located in an agricultural area) Yes <input type="checkbox"/> No <input type="checkbox"/>
<p><b>Inland Rail</b></p> <p>Details of inland rail freight line.</p> <p>Further enquiries and costs may be necessary if Property is directly affected or is in proximity to line.</p>	Contract signed	Free	Rights (if any) will depend on terms of Contract and Seller disclosure.	(Advisable if Property is located in SEQ Queensland between Goondiwindi and Brisbane) Yes <input type="checkbox"/> No <input type="checkbox"/>



**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.

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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).
- **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.
- **Coastal Development Approval search** – refer to s86 of the *Harbours Act 1955* (Qld) (now part of the *Transport Infrastructure Act 1994* (Qld)).



### TAKE 2

Take a moment to stop and think.  
What else?