

RETURN TO EVERINGHAM LAWYERS

Buyer Searches List –

Residential Contracts including Community Title

RE: «26»

PROPERTY: «27»

This list is not exhaustive of enquiries that can be undertaken. Other enquiries may be necessary depending upon the nature, location and use of the property. If you have any issues of particular concern in buying the property that may affect your decision to proceed you should contact us as soon as possible as there may be other searches that we can conduct that may assist.

PLEASE COMPLETE AND RETURN AS SOON AS POSSIBLE AND BY NO LATER THAN 2 WEEKS BEFORE SETTLEMENT.

SEARCH	
Title and Plan Searches – is the land described in the contract the property you intend buying? Are there any easements over the land?	✓
Registered encumbrances, interest and administrative advice – Real property description, title reference, encumbrances, registered leases, location of land, caveats, lot entitlement, by-laws, details of progressive development of the scheme, administrative advice.	
Department of Environment and Heritage Protection – Is the land on the contaminated land register or environmental management register?	
Land Tax – Is any land tax owing on the land?	✓
Queensland Transport and Main Roads – Does the Department have any proposals directly affecting the land?	
Rates and Building Record Search – What rates are payable and where are the drainage and sewerage lines?	✓
Sewerage and Drainage Plans – Position of sewerage and drainage pipes. May show if parts of the property cannot be used as intended.	
Building Notices – Is the property subject to show cause or enforcement notices?	
QCAT record for tree and dividing fences applications – Is the property subject to an order for trees or fences on the property under the <i>Neighbourhood Disputes (Dividing Fences and Trees) Act</i> ?	
Energex / Ergon – Is electricity supplied to the property? Are there any power lines or other structures over the land? Does Energex have any proposals directly affecting the land?	
Court Register and Bankruptcy Register – Does the Seller have the legal capacity to sell to you? Or is the seller involved in litigation which may affect their ability to sell the property to them?	
Telco Search – Do any of the major Telcos have proposals directly affecting the land?	
Personal Property Security Register – are there any security interest registered against the seller that effects the property?	
Mining and Other Geothermal Tenures – Is the property subject to mining, petroleum, gas storage or the granting of geothermal tenures?	
Australian Security and Investment Commission – Are there charges over the Seller company which affect the property or is there anything that prevents the company from selling to you?	
Company Search – Does the person who signed the Contract have the authority to sell the property?	
Organisation & Business Name Search – Does the seller hold the necessary licences or requirements for the sale?	
Pool Safety Register – Does the swimming pool fence (if there is a pool) comply with legislative requirements?	
Transport Noise Corridor Search – Is the property in a noise corridor?	
Local Government Water Meter Reading – This is an accurate reading of water consumption on the property.	✓
Queensland Building and Construction Commission – Provides details of the insurance cover required for the property.	
Vegetation Management (State) – Is the property subject to any vegetation clearing or regrowth	

applications?	
Limited Town Planning – the zoning, strategic designation and whether it is a dual occupancy lot.	
Standard Town Planning – all information from limited town planning certificates as well as copies of all approvals for the land.	
Full Town Planning – all information from limited and standard planning certificates including whether or not the conditions of approval have been complied with. It also includes advice of prosecution, or awareness of proceedings for prosecution, for a development offence.	
Building Approval Search – Do the improvements on the land have all necessary council approvals?	
Health Department Search – Is the property registered with the Health Department or any contraventions?	
Heritage Search – Is the property listed on the heritage register and protected under the <i>Queensland Heritage Act 1992</i> ?	
Online Planning and Development System Search – Shows applications whether approved or not that are the subject of the land. For example bushfire management.	
Flood Search – Has the property flooded and the level of the last flood for the land?	
Powerlink – Does Powerlink have any proposals directly affecting the land? This applies primarily to rural properties.	
Coastal Protection, World Heritage List, National Heritage, Queensland Heritage, Environmental Protection, etc – Is the subject listed on a protection register and must be dealt with accordingly.	
Biosecurity Act – Register of Prohibited Matter and Restricted Matter Permits – Details of biosecurity risks present on property. No contractual termination rights.	

By signing and returning this form, you acknowledge that:

1. We have advised you to undertake the standard searches noted above.
2. We will not commence standard searches until payment is received.
3. 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 buyers;
4. You instruct us to undertake the Optional searches that you have ticked in the column headed with a tick; and
5. You acknowledge that you will incur additional search costs and will incur additional legal fees in carrying out the Searches selected.

Please advise when you want your searches started (once payment received):

- Immediately
- When Finance is Unconditional
- Other (Please advise) _____

Dated this _____ day of _____ 2020



Signed by:
Print Name (Buyer 1):

Signed by:
Print Name (Buyer 2):