# Seller disclosure statement



Property Law Act 2023 section 99

Form 2, Version 1 | Effective from: 1 August 2025

**WARNING TO BUYER** – This statement contains important legal and other information about the property offered for sale. You should read and satisfy yourself of the information in this statement before signing a contract. You are advised to seek legal advice before signing this form. You should not assume you can terminate the contract after signing if you are not satisfied with the information in this statement.

WARNING - You must be given this statement before you sign the contract for the sale of the property.

#### This statement does not include information about:

- » flooding or other natural hazard history
- » structural soundness of the building or pest infestation
- » current or historical use of the property
- » current or past building or development approvals for the property
- » limits imposed by planning laws on the use of the land
- » services that are or may be connected to the property
- » the presence of asbestos within buildings or improvements on the property.

You are encouraged to make your own inquiries about these matters before signing a contract. You may not be able to terminate the contract if these matters are discovered after you sign.

## Part 1 - Seller and property details

Seller <b>Belinda</b>	Carol	Markham		
Property address	3 HI	GHGROVE DR	IVE, HIGHFIELDS QLD	4352
(referred to as the "property" in this statement)				
Lot on plan descri	ption	3/SP177892		
Community titles			rty part of a community titles	scheme or a BUGTA scheme:
or bod in scrici	iic.			⊠ No
			to Part 6 of this statement nal information	If <b>No</b> , please disregard Part 6 of this statement as it does not need to be completed

# Part 2 – Title details, encumbrances and residential tenancy or rooming accommodation agreement

Title details	The seller gives or has given the buyer the following—	
	A title search for the property issued under the <i>Land Title Act 1994</i> showing interests registered under that Act for the property.	⊠ Yes
	A copy of the plan of survey registered for the property.	⊠ Yes

Registered encumbrances	Registered encumbrances, if any, are recorded on the title search, and may affect your use of the property. Examples include easements, statutory covenants, leases and mortgages.
	You should seek legal advice about your rights and obligations before signing the contract.
Unregistered encumbrances	There are encumbrances not registered on the title that will continue $\Box$ Yes to affect the property after <b>settlement</b> .
(excluding statutory encumbrances)	<b>Note</b> —If the property is part of a community titles scheme or a BUGTA scheme it may be subject to and have the benefit of statutory easements that are <b>NOT</b> required to be disclosed.
	Unregistered lease (if applicable)
	If the unregistered encumbrance is an unregistered lease, the details of the agreement are as follows:
	» the start and end day of the term of the lease:
	» the amount of rent and bond payable:
	» whether the lease has an option to renew:
	Other unregistered agreement in writing (if applicable)
	If the unregistered encumbrance is created by an agreement in writing, and is not an unregistered lease, a copy of the agreement is given, together with relevant plans, if any.
	Unregistered oral agreement (if applicable)
	If the unregistered encumbrance is created by an oral agreement, and is not an unregistered lease, the details of the agreement are as follows:
Statutory encumbrances	There are statutory encumbrances that affect the property. $\Box$ Yes $\boxtimes$ No
encumbrances	If <b>Yes</b> , the details of any statutory encumbrances are as follows:
Residential tenancy or rooming	The property has been subject to a residential tenancy agreement or a rooming accommodation agreement under the <i>Residential Tenancies</i> and <i>Rooming Accommodation Act 2008</i> during the last 12 months.
accommodation agreement	If <b>Yes</b> , when was the rent for the premises or each of the residents' rooms last increased? (Insert date of the most recent rent increase
	for the premises or rooms)  Note—Under the Residential Tenancies and Rooming Accommodation Act 2008 the rent for a residential premises may not be increased earlier than 12 months after the last rent increase for the premises.
	As the owner of the property, you may need to provide evidence of the day of the last rent increase. You should ask the seller to provide this evidence to you prior to settlement.

# Part 3 - Land use, planning and environment

**WARNING TO BUYER** – You may not have any rights if the current or proposed use of the property is not lawful under the local planning scheme. You can obtain further information about any planning and development restrictions applicable to the lot, including in relation to short-term letting, from the relevant local government.

Zoning	The zoning of the property is (Insert zoning under the planning scheme ment Act 2012; the Integrated Resort Development Act 1987; the Mixed Usthe State Development and Public Works Organisation Act 1971 or the State Development and Public Works Organisation Act 1971 or the State Development (Insert zoning under the planning scheme ment Act 2012; the Mixed Ustate State Development and Public Works Organisation Act 1971 or the State Development (Insert zoning under the planning scheme ment Act 2012; the Integrated Resort Development Act 1987; the Mixed Ustate State Development and Public Works Organisation Act 1971 or the State Development Act 1987; the Mixed Ustate State Development and Public Works Organisation Act 1971 or the State Development Act 1987; the Mixed Ustate State Development and Public Works Organisation Act 1971 or the State Development Act 1971 or the State Devel	se Developmer	nt Act 1993;
Transport proposals and resumptions	The lot is affected by a notice issued by a Commonwealth, State or local government entity and given to the seller about a transport infrastructure proposal* to: locate transport infrastructure on the property; or alter the dimensions of the property.	□ Yes	⊠ No
	The lot is affected by a notice of intention to resume the property or any part of the property.	☐ Yes	⊠ No
	If <b>Yes</b> , a copy of the notice, order, proposal or correspondence must be	given by the se	eller.
	ure has the meaning defined in the <i>Transport Infrastructure Act 1994</i> . A particular process to establish plans or options that will physically affect the	•	ns a resolution
Contamination and environmental protection	The property is recorded on the Environmental Management Register or the Contaminated Land Register under the <i>Environmental Protection Act 1994</i> .	□ Yes	⊠ No
	The following notices are, or have been, given:		
	A notice under section 408(2) of the <i>Environmental Protection Act 1994</i> (for example, land is contaminated, show cause notice, requirement for site investigation, clean up notice or site management plan).	☐ Yes	⊠ No
	A notice under section 369C(2) of the <i>Environmental Protection Act</i> 1994 (the property is a place or business to which an environmental enforcement order applies).	☐ Yes	⊠ No
	A notice under section 347(2) of the <i>Environmental Protection Act</i> 1994 (the property is a place or business to which a prescribed transitional environmental program applies).	☐ Yes	⊠ No
Trees	There is a tree order or application under the <i>Neighbourhood Disputes (Dividing Fences and Trees) Act 2011</i> affecting the property.	☐ Yes	⊠ No
	If <b>Yes</b> , a copy of the order or application must be given by the seller.		
Heritage	The property is affected by the <i>Queensland Heritage Act 1992</i> or is included in the World Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwlth).	☐ Yes	⊠ No
Flooding	Information about whether the property is affected by flooding or and within a natural hazard overlay can be obtained from the relevant local should make your own enquires. Flood information for the property ma FloodCheck Queensland portal or the Australian Flood Risk Information	al governmen y also be avai	t and you
Vegetation, habitats and protected plants	Information about vegetation clearing, koala habitats and other restrict the land that may apply can be obtained from the relevant State government.		•

# Part 4 – Buildings and structures

**WARNING TO BUYER** – The seller does not warrant the structural soundness of the buildings or improvements on the property, or that the buildings on the property have the required approval, or that there is no pest infestation affecting the property. You should engage a licensed building inspector or an appropriately qualified engineer, builder or pest inspector to inspect the property and provide a report and also undertake searches to determine whether buildings and improvements on the property have the required approvals.

Swimming pool	There is a relevant pool for the property.	☐ Yes	⊠ No
	If a community titles scheme or a BUGTA scheme – a shared pool is located in the scheme.	☐ Yes	□ No
	Pool compliance certificate is given.	□ Yes	□ No
	OR		
	Notice of no pool safety certificate is given.	☐ Yes	□ No
Unlicensed building work	Building work was carried out on the property under an owner builder permit in the last 6 years.	☐ Yes	⊠ No
under owner builder permit	A notice under section 47 of the Queensland Building and Construction must be given by the seller and you may be required to sign the notice ar prior to signing the contract.		
Notices and orders	There is an unsatisfied show cause notice or enforcement notice under the <i>Building Act 1975</i> , section 246AG, 247 or 248 or under the <i>Planning Act 2016</i> , section 167 or 168.	☐ Yes	⊠ No
	The seller has been given a notice or order, that remains in effect, from a local, State or Commonwealth government, a court or tribunal, or other competent authority, requiring work to be done or money to be spent in relation to the property.	□ Yes	⊠ No
	If <b>Yes</b> , a copy of the notice or order must be given by the seller.		
Building Energy Efficiency Certificate	If the property is a commercial office building of more than 1,000m2, a E Certificate is available on the Building Energy Efficiency Register.	Building Ener	gy Efficiency
Asbestos	The seller does not warrant whether asbestos is present within building the property. Buildings or improvements built before 1990 may contain containing materials (ACM) may have been used up until the early 2000 become dangerous when damaged, disturbed, or deteriorating. Inform is available at the Queensland Government Asbestos Website (asbestos)	in asbestos. s. Asbestos mation abou	Asbestos or ACM may t asbestos

common locations of asbestos and other practical guidance for homeowners.

# Part 5 - Rates and services

**WARNING TO BUYER** – The amount of charges imposed on you may be different to the amount imposed on the seller.

The total amount payable* for all rates and charges (without any discount) for the property as stated in the most recent rate notice is:  Amount:  Date Range:  OR  The property is currently a rates exempt lot.**
OR
The property is currently a rates exempt lot.** □
OR
The property is not rates exempt but no separate assessment of rates $\Box$ is issued by a local government for the property.

\*\* An exemption for rates applies to particular entities. The exemption will not pass to you as buyer unless you meet the criteria in section 93 of the *Local Government Act 2009* or section 95 of the *City of Brisbane Act 2010*.

Water	Whichever of the following applies—
	The total amount payable as charges for water services for the property as indicated in the most recent water services notice* is:
	Amount: Date Range:
	OR
	There is no separate water services notice issued for the lot; however, an estimate of the total amount payable for water services is:
	Amount: Date Range:

<sup>\*</sup>Concessions: A local government may grant a concession for rates. The concession will not pass to you as buyer unless you meet the criteria in section 120 of the *Local Government Regulation 2012* or section 112 of the *City of Brisbane Regulation 2012*.

<sup>\*</sup> A water services notices means a notice of water charges issued by a water service provider under the *Water Supply* (Safety and Reliability) Act 2008.

# Part 6 - Community titles schemes and BUGTA schemes

(If the property is part of a community titles scheme or a BUGTA scheme this Part must be completed)

**WARNING TO BUYER** – If the property is part of a community titles scheme or a BUGTA scheme and you purchase the property, you will become a member of the body corporate for the scheme with the right to participate in significant decisions about the scheme and you will be required to pay contributions towards the body corporate's expenses in managing the scheme. You will also be required to comply with the by-laws. By-laws will regulate your use of common property and the lot.

For more information about living in a body corporate and your rights and obligations, contact the Office of the Commissioner for Body Corporate and Community Management.

Body Corporate and Community Management Act 1997	The property is included in a community titles scheme. (If Yes, complete the information below)	□ Yes	□ No
Community Management Statement	A copy of the most recent community management statement for the scheme as recorded under the <i>Land Title Act 1994</i> or another Act is given to the buyer.	□ Yes	
	<b>Note</b> —If the property is part of a community titles scheme, the community statement for the scheme contains important information about the owners of lots in the scheme including matters such as lot entitlement use areas.	rights and ol	bligations of
Body Corporate Certificate	A copy of a body corporate certificate for the lot under the <i>Body Corporate and Community Management Act 1997</i> , section 205(4) is given to the buyer.	□ Yes	□ No
	If <b>No</b> — An explanatory statement is given to the buyer that states:	☐ Yes	
	» a copy of a body corporate certificate for the lot is not attached; and		
	why the reasons under section 6 of the Property Law Regulation 2024 why the seller has not been able to obtain a copy of the body corporate certificate for the lot.		
Statutory Warranties	<b>Statutory Warranties</b> —If you enter into a contract, you will have im <i>Body Corporate</i> and <i>Community Management Act 1997</i> relating to me patent defects in common property or body corporate assets; any actual financial liabilities that are not part of the normal operating costs; are relation to the affairs of the body corporate that will materially prejude property. There will be further disclosure about warranties in the corporate that will materially prejude property.	atters such a ual, expected nd any circur dice you as o	as latent or I or contingent mstances in
Building Units and Group Titles Act 1980	The property is included in a BUGTA scheme (If Yes, complete the information below)	☐ Yes	□ No
Body Corporate	A copy of a body corporate certificate for the lot under the <i>Building Units and Group Titles Act 1980</i> , section 40AA(1) is given to the buyer.	☐ Yes	□ No
Certificate	If <b>No</b> — An explanatory statement is given to the buyer that states:	☐ Yes	
	» a copy of a body corporate certificate for the lot is not attached; and		
	» the reasons under section 7 of the <i>Property Law Regulation 2024</i> why the seller has not been able to obtain a copy of the body corporate certificate for the lot.		
	<b>Note</b> —If the property is part of a BUGTA scheme, you will be subject to body corporate and other by-laws that regulate your use of the property		•

ature of seller	Signature of seller
elinda Carol Markham e of Seller	Name of Seller
e of Seller	Name of Seller
	Date
gnatures – BUYER	
signing this disclosure statement the buyer acknoor ontract with the seller for the sale of the lot.	owledges receipt of this disclosure statement before entering into
ature of buyer	Signature of buyer
e of buyer	Name of buyer
e of buyer	Name of buyer
	Date
	 Date

Signatures - SELLER

# CURRENT TITLE SEARCH QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 53961025

Search Date: 04/11/2025 10:30 Title Reference: 50580705

Date Created: 08/11/2005

Previous Title: 15135120

REGISTERED OWNER

Dealing No: 719267486 19/02/2019

BELINDA CAROL MARKHAM

ESTATE AND LAND

Estate in Fee Simple

LOT 3 SURVEY PLAN 177892

Local Government: TOOWOOMBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

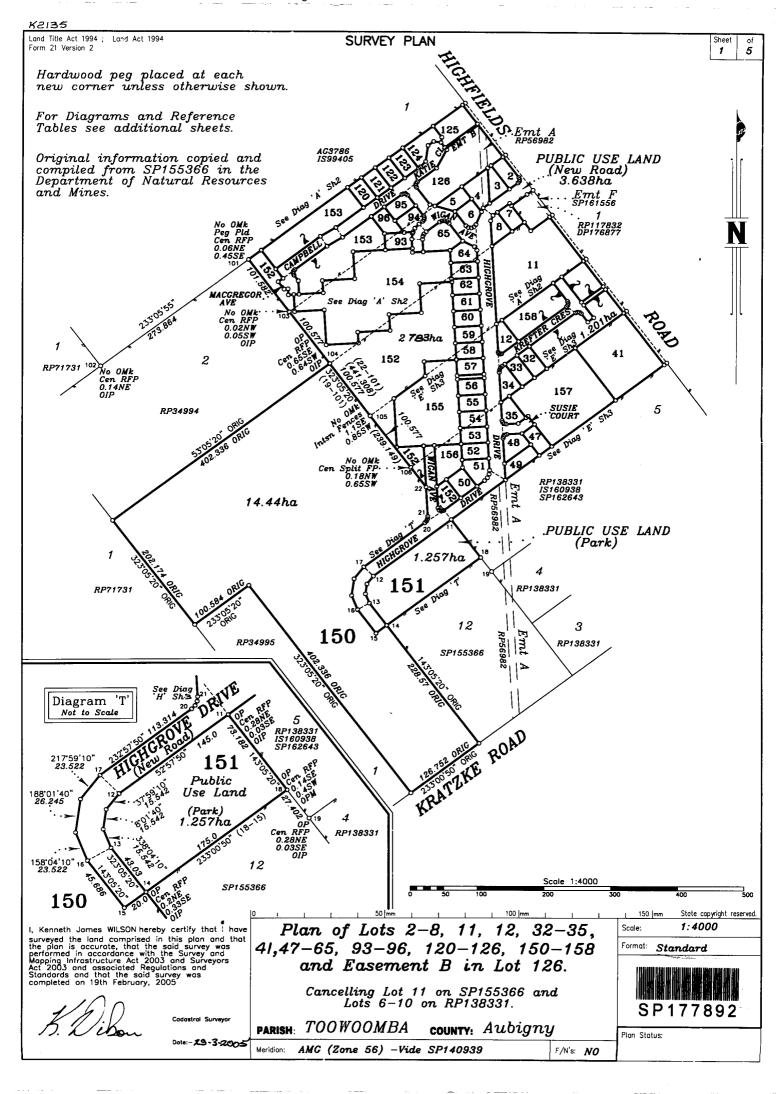
- 1. Rights and interests reserved to the Crown by Deed of Grant No. 10328047 (POR 1048)
- 2. MORTGAGE No 719267487 19/02/2019 at 12:54 DEFENCE BANK LIMITED A.C.N. 087 651 385

ADMINISTRATIVE ADVICES - NIL UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2025] Requested By: D-ENQ INFOTRACK PTY LIMITED



## 7087**685**51

24/06/2005 16:36

TA 400 NT

\$3511.50

WARNING: Folded or Mutilated Plans will not be accepted. Plans may be rolled. Information may not be placed in the outer margins.

Registered

5. Lodged by HONDERLEY I HALL SOLICITORS 33 NEIL STREET TOONOOMBA OLD 4350 (01) 4638 1133 CGT: ACR:

(Include address, phone number, reference, and Lodger Code) 943

1. Certificate of Registered Owners or Lessees. +/we Robert Gordon CAMPBELL and Jennifer Jane CAMPBELL as joint tenants. Tony WIGAN and Roslyn Anne WIGAN as joint tenants. Alexander Campbell SMITH and Helen Marie SMITH as joint tenants Adrienne Lorna JOCUMSEN Alan Herbert WARD and Lynette Susan WARD as joint tenants.

(\*ames in full)

as Registered Owners of this land agree to this plan and dedicate the Public Use wand as shown hereon in accordance with Section 50 of the Land Title Act 1994.

Created Existing Road Title Reference Lots **Emts** 93-96, 120-126, 152-154 2-8, 63-65, 93, 94, 152, 154, 96 11, 58-64, 152, 154, 155 12, 32-34, 53-59, 152, 155, RP138331 RP138331 <u>B</u> ./5,≥ CT15135121 10 New Rd CT15135120 New Rd. New Rd. CT15135119 CT1513511R RP138331 156, 158 35, 41, 47-54, 152, 155-157 150-152 New Rd New Rd RP138331 CT15135117 SP155366 CT50443229

> Amendments by me 5-7-2005

Administrative Advices

Mortgage Allocation

Dealing Lots Fully Encumbered	Lots Partially Encumbered
704453930 95, 120-126 704453931 95, 120-126 602242364 2-8, 65 708060687 12, 32-34, 55-57, 158 602238210 35, 41, 47-52, 157 704366046 150	93, 94, 96, 152-154 93, 94, 96, 152-154 93, 94, 96, 152-154 53, 54, 93, 94, 152-154 53, 54, 58, 59, 152, 155, 156 53, 54, 152, 155, 156 152

**Encumbrance Easement Allocation** 

Dealing	Easement	Lots to be Encumbered
601235826	A on RP56982	4, 126
		1

NOTE: "Easement A on RP56982 has been partially absorbed by New Road. Easement C on SP161553, Easement D on SP161554, Easement E on SP161555, Easement G on SP161557 and Easement H on SP161558 have been fully absorbed by New Road"

\* Rule out whichever is inapplicable

### 2. Local Government Approval.

Crows Nest Shire Council

hereby approves this plan in accordance with the :

Integrated Planning Act 1997Integrated Planning

enty-sixth doy of April, 2005

# Mayor

# Chief Executive Officer

the Local Government. # Insert designation of signatory or delegation

% Insert Integrated Planning Act 1997 or Local Government (Planning & Environment) Act 1990

3. Plans with Community Management Statement:

CMS Number :

Name :

4. References:

Dept File : Local Govt : Surveyor : **K2135**  Act 1997 2-8, 11, 12, 32-35,41,

47-65.

POR 1048

93-96, 120-126. 150-158

I certify that As far as it is practical to determine, no part of the building shown on this plan encroaches

7. Portion Allocation:

onto adjoining lots or road; \* Part of the building shown on this plan encroaches onto adjoining \* lots and road

12. Building Format Plans only.

8. Map Reference: 9243-22244

\* Date

9. Locality: Highfields

\*delete words not required 13. Lodgement Fees:

10. Local Government: Crows Nest Shire Council

in Passed & Endorsed:

By: K.J.Wilson Date : 28/04/95 Signed : 8.2

Designation: Cadastral Surveyor

Lodgement New Titles

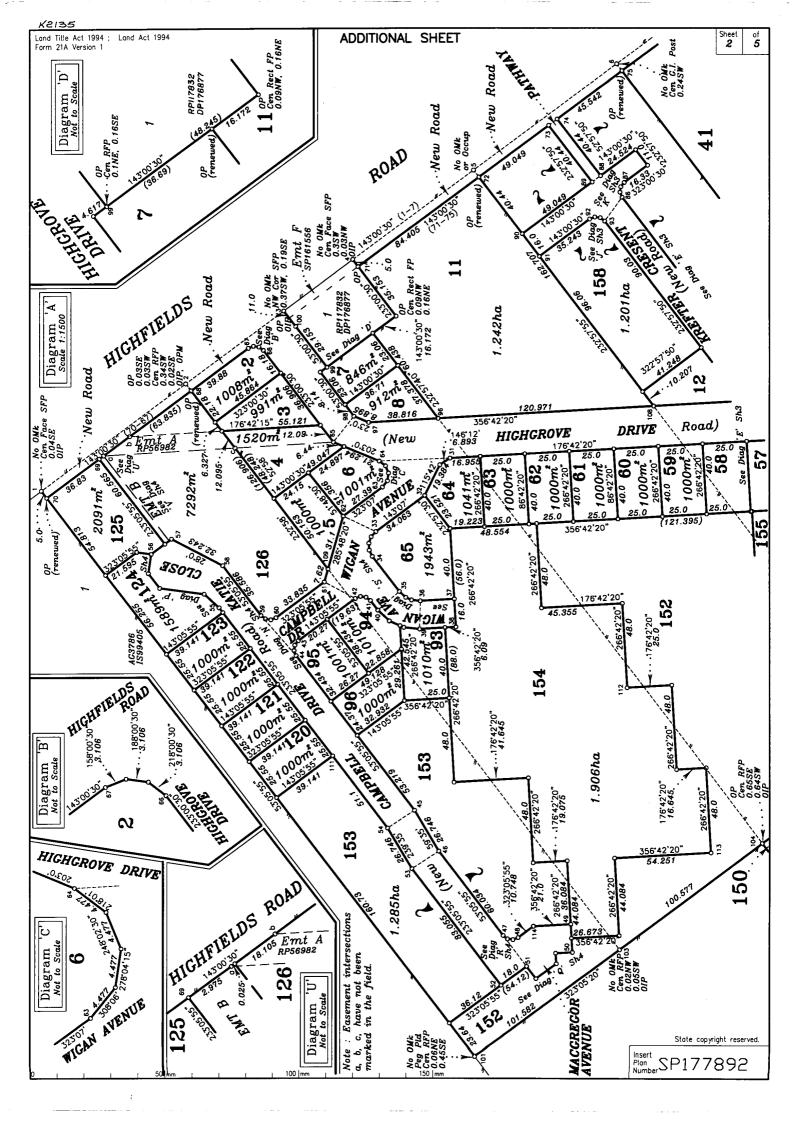
Survey Deposit

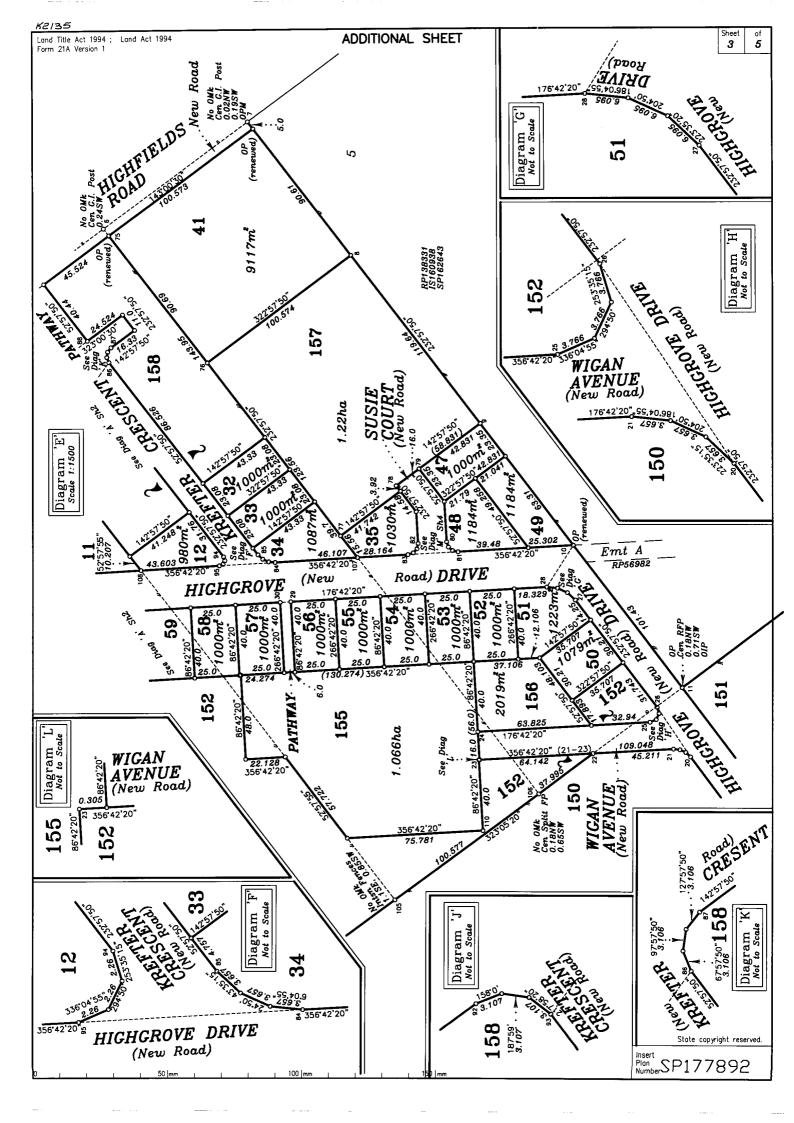
Cadastral Surveyor/Director

Photocopy Postage TOTAL

14. Insert Plan

SP177892





Land Title Act 1994 ; Land Act 1994 Form 21A Version 1

ADDITIONAL SHEET

of **5** 5

Distance 100.653 68.5 5.0 48.245 84.401 100.573 5.0 28.181 62.582 20.172 33.964 6.0 39.54 18.029 18.029 18.029 18.029 18.039 6.0 18.039 Traverses Etc. Bearing
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	Pei	Permanent	Marks	
ЫM	Origin	Bearing	Distance	Number
N-00-2	IS168782	359*34'	31.68	148075
7-0PM	15160938	107*34'50"	43.253	139325
7-0PM	SP161551	142"10"	325.466	154204
MOU-81	AP-OPW SP155366	117010, 25"	276 062	78339

Distance	1 006	0.84	0.575	1.28	0.78	0.69	1.3	0.81	0.93	1.247	0.725	0.323	1.06	96.0	96.0	1.07	0.99	0.85	90.0	1.02	0.87	0.94	0.84	0.935	1.14	0.86	0.79	0.925	0.78	0.91	0.825	0.83	20.0	0.79	0.66	0.755	0.88	20.	5 6	1.44	1.4	1.44	1.195	9.0	0.91	0.86	1.0
ks Bearing	53,00,30"	47*17'30"	55.20'30"	50.22'	230-30	244.41	140.45	122.56'	64.53'	235 21 35	58.26	55.33	181*43'	332*34'	122*56'	60*48'	11.40	187.51	147.51	308.21	223*25'	65.25'	54.30	211"56	229*25	112.24	154 35	205*22'	339*53'	55.44'	54*35'	10.12	267.0	60*12'	292.50	43*39'	165.03	10-11	46.30	130*26	49.00,55	99.50.30	341.00'30"	158*45	237*03	357-11	196.47
Reference Marks	PD138391	15108606	15108606		15160938	2000	SP155366			15160938																													DD176877		1599405	15108606	15108606				_
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# Department of Transport and Main Roads **Property Search - Advice to Applicant**

Property Search reference 965283 Date: 04/11/2025

Search Request reference: 177815611

### **Applicant details**

Applicant: Debbie Lawler

debbie@elev8conveyancing.com.au

Buyer: Sellers Disclosure

### Search response:

Your request for a property search on Lot 3 on Plan SP177892 at 3 HIGHGROVE DRIVE, HIGHFIELDS QLD 4352 has been processed.

At this point in time the Department of Transport and Main Roads has no land requirement from the specified property.

### Note:

- 1. Development proposed on this property may require approval under the Planning Act. This may include referral to the State Assessment and Referral Agency for assessment of the impacts to state transport corridors and infrastructure.
- 2. New or changed access between this property and a state transport corridor will require approval under the Transport Infrastructure Act.
- To see what other State Government planning has been identified in your area, please refer to the online DA Mapping system. Refer to the State Transport interests under the SARA layers to identify what interests TMR has in your locality.
   https://planning.dsdmip.qld.gov.au/maps/sara-da>
- 4. Any properties located in proximity to a current or future State transport corridor may be affected by noise. For existing corridors, refer to the online SPP interactive mapping system. Select the Information Purposes and refer to the Transport Infrastructure. If the property is located in a mandatory transport noise corridor then Mandatory Part 4.4 of the Queensland Development Code will apply.
  < https://planning.dsdmip.qld.gov.au/maps/spp>

#### Disclaimer:

Any information supplied by this Department of Transport and Main Roads' (TMR) property search is provided on the basis that you will use your own judgement to independently evaluate, assess and verify the information's completeness, suitability, purpose and usefulness.

Without limitation, TMR is under no liability for any negligence, claim, loss or damage (including consequential or indirect loss or lost time, profits, savings, contracts, revenue, interest, business opportunities, goodwill or damage to reputation) however caused (whether by negligence or otherwise) that may be suffered or incurred or that may arise directly or indirectly out of any act or omission on its part in connection with the use and reliance upon, and the provision of this property search, including loss or damage caused by any delays in providing this property search to the party who requested the information or any errors, misdescriptions, incompleteness and inaccuracies in the information. TMR excludes all warranties, representations, terms, conditions and undertaking in respect of the completeness, quality, accuracy, suitability or fitness of the information contained in this property search for your purpose. You acknowledge that the information provided is indicative only and may be subject to change.

#### Privacy Statement

The personal information collected on this property search is required to enable TMR to communicate with you regarding your enquiry. The information recorded will not be disclosed to a third party without your consent or unless required or authorised to do so by law.



### Department of the Environment, Tourism, Science and Innovation (DETSI) ABN 46 640 294 485 GPO Box 2454, Brisbane QLD 4001, AUSTRALIA www.detsi.qld.gov.au

### SEARCH RESPONSE

# ENVIRONMENTAL MANAGEMENT REGISTER (EMR) CONTAMINATED LAND REGISTER (CLR)

InfoTrack PTY LTD PO Box 10314, Adelaide Street Brisbane QLD 4001

Transaction ID: 51079209 EMR Site Id: 04 November 2025

Cheque Number: Client Reference:

This response relates to a search request received for the site:

Lot: 3 Plan: SP177892 3 HIGHGROVE DR HIGHFIELDS

### **EMR RESULT**

The above site is NOT included on the Environmental Management Register.

### **CLR RESULT**

The above site is NOT included on the Contaminated Land Register.

### ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated. The EMR/CLR does NOT include:-

- 1. land which is contaminated land (or a complete list of contamination) if DETSI has not been notified
- 2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if DETSI has not been notified

If you have any queries in relation to this search please email emr.clr.registry@detsi.qld.gov.au

**Administering Authority**