

# Buyer Searches List



Lexon Insurance Pte Ltd ARBN 098 964 740  
Incorporated in Singapore Registration No: 200104171C

## Acting for Buyer of Residential Property including Community Title Schemes

This document is only for use by law practices insured by Lexon Insurance Pte Ltd ('Lexon') and not for public circulation or for use by any other third party or practice without Lexon's prior written approval, for contracts to be formed from 1 August 2025 **as this pack is only for use with contracts formed from this date.**

**WARNING:** This searches list is based on the REIQ Standard Residential Contract. This pack will need to be adapted as necessary including tailoring advice to the specific contract and circumstances, including:

- if you are using a different contract or contract edition (REIQ or otherwise); or
- your matter involves a transfer of some other sort or you are only undertaking a discrete step in a broader matter; or
- the Seller Disclosure obligation in s99 of the *Property Law Act 2023* (Qld) does not apply to the transaction.

This pack does not deal with proposed lots. See Lexon's Buyer OTP CTS and Buyer OTP Vacant (Non-CTS) packs.

If being used for a matter outside Queensland jurisdiction, consider local law. NB: if the law is not Australian Law then consider the Policy coverage terms regarding the Foreign Law exclusion.

### NOTES:

**The information for local government enquiries below is for the Brisbane City Council region. For other regions, please consult the relevant Authority for information.**

**Different Authorities provide different searches and information in their search results. Consider the locality and nature of the Property and other searches that might reasonably be obtained (e.g. other local council searches).**

**Approximate costs are indicative only. Practitioners should insert approximate costs that reflect the variation in costs that may arise due to different search providers, different local government area of property and fee increases.**

Additional searches may be required and the suggested timing of the searches must be modified to suit the transaction. Where the transaction involves non-residential land (such as rural land), a contract other than the REIQ Residential Contract, or the transfer of additional property, licences, registrations or interests (such as a water licence), the rights available to the Buyer will depend on the relevant contract being used.

Rights set out below refer to Standard Contract provisions – practitioner to check for any amendments to Contract including the effect of any special conditions and update as necessary.

See Lexon's Links to Searches resource where applicable.

Searches related to Seller Disclosure are denoted with an “\*”.

**[NOTE: See [Conveyancing Protocol – Overview](#) for important information about this pack. Remove cover pages and [Further Information Notes for Author](#) before sending with [4. First Letter](#).]**



After all [#] prompts have been completed, you can delete highlighting throughout the document by:

- selecting the entire document (Ctrl+A); then
- selecting “No Colour” from the highlight option on the Font tab.

# AVAILABLE SEARCHES FOR BUYERS

Please instruct us in writing immediately if you require any searches listed in this document. We have marked “Yes” against the standard searches that Lightning Legal conducts as part of its routine conveyancing service for residential buyers.

The cost of all searches will be invoiced to clients as disbursements on your invoice from Lightning Legal. Search providers are at the discretion of Lightning Legal. In most cases we endeavour to find the cheapest search provider who will provide the search in a timely manner. This document sets out the approximate cost of searches however the actual cost may vary from this estimate. Search costs are subject to increases by the authorities providing the searches.

## Standard searches – All conveyances

Buyer risk/concern	Suggested timing	Approx. cost	Rights	<input checked="" type="checkbox"/> Response  If marked with an (*) then required to properly advise
Title Investigations:			Termination for breach of disclosure obligations if copies of current title search and registered plan are not given to Buyer with Seller Disclosure.	These are all provided in the Seller Disclosure Documents
• * Current title search	Now + settlement date	\$29.32 /search	Termination (if material defect).	
• * Registered plan	Now	\$35.12	Compensation (if material or immaterial defect and Buyer gives notice before settling).	
• * Registered encumbrances (e.g. easements), interests and administrative advices	Now	\$62.77 /search	Termination or damages (if warranties inaccurate) including that the Seller must be the registered owner at the time of settlement.	
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.				
* Before You Dig Australia	Now	Free	Termination for breach of disclosure obligations if statutory rights about infrastructure not disclosed as part of Seller Disclosure.	Yes <input type="checkbox"/>
Shows the presence of infrastructure on the Property.			Termination (if material defect).	No <input checked="" type="checkbox"/>
			Compensation (if claimed before settlement and defect is material, where Buyer doesn't terminate, or immaterial).	
			Termination or damages (if any warranties inaccurate).	
* Telco search	Now	\$135.77	Termination for breach of disclosure obligations if statutory rights about	Yes <input type="checkbox"/>
				No <input checked="" type="checkbox"/>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	<div> <input checked="" type="checkbox"/> Response         </div> <div>           If marked with an (*) then required to properly advise         </div>
<p>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.</p>			<p>infrastructure not disclosed as part of Seller Disclosure.</p>	
<p><b>* Energex/Ergon</b></p> <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>	<p>Contract signed</p> <p>(takes 14 business days)</p>	<p>Energex \$32.00</p> <p>Ergon \$32.00</p>	<p>Termination for breach of disclosure obligations if statutory rights about infrastructure not disclosed as part of Seller Disclosure.</p> <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>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>
<p><b>* Local government planning information:</b></p>				
<p><b>* Online planning and development system search</b></p> <p>(Availability depends on Local Government area)</p> <p>Some Local Governments provide free online searches that provide details of zoning of land and 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>Contract signed</p>	<p>Free</p>	<p>Termination for breach of disclosure obligations if zoning not disclosed as part of Seller Disclosure.</p> <p>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).</p>	<p><b>If available</b></p> <p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>
<p><b>* Town planning search (limited)</b></p> <p>(Only standard recommendation if not in a Community Titles Scheme)</p> <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>	<p>Contract signed</p>	<p>\$411.00</p>	<p>Termination for breach of disclosure obligations if zoning not disclosed as part of Seller Disclosure.</p> <p>Termination under Contract (at any time before settlement) if the Present Use disclosed in the Contract is not lawful under town planning scheme.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p><b>* If zoning information is not otherwise available</b></p>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	<div>☒ Response</div> <div>If marked with an (*) then required to properly advise</div>
<p><b>* Department of Environment, Tourism, Science and Innovation</b></p> <p>Determine if Property 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	\$57.15 (online)	<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 before 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>Under Contract, termination or compensation if Seller fails to disclose notifiable activity or other circumstances that may lead to classification as contaminated.</p> <p>Termination must be exercised before settlement.</p> <p>Claim for compensation must be made before settlement.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" 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 before settlement under statute if Seller doesn't give a copy of any tree application or order before Contract.	
<p><b>* Online search for tree orders</b></p> <p>Details of orders in relation to trees on the Property.</p>	Now	Free	If the Contract is terminated, Seller and Contract drafter are liable to the Buyer for the reasonable legal and other expenses incurred by the Buyer in relation to the Contract after the Buyer signed the Contract.	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></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>	AND	\$20.00	Termination under Contract may also be possible.	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" 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> <li>a revocation notice for a pool safety certificate under s246AG <i>Building Act 1975</i> (Qld).</li> </ul>	Now	Free	<p>If there is a pool on the land:</p> <ul style="list-style-type: none"> <li>termination for breach of disclosure obligations if pool not disclosed as part of Seller Disclosure; or</li> <li>if a Notice of no pool safety certificate or pool safety certificate or exemption certificate is not given with Seller Disclosure.</li> </ul> <p>If there is a revocation notice under s246AG <i>Building Act 1975</i> (Qld)</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	☑ Response  If marked with an (*) then required to properly advise
			issued before Contract, Buyer may terminate.	
<b>* Mining and other geothermal tenures</b>  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 enquiries should be made of the Seller.	Contract signed	Free	Termination for breach of disclosure obligations if access agreement, opt-out agreement, deferral agreement or conduct and compensation agreement not disclosed as part of Seller Disclosure.  No contractual termination rights (unless an access agreement).	(If in known mining or gas area, but otherwise optional)  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>* Department of Transport and Main Roads</b>  <ul style="list-style-type: none"> <li>Roads</li> <li>Port authority (only if on the river)</li> <li>Rail</li> </ul> Current proposals, resumption information for roads, ports and rail.  (Department will not provide information on proposals for resumptions not currently approved.)	Contract signed  (takes 12 business days)	\$49.95	Termination for breach of disclosure obligations if:  <ul style="list-style-type: none"> <li>notice has been given about transport infrastructure proposal to locate transport infrastructure on the land or to alter dimensions of land and notice is not disclosed; or</li> <li>notice of intention to resume has been given and notice is not disclosed.</li> </ul>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Transport noise corridor search</b> (Business Queensland)  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.  <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.	Now  (A search should be undertaken early in the conveyance so that a Buyer can exercise other termination rights if necessary.)	Free	No contractual termination rights if the Property is in a noise corridor.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>* Queensland Heritage Register search</b>  Whether Property is listed on heritage register or any heritage agreements in existence.	Contract signed	\$47.90	Termination for breach of disclosure obligations if affected by <i>Queensland Heritage Act 1992</i> (Qld) and not disclosed.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>* World Heritage List</b>  Whether Property is listed on the heritage list.	Now	Free	Termination for breach of disclosure obligations if on World Heritage List and not disclosed.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Personal Property Securities Register</b>  Details of any personal property affected by a registered security interest – important as	Now + settlement date	\$2.00 / search	Seller contractually sells the Property (Land, improvement and chattels) free from encumbrances other than	(If personal property forms part of the transaction)



Buyer risk/concern	Suggested timing	Approx. cost	Rights	☑ Response  If marked with an (*) then required to properly advise
May show if parts of the Property cannot be used as intended.			easement, building management statement or statutory authority.	
<ul style="list-style-type: none"> <li><b>* Building notices search</b> (Brisbane City Council Property Notices Search) Information about show cause and enforcement notices.</li> </ul>	Contract signed	\$97.75 (often included in standard rates search)	Termination for breach of disclosure obligations if an outstanding notice given to the Seller is not given to Buyer with Seller Disclosure.  Termination under Contract before settlement if an outstanding notice has issued before the Contract Date and is not disclosed.	Yes <input type="checkbox"/>  No <input checked="" 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>  Details of Seller corporation including directors, ABN.	Now + settlement date	\$10.00 / search		Yes <input type="checkbox"/>  No <input checked="" type="checkbox"/>
<b>Organisation and business names search</b>  Organisation name, ABN, type of company, registration date and whether the organisation holds a professional licence or registration.	Now	Free		Yes <input type="checkbox"/>  No <input checked="" type="checkbox"/>
<b>Court Registers - Supreme, District and Federal Courts and *QCAT</b>  Shows: <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>	Contract signed	Free	Termination under Contract if there is a judgment, order or writ issued affecting the Property, including where Seller is bankrupt.	Yes <input type="checkbox"/>  No <input checked="" type="checkbox"/>
<b>Bankruptcy Register</b>  The bankruptcy register should provide information concerning name of bankrupt, dates of bankruptcy, and orders.	Contract signed	\$15.00	Termination under Contract if Seller is bankrupt.	Yes <input type="checkbox"/>  No <input checked="" type="checkbox"/>



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	\$51.30	No contractual termination rights.	Yes <input type="checkbox"/> No <input checked="" 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	No contractual termination rights.	(Advisable if Property is being purchased for development)  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Protected Plants (State)</b>  (Department of Environment, Tourism, Science and Innovation)  Flora survey trigger map identifies high risk areas for endangered, vulnerable or threatened native plants.	Contract signed	Free	No contractual termination rights.	(Advisable if Property is being purchased for development)  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Urban Utilities - Special water meter reading</b>	Contract signed  (takes 14 days)	\$54.00	No contractual termination rights. Results may be used for adjustment of water charges.  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 checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Local government enquiries:</b>				
<ul style="list-style-type: none"> <li><b>Town planning (standard)</b>   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. </li> </ul>	Contract signed  (takes 12 business days)	\$1,370.00	Termination under Contract (at any time before settlement) if the Present Use disclosed in the Contract is not lawful under town planning scheme or 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).	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><b>Town planning (full)</b>   As per standard town planning advice above, however, Council will be bound by the information provided in the certificate which </li> </ul>	Contract signed  (takes 30 business days)	Contact us for a quote. May cost between \$5,000.00	Termination under Contract (at any time before settlement) if the Present Use disclosed in the Contract is not lawful under town planning scheme or if outstanding development approval condition which, if complied	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>



Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☑ response)
<p>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>		and \$10,000.00	with, would constitute a material mistake or omission in Seller's title (e.g. requirement for grant of easement).	
<p>• <b>Building approval search</b></p> <p>Details of building approvals and inspections.</p>	Now	<p>Building records \$97.75</p> <p>Inspection search \$97.75</p>	No contractual termination rights for lack of building approvals.	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>
<p>• <b>Food Business Licence search</b></p> <p>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 2003</i> (Qld) that might attach to the Property, and any contraventions.</p> <p>Whether the Property has a registered food licence and any contraventions.</p>	Contract signed	TBA, if required	No contractual termination rights.	<p>(Advisable if business conducted)</p> <p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>
<p>• <b>* Heritage search</b></p> <p>Whether Property listed on Local Government heritage register or any heritage agreements in existence.</p>	Contract signed	Search City Plan	Termination under Contract (at any time before settlement) if Property is listed on register or is affected by <i>Queensland Heritage Act 1992</i> (Qld).	<p>(Relevant if building more than 50 years old)</p> <p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>
<p>• <b>Flood search</b></p> <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 in most areas	No contractual termination rights.	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>
<p>• <b>Vegetation Protection Orders</b></p> <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	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 checked="" type="checkbox"/></p>
<p><b>Powerlink</b></p> <p>Information concerning the Authority's future interest in the Property, easements and transmission lines.</p>	Contract signed	\$60.00	<p>Termination for breach of disclosure obligations if statutory rights about infrastructure not disclosed as part of Seller Disclosure.</p> <p>If easement over cables is undisclosed:</p>	<p>(Generally only necessary for large rural or commercial properties)</p> <p>Yes <input type="checkbox"/></p>

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☒ response)
			<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>	No ☒
<b>Coastal development approval (historical tidal works approvals)</b> <ul style="list-style-type: none"> <li>• Historical tidal works approvals issued before 18 November 2005;</li> <li>• the date of any approval issued;</li> <li>• nature of the works approved.</li> </ul>	Contract signed	Free (to identify approvals through Queensland Globe)  \$178.00 (to obtain a copy of the plan and approval)	No contractual termination rights.	(Advisable if the Property has a jetty or other construction over water)  Yes ☐  No ☒
<b>Coastal management search</b>  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.	Contract signed	Free	No contractual termination rights.  Right to terminate under <i>Coastal Protection and Management Act 1995</i> (Qld) – requires notice at least 14 days before settlement of an undischarged coastal protection notice under s59 or an undischarged tidal works notice under s60.	(Advisable if Property is located in a coastal (beach or harbour) area)  Yes ☐  No ☒
<b>* National Heritage List</b>  Information on indigenous, natural and historic sites on the register.	Contract signed	Free	No contractual termination rights.	Yes ☐  No ☒
<b>ATSI Cultural Heritage Register and Database</b> (Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism)  Whether Property listed on heritage register or any heritage agreements in existence.	Contract signed	Free	No contractual termination rights.	Yes ☐  No ☒
<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	Free	Termination for breach of disclosure obligations if listed on World Heritage List and not disclosed as part of Seller Disclosure. No contractual termination rights.	Yes ☐  No ☒
<b>Unexploded Ordnance (UXO)</b> (Department of Defence)  Details of whether a site may have potential UXO contamination.	Contract signed	Free	No contractual termination rights.	(Generally only necessary for non-urban properties)  Yes ☐  No ☒

Buyer risk/concern	Suggested timing	Approx. cost	Rights	Optional search required (☑ response)
<b>Fish Habitats</b> (Department of Environment, Tourism, Science and Innovation)  Details of whether a site may be affected by a declared fish habitat area (which may limit coastal development).	Contract signed	Free	No contractual termination rights.	(Advisable if Property is located in a coastal (beach or harbour) area)  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Biosecurity Act 2014 (Qld) - Register of Prohibited Matter and Restricted Matter Permits</b>  Details of biosecurity risks present on the Property.	Contract signed	\$54.50	No contractual termination rights.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<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	Free	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 checked="" type="checkbox"/>
<b>PFAS Management Sites</b> (Department of Defence)  Details of Defence sites where per- and poly-fluoroalkyl substances (PFAS) contamination is being investigated and managed.	Now	Free	No contractual termination rights.	(Advisable if land located near a Defence site)  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

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

Buyer risk/concern	Suggested timing	Approx. cost	Rights	☑ Response Standard CTS search required
<b>* Title Investigations:</b>				<b>These are all provided in the Seller Disclosure Documents</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	\$62.77	Termination for breach of disclosure obligations if copy of current community management statement not given to Buyer with Seller Disclosure.  Termination under Contract (if material defect).  Compensation (if material or immaterial defect and Buyer gives notice before settling).	
<b>* Building management statement</b>	Contract signed	\$62.77	Termination or damages under Contract (if warranties inaccurate) including that the Seller must be the registered owner at the time of settlement.	
<b>* Title search of common property</b>  See details in <a href="#">Standard Searches</a> section above (as they apply to the common property).	Contract signed	\$29.32 /search		

Buyer risk/concern	Suggested timing	Approx. cost	Rights	☑ Response Standard CTS search required
				A right of termination if reveals an undisclosed body corporate asset (such as a lease).
* <b>Body Corporate Certificate</b>	Now	\$71.75	Termination for breach of disclosure obligations if body corporate certificate is not given to Buyer with Seller Disclosure.	
<b>Local government enquiry:</b>				
• <b>Certificate of Occupancy</b>	Now	\$97.75	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"/>
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).				No <input checked="" type="checkbox"/>
<b>Body Corporate records search</b>	Contract signed	\$200 to \$400	Termination under Contract for breach of warranty and if materially prejudiced.	Yes <input type="checkbox"/>
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).				No <input checked="" type="checkbox"/>
A review of body corporate records to identify issues not covered by, and to verify the details in, the Body Corporate Certificate, not covered by Body Corporate 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 or by-laws pending lodgement, or works required due to building defects such as structural issues, water leak issues, combustible cladding or concrete cancer.				
				Termination rights:
				<ul style="list-style-type: none"> <li>• Body Corporate Records Inspection condition;</li> <li>• for inaccuracy in Seller Disclosure;</li> <li>• for breach of implied warranty.</li> </ul>
				<b>Note:</b> Time limits apply to the exercise of these rights.
<b>Body Corporate Orders (Form 3 BCCM) from Body Corporate Commissioner</b>	Contract signed	\$24.05	Termination under Contract if an order requires work to be done or money spent on the Lot or common property.	Yes <input type="checkbox"/>
Details of Orders made against a particular Community Titles Scheme.				No <input checked="" type="checkbox"/>
				Compensation under Contract only if the order was issued before Contract.
<b>Queensland Fire Department Services search</b>	Contract signed	\$171.50	No contractual termination rights.	Optional
(This only applies to commercial buildings and units)				Yes <input type="checkbox"/>
Whether a fire safety report has been issued for the Property, whether the Property complies.				No <input checked="" type="checkbox"/>

# Lightning Legal Client Acknowledgement

As a client of Lightning Legal, you acknowledge that:

- 1. We have advised you to consider undertaking all of the searches listed in this document and you have considered the buyer risk/concern outlined for each search and its relevance to the property you are purchasing and your intended use of the property;
- 2. Failure to undertake relevant 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 searches marked 'Yes ☒' above as well as any other searches you instruct us by email to undertake as additional searches; and
- 4. You acknowledge that you will incur additional search costs and may (where searches are required in addition to those marked 'Yes ☒') incur additional legal fees in carrying out the searches selected.

[#Client name]

\_\_\_\_\_  
Date

/ /

[#Client name]

\_\_\_\_\_  
Date

/ /

## Further Information – Notes for Author

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- To access Searches on this list, please refer to Lexon's Links to Searches resource. 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)).
- **Body Corporate records search** and **Body Corporate Certificate** – for inaccuracy in Seller Disclosure; 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 before Contract, note cl 7.6(4).



### TAKE 2

Take a moment to stop and think.  
What else?