

# 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 Wayne Anthony Bellamy and Sharron Patricia Bellamy

Property address 1 Cherry Close, Highfields Qld 4352  
(referred to as the  
“property” in this  
statement)

Lot on plan description Lot 5 on SP 206561

Community titles scheme or BUGTA scheme: Is the property part of a community titles scheme or a BUGTA scheme:

☐ Yes

☒ No

*If Yes, refer to Part 6 of this statement for additional information*

*If No, 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 *Land Title Act 1994* showing interests registered under that Act for the property.

☒ Yes

A copy of the plan of survey registered for the property.

☒ Yes

Registered encumbrances	<p>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.</p> <p>You should seek legal advice about your rights and obligations before signing the contract.</p>
Unregistered encumbrances (excluding statutory encumbrances)	<p>There are encumbrances not registered on the title that will continue to <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No affect the property after <b>settlement</b>.</p> <p><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.</p> <p><b>Unregistered lease (if applicable)</b></p> <p>If the unregistered encumbrance is an unregistered lease, the details of the agreement are as follows:</p> <p>» the start and end day of the term of the lease: <input type="text"/></p> <p>» the amount of rent and bond payable: <input type="text"/></p> <p>» whether the lease has an option to renew: <input type="text"/></p> <p><b>Other unregistered agreement in writing (if applicable)</b></p> <p>If the unregistered encumbrance is created by an agreement in <input type="checkbox"/> Yes writing, and is not an unregistered lease, a copy of the agreement is given, together with relevant plans, if any.</p> <p><b>Unregistered oral agreement (if applicable)</b></p> <p>If the unregistered encumbrance is created by an oral agreement, and is not an unregistered lease, the details of the agreement are as follows:</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>
Statutory encumbrances	<p>There are statutory encumbrances that affect the property. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>If Yes, the details of any statutory encumbrances are as follows:</i></p> <div style="border: 1px solid black; height: 80px; width: 100%;"></div>
Residential tenancy or rooming accommodation agreement	<p>The property has been subject to a residential tenancy agreement or a rooming accommodation agreement under the <i>Residential Tenancies and Rooming Accommodation Act 2008</i> during the last 12 months. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If <b>Yes</b>, when was the rent for the premises or each of the residents' rooms last increased? (<i>Insert date of the most recent rent increase for the premises or rooms</i>) <input type="text"/></p> <p><b>Note</b>—Under the <i>Residential Tenancies and Rooming Accommodation Act 2008</i> the rent for a residential premises may not be increased earlier than 12 months after the last rent increase for the premises.</p> <p>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.</p>

## 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.

<b>Zoning</b>	The zoning of the property is <i>(Insert zoning under the planning scheme, the Economic Development Act 2012; the Integrated Resort Development Act 1987; the Mixed Use Development Act 1993; the State Development and Public Works Organisation Act 1971 or the Sanctuary Cove Resort Act 1985, as applicable)</i> :	
	Low Density Residential	
<b>Transport proposals and resumptions</b>	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.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	The lot is affected by a notice of intention to resume the property or any part of the property.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<i>If Yes, a copy of the notice, order, proposal or correspondence must be given by the seller.</i>	
* <i>Transport infrastructure</i> has the meaning defined in the <i>Transport Infrastructure Act 1994</i> . A <i>proposal</i> means a resolution or adoption by some official process to establish plans or options that will physically affect the property.		
<b>Contamination and environmental protection</b>	The property is recorded on the Environmental Management Register or the Contaminated Land Register under the <i>Environmental Protection Act 1994</i> .	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<b>The following notices are, or have been, given:</b> 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).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	A notice under section 369C(2) of the <i>Environmental Protection Act 1994</i> (the property is a place or business to which an environmental enforcement order applies).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	A notice under section 347(2) of the <i>Environmental Protection Act 1994</i> (the property is a place or business to which a prescribed transitional environmental program applies).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Trees</b>	There is a tree order or application under the <i>Neighbourhood Disputes (Dividing Fences and Trees) Act 2011</i> affecting the property.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<i>If Yes, a copy of the order or application must be given by the seller.</i>	
<b>Heritage</b>	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).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Flooding</b>	Information about whether the property is affected by flooding or another natural hazard or within a natural hazard overlay can be obtained from the relevant local government and you should make your own enquires. Flood information for the property may also be available at the <a href="#">FloodCheck Queensland</a> portal or the <a href="#">Australian Flood Risk Information</a> portal.	
<b>Vegetation, habitats and protected plants</b>	Information about vegetation clearing, koala habitats and other restrictions on development of the land that may apply can be obtained from the relevant State government agency.	

## 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.

<b>Swimming pool</b>	<p>There is a relevant pool for the property. <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If a community titles scheme or a BUGTA scheme – a shared pool is located in the scheme. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Pool compliance certificate is given. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>OR</p> <p>Notice of no pool safety certificate is given. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>
<b>Unlicensed building work under owner builder permit</b>	<p>Building work was carried out on the property under an owner builder permit in the last 6 years. <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p><i>A notice under section 47 of the Queensland Building and Construction Commission Act 1991 must be given by the seller and you may be required to sign the notice and return it to the seller prior to signing the contract.</i></p>
<b>Notices and orders</b>	<p>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. <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>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. <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p><i>If Yes, a copy of the notice or order must be given by the seller.</i></p>
<b>Building Energy Efficiency Certificate</b>	<p>If the property is a commercial office building of more than 1,000m<sup>2</sup>, a Building Energy Efficiency Certificate is available on the Building Energy Efficiency Register.</p>
<b>Asbestos</b>	<p>The seller does not warrant whether asbestos is present within buildings or improvements on the property. Buildings or improvements built before 1990 may contain asbestos. Asbestos containing materials (ACM) may have been used up until the early 2000s. Asbestos or ACM may become dangerous when damaged, disturbed, or deteriorating. Information about asbestos is available at the Queensland Government Asbestos Website (<a href="https://asbestos.qld.gov.au">asbestos.qld.gov.au</a>) including common locations of asbestos and other practical guidance for homeowners.</p>

## 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.

### Rates

#### Whichever of the following applies—

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 not rates exempt but no separate assessment of rates is issued by a local government for the property. ☐

\*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*.

\*\* 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:

\* 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.

<b>Body Corporate and Community Management Act 1997</b>	<b>The property is included in a community titles scheme.</b> <i>(If Yes, complete the information below)</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>Community Management Statement</b>	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.	<input type="checkbox"/> Yes	
<b>Body Corporate Certificate</b>	<p><b>Note</b>—If the property is part of a community titles scheme, the community management statement for the scheme contains important information about the rights and obligations of owners of lots in the scheme including matters such as lot entitlements, by-laws and exclusive use areas.</p> <p>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.</p> <p><b>If No</b>— An explanatory statement is given to the buyer that states:</p> <ul style="list-style-type: none"> <li>» a copy of a body corporate certificate for the lot is not attached; and</li> <li>» the reasons under section 6 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.</li> </ul>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Statutory Warranties</b>	<p><b>Statutory Warranties</b>—If you enter into a contract, you will have implied warranties under the <i>Body Corporate and Community Management Act 1997</i> relating to matters such as latent or patent defects in common property or body corporate assets; any actual, expected or contingent financial liabilities that are not part of the normal operating costs; and any circumstances in relation to the affairs of the body corporate that will materially prejudice you as owner of the property. There will be further disclosure about warranties in the contract.</p>		
<b>Building Units and Group Titles Act 1980</b> <b>Body Corporate Certificate</b>	<b>The property is included in a BUGTA scheme</b> <i>(If Yes, complete the information below)</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	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.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<p><b>If No</b>— An explanatory statement is given to the buyer that states:</p> <ul style="list-style-type: none"> <li>» a copy of a body corporate certificate for the lot is not attached; and</li> <li>» 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.</li> </ul>	<input type="checkbox"/> Yes	
	<p><b>Note</b>—If the property is part of a BUGTA scheme, you will be subject to by-laws approved by the body corporate and other by-laws that regulate your use of the property and common property.</p>		

## Signatures – SELLER



Signature of seller

Sharron Patricia Bellamy  
Name of seller

8/09/2025  
Date



Signature of seller

Wayne Anthony Bellamy  
Name of seller

8/09/2025  
Date

## Signatures – BUYER

**By signing this disclosure statement the buyer acknowledges receipt of this disclosure statement before entering into a contract with the seller for the sale of the lot.**

Signature of buyer

Name of buyer

Date

Signature of buyer

Name of buyer

Date

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50774925</b>	<b>Search Date:</b>	20/08/2025 10:59
<b>Date Title Created:</b>	06/07/2009	<b>Request No:</b>	53049861
<b>Previous Title:</b>	50113653		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 5 SURVEY PLAN 206561  
Local Government: TOOWOOMBA

**REGISTERED OWNER**

Dealing No: 722974216 20/12/2023

SHARRON PATRICIA BELLAMY  
WAYNE ANTHONY BELLAMY

JOINT TENANTS

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10524179 (POR 1143)

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

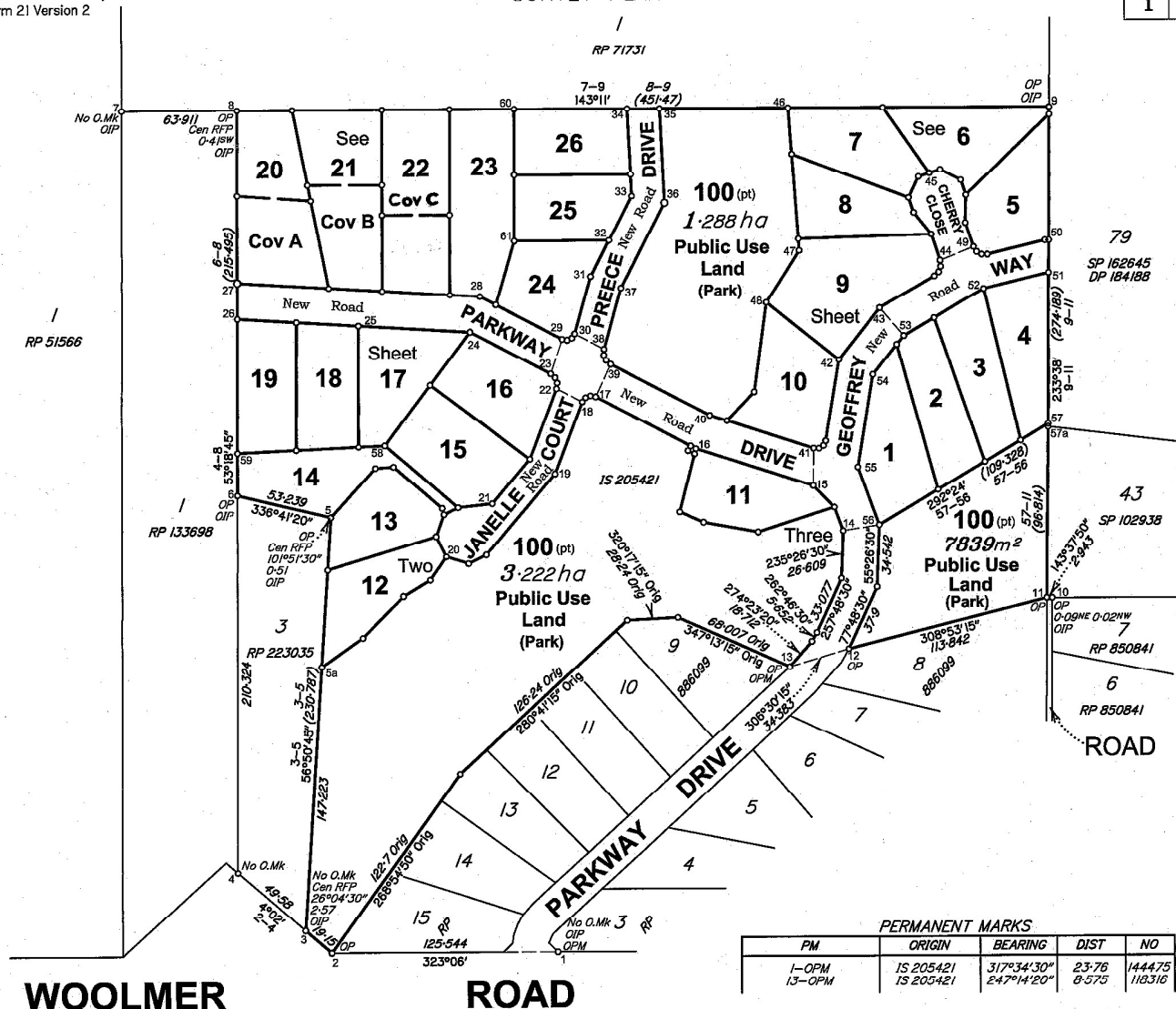
NIL

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



Land Title Act 1994 ; Land Act 1994  
Form 21 Version 2

## SURVEY PLAN

Sheet  
1 of 3

## PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
1-OPM	IS 205421	317°34'30"	23.76	144475
13-OPM	IS 205421	247°14'20"	8.575	110316

## REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP	IS 205421	190°08'30"	1.12
3	OIP	RP 223035	236°50'45"	1.0
5	OIP	RP 223035	156°41'20"	1.0
6	OIP	RP 223035	336°41'20"	1.009
7	OIP	RP 71731	143°11'	0.664
8	OIP	RP 133698	53°18'45"	0.875
9	OIP	RP 71731	323°11'	3.38
10	OIP	IS 205421	235°18'30"	0.95
12	Screw in Kerb		8°11'	5.48
15	Screw in Kerb		52°0'	6.23
16	Screw in Kerb		69°28'	5.325
17	Screw in Kerb		7°21'	8.13
19	Screw in Kerb		284°55'	20.3
21	Screw in Kerb		114°46'	16.05
23	Screw in Kerb		161°02'	9.315
24	Screw in Kerb		42°11'	4.835
25	Screw in Kerb		93°10'	5.69
26	Screw in Kerb		108°41'	7.885

## REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
27	Screw in Kerb		182°40'	10.05
28	Screw in Kerb		271°11'	7.375
29	Screw in Kerb		187°14'	7.525
32	Screw in Kerb		06°38'	13.625
34	Screw in Kerb		203°19'	8.94
35	Screw in Kerb		265°18'	8.13
36	Screw in Kerb		269°58'	28.68
39	Screw in Kerb		323°49'	9.21
40	Screw in Kerb		276°58'	7.04
41	Screw in Kerb		175°42'	11.755
43	Screw in Kerb		258°36'	23.22
44	Screw in Kerb		171°29'	8.325
45	Screw in Kerb		204°33'	4.085
49	Screw in Kerb		248°0'	8.91
50	Screw in Kerb		279°42'	8.72
51	Screw in Kerb		7°03'	8.22
54	Screw in Kerb		52°17'	12.22
55	Screw in Kerb		304°14'	9.04
57a	OIP	SP 102938	310°15'	1.715

Original information compiled from  
RP 886099 in the Department of  
Natural Resources and Water.

**Total Area of Lot 100**

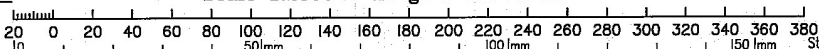
5.294 ha

**Total Area of New Road**

1.899 ha

Peg placed at all new and original  
corners, unless otherwise stated.

Scale 1:2500 - Lengths are in Metres.



I, Anthony John Schmidt hereby certify that the land comprised in this plan was surveyed by Antony Jon Pike, Registered Surveying Graduate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 20/11/2008.

*[Signature]*  
Certified Surveyor

Date 27/3/09

**Plan of**  
**Lots 1-26, 100 and Covenants**  
**A,B and C in Lots 20,21 and 22**  
**respectively.**

Cancelling Lot 101 on RP 886099

PARISH: **TOOWOOMBA** COUNTY: **Aubigny**

Meridian: **AMG (zone 56) - vide SP 162645**

F/N's: **No**

Scale: **1:2500**

Format: **STANDARD**

**SP206561**

Plan Status:

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

712567802

BE 400 NT

\$2181.60  
02/07/2009 16:12

Registered

5. Lodged by  
GEOFF KLOOGER & ASSOCIATES  
SOLICITORS  
G.P.O. BOX 1188  
BRISBANE, Q. 4001

pn: 32297327  
Lodger Code 200A

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

1. Certificate of Registered Owners or Lessees.

1/We HIGHFIELDS VENTURES PTY LTD ACN 111 858 845

TRUSTEE

UNDER INSTRUMENT 708407602

(Names in full)

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

\* as Lessees of this land agree to this plan.

Signature of \*Registered Owners \*Lessees

HIGHFIELDS VENTURES PTY LTD  
DIRECTOR - ~~PATRICIA JENNIFER RESORTS PTY LTD~~  
ACN 111 858 845  
DIRECTOR - HIGHFIELDS VENTURES PTY LTD  
ACN No 111 858 845

\* Rule out whichever is inapplicable

2. Local Government Approval.

\* Toowoomba Regional Council

hereby approves this plan in accordance with the:

% Integrated Planning Act 1997

Dated this 18th day of May 2009

Authorized Signatory

\* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or  
# Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

3. Plans with Community Management Statement:

CMS Number:

Name:

4. References:

Dept File: 524/2009/1849  
Local Govt: DA 553.D.02.08/2008  
Surveyor: E0246

6. Existing

Title Reference	Lot	Plan	Lots	Covs	Emts	Road
50113653	101	RP 886099	1-26,100	A,B,C	---	New Rd

Created

MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
711016428	1-26,100	---

1-26,100

POR 1143

Lots

Orig

7. Portion Allocation:

8. Map Reference:

9243-22312

9. Locality:

Highfields

10. Local Government:

TOOWOOMBA R.C.

11. Passed & Endorsed:

By: Anthony John Schmidt  
Date: 27/3/09  
Signed: [Signature]  
Designation: Cadastral Surveyor

12. Building Format Plans only.

I certify that:

\* As far as it is practical to determine, no part  
of the building shown on this plan encroaches  
onto adjoining lots or road.

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

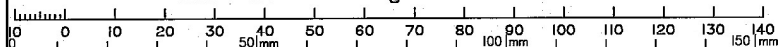
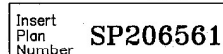
Cadastral Surveyor/Director \* Date  
\* delete words not required

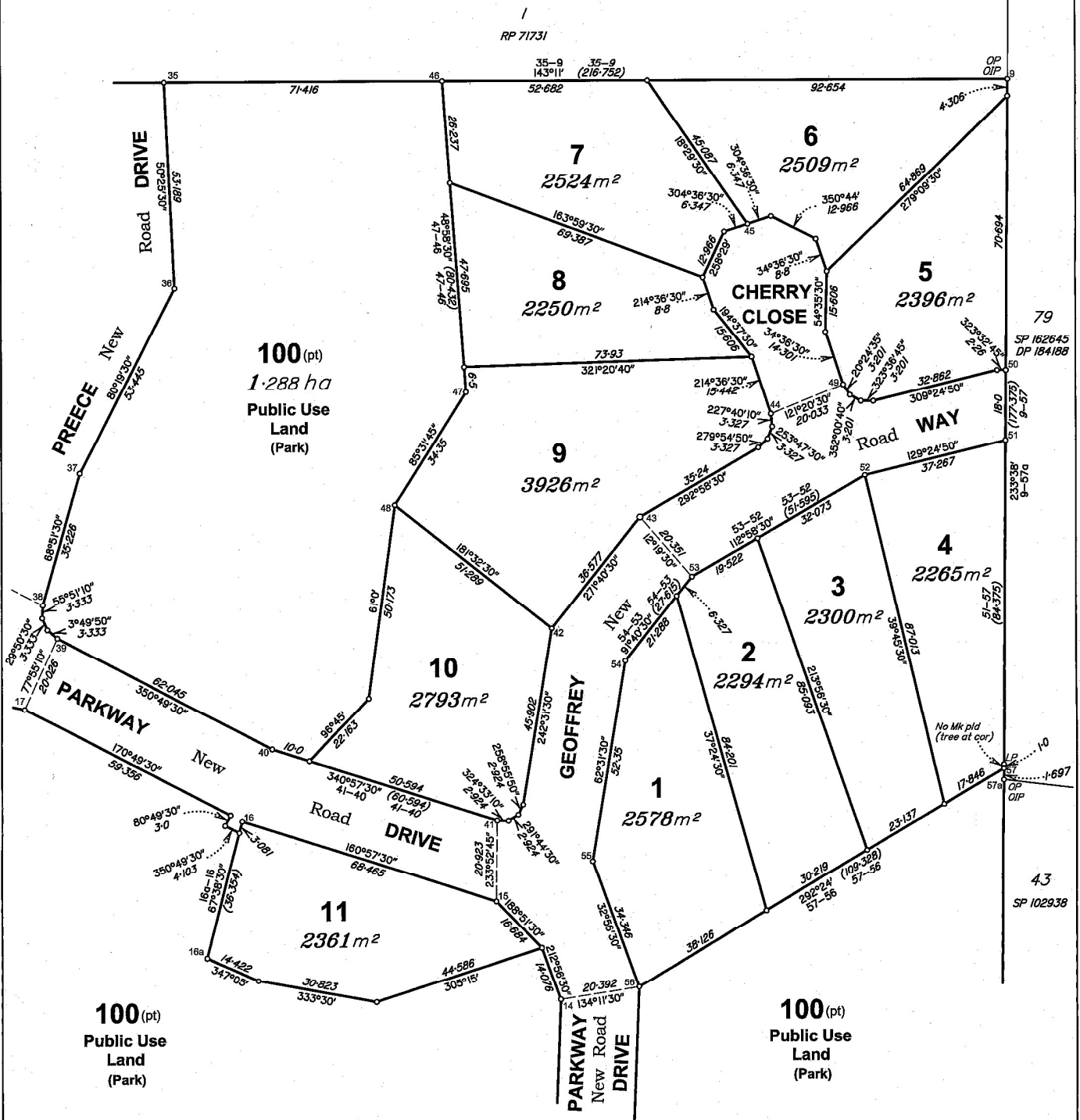
13. Lodgement Fees:

Survey Deposit \$  
Lodgement \$  
..... New Titles \$  
Photocopy \$  
Postage \$  
TOTAL \$

14. Insert  
Plan  
Number

SP206561





*Peg placed at all new and original corners, unless otherwise stated.*

Scale 1:1000 - Lengths are in Metres.

State copyright reserved.

Insert  
Plan  
Number

SP206561

