# 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 Desiree Gail Lev	vingston	
Property address (referred to as the "property" in this statement)	4 Dylan Court, Darling Heights	
Lot on plan description	62/RP850987	
Community titles schem or BUGTA scheme:	ne Is the property part of a community titl	es scheme or a BUGTA scheme:
	□Yes	⊠No
	If <b>Yes</b> , refer to Part 6 of this statement jadditional information	or 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 (excluding statutory encumbrances)	There are encumbrances not registered on the title that will continue to $\ \square$ Yes $\ \boxtimes$ No affect the property after <b>settlement.</b>
	<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  Wes  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. $ extstyle  extst$
	If <b>Yes</b> , the details of any statutory encumbrances are as follows:
	Toowoomba Regional Council – Sewer Gravity Main running along the Eastern boundary (rear boundary) of the lot and one Sewer Manhole on the Eastern boundary (rear boundary). Sewer Gravity Main may impact the Northwestern boundary of the lot.  Telstra QLD Regional - Cable runs from pit into property as per attached plan and legend.  NBN Co Qld - Cable runs from pit into property as per attached plan and legend.  APA Group - Gas Assets supplied to the Lot, as per attached plan and legend.
Residential tenancy or rooming accommodation	The property has been subject to a residential tenancy agreement or a
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)  August 2024
	<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.
	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, the Development Act 2012; the Integrated Resort Development Act 1987; the Act 1993; the State Development and Public Works Organisation Act 1971 Resort Act 1985, as applicable):  Low-Medium Density Residential	Mixed Use De	-	
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	⊠ 1	No
	The lot is affected by a notice of intention to resume the property or any part of the property.	☐ Yes	⊠ I	No
	If <b>Yes</b> , a copy of the notice, order, proposal or correspondence must be giv	en by the sel	ler.	
	has the meaning defined in the <i>Transport Infrastructure Act 1994</i> . A <i>propo</i> e process to establish plans or options that will physically affect the property		resolu	tion or
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	⊠ 1	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 Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 affecting the property.	☐ Yes	× I	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	⊠ 1	No
Flooding	Information about whether the property is affected by flooding or another a natural hazard overlay can be obtained from the relevant local governme your own enquires. Flood information for the property may also be availangueensland portal or the <u>Australian Flood Risk Information</u> portal.	ent and you	should	make
Vegetation, habitats and protected plants	Information about vegetation clearing, koala habitats and other restriction land that may apply can be obtained from the relevant State government		pment	of the

# 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.  If a community titles scheme or a BUGTA scheme – a shared pool is located in the scheme.	☐ Yes ☐ Yes	⊠ No □ No
	Pool compliance certificate is given. OR	☐ Yes	$\square$ No
	Notice of no pool safety certificate is given.	☐ Yes	□ No
Unlicensed building work under owner builder permit	Building work was carried out on the property under an owner builder permit in the last 6 years.	☐ Yes	⊠ No
	A notice under section 47 of the Queensland Building and Construction Coube given by the seller and you may be required to sign the notice and returning 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 Bu Certificate is available on the Building Energy Efficiency Register.	ilding Energy I	Efficiency
Asbestos	The seller does not warrant whether asbestos is present within buildings or property. Buildings or improvements built before 1990 may contain asbest materials (ACM) may have been used up until the early 2000s. Asbestos of dangerous when damaged, disturbed, or deteriorating. Information about is available at the Queensland Government Asbestos Website (asbestos.q common locations of asbestos and other practical guidance for homeowners).	tos. Asbestos r ACM may be asbestos ld.gov.au) incl	containing come

# 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: \$1,398.67 Date Range: 01/07/2	2025 -31/12/2025		
	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 gov	vernment may grant a concession for rates. The concession will not pass to yo	u as buyer unless		

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: \$753.21 Date Range: 01/07/2025 – 31/12/2025			
	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> 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*.

<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 right owners of lots in the scheme including matters such as lot entitlements, be areas.	s and obligat	tions of
Body Corporate Certificate	A copy of a body corporate certificate for the lot under the <i>Body</i> Corporate and Community Management Act 1997, 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		
	» 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	Statutory Warranties—If you enter into a contract, you will have implied Body Corporate and Community Management Act 1997 relating to matter defects in common property or body corporate assets; any actual, expecte liabilities that are not part of the normal operating costs; and any circums affairs of the body corporate that will materially prejudice you as owner of be further disclosure about warranties in the contract.	rs such as late ed or conting tances in rela	ent or patent gent financial ation to the
Building Units and Group Titles Act	The property is included in a BUGTA scheme (If Yes, complete the information below)	☐ Yes	⊠ No
1980 Body Corporate Certificate	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
	<ul> <li>If No— An explanatory statement is given to the buyer that states:</li> <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> <li>Note—If the property is part of a BUGTA scheme, you will be subject to be</li> </ul>	□ <b>Yes</b>	ved by the
	body corporate and other by-laws that regulate your use of the property a		•

Signatures – SELLER	
Desiree Gail Levingston	
Signature of seller	Signature of seller
Desiree Gail Levingston  Name of seller	Name of seller
18-11-2025	Name of seller
Date	Date
	wledges receipt of this disclosure statement before entering into a
contract with the seller for the sale of the lot.	wieuges receipt of this disclosure statement serore entering into a
Signature of buyer	Signature of buyer
Name of buyer	Name of buyer
Date	Date

CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 53993941

Search Date: 06/11/2025 10:32 Title Reference: 18617168

Date Created: 06/10/1993

Previous Title: 18108034

REGISTERED OWNER

Dealing No: 721371737 22/12/2021

DESIREE GAIL LEVINGSTON

ESTATE AND LAND

Estate in Fee Simple

LOT 62 REGISTERED PLAN 850987

Local Government: TOOWOOMBA

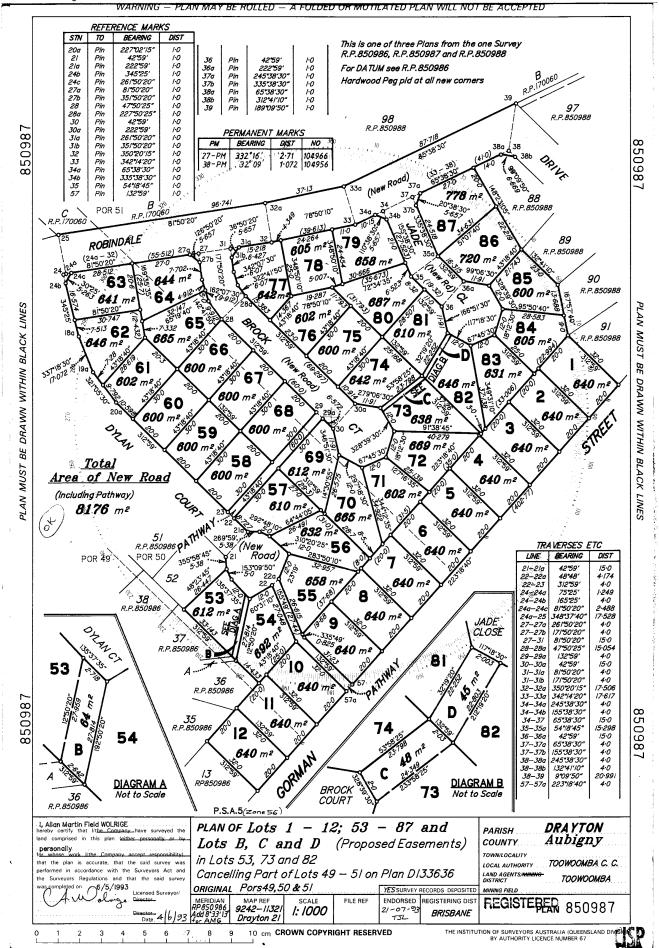
EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Deed of Grant No. 10002238 (POR 50)

ADMINISTRATIVE ADVICES - NIL UNREGISTERED DEALINGS - NIL

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

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



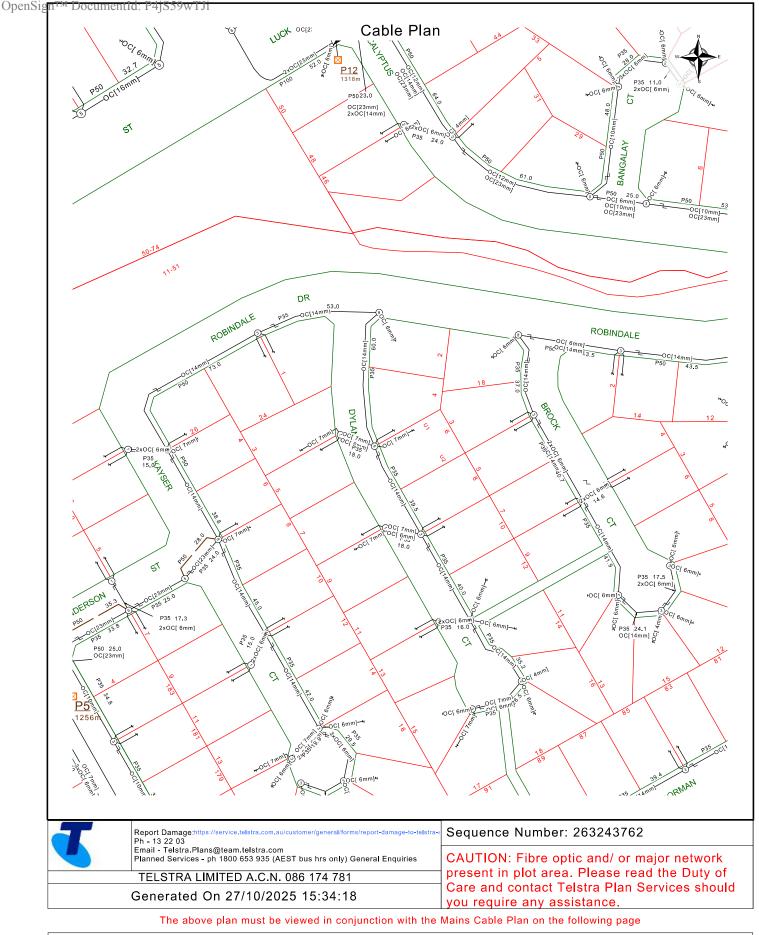


### Job # 51532439 Seq # 263243758







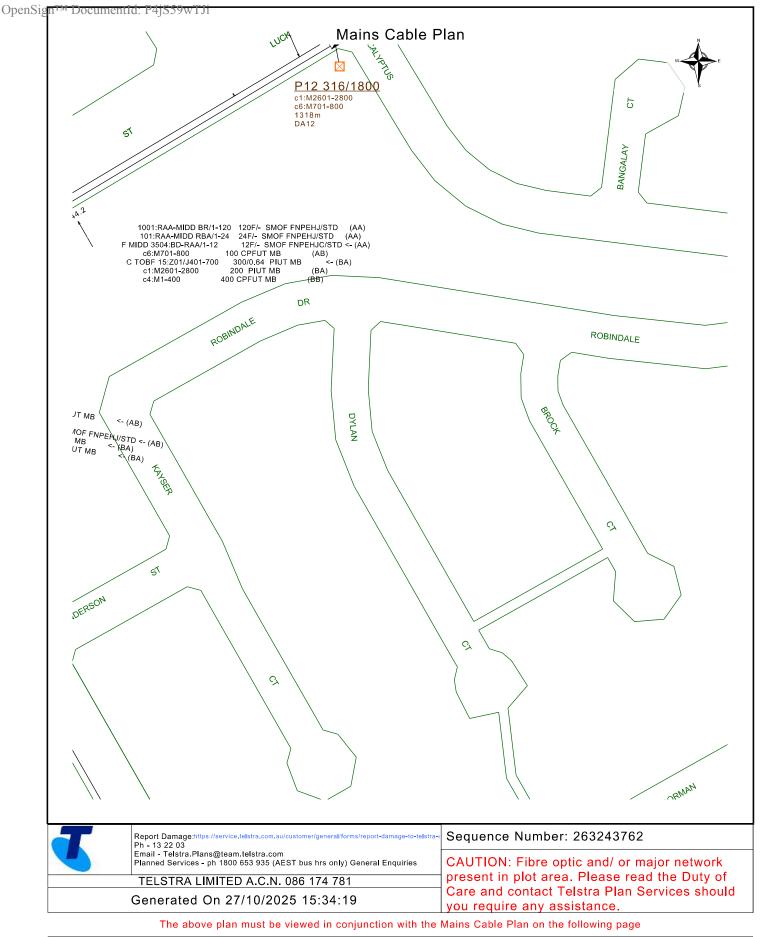


WARNING
Telstra plans and location information conform to Quality Level "D" of the Australian Standard AS 5488-Classification of Subsurface Utility Information.
As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D.
Refer to AS 5488 for further details. The exact position of Telstra assets can only be validated by physically exposing it.
Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy.

Further on site investigation is required to validate the exact location of Telstra plant prior to commencing construction work.

A Certified Locating Organisation is an essential part of the process to validate the exact location of Telstra assets and to ensure the asset is protected during construction works.

See the Steps-Telstra Duty of Care that was provided in the email response.



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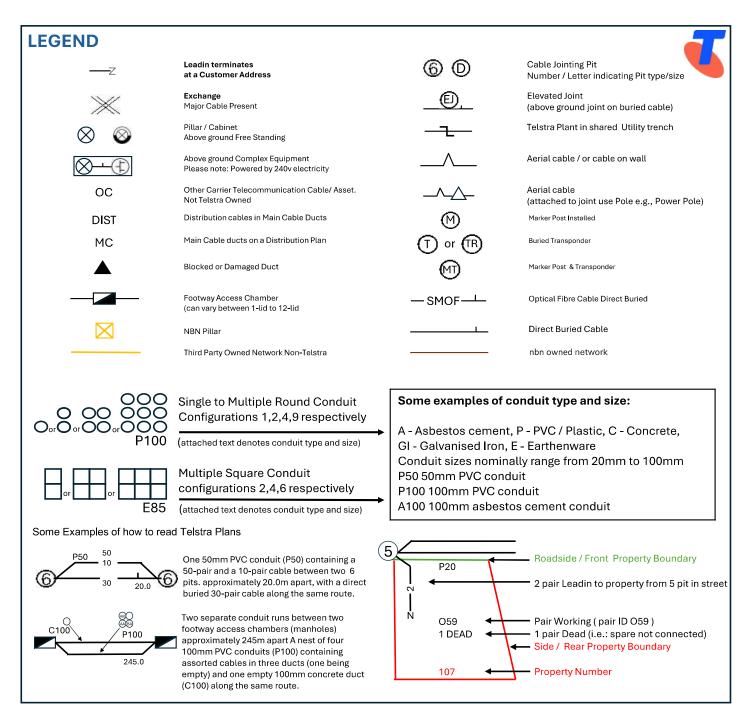
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# The 5 Ps of Safe Excavation

https://www.byda.com.au/before-you-dig/best-practice-guides/

# Plan

Plan your job. Use the BYDA service at least one day before your job is due to begin, and ensure you have the correct plans and information required to carry out a safe project.

# Prepare

Prepare by communicating with asset owners if you need assistance. Look for clues onsite. Engage a Certified Locator.

# **Pothole**

Potholing is physically sighting the asset by hand digging or hydro vacuum extraction.

## **Protect**

Protecting and supporting the exposed infrastructure is the responsibility of the excavator. Always erect safety barriers in areas of risk and enforce exclusion zones.

# **Proceed**

Only proceed with your excavation work after planning, preparing, potholing (unless prohibited), and having protective measures in place.

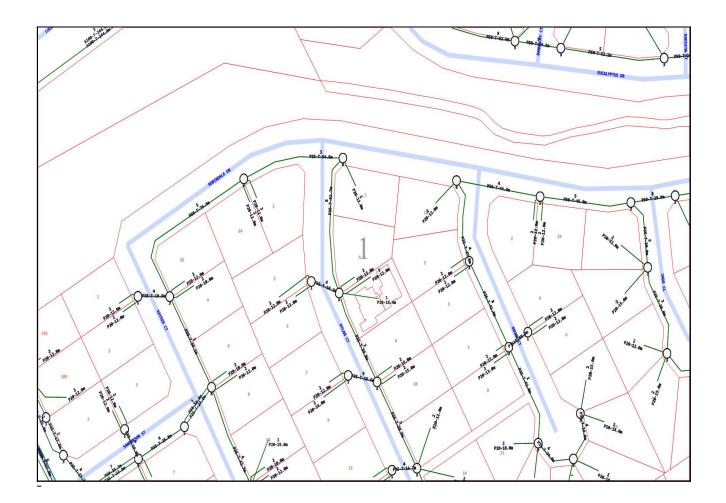
To: Jeanette Reimer
Phone: Not Supplied
Fax: Not Supplied

**Email:** jeanette@clolawyers.com.au

Dial before you dig Job #:		BEFORE
Sequence #	263243759	YOU DIG
Issue Date:	27/10/2025	Zero Damage - Zero Harm
Location:	4 Dylan Ct , Darling Heights , QLD , 4350	

read nbn ass	set plans		
		1	

+	LEGEND nbn 🔘		
34.	Parcel and the location		
3	Pit with size "5"		
<b>②</b> E	Power Pit with size "2E". Valid PIT Size: e.g. 2E, 5E, 6E, 8E, 9E, E, null.		
	Manhole		
$\otimes$	Pillar		
PO - T- 25.0m P40 - 20.0m	Cable count of trench is 2.  One "Other size" PVC conduit (PO) owned by Telstra (-T-), between pits of sizes, "5" and "9" are 25.0m apart.  One 40mm PVC conduit (P40) owned by NBN, between pits of sizes, "5" and "9" are 20.0m apart.		
-3 1 9	2 Direct buried cables between pits of sizes ,"5" and "9" are 10.0m apart.		
-00-	Trench containing any INSERVICE/CONSTRUCTED (Copper/RF/Fibre) cables.		
-0-0-	Trench containing only DESIGNED/PLANNED (Copper/RF/Fibre/Power) cables.		
-00-	Trench containing any INSERVICE/CONSTRUCTED (Power) cables.		
BROADWAY ST	Road and the street name "Broadway ST"		
Scale	0 20 40 60 Meters 1:2000 1 cm equals 20 m		



# **Emergency Contacts**

You must immediately report any damage to the  $\bf nbn^m$  network that you are/become aware of. Notification may be by telephone - 1800 626 329.





# Before You Dig Australia

Classification: Networks

Enquiry date 27/10/2025

Sequence number 263243761

Work site address 4 Dylan Ct
Darling Heights

QLD 4350



OpenSign™ DocumentId: P4jS59wTJi



### For your immediate information

THERE IS A GAS PIPELINE OR INFRASTRUCTURE ASSETS (GAS ASSETS)

located in close vicinity to your works.

**Enquiry Date:** 27/10/2025

**Enquirer:** Jeanette Reimer

Sequence Number: 263243761

Work Site Address: 4 Dylan Ct

**Darling Heights** 

QLD 4350

Thank you for your Before You Dig enquiry regarding the location of gas assets.

We confirm there are Gas Assets located in close vicinity of the above location. Caution: Damage to gas assets may result in explosion, fire and personal injury.

Please ensure you read all the relevant information contained in this response to your BYDA enquiry including reviewing the **APA Guidelines for Works Near Existing Gas Assets** and clearly understand and comply with all requirements relating to your scope of work.

If you have any queries relating to this information, or you are unable to comply with requirements of the APA Guidelines for Works Near Existing Gas Assets contact the APA Before You Dig Officer

- Phone 1800 085 628
- Email BYDA APA@apa.com.au

for clarification before proceeding with any work.



# **Before You Dig Checklist**



### 1. Plan

- Review maps provided with this BYDA response and confirm the location of your work site is correct.
- Review the APA Guidelines for Works Near Existing Gas Assets and clearly understand requirements relating to my scope of work.



### 2. Prepare

- Electronically locate gas assets and mark locations.
- Note: Look for visible evidence of gas assets at the worksite which may not be shown on plans.



### 3. Pothole

- Physically confirm ('prove') the location of gas assets by potholing by hand excavation or non- destructive vacuum excavation methods in accordance with APA Guidelines for Works Near Existing Gas Assets.
- Road authorities, councils, utilities and their authorised contractors and agents are responsible to pothole or use other suitable methods to verify the location and depth of all gas assets, including gas (inlet) services, prior to commencing any works.



### 4. Protect

- Protect gas assets by maintaining clearances whilst excavating and following conditions provided by APA.
- Where required by APA, only conducting work in proximity to gas assets while Site Watch is on site.
- Where applicable, APA Authority To Work permit conditions are clearly understood and complied with.
- Strap and support exposed mains and inlet services. Cover exposed mains to prevent damage until the excavation can be permanently restored.



### 5. Proceed

- Only proceed with your work once you have completed all the planning, preparation, potholing and protection requirements.
- APA BYDA response (including maps) are on site for reference at all times, and less than 30 days old.



### **Contacts**

Contacts APA Group	
Enquiry	Contact Numbers
General enquiries or feedback regarding this information or gas assets.	APA – Before You Dig Officer Phone: 1800 085 628 Email: <u>BYDA_APA@apa.com.au</u>
Gas Emergencies	Phone: 1800 GAS LEAK (1800 427 532)

### **Site Watch**

Site Watch is where an APA field officer attends your work site to monitor and ensure controls are in place to protect critical gas assets from damage during work.

The following rates apply for this service (1 hour minimum charge):

Item	Rate (excl. gst)
Site Watch – Business Hours	\$143.42 per hour
Site Watch – After Hours	\$175.06 per hour
Cancellation Fee Fee applies where cancelations received after 12pm (midday), 1 business day prior to the booking.	\$286.84

Contact APA – Before You Dig officer for state specific hours of business.

4 Dylan Ct Site Address: Darling Heights

> 4350 QLD

Sequence

263243761

Number:

Lister St. Friend St. Clarice St Stenner St She Stenner St Stenner Drayton Memorial Park Lavarack St Salisbury St Emest Peak Park Euc Myptus Dr Robindale Gorman Street Park Birch Gourt Park Rec Hall Japanes Gardens The Club Lavers St. Uni of Southern

Scale 1: 6000

Map Sources: Esri, Garmin, HERE, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



**Enquiry Area** 



Map Key Area

4 Dylan Ct Site Address: Darling Heights

> QLD 4350

Sequence

263243761

Number:

1 7 ROBINDALE DR 25P2 L47 143 L60 168 L47 L49 7 129

Scale 1: 700

Map Sources: Esri, Garmin, HERE, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



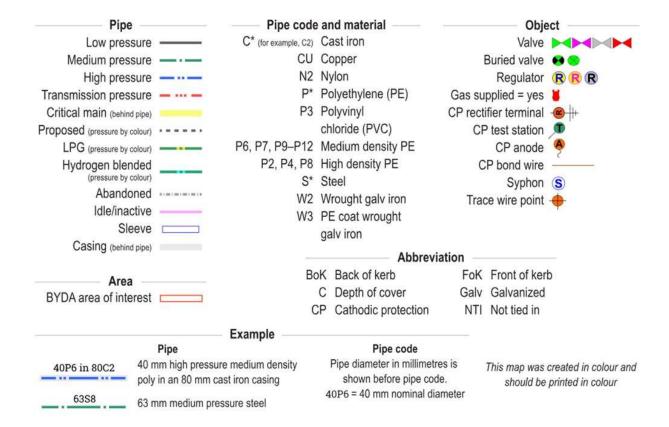
Enquiry Area



Map Key Area



# Legend





### Important information

- Refer to requirements relating to construction, excavation and other work activities in the APA Guidelines for Works Near Existing Gas Assets document with this BYDA response.
- BYDA enquiries are valid for 30 days. If your works commence after 30 days from the date of this response a new enquiry is required to validate location information.
- For some BYDA enquiries, you may receive two (2) responses from APA. Please read both responses carefully as they relate to different assets.
- Gas (inlet) services connecting Gas Assets in the street to the gas meter on the property are not marked on the map. South Australia Only – if a meter box is installed on the property, a sketch of the gas service location may be found inside the gas meter box. APA does not guarantee the accuracy or completeness of these sketches.

### Free Gas Pipeline Awareness Training and Information

#### **PROFESSIONALS**

APA offers online and in-person toolbox forums to support safe work near underground gas assets. Topics include distribution and transmission pipelines, the permit process, and gas emergencies, with content suited for companies of all sizes. A Continuing Professional Development certificate is available upon completion.

Scan the QR code to register for an online toolbox, or email damageprevention@apa.com.au to request an in-person presentation.

### **HOMEOWNERS**

If you're working near your home's gas pipes stay safe and view APA's video guide 'Working Safely Near Gas Lines: A DIY Homeowner's Guide' which offers simple tips to avoid damaging gas pipes.

Scan the QR code to view the video, or for more information email damageprevention@apa.com.au



## Disclaimer and legal details

- This information is valid for 30 days from the date of this response.
- This information has been generated by an automated system based on the area highlighted in your BYDA request and has not been independently verified.
- Map location information is provided as AS5488-2022 Quality Level D, as such supplied location information is indicative only.
- Whilst APA has taken reasonable steps to ensure that the information supplied is accurate, the information is provided strictly on the condition that no assurance, representation, warranty or guarantee (express or implied) is given by APA in relation to the information (including without limitation quality, accuracy, reliability, completeness, currency, sustainability, or suitability for any particular purpose) except that the information has been disclosed in good faith.
- Any party who undertakes activities in the vicinity of APA operated assets has a legal duty of care that must be observed. This legal obligation requires all parties to adhere to a standard of reasonable care while performing any acts that could foreseeably harm these assets.



