Material facts about the land for sale

What is a material fact?

A fact is a material fact in the sale of land if it is:

- important to a potential purchaser
- an opinion, but only if it is an expert opinion
- a fact that an average purchaser would regard as material in their decision to buy
- known to the vendor or their agent, including an estate agent, to be important to a specific purchaser

Vendor/s:

Property: 1271 Axe Creek Road

Vendor checklist of potential facts

Structure	Y/N	Comments
Is there an unrectified defect in the structure of any building on the land?	N	
Are all appliances, fixtures and fittings on the land in working order?	Y	
If services are not connected, have quotes been obtained for the connection of services to the land?	Y	Informal quote for power connected t
If yes, which services:		
Electricity?		power pole is 300 M away $130,000
Water?		
Sewerage?		Septic system in place
Gas?		Bottled gas delivered to house
Telephone?	Y	Is currently connected
NBN?		Only satellite NBN available
Have any authorities advised that services will not be connected to the land?	N	
Do any electrical, gas or plumbing systems on the land remain unrectified after being assessed as unsafe by an appropriately qualified person?	N	
Is there any asbestos on the land, including in structures on the land?	N	
On the land is there a structure or part of a structure for which the required planning permit was not obtained?	N	
Is there a current safety compliance certificate for any swimming pool or spa on the land?	NA	
Is the land subject to seasonal inundation by water?	Y	Only into dams from natural water ca
Do all structures included in the proposed sale fall within the boundaries of the land?	Y	
Are any structures on the land built on an easement?	N	
Is there an active pest infestation affecting structures on the land?	N	
Is there unrectified damage from a pest infestation affecting structures on the land?	N	

PROPERTY

Vendor checklist of potential facts

	Y/N	Comments
Occupancy		
Do you have knowledge of anybody dying on the land?	N	
If yes, was the death the result of:		
Murder?		
Manslaughter?		
Suicide?		
Are there any memorials on the site?	Y	Pet dog buried in copse of trees
Has the land been occupied by a person who has been convicted of an offence of drug trafficking or violence?	N	
Land use		
Is the land contaminated by toxic chemicals?	N	
Is there any waste material in the land?	N	
Does the land contain mining tailings?	N	
Has the land been used for the manufacture of substances such as methylamphetamine?	N	
Has the land been used for the sale of illegal substances?	N	
Neighbouring Properties		
Is any neighbouring land owned or leased by the state government?	Y	Conservation reserve 3 sides
Is any neighbouring land owned or leased by a community housing group?	N	
Does any neighbouring land contain a registered rooming house?	N	
Have police ever been called about the behaviour of the occupants of nearby properties?	N	
Are there any disputes between you and the owners of neighbouring properties?	N	
If yes, are the disputes about:		
Boundaries?		
Overhanging trees?		
Tree roots?		
Fences?		
Drainage?		
The overland flow of water?		
Noise?		
Waste storage or disposal?		
Fumes?		
Odours?		
Toxic substances?		
Non-permitted use of land and/or structures?		
Another matter or matters?	N	

Signed:  Date: 15/11/2024