

Information sheet (body corporate information)

Body Corporate and Community Management Act 1997

This form is effective from 29 April 2011

ABN: 13 846 673 994

Department of
Justice and Attorney-General**WARNING**

You are strongly advised to obtain independent legal advice regarding any questions or concerns you have about purchasing the property or your prospective rights and obligations as a member of a body corporate.

Notice to Agent: The *Property Agents and Motor Dealers Act 2000* and *Body Corporate and Community Management Act 1997* (the Act) include strict requirements for presentation of prescribed warning statements and information sheets. Failure to comply may result in cancellation of the contract.

By law the seller or the seller's agent must attach this information sheet to the contract. Do NOT sign the contract of sale without reading this information sheet.

In addition to the contract, you should have before you

- ☒ A separate warning statement, if the lot is a residential property, provided by the seller under the *Property Agents and Motor Dealers Act 2000*.
- ☒ A disclosure statement provided by the seller, containing essential information about the body corporate that you will become a member of through purchasing this property (eg. the amount of annual contributions currently set by the body corporate and payable by the lot owner).
- ☒ a community management statement for the scheme provided by the seller, containing important details about the scheme including details of any proposed future development of the scheme, the lot entitlements, by-laws and the regulation module applying to the scheme.

Community titles schemes

This contract warning contains important information you should read and understand before signing a contract to buy a lot in a community titles scheme. A community title scheme includes duplexes, residential unit blocks, high rise apartment complexes, town house complexes and some commercial premises. They contain individually owned units and common property such as lawns and access roadways.

Some new unit owners do not realise owning a lot in a community titles scheme brings with it certain obligations. You should carefully consider if living or investing in a community titles scheme suits your lifestyle and financial needs.

When a community titles scheme is established, a body corporate is created to administer the scheme. Each lot owner is automatically a member of their body corporate and enjoys certain rights and responsibilities.

Owners are **NOT** able to decline to be a member of their body corporate. Normally, an elected committee carries out day-to-day functions on behalf of the body corporate. Bodies corporate may also engage service providers such as body corporate managers and on-site managers, caretakers and letting agents.

Common obligations of a body corporate include:

- administering the common property and any body corporate assets
- enforcing the by-laws for the scheme, such as noise levels, the keeping of pets, car parking and a range of other matters
- arranging compulsory body corporate insurance
- conducting general meetings of owners, adopting budgets, and levying contributions to fund the operation of the body corporate
- maintaining bank accounts, keeping records, and preparing financial statements.

Common obligations of individual lot owners include:

- making financial contributions toward the body corporate administrative costs
- complying with by-laws
- maintaining their lot in good condition

Suggested searches and matters to investigate

There are significant differences between owning a lot in a community titles scheme and owning other types of property (such as a detached house). In addition to carrying out conveyancing searches, it is also recommended you investigate a number of special body corporate matters through the following sources:

1. Department of Justice and Attorney-General, Office of the Commissioner for Body Corporate and Community Management

Conduct a search at the Office of the Commissioner for Body Corporate and Community Management for any Adjudicator's Orders (a decision regarding the outcome of a dispute) made concerning the scheme.

General information and fact sheets are also provided about community title living and body corporate rules and regulations. For more information, call 1800 060 119 or visit www.justice.qld.gov.au/bccm

2. Body Corporate Secretary

Obtain a **Body Corporate Information Certificate** from the body corporate secretary, or body corporate manager, whose name and address is supplied in the disclosure statement. Compare the disclosure statement with the information certificate, as inaccurate information in the disclosure statement may give you grounds to cancel the contract (Sections 209 or 217 of the Act).

A search of the body corporate records can provide other important information, such as whether any improvements to the lot you are purchasing (e.g. balcony enclosure, air conditioning) were approved, whether any conditions apply, and who is responsible for their maintenance and insurance.

Also, check for any agreements the body corporate may have entered into (e.g. caretaking, letting, body corporate management or lift maintenance).

Checklist

- ☒ By purchasing this property, do you know you will be part of a body corporate?
- ☒ Are you aware of any contracts the body corporate is a party to?
- ☒ Have you read and understood the body corporate by-laws?
- ☒ Do you understand your likely financial contributions to the body corporate?
- ☒ Are you aware that an adjustment of lot entitlements may increase or decrease your financial contributions to the body corporate?
- ☒ Are you aware that your financial contributions to the body corporate will vary as the financial liabilities of the body corporate change?
- ☒ Do you understand your maintenance responsibilities?
- ☒ Do you understand the role of the body corporate manager and on-site manager (if appointed)?

Buyer's acknowledgment

I/we have read all sections of this information sheet and I/we have acknowledged and signed the information sheet BEFORE I/we signed the attached contract.

If the lot is residential property, I/we acknowledge that by signing this information sheet, my/our attention has been directed to this information sheet and the attached proposed relevant contract by a clear statement and that signing this information sheet negates any termination right I/we may have had under section 206A or 213A of the *Body Corporate and Community Management Act 1997*.

Name Russo Super Fund

Signature Date

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
D	D		M	M		Y	Y	Y	Y

Name

Signature Date

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
D	D		M	M		Y	Y	Y	Y



Contract

For Commercial Lots in a Community Titles Scheme

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First Edition

This document has been approved by The Real Estate Institute of Queensland Limited and the Queensland Law Society Incorporated as being suitable for the sale and purchase of Commercial Lots in a Community Titles Scheme in Queensland.

The Seller and Buyer agree to sell and buy the Property under this contract
Reference Schedule

Contract Date:

Agent: *Elders Commercial Brisbane Pty Ltd*

ABN 64 134 290 752 Email Address: *brisbane@eldere.com.au*
Address: *14 Gibbon Street, Woolloongabba, QLD 4006*

Telephone: *(07) 3252 4999* Facsimile: *(07) 3257 7757*

Parties

Seller: *JB No 2 Pty Ltd ACN 107 169 844 Under Instrument 711963727*

ABN Email Address:
Address: *Suite 346, 421 Brunswick Street, Fortitude Valley, QLD 4006*

Telephone: Facsimile:
Seller's Solicitor: [or any other solicitor notified to the Buyer]

ABN Email Address:
Address: Facsimile: Ref:
Telephone:

Buyer: *Russo Super Fund*

ABN 14 276 390 815 Email Address: *ross.russo@jhg.com.au*
Address:

Telephone: 0447 530 960 Facsimile:
Buyer's Solicitor: [or any other solicitor notified to the Seller]

ABN Email Address:
Address: Facsimile: Ref:
Telephone:

Property

Lot Address: *6/133 Leichhardt Street, Spring Hill, QLD 4000*

Description: Lot 6 on BUP : 101694
Scheme Community Titles Scheme:

County: *Stanley* Parish: *North Brisbane*

Title Reference: *50082053*

Present Use: *Commercial office* **Local Government:** *Brisbane City*

Excluded Fixtures:

Included Chattels:

**Matters
Affecting
Property**

Title Encumbrances: MORTGAGE No 714991497

[If the Property is sold free from Title Encumbrances insert "Nil"] [If the Property is sold subject to Title Encumbrances, they must be described]

Price

Deposit Holder: Elders Commercial Brisbane

[Unless otherwise specified in this contract, the Purchase Price includes any GST payable on the supply of the Property to the Buyer.]

Purchase Price: \$ 1,575,000.00

Deposit: \$ 100,000.00 payable when Buyer signs this contract
\$ payable on:

[Insert the whole Deposit or first payment required if payable by instalments] [Delete if the whole Deposit is payable when the Buyer signs this contract]

Default Interest Rate: 0.00 % [If no figure is inserted, the Contract Rate published by the Queensland Law Society Inc will apply]

Finance

Finance Amount: \$ Sufficient to complete
Financier: Subject to purchaser's discretion

[Unless all of "Finance Amount", "Financier" and "Finance Date" are completed, this contract is not subject to finance and clause 3 does not apply]

Finance Date: Twenty-one (21) days from the Contract Date

**Buyer's
Inspection**

Inspection Date:

Inspector:

[If not completed, the contract is not subject to an inspection report and clause 4 does not apply] [WARNING: If the Buyer does not give notice under clause 4 by the Inspection Date it will be taken to be satisfied with the reports obtained] [If required under the Queensland Building Services Authority Act 1991, the Inspector must hold a current licence under that Act]

**Additional
Body
Corporate
Information**

Interest Schedule Lot Entitlement of Lot: 327

Aggregate Interest Schedule Lot Entitlement: 6

Contribution Schedule Lot Entitlement of Lot: 327

Aggregate Contribution Schedule Lot Entitlement: 6

**Insurance
Policies**

Insurer: CGU
Policy No: 17M023804100
Building: The Oxford Centre
Public Liability: \$20,000,000.00
Other:

GST Table

GOODS AND SERVICES TAX - WARNING

Marking the GST items in the GST Table may have significant consequences for the Seller and Buyer. The Seller and Buyer should seek professional advice about completion of the GST items and not rely on the Agent to complete the GST items.

Notes to completion:

- A. Only 1 box in the selected item must be marked.
- B. If the Yes box in item GST1 is marked:
 - > items GST2 and GST3 must not be marked;
 - > despite any markings of items GST2 and GST3, clauses 11.4, 11.5 and 11.6 do not apply.
- C. If the Yes box in item GST2 is marked:
 - > items GST1 and GST3 must not be marked;
 - > despite any markings of items GST1 and GST3, clauses 11.4, 11.5 and 11.7 do not apply.

GST1

Going Concern:

Warning: There are strict requirements for the sale of a Going Concern under the GST Act. If in doubt about complying with those provisions, seek professional advice before marking this item.

Is this a sale of a Going Concern? Yes ☒

If Yes, clause 11.7 (If the Supply is a Going Concern) applies.

Otherwise clause 11.7 (If the Supply is a Going Concern) does not apply.

If the Yes box is marked, do not complete items GST2 and GST3.

GST2

Margin Scheme:

Is the Margin Scheme to apply to the sale of the Property? Yes ☐

If Yes, clause 11.6 (Margin Scheme) applies.

Otherwise clause 11.6 (Margin Scheme) does not apply.

The Seller must not apply the Margin Scheme to the Supply of the Property if clause 11.6 does not apply.

If the Yes box is marked, do not complete items GST1 and GST3.

GST3

Inclusive or Exclusive Purchase Price:

(Do not complete item GST3 if item GST1 (Going Concern) or item GST2 (Margin Scheme) are marked Yes.)

Mark 1 box only

Does the Purchase Price include GST? Yes ☐ If Yes, clause 11.4 (Purchase Price Includes GST) applies.

No ☐ If No, clause 11.5 (Purchase Price Does Not Include GST) applies.

If neither box is marked or if both boxes are marked, clause 11.4 (Purchase Price Includes GST) applies.

Commercial Tenancy Schedule*

Lease 1

Name of Tenant: Asset Training Australia Pty Ltd ACN 118 083 971
Use: Commercial Office
Location/Tenancy No. : Whole of the property
Area of Tenancy (m² approx.): 372
Current Rent per Annum: \$ 134,480.00 + GST inclusive of outgoings
Current Commencement Date: 01/10/2012
Current Term: Seven (7) years
Remaining Options: Option 1 Term Six (6) years
Option 2 Term Five (5) years
Option 3 Term years
Tenant Car Park: No 4 Rate \$ 250.00 each per month

Lease 2

Name of Tenant:
Use:
Location/Tenancy No. :
Area of Tenancy (m² approx.):
Current Rent per Annum: \$ exclusive of outgoings
Current Commencement Date:
Current Term:
Remaining Options: Option 1 Term years
Option 2 Term years
Option 3 Term years
Tenant Car Park: No Rate \$ per month

Service Agreement Schedule*

Contract 1

Contractor:
Service Performed:
Cost: \$ per month

Contract 2

Contractor:
Service Performed:
Cost: \$ per month

Contract 3

Contractor:
Service Performed:
Cost: \$ per month

* Attach further Schedule if insufficient space.

Strike out as required

The REIQ Terms of Contract for Commercial Lots in a Community Titles Scheme (Pages 7-16)
First Edition Contain the Terms of this Contract.

Special Conditions

FAX AND EMAIL

The parties agree to make this contract by facsimile or electronic mail (e-mail). The parties agree that this contract is legally binding and effective as if it had been executed in each others' presence.

DUE DILIGENCE

This contract is subject to the Purchaser completing a Due Diligence investigation of the property within twenty-one (21) days from the Contract Date, being totally satisfied with the results of that investigation on, or before the Due Diligence date, failing which the Purchaser may terminate this contract by notice to the Vendor and receive a full refund of the deposit.

Settlement **Settlement Date:** *The thirtieth (30) day from the Contract Date* [or the next Business Day if that is not a Business Day in the Place for Settlement]
Place for Settlement: *Brisbane*

Signing

Seller

Witness

Buyer

Witness

Deposit Holder [Who acknowledges having received the part of the Deposit payable when the Buyer signs this contract]

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 15831293

Search Date: 26/03/2013 11:00

Title Reference: 50082053

Date Created: 27/07/1995

Previous Title: 14192106

REGISTERED OWNER

Dealing No: 711963727 03/10/2008

JB NO 2 PTY LTD A.C.N. 107 169 844

TRUSTEE

UNDER INSTRUMENT 711963727

ESTATE AND LAND

Estate in Fee Simple

LOT 6 BUILDING UNIT PLAN 101694

County of STANLEY

Parish of NORTH BRISBANE

Local Government: BRISBANE CITY

COMMUNITY MANAGEMENT STATEMENT 17548

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 19561155 (SUBN POR 186)
2. MORTGAGE No 714991497 20/03/2013 at 13:30
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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[2013]

Requested By: D APPLICATIONS GLOBAL X

BODY CORPORATE DISCLOSURE STATEMENT

Section 206, Body Corporate and Community Management Act, 1997

As at 27th February 2013

1. BODY CORPORATE DETAILS

Name of Scheme: The Oxford Centre
Address of Scheme: 133 Leichhardt Street SPRING HILL QLD 4000
Community Titles Scheme Number: 17548
Regulation Module: Commercial
Lot Number this statement relates to:
Unit Number this statement relates to:

2. BODY CORPORATE MANAGER DETAILS

Name of Manager: DCS Management Pty Ltd
ABN / ACN: 89 151 736 266
Address of Manager: PO Box 305 SHERWOOD QLD 4075
Telephone: 3733 1300
Facsimile: 3883 4002
E-mail Address: dcsmangement@me.com

3. ANNUAL CONTRIBUTIONS

Annual Administrative Fund Contribution based on Contribution Schedule Lot Entitlements	\$15,859.50
Annual Sinking Fund Contribution based on Contribution Schedule Lot Entitlements	\$3,825.90
Total annual contributions (both funds)	<hr/> \$19,685.40

Note: The Contribution Schedule Lot Entitlements and the Interest Schedule Lot Entitlements for the lots included in the Scheme are set out in the community management statement for the scheme.

4. COMMITTEE DETAILS

Is there a Committee appointed? YES.

5. IMPROVEMENTS ON COMMON PROPERTY FOR WHICH THE BUYER WILL BE RESPONSIBLE

Nil.

6. BODY CORPORATE ASSETS REQUIRED TO BE RECORDED IN THE ASSETS REGISTER

There are no assets required to be recorded in the scheme's Asset Register.

BODY CORPORATE DISCLOSURE STATEMENT

(Continued)

As at 27th February 2013

For Community Titles Scheme for The Oxford Centre - CTS 17548 - Lot 6

7. OTHER INFORMATION

The following information in regard to this scheme has been disclosed in accordance with the requirements of the regulation module:

1. The annual contributions based on contribution schedule lot entitlements (CSLE) are shown in item 3 above indicated as Administrative Fund contributions and Sinking Fund contributions.
2. The annual contributions based on interest schedule lot entitlements (ISLE), if applicable, are shown in item 3 above indicated as Administrative Fund (Insurance) contributions.
3. The CSLE & ISLE are set out in the CMS.

BODY CORPORATE DISCLOSURE STATEMENT

(Continued)

As at 27th February 2013

For Community Titles Scheme for The Oxford Centre - CTS 17548 - Lot 6

SIGNING

Seller / Authorised Person

Witness

Date

BUYERS ACKNOWLEDGEMENT

The Buyer acknowledges having received and read this statement from the Seller before entering into the contract.

Buyer

Witness

Date

Body Corporate for The Oxford Centre CTS 17548

ANNEXURE TO DISCLOSURE STATEMENT

The following information is provided as an annexure to the Disclosure Statement for Lot 6 dated 27th February 2013.
The information does not form part of the Disclosure Statement.

Scheme information

CTS:	17548
Building Name:	The Oxford Centre
Property Address:	133 Leichhardt Street SPRING HILL QLD 4000
Module Type:	Commercial
Financial Year End:	30-June-2013
ABN	25 338 311 287
GST registered?	NO

Insurance information

<u>Policy Details</u>	
Policy No.	17M023804100
Expiry Date	29-September-2013
Insurance Company	CGU
Broker	
Premium	941.88

<u>Cover Type</u>	<u>Amount of Cover</u>
Other	30,000

<u>Policy Details</u>	
Policy No.	QUSS000918
Expiry Date	29-September-2013
Insurance Company	QUS Pty Ltd
Broker	
Premium	7396.03

<u>Cover Type</u>	<u>Amount of Cover</u>
Damage (i.e. Building) Policy	6,174,000
Loss of Rent	1,852,200
Property, Death and Injury (Public Liability)	20,000,000

Lot information

Lot No.	6	Contribution Unit Entitlements:	327
Unit No.	6	Interest Unit Entitlements:	327
Type of Lot:	Residential		
Subdivided?	NO		

Additional Levy information

Total Annual Contributions to the Administrative Fund:	\$15,859.50
Monthly penalty on overdue contributions	0.00% per month
Discount	No
Number of levy installment periods per year	2
<i>Current Periods</i>	01/07/12 to 31/12/12 01/01/13 to 30/06/13

Total Annual Contributions to the Sinking Fund:	\$3,825.90
Monthly penalty on overdue contributions	0.00% per month
Discount	No
Number of levy installment periods per year	2
<i>Current Periods</i>	01/07/12 to 31/12/12 01/01/13 to 30/06/13

DCS Management Pty Ltd
t 07 3102 6652
f 07 3883 4002

All mail to
PO Box 305, Sherwood Q 4075
dcsmanagement@me.com

27 FEB 2013

TO:

JB No 2 Pty Ltd AFT JB No 2 Trust
Suite 346,
421 Brunswick Street
Fortitude Valley 4006

Dear JB No 2 Pty Ltd AFT JB No 2 Trust

RE: BODY CORPORATE DISCLOSURE STATEMENT - LOT 6 , CTS 17548

In response to your request, we now attach a Body Corporate Disclosure Statement for Lot 6 in Community Titles Scheme 17548 dated 27th February 2013. This certificate is intended for use for the purposes of section 206(1) of the Body Corporate and Community Management Act 1997 ("Act").

We have also included some additional information regarding this body corporate and Lot 6 which you may find useful. Please note this additional information does not form part of the Disclosure Statement.

Please note the following:

- (a) the additional information provided does not form part of the Disclosure Statement;
- (b) Chapter 5 Part 3 of the Act implies certain warranties in all contracts for sale of community title lots, the breach of which may give rise to cancellation of the contract and/or a claim for damages;
- (c) a Disclosure Statement is not sufficient to protect against the risk of such breach and a Seller should provide or obtain additional information for disclosure in the contract for that purpose; and
- (d) a Disclosure Statement only shows improvements authorised and recorded by the body corporate, unauthorised improvements being a matter that should be raised and/or dealt with by the Seller. (e) for contractual disclosure purposes, the Disclosure Statement must be accompanied by a copy of the community management statement for the scheme.

Yours faithfully,
