



Book to Buy Sales Conditions - Put & Call Option

All residential blocks released for sale by the Suburban Land Agency (Agency) are listed on the Website. The Website is updated regularly to provide the latest information.

If you elect to enter into an Option Deed for a block, at your Block Selection Appointment you will be required to make your choice from the available residential blocks.

Timing of exchange, timing of settlement and other definitions are explained in the relevant section on the following pages.

You can also contact the Appointed Sales Agent on the Contact Phone Number or at the Email Address for any other enquiries you may have about the available residential blocks and this document or the Book to Buy Sales process.

SECTION 1: REGISTRATION

To apply to participate in this Book to Buy sales event you must complete and submit the Online Book to Buy registration form at www.suburbanland.act.gov.au or as specified in the Key Dates and Requirements.

Your Online Book to Buy registration form should include the names of all persons or companies to be included as the Grantee if you are successful and select a block. You will only be able to elect to enter into an Option Deed if you have submitted a Put and Call Deed Application to the Agency which has been approved.

Your Online Book to Buy registration form is an application to participate in this Book to Buy sales event only and is not an application to participate in any other sales events conducted by the Suburban Land Agency. By lodging an Online Book to Buy registration form, you agree to abide by these Book to Buy Sales Conditions.

The Key Dates and Requirements specify the dates and times during which Online Book to Buy registrations can be submitted and the last date you can submit a Put and Call Deed Application. Registrations will not be accepted after the applicable time specified in the Key Dates and Requirements.

If you do not have internet access the Agency (or its Appointed Sales Agent) can assist you with the provision of all documentation, completing your Online Book to Buy registration form and providing you with information on available blocks.

Following registration, you may be provided with a Block Selection Appointment. By the time specified in the Key Dates and Requirements you will then be required to provide the Appointed Sales Agent with a copy of photo identification (e.g. driver licence or passport) and proof of your current address (e.g. current bank statement, public utility record or other proof of address acceptable to the Suburban Land Agency) for each Registrant.

SECTION 2: CHOOSING BLOCKS

Step 1 – Read the documentation provided and seek advice

You should read all documentation provided by the Agency and the Appointed Sales Agent relevant to the purchase.

Specifically you must read the Put and Call Option Deed Sales Conditions, Specimen Put and Call Option Deed, Specimen First Grant Contract (including the Front Garden Landscape Rebate Scheme & Guideline and the Housing Development Guide which are attachments to the Specimen First Grant Contract) for the block or blocks you are interested in.

You will also need to make any necessary enquiries with financial institutions to ensure you are in a position to complete the purchase of a block or blocks in the event a put option is exercised.

Step 2 – Check the Website for details of Book to Buy blocks available for sale and make a list of your preferred blocks

Visit the Website for details of the blocks available for sale at the Book to Buy sales event.

The Website is updated regularly to provide the latest information on available blocks.

The Agency and the Appointed Sales Agent cannot guarantee that your first preference for a block will be available at the time of your Block Selection Appointment.

The Agency and the Appointed Sales Agent recommend you make a list based on the available blocks in preference order before your Block Selection Appointment.

Step 3 – Your Block Selection Appointment

Block Selection Appointments will be offered to Registrants in the order in which they registered.

The number of Block Selection Appointments will depend on the number of Registrants who register their interest and provide the identification documentation to the Appointed Sales Agent within the specified timeframe.

All Registrants will be notified of their Block Selection Appointment time by email. If you do not have internet access, you may obtain a copy of the Block Selection Appointment times by contacting the Appointed Sales Agent.

If any blocks remain following the Block Selection Appointments, sale of these blocks will be at the Suburban Land Agency's discretion.

You will not be able to select a block unless you have a Block Selection Appointment.

Step 4 - Selecting a Block or Blocks

Your Block Selection Appointment will be for a window of one hour during which you can expect to receive a phone call appointment.

The Appointed Sales Agent will attempt to call you no more than three (3) times after which you will be sent a message informing you to return the call before the Block Selection Appointment window ends.

The Appointed Sales Agent will explain the process select a block. You will then have no longer than 5 minutes to select a maximum of two (2) blocks.



Note: You can have no more than 5 blocks under an Option Deed at any time.

Step 5: Confirmation of Block selection

Once you have selected your block or blocks, the Appointed Sales Agent will email you confirming:

- the details of the block or blocks you have chosen;
- the purchase price of each block;
- your details;
- the Agency's bank account details so you can pay the Security Sum (being the amount that is 5% of the Price for each block you are entering into an Option Deed for);
- the time by which the Security Sum is required to be paid;
- the Agency's Solicitor's details.
- your preferred method for exchanging Option Deeds, being:
 - Courier to your address or to your lawyer's address; or
 - collection from the Appointed Sales Agent (which will require you making an appointment with the Appointed Sales Agent),or such other method as may be agreed with the Appointed Sales Agent or the Agency.

Step 6: Payment of Security Sum

Payment of your Security Sum must be made as soon as possible following confirmation of your block selection and evidence of the payment provided to the Appointed Sales Agent.

If the Security Sum, or evidence confirming payment of the Security Sum, has not been received by 5pm on the next business day following your Block Selection Appointment, the block or blocks you selected may be returned to the Agency.

Appointment of Agent

If you are unable to attend your Block Selection Appointment or your Exchange Appointment, you may appoint an agent to act on your behalf ("Agent") by completing a Buyer Appointment of Agent Form.

The Buyer Appointment of Agent Form must be provided to the Agency or its Appointed Sales Agent by your Agent prior to your Block Selection Appointment and before selecting a block and must be accompanied by photo identification for you and the Agent.

If you appoint an Agent, a reference in these Book to Buy Sales Conditions to you includes your Agent.

SECTION 4: EXCHANGE

You are required to exchange an Option Deed within 2 business days.

Step 1 – Legal representation and finance

- The Agency and its Appointed Sales Agent strongly recommend that you engage a solicitor to advise you on your legal obligations as you will be entering into a legally binding agreement.
- You will also need to make any necessary enquiries with financial institutions to ensure you are in a position to complete the purchase of a block in the

event a put option is exercised.

Step 2 – Option Deed

- A Put and Call Option Deed is required to be exchanged.
- The Agency's Solicitor will prepare the Option Deed and, depending on your preference confirmed with the Appointed Sales Agent at your Block Selection Appointment, arrange for it to be sent to you (or your lawyer) by courier or made available for collection from the Appointed Sales Agent (which will require you making an appointment with the Appointed Sales Agent).

Step 3 – Exchange of First Grant Contract

- You will have two (2) business days from the time the Option Deed is either delivered to you (or your lawyer) or collected by you from the Appointed Sales Agent to sign the Option Deed and return it to the Agency's Solicitor.
- You (or your lawyer) will be provided with a return envelope and contact details for the courier so you (or your lawyer) can arrange for the Option Deed to be returned to the Agency's Solicitor. The cost of the courier will be paid by the Agency.
- Once the Option Deed signed by you has been received by the Agency's Solicitor, they will attend to exchange and provide you with an original Option Deed signed by the Agency. Once exchanged, the Option Deed is a legally binding agreement.

If you fail to return the original Option Deed validly signed to the Agency's Solicitor within the specified time, the block will:

- be returned to the Agency; and
- no longer be on hold.

SECTION 5: CALL OPTION PERIOD

The Call Option Exercise Period runs for 6 months from the date Option Deeds are exchanged.

The Date for Completion (settlement) is 60 days after a put option or a call option is exercised or as specified in the Option Deed and the First Grant Contract.

Failure to settle may result in interest being incurred in accordance with the First Grant Contract or termination of the Contract.

Note: If a Call Option is exercised prior to 1 November 2020, the Front Garden Landscape Rebate Scheme & Guideline will apply. The Front Garden Landscape Rebate Scheme & Guideline will otherwise not apply.

SECTION 6: STAMP DUTY

Duty must be paid on the First Grant Contract to the ACT Revenue Office shortly after settlement. For further information, visit www.revenue.act.gov.au or call (02) 6207 0028.

SECTION 7: DISCLAIMERS AND OTHER RIGHTS AND LIABILITIES

The Agency makes no representations or warranties as to the suitability of any Crown Lease or block for you. The Agency and the Appointed Sales Agent strongly



ACT
Government

Suburban Land
Agency

recommend that you make your own enquiries and that you obtain legal, financial and accounting advice prior to entering into an Option Deed or a First Grant Contract for the right to the grant of a Crown Lease.

Nothing in these Book to Buy Sales Conditions will be construed to create any binding contract (expressed or implied) between the Agency and you or your agents until a formal written contract, if any, is entered into by the parties.

Any conduct or statement whether prior to or subsequent to your entry into an Option Deed is not, and these Book to Buy Sales Conditions are not, and will not be deemed to be:

- a) an offer to contract; or
- b) a binding undertaking of any kind by the Agency or Appointed Sales Agent (including, without limitation, an undertaking that could give rise to any promissory estoppel, quantum meruit or any other contractual, quasi contractual or restitutionary action or any rights with a similar legal or equitable basis whatsoever).

Without limiting its rights at law or otherwise and according to such processes as it may determine to be appropriate, the Agency or its Appointed Sales Agent may:

- a) amend these Book to Buy Sales Conditions;
- b) suspend or cease to proceed with the sales process or any part of the sales process; and/or
- c) vary or extend any time or date in these Book to Buy Sales Conditions.

In these Book to Buy Sales Conditions :

Agency's Solicitor means:

Clayton Utz

Level 10, 2 Phillip Law Street, Canberra ACT

Appointed Sales Agent means Civium Property Group.

Block Selection Appointment means the time and date allocated to you when you register for an appointment to select a block.

Contact Phone Number means 1800 910 204

Email Address means projects@civium.com.au

Option Deed means [a put and call option deed in accordance with the Put and Call Option Deed Sales Conditions.](#)

Website means: <https://suburbanland.act.gov.au/en>