



Book to Buy Sales Conditions

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 registered for and are successful in the Draw, 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 name of the person intending to participate in the Draw for a Block Selection Appointment. If you are successful in the Draw, the names of the buyers to be included in the First Grant Contract will be provided in the Online Application Form (see Section 2 below).

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 Agency. By lodging an Online Book to Buy registration form, you agree to abide by these Book to Buy Sales Conditions, and you acknowledge and accept the Land Ballot Information Privacy Policy (as though the Book to Buy sales event was a Land Ballot) and consent to the Agency disclosing your personal information to other ACT and Commonwealth Government agencies in accordance with the *Information Privacy Act 2014* (ACT).

The Key Dates and Requirements specify the dates and times during which Online Book to Buy registrations can be submitted. 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.

EXCLUSION OF REGISTRATIONS

Who is eligible?

You are eligible to register to participate in the Book to Buy sales event if you are an individual aged 18 years or older.

Each person may only submit one Online Book to Buy registration to participate in the Book to Buy sales event.

Your Online Book to Buy registration will be rejected if:

- you are not eligible to participate under the above paragraph;
- you have already submitted an Online Book to Buy registration form;
- you have provided false or misleading information in your Online Book to Buy registration;
- your Online Book to Buy registration has not been fully completed to the satisfaction of the Agency; or
- the submission of your Online Book to Buy registration or anything contained in your Online Book to Buy registration does not otherwise comply with any of the conditions for participation in the Book to Buy sales event including these Book to Buy Sales Conditions, the Key Dates and Requirements, the conditions on any forms required to be completed to participate in this Book to Buy sales event and any other conditions otherwise advertised by the Agency.

Assessment of Registrations

The Agency may, in its sole and absolute discretion, accept, reject, or accept a variation to, any Online Book to Buy registration at any time and exclude a Registrant from further participation in the Book to Buy sales event. The Agency's decision in this regard will be final.

The Agency or the Appointed Sales Agent may make any further enquiries and request any further information that it deems necessary, from you or other persons, at any time, for any reason in connection with the Book to Buy sales event. If you fail to cooperate in this regard or fail to provide the further information within the timeframes specified in the Key Dates and Requirements, you may be excluded from further participation in the Book to Buy sales event.

The Agency or the Appointed Sales Agent will use reasonable endeavours to notify you if your Online Book to Buy registration has been rejected.

Online Book to Buy registrations that are accepted by the Agency will be assigned a unique Book to Buy ID Number by the Agency.

ORDER FOR BLOCK SELECTION APPOINTMENTS

Your Book to Buy ID Number will be entered into the Draw unless your Online Book to Buy registration is excluded by the Agency or you notify the Agency, the Appointed Sales Agent or the Agency's Solicitor that you wish to withdraw your Book to Buy Registration ID Number from the Draw. The Draw will be conducted to rank each Book to Buy ID Number in order of Block Selection Appointments.

Book to Buy ID Numbers will be drawn at the location chosen by the Agency (or its Appointed Sales Agent) and in the presence of ACT Gambling and Racing.

The following details will be published on the dates notified in the Key Dates and Requirements on the Agency website or the relevant project website:

- a) the drawn Book to Buy ID Numbers; and
- b) the order of the drawn Book to Buy ID Numbers.

Invitations to proceed to a Block Selection Appointment will be allocated in the order of the drawn Book to Buy ID Numbers and will be emailed (or by phone if you have advised the Appointed Sales Agent that you cannot accept email) to successful Registrants and published on the Agency website or on the website specified in the Key Dates and Requirements.



SECTION 2: APPLICATION

If you receive an invitation to proceed to a Block Selection Appointment, by the times specified in the Key Dates and Requirements you will be required to provide the Appointed Sales Agent with an Online Application Form and 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 Agency) for each proposed buyer.

Your Online Application Form should include the names of all persons or companies to be included in a First Grant Contract. If you are successful and select a block, only those persons or entities registered in your Online Application Form will be included as a buyer in the First Grant Contract.

EXCLUSION OF APPLICATIONS

Who is eligible?

You are eligible to select a block at a Block Selection Appointment if you are:

- a) an individual aged 18 years or older; or
- b) a corporation that is registered under the Corporations Act 2001 (Cth) and has been issued with an Australian Company Number (ACN); or
- c) a combination of (a) and (b) above.

Each person or company may only appear in one Online Application Form to participate in the Book to Buy sales event, in total.

Your Online Application Form will be rejected if:

- you are not eligible to participate under the above paragraph;
- an person or company appears in more than one Online Application Form individually or as one member of a combination of individuals and/or corporations that has not been rejected;
- you have provided false or misleading information in your Online Application Form;
- your Online Application Form has not been fully completed to the satisfaction of the Agency;
- your personal details specified in your Online Application Form do not match your identification or proof of address provided as part of your Book to Buy application process; or
- the submission of your Online Application Form or anything contained in your Online Application Form does not otherwise comply with any of the conditions for participation in the Book to Buy sales event including these Book to Buy Sales Conditions, the Key Dates and Requirements, the conditions on any forms required to be completed to participate in this Book to Buy sales event and any other conditions otherwise advertised by the Agency.

Assessment of Applications

The Agency may, in its sole and absolute discretion, accept, reject, or accept a variation to, any Online Application Form at any time and exclude a Registrant from further participation in the Book to Buy sales event. The Agency's decision in this regard will be final.

The Agency or the Appointed Sales Agent will use reasonable endeavours to notify you if your Online Application Form has been rejected.

Online Application Forms that are accepted by the Agency will be eligible to participate in the Block Selection Appointment.

SECTION 3: 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, including the Sales Pack.

Specifically you must read the Specimen First Grant Contract (including the Whitlam Housing Development Guidelines which are an attachment 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.

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 of the drawn Book to Buy ID Numbers.

The number of Block Selection Appointments will depend on the number of Registrants who register their interest and complete the Online Application Form within the specified timeframe. A maximum of 200 Block Selection Appointments will be made.

All Registrants whose Book to Buy ID Number was drawn 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 Agency's discretion.

You will not be able to select a block unless you have a Block Selection Appointment and have satisfactorily completed the Online Application Form.

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 to select a block to buy. You will then have no longer than 5 minutes to select your block.



Step 5: Confirmation of Block selection

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

- the details of the block you have chosen;
- the purchase price of the block;
- your details;
- the Agency's bank account details so you can pay the Deposit (being the amount that is 5% of the Price for the block you are purchasing);
- the time by which the Deposit is required to be paid;
- the Agency's Solicitor's details; and
- your preferred method for exchanging contracts, 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 Deposit

Payment of your Deposit 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 Deposit, or evidence confirming payment of the Deposit, has not been received by 5.00 pm on the next business day following your Block Selection Appointment, the block you selected may be returned to the Agency.

Appointment of Agent

If you are unable to attend your Block Selection 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 a First Grant Contract within 2 business days of your Block Selection Appointment.

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 contract.
- 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.

Step 2 – First Grant Contract

- A First Grant Contract titled "First Grant Contract – Land Not Ready" is required to be exchanged.
- Please note that only the name(s) of the person(s) specified as Buyer(s) on the First Grant Contract can be Lessee(s) on the Crown Lease.
- The Agency's Solicitor will prepare the First Grant

Contract 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 First Grant Contract is either delivered to you (or your lawyer) or collected by you from the Appointed Sales Agent to sign the First Grant Contract 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 First Grant Contract to be returned to the Agency's Solicitor. The cost of the courier will be paid by the Agency.
- Once the First Grant Contract signed by you has been received by the Agency's Solicitor, they will attend to exchange and provide you with an original First Grant Contract signed by the Agency. Once exchanged, the First Grant Contract is a legally binding contract.

If you fail to return the original First Grant Contract signed by all of the Buyers 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: DATE FOR COMPLETION (SETTLEMENT)

You will be required to settle the First Grant Contract within 30 Working Days from the date that the Crown Lease is served on you in accordance with 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.

SECTION 6: STAMP DUTY

Duty must be paid on your 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 recommend that you make your own enquiries and that you obtain legal, financial and accounting advice prior to entering into 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 conductor statement whether prior to or subsequent to your entry into a First Grant Contract is not, and these Book to Buy Sales Conditions are not, and will not be deemed to be:



ACT
Government

Suburban Land
Agency

- 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.



ACT
Government

Suburban Land
Agency

In these Book to Buy Sales Conditions capitalised terms have the following meanings:

ACT Gambling and Racing means the independent body established under the *Gambling and Racing Control Act 1999* (ACT).

Agency means the Suburban Land Agency.

Agency's Solicitor means Meyer Vandenberg Lawyers, Level 2, 121 Marcus Clarke Street, Canberra City ACT.

Appointed Sales Agent means Civium Property Group.

Block Selection Appointment means the time and date allocated to you (if any) following the Draw.

Book to Buy ID Number means the number allocated to a Registrant following acceptance of an Online Book to Buy registration form.

Book to Buy Sales Conditions means this document.

Book to Buy sales event means the sales event described in these Book to Buy Sales Conditions.

Contact Phone Number means 1800 777 952.

Deposit means 5% of the Price for the relevant block.

Draw means the draw of all Book to Buy ID Numbers included in the draw which will determine the order of Block Selection Appointments.

Email Address means projects@civium.com.au.

First Grant Contract means the legally binding contract required to be executed by you and the Agency following your selection of a block during the Block Selection Appointment, in the form of the Specimen First Grant Contract.

Key Dates and Requirements means the document described as such for the Book to Buy sales event.

Land Ballot Information Privacy Policy means the privacy policy provided by the Agency to the Registrant in accordance with the *Information Privacy Act 2014* (ACT) and which can be found on the Website.

Online Application Form means the application form for this sales event at www.suburbanland.act.gov.au.

Online Book to Buy registration form means the registration form for this sales event at www.suburbanland.act.gov.au.

Price has the same meaning as in the First Grant Contract.

Registrant means the persons and/or corporations specified as such in the Online Book to Buy registration form.

Sales Pack means the pack of documentation applicable to the Book to Buy sales event comprising the following documents:

- Book to Buy Sales Conditions
- Key Dates and Requirements
- Land Ballot Information Privacy Policy
- Land Ballot Collection Notice
- Specimen First Grant Contract and
- Any variations to the above documents by the Agency.

Specimen First Grant Contract means the applicable specimen First Grant Contract provided by the Agency prior to the Book to Buy sales event.

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

Working Days has the same meaning as in the First Grant Contract.



ACT
Government

Suburban Land
Agency

w:\1802805\p193.docx