ACT Government

Product	Title Details
Date/Time	04/09/2026 01:41PM
Customer Reference	265122
Order ID	20260904000806
Cost	$36.00

Volume 493 **Folio** 93 **Edition** 2

AUSTRALIAN CAPITAL TERRITORY

TITLE SEARCH

LAND

Garran Section 36 Block 8 on Deposited Plan 2230 with 9 units on Unit Plan 39

Lease commenced on 26/03/1974, terminating on 28/11/2067

COMMON PROPERTY

Proprietor

The Owners - Units Plan No 39

LMM Solutions PO Box 884 Gungahlin ACT 2912

REGISTERED ENCUMBRANCES AND INTERESTS

Original title is **Volume** N/A **Folio** N/A

Restrictions

Purpose Clause: Refer Units Plan

Registered Date	Dealing Number	Description
23/05/1997	1035890	Special Resolution Altering Articles
27/06/1997	1039315	Registrar-General's Dealing
04/07/1997	1040232	Registrar-General's Dealing
03/03/2004	1361767	Special Resolution Altering Articles
05/01/2010	1664163	Application to Note Special Resolution
26/11/2024	3349382	Application to Note Special Resolution

End of interests

LODGED BY: CANBERRA UNITS PLAN SERVICES
P.O. Box 3336
BOX NO. WESTON ACT 2611

1035890

AUSTRALIAN CAPITAL TERRITORY

APPLICATION FORM

REAL PROPERTY ACT 1925

SR
Document code

THIS FORM MAY BE USED FOR MISCELLANEOUS APPLICATIONS FOR WHICH NO FORM IS PRESCRIBED BY THE REAL PROPERTY ACT(eg APPLICATIONS TO CHANGE NAME OF PROPRIETOR, TO CORRECT THE REGISTER, ETC.)

1. TITLE OF APPLICATION

Alteration to Corporation's Articles under Unit Titles Act

2. NATURE OF APPLICATION (IF INSUFFICIENT SPACE PLEASE ATTACH ANNEXURE)

The Proprietors – Units Plan No. 39 hereby certifies that the following is a true copy of a new Article carried at a Special General Meeting of the Corporation on 4 April

MOTION
Resolved and carried that a new Article be added to the Corporation's Articles to read – That any levy determined by the Corporation that remains unpaid thirty (30) days after becoming due for payment shall attract an interest levy calculated at the rate of twenty-four per centum (24%) per annum from the due date to the date of actual payment and shall be recoverable from the Member as a debt due to the Corporation'.

3. LAND

DISTRICT/DIVISION	SECTION	BLOCK	UNIT	VOL.FOL	INSTRUMENT NO.
GARRAN	36	08		493 : 93	39

4. DATE

7 May 1997

5. EXECUTION

SIGNED AND CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT 1925 IN MY PRESENCE BY THE APPLICANT.

The Common Seal of)
The Proprietors – Units Plan 39)
was hereunto affixed)
in the presence of:)

Common Seal
Authorised Agent

SIGNATURE OF WITNESS.

SIGNATURE OF APPLICANT.

NAME AND DESIGNATION (J.P., SOLICITOR ETC) OF WITNESS. (BLOCK LETTERS), AS REQUIRED.

INSTRUCTIONS FOR COMPLETION

* THE INFORMATION COLLECTED BY THIS FORM IS AUTHORISED BY THE REAL PROPERTY ACT 1925, WILL BE USED FOR THE PURPOSES OF THAT ACT AND WILL BE AVAILABLE FOR SEARCH PURSUANT TO SECTIONS 65 AND 66 OF THAT ACT. IT WILL ALSO BE MADE AVAILABLE TO GOVERNMENT AGENCIES FOR STATISTICAL AND ADMINISTRATIVE PURPOSES.
* DELETE WHERE INAPPLICABLE.
* THIS DOCUMENT SHOULD CLEARLY INDICATE THE IDENTIFIERS OF ALL LAND AFFECTED.
* COMPLETE OR RULE UP ALL BOXES.
* EXECUTION OF DOCUMENT BY-

ATTORNEY- IF THIS DOCUMENT IS EXECUTED BY AN ATTORNEY PURSUANT TO A REGISTERED POWER OF ATTORNEY, IT MUST SET OUT THE FULL NAME OF THE ATTORNEY AND THE FORM OF EXECUTION MUST INDICATE THE SOURCE OF HIS/HER AUTHORITY eg"AB BY HIS/HER ATTORNEY XY PURSUANT TO POWER OF ATTORNEY A.C.T. REGISTERED NO .... OF WHICH HE/SHE HAS NO NOTICE OF REVOCATION".

CORPORATION- IF THIS DOCUMENT IS EXECUTED BY A CORPORATION UNDER SEAL, THE FORM OF EXECUTION SHOULD INCLUDE A STATEMENT THAT THE SEAL HAS BEEN PROPERLY AFFIXED. eg IN ACCORDANCE WITH THE ARTICLES OF ASSOCIATION OF THE CORPORATION, EACH PERSON ATTESTING THE AFFIXING OF THE SEAL SHOULD STATE HIS/HER POSITION (eg DIRECTOR/SECRETARY) IN THE CORPORATION.

SOLICITOR- A SOLICITOR MAY NOT EXECUTE THIS DOCUMENT ON BEHALF OF THE APPLICANT UNLESS PERMITTED BY LEGISLATION OR APPOINTED UNDER A REGISTERED POWER OF ATTORNEY FOR THAT PURPOSE.

* TYPEWRITING AND HANDWRITING SHOULD BE CLEAR, LEGIBLE AND IN PERMANENT BLACK INK. ALTERATIONS SHOULD NOT BE MADE BY ERASURE BUT BY SCORING THROUGH WITH A PEN AND THE WORDS SUBSTITUTED WRITTEN ABOVE THEM VERIFIED BY INITIALS IN THE MARGIN.

OFFICE USE ONLY

DOCUMENTS LODGED HEREWITH:

CERTIFICATE OF TITLE	CERTIFICATES	OTHER

CERTIFICATE OF REGISTRATION:

EXAMINED:	
VOLUME:FOLIO:	
REGISTERED:	

DATE:	23 MAY 1997
TIME:	AM/PM

REGISTRAR OF TITLES.

Canberra Units Plan Service
DX 24620 DEAKIN ACT
Locked Bag 6 DEAKIN ACT 2600

BOX NO:

SR1361767 01/03/2004 13:58:41
1361767

AUSTRALIAN CAPITAL TERRITORY GOVERNMENT

APPLICATION FORM

LAND TITLES ACT 1925

SR
Document code

THIS FORM MAY BE USED FOR MISCELLANEOUS APPLICATIONS FOR WHICH NO FORM IS PRESCRIBED BY THE *LAND TITLES ACT 1925* (eg APPLICATIONS TO CHANGE NAME OF PROPRIETOR, TO CORRECT THE REGISTER, ETC.)

1. LAND

DISTRICT/DIVISION	SECTION	BLOCK	UNIT	VOL:FOL	INSTRUMENT NO.
GARRAN	36	8			39

2. TITLE OF APPLICATION

Alteration to Corporations Articles under the Unit Titles Act

3. NATURE OF APPLICATION (IF INSUFFICIENT SPACE PLEASE ATTACH ANNEXURE)

The Owners – Units Plan No. 39 hereby certify that the following is a true copy of Articles changed at the Annual General Meeting of the Corporation on 25 November 2003.

MOTION 6
RESOLVED and carried that the Default Articles contained in Schedule 1 of the Unit Titles Regulations 2001 be adopted as the Articles for Units Plan No. 39.

4. DATE

11 December 2003

5. EXECUTION

SIGNED IN MY PRESENCE BY THE APPLICANT.

The Common Seal of
The Owners – Units Plan 39
was hereunto affixed
in the presence of:

Authorised Agent

SIGNATURE OF APPLICANT.

FULL NAME AND SIGNATURE OF WITNESS.

INSTRUCTIONS FOR COMPLETION

* The information collected by this form is authorised by the *Land Titles Act 1925*, will be used for the purposes of that Act and will be available for search pursuant to sections 65 and 66 of that Act. It will also be made available to government agencies for statistical and administrative purposes and to non-government persons and organisations concerned with land. A fee may apply to any or all of the above.
* Delete where inapplicable.
* This document should clearly indicate the identifiers of all land affected.
* Complete or rule up all boxes.
* Execution of document by-

Natural Person- Should be witnessed by an adult person who is not a party to the document.

Attorney- If this document is executed by an attorney pursuant to a registered power of attorney, it must set out the full name of the attorney and the form of execution must indicate the source of his/her authority eg"AB by his/her attorney XY pursuant to Power of Attorney A.C.T. registered no .... of which he/she has no notice of revocation".

Corporation- S. 127 of the Corporations Law provides that a company may validly execute a document with or without using a common seal if the document is signed by -

a) two directors of the company;
b) a director and a secretary of the company; or
c) where the company is a proprietary company and has a sole director who is also the sole company secretary, that director.

* Alterations should not be made by erasure but by scoring through with a pen and the words substituted written above them verified by initials in the margin.
* Typewriting and handwriting should be clear, legible and in permanent black ink.

OFFICE USE ONLY

DOCUMENTS LODGED HEREWITH:

CERTIFICATE OF TITLE	CERTIFICATES	OTHER
		Annex

CERTIFICATE OF REGISTRATION:

EXAMINED:	
VOLUME:FOLIO:	
REGISTERED:	

DATE:	03 MAR 2004

ANNEXURE REFERRED TO

ANNEXURE TO MEMORANDUM OF UNITS PLAN 39

DATED 11 DECEMBER 2003

GARRAN SECTION 36 BLOCK 8

ANNEXURE 1 TO ALTERATION TO CORPORATION'S ARTICLES

MOTION 7
RESOLVED and carried that the addition to the Corporation's Articles passed in the Special General Meeting Minutes of 04/04/97 to include Article (6) be conformed as an Article (13) of the Corporation's new Articles.

('That a new Article be added to the Corporation's Articles to read - "That any levy determined by the Corporation that remains unpaid thirty (30) days after becoming due for payment shall attract an interest levy calculated at the rate of twenty-four per centum (24%) per annum from the due date to the date of actual payment and shall be recoverable from the Member as a debt due to the Corporation".')

The Common Seal of
The Owners – Units Plan 39
was hereunto affixed
in the presence of:

Authorised Agent

ACT GOVERNMEN
Land Titles Act 1925
Land Titles (Unit Titles) Ac
Unit Titles Act 2001
Registrar-General's O

SR$1664163 18/12/2009 10:28:53 SIZEJ

1664163

THE AUSTRALIAN CAPITAL TERRITORY REGISTRAR-GENERAL'S OFFICE

Lodging Party Ray White Strata
LTO Box Number or Address Locked Bag 3008 Woden 2606

SR Form 094

SPECIAL RESOLUTION

PRIVACY COLLECTION STATEMENT *(PRIVACY ACT 1988 (C'WLTH))* OVERLEAF

An application to amend the articles of the Owners Corporation for the following unit plan

1. LAND

Vol:Fol	Edition	District/Division	Section	Block
493:93	01	**GARRAN**	**36**	**8**

2. UNITS PLAN NUMBER

39

3. DETAILS OF ARTICLE/S BEING AMENDED (Insert article number/s)

Motion 7 Amendment: Erections and alterations to articles 4(1) and 4(2) as per enclosed copy of the AGM Minutes held on 05/11/09

4. SUPPORTING DOCUMENTATION

X Sealed copy of Minutes of Meeting

☐ Sealed copy of Resolution / Motion

5. DATE

11 DECEMBER 2009

6. EXECUTION BY OWNERS CORPORATION USING A COMMON SEAL

THE PROPRIETORS UNITS PLAN No. 39 Common Seal

Common Seal affixed in the presence of:

Signature	Signature
Mr Jarrod Smith Full Name (Block Letters)	Full Name (Block Letters)
Ray White Strata 17-23 Townshend Street, Phillip ACT 2606 Address	Address
AUTHORISED AGENT Office Held	Office Held

7. LAND TITLE OFFICE USE ONLY

Examined by		Annexures	Minutes/Resolution/Motion
Data Entered by			
Registered by		Registration Date	- 5 JAN 2010

Approved form AF 2006 – 444 approved by Danielle Krajina, Registrar-General on 18 August 2006 under s140 *Land Titles Act 1925* (approved forms) and revokes form AF 2005 - 197

MINUTES OF BUSINESS DEALT WITH AT THE ANNUAL GENERAL MEETING OF THE OWNERS - UNITS PLAN NO. 39 HELD ON THURSDAY 5TH NOVEMBER 2009 AT 17-23 TOWNSHEND STREET PHILLIP AT 05:00 PM.

As a standard quorum was not present the decisions taken at the Meeting were Reduced Quorum decisions in accordance with section 101 of the Unit Titles Act 2001.

PRESENT: Ms R Mitchell
Mr A Lane
Mr D Brunoro & Ms B Riordan
Ms J Schmitt (Managing Agent)

PROXIES: Siret Pty Ltd; W R Mawson – in favour of the Chairperson

1. Mr Lane was elected Chairperson for the meeting followed by acceptance of proxies.

2. The minutes of the previous Annual General Meeting were taken as read.

3. MOTION 1
"That the minutes of the previous Annual General Meeting be confirmed."

   CARRIED on the voices

4. The following were matters arising from the previous Annual General Meeting minutes:

   It had been requested that the minutes of the previous annual general meeting be circulated with the agenda in future.

   The water meter needs to be rehoused again as the concrete surround has already broken. The Managing Agent is to contact ActewAGL to request that the meter is lowered and covered by a high density polyethylene (HDPE) box to withstand car/truck traffic to and from the complex.

   The incoming Executive Committee is to confirm whether the tree in the south east corner of the complex was trimmed by the ACT Government to their satisfaction.

   It was noted that in addition to Unit 8's window requiring repair at the last meeting; all easterly facing windows may need to be repaired. The meeting determined that all Owners be requested to inspect their windows, with a view to a coordinated approach being undertaken to repair all windows in order to reduce costs.

5. **Financial Statements**
MOTION 2 (amended)
"That the financial statements be accepted, subject to amendment as directed by the meeting."

   CARRIED on the voices.

The Financial Statements were accepted subject to the following amendments directed by the meeting:

Insurance Valuation payments be reallocated to an appropriate line item to avoid confusion in the financial statements and incorrect budgeting of future insurance premium.

The meeting determined that if in future there was a significant deviation from the budget to actual expenditure (+/- 10%), the budget item would be highlighted in the agenda and an explanation/break down of additional expenditure would be provided.

(Note: The second Insurance Valuation dated June 2009, was obtained in error and the cost of the report $438.00 will be reimbursed to the Owners' Corporation in the current financial year 01/09/2009 to 31/08/2010 under the category *Consultants*.)

6. **Executive Committee**

The following Owners were elected to stand as Executive Committee members until the next Annual General Meeting;

Ms Rowena Mitchell – Unit 6
Mr Tony Lane – Unit 8
Mr David Brunoro – Unit 9

7. **Insurance**

Owners were informed that the existing insurance cover is held through CHU Underwriting Agencies P/L as follows:

POLICY NO. 14A003120UPK	Renewal date: 05/04/10
Building	$2 240 000.00
Public Liability	$20 000 000.00
Workers Compensation	AS PER ACT
Fidelity Guarantee	$100 000.00
	Excess: $750.00

MOTION 3 - AMENDED

"That the existing Buildings insurance held by the Corporation be increased by ***4%*** *on renewal."*

CARRIED on the voices

It was agreed that due to the recent insurance valuations and the current economic climate, only a 4% increase was necessary on the current building insurance at this time.

8. **Budget**

Sinking Fund Forecast

MOTION 4

"That the Owners Corporation obtains a professional 15 year Sinking Fund forecast to be arranged by the managing agent."

CARRIED on the voices

Ms Mitchell agreed to be an onsite contact for QIA group when conducting the inspection for the Sinking Fund forecast.

MOTION 5 - AMENDED

*"That the amended proposed Admin Budget of $15083.00 and Sinking Fund Budget of $1508.00 for a Total Budget of **$16591.00** be accepted."*

CARRIED unanimously on the voices as a Special Resolution.

The Admin budget was amended to reallocate $1050.00 from the *Insurance* category (as it was agreed that only a 10% increase on the premium was necessary) to the *Maintenance Building* category, to cater for anticipated maintenance works.

It was also requested that in future agendas, management fees, overheads and other fixed costs subject to the Strata Management Agreement be highlighted to the Owners in order to identify non-discretionary budget items.

9. **Levies**

It was noted that at the previous Annual General Meeting, the Owners agreed to a particular wording of the below motion, which was to be maintained in future agendas.

MOTION 6 - AMENDED

*"That the Corporation determine a levy equal to the sum of the budget for the twelve month period 01/09/2009 to 31/08/2010 which shall be allocated amongst the owners in accordance with unit entitlements. Payment may be made by owners by 4 payments in advance on **01/01/10**; **01/04/10**; **01/07/10**; and **01/10/10** provided payment is made within thirty (30) days of the due date. Should an owner fail to pay a quarterly installment payment, or any part thereof, within thirty (30) days of the due date, interest shall be charged on the outstanding balance from the due date, and shall be calculated for each day, or part thereof, that the outstanding balance remains unpaid. Such interest shall be added to the outstanding balance to be paid by the owner forthwith. Nothing in this motion shall restrict any other rights of the Owners' Corporation."*

CARRIED on the voices.

10. **General Business**

10.1 Article change

MOTION 7 - AMENDED

"That the Owners Corporation amend Article 4 to read as follows;

4 Erections and alterations

*(1) **For each and every proposed erection or alteration,** a unit owner shall not, except in accordance with the **specific** written permission given by the Executive Committee **for that proposed erection or alteration,** and in accordance with the provisions of any law in force in the Territory applicable in the circumstances, erect or alter any structure in or on the unit or the common property.*

(2) Permission may be given subject to conditions stated in the resolution."

CARRIED unanimously on the voices as a Special Resolution.

It was requested that a letter be sent to all Owners highlighting the changes to structural alteration processes, as well as a reminder that tenants require the Property Manager or the Owner of the unit to submit applications on their behalf.

10.2 Pets

MOTION 8 - AMENDED

*"That any owner be granted permission, without prior approval from the Owners' Corporation, to keep a pet at their unit provided details of the pet (breed, age, number of pets etc) are notified to the Managing Agent, and subject to the **unanimous written consent of all immediately adjacent owners in any direction.** The owner will be responsible for any damage caused to the common property by the pet and permission may be withdrawn by ordinary resolution of the Owners' Corporation if the pet becomes a nuisance to other residents in accordance with any law in force in the Territory."*

CARRIED on the voices.

The words ***"all immediately adjacent owners in any direction"*** mean each unit owner that shares a common wall, ceiling or floor with the owner seeking to keep a pet.

10.3 Interest on Overdue Levies

MOTION 9

"That the Corporation implements Section 65(2 (a) of the Unit Titles Act 2001 that the interest accrued on outstanding levies is at the rate of 10% per annum if not paid within 30 days of the due date."

CARRIED unanimously on the voices.

As Motion 9 was passed, Motion 10 lapsed by default.

THE PROPRIETORS ... PLAN No. 20 ... Common Seal

10.4 The following general maintenance action items were noted by the meeting.

- The letterbox for unit 3 requires repair – quote to be sought.
- The light outside unit 2's carport should be changed to a sensor (in line with units 1 & 3) for safety – quotes to be sought.
- A letter is to be sent to all owners & residents advising that items are not to be left or stored in the stairwell, as they pose as fire hazards and insurance risks. It was however agreed that quotes be sought for the installation of a gate in the area immediately underneath the stairs as items stored there may not be considered a hazard provided correct measures are taken to restrict unauthorised and undesirable access.
- It was noted that the two storage areas with wooden gates at the front of the complex (the old bin bays), could be utilised more effectively and that quotes be sought for the division of the areas and the installation of Colorbond doors.
- It was requested that Gardeners I & C Darmody be contacted to renegotiate the start time to not before 9.00am to avoid a clash with residents leaving for work (the Gardeners have been observed parking their truck in the middle of the road providing little access to the complex); that they wear visibility vests when working in the car park; and that they use "Caution wet floor" signs when cleaning the stairwell floors.
- It was requested that the Owners of neighbouring complexes no. 1 & 5 be contacted to discuss a possible coordinated approach to improving the appearance of the complexes with regard to gardening upgrades and painting schemes, and general street appeal.

As there was no further business discussed, the meeting closed at 7.05pm.

Signed as a true and correct record.

Mr A Lane
CHAIRPERSON
6 November 2009

THE PROPRIETORS-UNITS PLAN NO. 39 Common Seal

NOTICE OF REDUCED QUORUM DECISIONS
UNIT TITLES ACT 2001

PART A
Details of reduced quorum decisions

A1 **The Owners, Units Plan No.** 39

A2 **General Meeting**
Date/s of general meeting for which the reduced quorum decision/s were made 5/11/09

Tick applicable box/s

☑ Regularly convened
The general meeting was regularly convened (not following any adjournment under UTAs 99(3) or (6) (a))

☐ Convened after adjournment
The general meeting was convened following an adjournment/s (under UTAs 99(3) or (6) (a))

A3 **Reduced quorum decisions**

[If there is insufficient space here, tick ☐ and attach details to the notice]

Date of decision	Full text of reduced quorum decision
5/11/09	See attached Minutes

A4 **Owners Corporation declaration**

The information in this notice has been recorded on the following date from details shown in the records of the Owners' Corporation.

Insert date of affixing of seal 11/12/09

(Affix Owners' Corporation seal in accordance with the Corporations Articles)

THE PROPRIETORS-UNITS PLAN NO. 39 ★ Common Seal

ACT Government

Access Canberra.

LAND TITLES
ACCESS CANBERRA
Chief Minis -te

SR$3349382 07/11/2024 12:50:20 Shre P

SPECIAL RES N

3349382

125

094 - SR

LODGING PARTY DETAILS			
Name	**Email Address**	**Contact Telephone Number**	**Customer Reference Number**
LMM Solutions	**accounts@lmmsolutions.com.au**	**5110 3200**	

TITLE AND LAND DETAILS			
Volume & Folio	**District/Division**	**Section**	**Block**
493/93	**Garran**	**36**	**8**

UNITS PLAN NUMBER
039

DETAILS OF RULES BEING REGISTERED	DATE MEETING HELD (must be registered within 3 months)
Amend Rule 1.4 & Adopt Rule 2.0, Rule 3.0 and Alternative Rules	**17 October 2024**

SUPPORTING DOCUMENTATION (Please select appropriate item – Original signed copy must be supplied)	COMMON SEAL OF OWNERS CORPORATION (Seal may be affixed)
☑ Sealed copy of Minutes of Meeting ☑ Sealed copy of Resolution/Motion ☐ Sealed copy of Alternate Rules ☐ Other (specify) -	PROPRIETORS-UNITS PLAN NO. 39 Common Seal

CERTIFICATION **Delete the inapplicable*

Applicant

*The Certifier has retained the evidence to support this Registry Instrument or Document.
*The Certifier has taken reasonable steps to ensure that the Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Signed By:

JFennell

Jane Victoria Fennell
COO – LMM Solutions

Gupton

Grace Upton
Accounts Manager – LMM Solutions

for: *Owners of UP039*

on behalf of the Registered Proprietor/Managing Agent

OFFICE USE ONLY			
Lodged by		Annexures/Attachments	Minutes/Resolution/Motion/Rules
Data entered by		Evidence Manager Appointed	Yes ☐
Registered by		Registration Date	PS 26/11/2024

VOI Category 1 Sighted

LAND TITLES
ACCESS CANBERRA
Chief Minister, Treasury and Economic Development Directorate

ANNEXURE

Form 029 - ANN

Land Titles Act 1925

TITLE AND LAND DETAILS

Volume & Folio	District/Division	Section	Block	Unit	Consideration (Only complete is if requesting transactions not be aggregated)
493/93	Garran	36	8		

ANNEXURE TO (insert dealing type)	TOTAL NUMBER OF PAGES IN ANNEXURE
094 – Special Resolution	7 (Seven)

PARTIES TO DOCUMENT (Please state all parties this annexure relates to/supports)
Owners of UP039

LMM Solutions

Strata Management
For the client experience you deserve!

PO Box 884
Gungahlin ACT 2912

P 02 5110 3200
E enquiries@LMMsolutions.com.au

24 October 2024

To all Owners
UP039 – 3 Garran Place
3 Garran Place
GARRAN ACT 2605

Dear Owner

UP039 - 3 GARRAN PLACE

Minutes of Annual General Meeting 2024

Further to the recent Annual General Meeting for your development, please find enclosed the Minutes of that meeting.

If you have any queries or require clarification of items contained in the Minutes, please feel free to contact me.

Yours faithfully

Matt Roche
Strata Manager

LMM Solutions Pty Ltd

P 02 5110 3200
E Matt@LMMsolutions.com.au

Common Seal

MINUTES OF ANNUAL GENERAL MEETING 2024
UNITS PLAN 039 - 3 GARRAN PLACE
3 GARRAN PLACE, GARRAN

Held: Thursday, 17 October 2024 at 5.30pm.

Location: LMM Solutions Office, Level 1, 26 Thynne Street, Bruce and via Teleconference.

Present: Mr S Bullock (Unit 1), Mr I Wagner (Unit 8) and Ms O Beattie (Unit 9).
Mr M Roche & Ms A Tetley representing LMM Solutions Pty Ltd.

Proxies: Nil.

Absentees: Nil.

Apologies: Nil.

Chair: Mr I Wagner was elected chairperson for the meeting.
Owners present agreed that the Manager conduct the formalities for the meeting and draft the Minutes for the consideration of the appointed Executive Committee.

Quorum: As a standard quorum was not present, the decisions taken at the Meeting were Reduced Quorum decisions in accordance with Schedule 3.9, Part 3.1, s.3.11 of the Unit Titles (Management) Act 2011.

OVERVIEW OF REQUIRED AGENDA ITEMS

MOTION 1: It was resolved that the Owners Corporation of UP039 confirm that they have reviewed each of the tabled items (as per Notice). **CARRIED**

MINUTES

MOTION 2: It was resolved that the Minutes of the previous Annual General Meeting be confirmed as a true and accurate record of the proceedings of the meeting.
CARRIED

MOTION 3: It was resolved that the Minutes of the previous General Meeting (dated 28 May 2024) be confirmed as a true and accurate record of the proceedings of the meetings. **CARRIED**

Matters arising from Minutes
None.

ALTERNATIVE VOTING MECHANISM

MOTION 4: It was resolved that the Owners Corporation of UP039 agree to accept that meetings can be held via electronic means, including phone and teleconference, and by postal vote and that votes by an entitled person are recorded as valid.
CARRIED

INSURANCE

Those present agreed that the current cover appeared adequate at this time.

MOTION 5: It was resolved that the Owners Corporation of UP039 authorise the Manager to adjust the building insurance in consultation with the Executive Committee.

CARRIED

ACCEPTANCE OF FINANCIAL STATEMENTS

MOTION 6: It was resolved that the Owners Corporation of UP039 accept the financial statements as presented. **CARRIED**

INVESTMENT OF FUNDS - Special Resolution

MOTION 7: It was resolved that the Owners Corporation authorise the Executive Committee make determinations concerning the investment of surplus funds into appropriate interest-bearing accounts. **CARRIED**

SINKING FUND PLAN

MOTION 8: It was resolved that the Owners Corporation of UP039 agree to obtain an updated Sinking Fund Forecast Plan. **CARRIED**

MAINTENANCE PLAN/SCHEDULE

MOTION 9: It was resolved that the Owners Corporation of UP039 obtain a Maintenance Plan and authorise the Executive Committee to make determinations in relation to the matters and contracts as specified. **CARRIED**

Matters arising from the Maintenance Plan and building condition.
It was confirmed that UP039 did not currently have a Maintenance Plan in place, and Owners present agreed to obtain this via a qualified company to protect the Owners Corporation.

EMERGENCY EVACUATION PLAN

MOTION 10: It was resolved that the Owners Corporation of UP039 authorise an appropriately certified company to develop emergency evacuation plans and have them installed to meet Australian Standard requirements. **CARRIED**

Secretarial note – The Manager confirmed the process will be tendered, and following direction from the Committee of the preferred contractor, draft copies of the plan will be supplied for Committee review prior to final installation.

THE PROPRIETORS-UNITS PLAN No. 39 Common Seal

ASBESTOS INSPECTION AND REPORT

MOTION 11: That the Owners Corporation of UP039 authorise an appropriately certified company to undertake the necessary testing of the common property to determine if asbestos is present. **FAILED**

Secretarial note – With no immediate major planned works, Owners present confirmed the Asbestos Report acquired for the vinyl tiles in the stairwells was sufficient. Should it be deemed necessary at a later date, Owners can review the matter then.

BUDGET DEBATE

MOTION 12: It was resolved that the Owners Corporation of UP039 agrees to rescind instalments 3 and 4 as determined at the General Meeting held 28 May 2024 for the 01/09/2023 to 31/08/2024 financial year and incorporate these into the levy contributions for 01/09/2024 to 31/08/2025 financial year. **CARRIED**

Administrative Fund

MOTION 13a: That the proposed Administrative Fund contribution of $50,000.00 and expenditure amount of $33,929.00 be adopted. **LAPSED**

MOTION 13b: It was resolved that the proposed Administrative Fund contribution of $49,200.00 and expenditure amount of $33,129.00 be adopted. **CARRIED**

Secretarial note – With the exclusion of an asbestos report, Owners present agreed to update the budget accordingly.

Sinking Fund

MOTION 14: It was resolved that the proposed Sinking Fund contribution of $16,531.00 and expenditure amount of $24,349.00 be adopted. **CARRIED**

Administrative and Sinking Fund Levy Contribution

MOTION 15: It was resolved that the Owners Corporation determine a levy equal to the approved budget for the twelve-month period, commencing 1 September 2024, and to be contributed in accordance with the unit entitlements with the instalment due dates to be:

	Payment periods		
	FROM	TO	Payment due dates
Levy 1	1 September 2024	30 November 2024	1 November 2024
Levy 2	1 December 2024	28 February 2025	1 February 2025
Levy 3	1 March 2025	31 May 2025	1 May 2025
Levy 4	1 June 2025	31 August 2025	1 August 2025

CARRIED

ELECTION OF COMMITTEE

MOTION 16a: That the Owners Corporation of UP039 nominates for 3 to 7 positions to form the Executive Committee until the next Annual General Meeting and confirms the election of the legislated positions. **LAPSED**

MOTION 16b: It was resolved that all Owners of UP039 are elected to form the Executive Committee until the next Annual General Meeting. **CARRIED**

Secretarial note – following the confirmation of the recent sale of Unit 9, no further nominations were received. As the minimum of three (3) members was not met, it was required to revert all Owners to form the Executive Committee until the next Annual General Meeting. The Manager will seek nominations for the positions of Chair, Secretary and Treasurer for the new financial year via email.

RULE AMENDMENTS AND ADDITIONS - Special Resolutions

MOTION 17: It was resolved that Rule 1.4 of the Default Rules be amended. **CARRIED**

MOTION 18: It was resolved that Owners Corporation make an Alternative Rule 2.0 relating to the execution of documents. **CARRIED**

MOTION 19: It was resolved that the Owners Corporation make an Alternative Rule 3.0 relating to the recovery of legal fees. **CARRIED**

MOTION 20: It was resolved that the Owners Corporation of UP039 amend the Default Rules of the Unit Titles (Management) Regulation 2011 for adoption and registration with the Land Tiles Office and for the cost of registration be paid from the Administrative Fund. **CARRIED**

ALTERNATIVE RULES - Special Resolution

MOTION 21a: That the Owners Corporation of UP039 authorise the Executive Committee to derive a set of Alternative Rules for adoption and registration (with the amended Default Rules). **FAILED**

MOTION 21b: It was resolved that the Owners Corporation of UP039 authorise the Executive Committee to derive a set of Alternative Rules for the review of all Owners at the next General Meeting of the Owners Corporation. **CARRIED**

GENERAL BUSINESS

<u>Residency Information + Building Development</u>
Mr Wagner queried if residency information to identify owner occupied and tenanted units could be distributed to the Executive Committee. The purpose of the request is to investigate a long-term opportunity for the property to be purchased and re-developed via Mr Wagner.

The Manager is to investigate requirements under legislation and refer the information back to the Executive Committee/Owners.

<u>Icon Water Meter</u>
The Manager provided an update relating to the water meter project. Confirming a work order had been issued in accordance with the approved quote to relocate the meter. The Manager will provide updates as they become available.

<u>Action Items</u>
With an approved budget now set to work from, the Manager, in consultation with the Committee will begin working through action items noted on the site visit with Ms Tetley.

<u>Note of Thanks</u>
A note of thanks was issued by owners present for the work undertaken by the outgoing chairperson Ms O Beattie over the previous financial year.

With no further business, the meeting closed at 6.31 pm.

Unit Titles (Management) Act 2011 - Form 1

NOTICE OF REDUCED QUORUM DECISIONS

Part A - Details of reduced quorum decisions†

A1 - The Owners Units Plan No: 039

A2 - General Meeting

Date (or dates) of the general meeting at which the reduced quorum decision or decisions were made on: Wednesday, 18 September

Tick the applicable box, or both boxes if applicable:

☑ Regularly convened - The general meeting was regularly convened (not following any adjournment under UTMA s 3.9(3) or (6)(a), part 3.1, schedule 3).

☐ Convened after adjournment - The general meeting was convened following an adjournment or adjournments (under UTMA s 3.9(3) or (6)(a), part 3.1, schedule 3).

A3 - Reduced quorum decisions

If there is insufficient space here, tick ☑ *and attach details to the notice*

[Full text of reduced quorum decision is noted on the Minutes attached.]

Date of decision: Thursday, 17 October

A4 - Owners corporation declaration

The information in this notice has been recorded on the following date from details shown in the records of the owner's corporation.

Seal affixed: Monday, 21 October

Signed:

Title: Strata Manager

THE PROPRIETORS UNITS PLAN NO. 39 ☆ Common Seal

† In this notice, UTMA means the Unit Titles (Management) Act 2011.

AF2012-112 made under the Unit Titles (Management) Act 2011, s.146
Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au
NOTICE OF REDUCED QUORUM DECISIONS

Part B - General information

B1 - What is a reduced quorum decision?

- A reduced quorum decision is a decision of a general meeting of the owners corporation made while a quorum (a reduced quorum) smaller than a standard quorum was present.
- A standard quorum is those people entitled to vote (on the motion) in relation to not less than ½ the total number of units (see UTMA s 3.9 (1) (a), part 3.1, schedule 3).

There are 2 types of reduced quorum decision, requiring different reduced quorums.

Reduced quorum decisions made at regularly-convened general meetings

- If, within ½ an hour after a motion arises for consideration at a general meeting that has been regularly convened, a standard quorum for the motion (see above) is not present a reduced quorum decision may be made if a reduced quorum (see next point) is then present for consideration of the motion (UTMA s 3.9 (2), part 3.1, schedule 3).
- At a regularly-convened general meeting, a reduced quorum means 2 or more people present at the meeting and entitled to vote on the motion (UTMA s 3.9 (2), part 3.1, schedule 3).
- A reduced quorum is also sufficient to make decisions on any later motions arising at the meeting. Any such later decisions made while only a reduced quorum was present are also reduced quorum decisions (UTMA s 3.9 (2), part 3.1, schedule 3).

Reduced quorum decisions—adjournment following quorum trouble

- If, within ½ an hour after a motion arises for consideration at a general meeting that has been regularly convened, neither a standard quorum for the motion (see above) nor a reduced quorum (see above) is present, the meeting is adjourned to the following week at the same place and time (UTMA s 3.9 (3), part 3.1, schedule 3). The meeting may also decide to adjourn even if a reduced quorum is present (UTMA s 3.9 (5), part 3.1, schedule 3). · If, within ½ an hour after a motion arises for consideration at a general meeting convened following such an adjournment, a standard quorum for the motion is not present, a reduced quorum decision may be made if there is a reduced quorum made up by anyone then present and entitled to vote (even if that is only a single voter) (UTMA s 3.9 (6) (a), part 3.1, schedule 3).
- Such a reduced quorum (of anyone present and entitled to vote) is also sufficient to make decisions on any later motions arising at the meeting. Any such later decisions made while only a reduced quorum was present are also reduced quorum decisions (UTA s 3.9 (6) (a), part 3.1, schedule 3).

B2 - When does a reduced quorum decision take effect?

- A reduced-quorum decision takes effect 28 days after the date of the decision (the decision's date of effect) (UTMA s 3.11 (1), part 3.1, schedule 3).
- However, this does not apply if the decision is disallowed, confirmed by a standard quorum general meeting or revoked (see below) (UTMA s 3.11 (3) – (5), part 3.1, schedule 3)

B3 - How may reduced quorum decisions be disallowed?

Reduced quorum decisions may be disallowed by petition (UTMA, s 3.11 (3), part 3.1, schedule 3). The petition must—

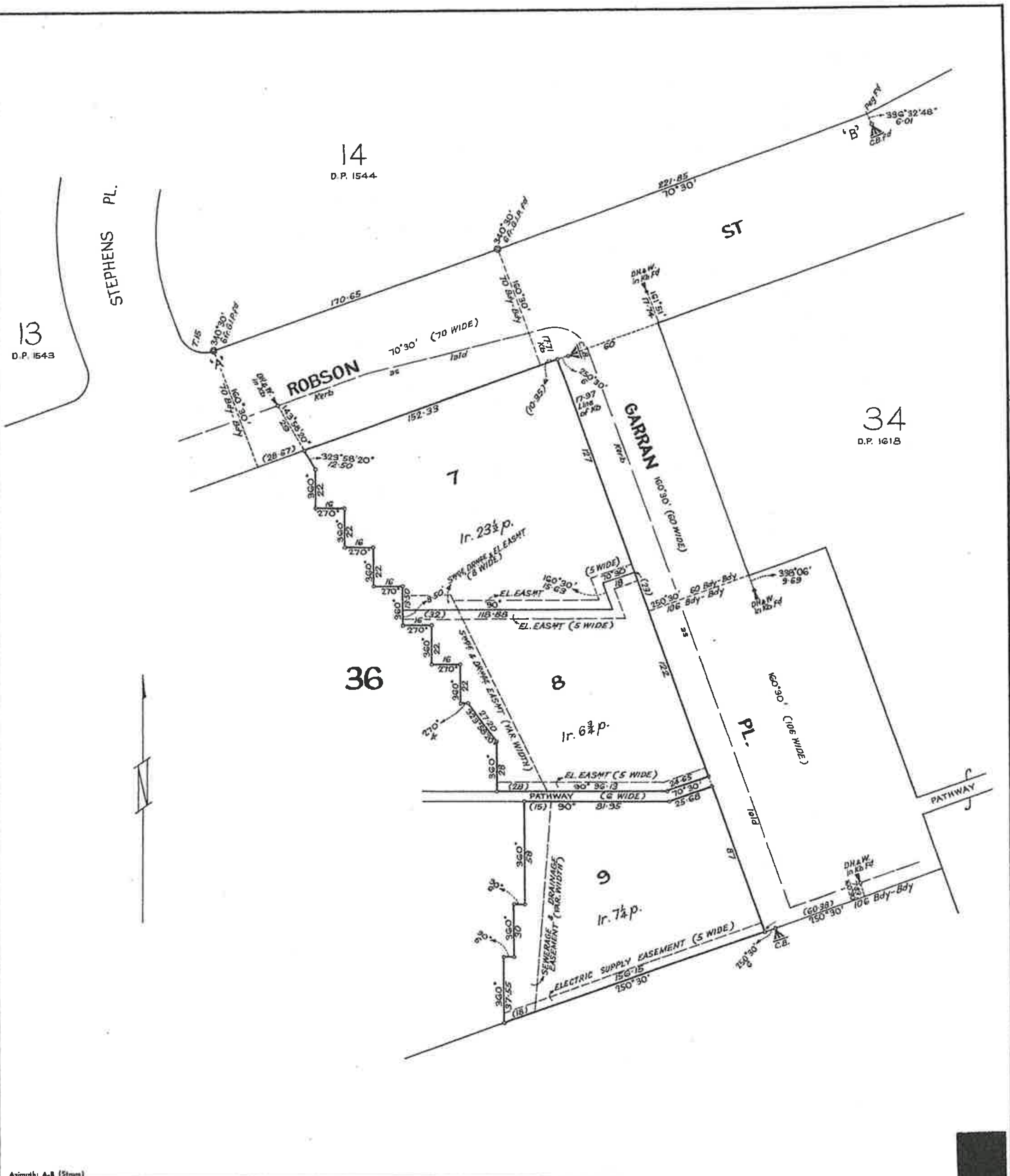
- state the resolution or resolutions to which it applies; and
- be signed by a majority of persons entitled to vote at a general meeting of the owners corporation (a person may sign whether or not he or she attended the meeting); and
- be given to the owners corporation before the decision's date of effect (see B2 above).

B4 - How may reduced quorum decisions be confirmed?

- A reduced-quorum decision may be confirmed by a general meeting of the owners corporation held before the decision's date of effect (see B2 above).
- For the confirmation to be valid, a standard quorum must be present when the confirmation motion is considered at the later general meeting (see B1 above).
- If a decision is confirmed, it takes effect from the date of the later general meeting whether or not a petition is given to the owners (UTMA s 3.11 (4), part 3.1, schedule 3).

B5 - How may reduced quorum decisions be revoked?

- A reduced-quorum decision may be revoked by a general meeting of the owners corporation held at any time, whether or not the decision has earlier been confirmed.
- A revocation is valid whether a standard quorum or a reduced quorum is present when the revocation motion is considered (see B1 above; UTMA s 3.11 (5), part 3.1, schedule 3).



Azimuth: A-B (Strom)

I,—BARRY CHARLES RAINBIRD, ———— of Canberra, a surveyor, registered under the provisions of the Surveyors Ordinance 1967, do hereby solemnly and sincerely declare (a) that all boundaries and measurements shown on this plan are correct, (b) that all survey marks found and relevant physical objects on or adjacent to the boundaries are correctly represented, (c) that all physical objects indicated exist in the positions shown, (d) that the whole of the material facts in relation to the land are correctly represented, (e) that the survey has been made (1) by me, ~~(2) under my supervision~~ and completed on the ———— 28th day of OCTOBER, 1968,— and the reference marks have been placed as shown hereon.

And I make this solemn declaration by virtue of the Statutory Declarations Act 1959 conscientiously believing the statements contained therein to be true in every particular.

Barry Rainbird. Registered Surveyor.

Declared at Canberra the 21st day of MAY, 1969. before me

M. J. Henry
Commissioner for Declarations under the Statutory Declarations Act 1959.

I certify that this plan is the plan prepared in accordance with section 6 of the Districts Ordinance 1966–1967

A/Commonwealth Surveyor-General.

PLAN OF

BLOCKS 7-9, SECTION 36

DIVISION: GARRAN

DISTRICT: CANBERRA CITY

AUSTRALIAN CAPITAL TERRITORY

Scale:— 40 feet — to an inch

Field Books: K.4317 TL 68/1817

Deposited in the office of the Registrar of Titles at Canberra in the Australian Capital Territory the eleventh day of June 1969 at five minutes past four o'clock in the after noon.

Approved

Registrar of Titles.

DEPOSITED PLAN

2230

FORM 1

Real Property (Unit Titles) Ordinance 1970

UNITS PLAN No. 39

Block 8	Section 36	Division of GARRAN
Register Book Volume 275	Folio 64	Deposited Plan No. 2230

Address of the Corporation for service of documents PARTNERSHIP MANAGEMENTS PTY LTD 78 NORTHBOURNE AVE BRADDON ACT

I, GRAHAM SOWDEN of 34 BOUGAINVILLE ST MANUKA ACT a surveyor registered under the *Surveyors Ordinance* 1967-1970 hereby certify that the diagram on this sheet shows the boundaries of the abovementioned parcel of land, *(and, if the parcel is to be sub-divided into Class B units as defined in the Unit Titles Ordinance 1970*, the boundaries of each of those units) and the boundaries, at ground level, or projected to ground level, of the extremities of each building on the parcel and that each building is wholly within the parcel.

Dated this EIGHTEENTH day of JULY 1973.

G. Sowden

Registered Surveyor

Approved under the *Unit Titles Ordinance* 1970 as the Units Plan for the sub-division of the abovementioned parcel of land.

Dated this ~~ninth~~ eighth 8-03-74 day of ~~[illegible]~~ 1974

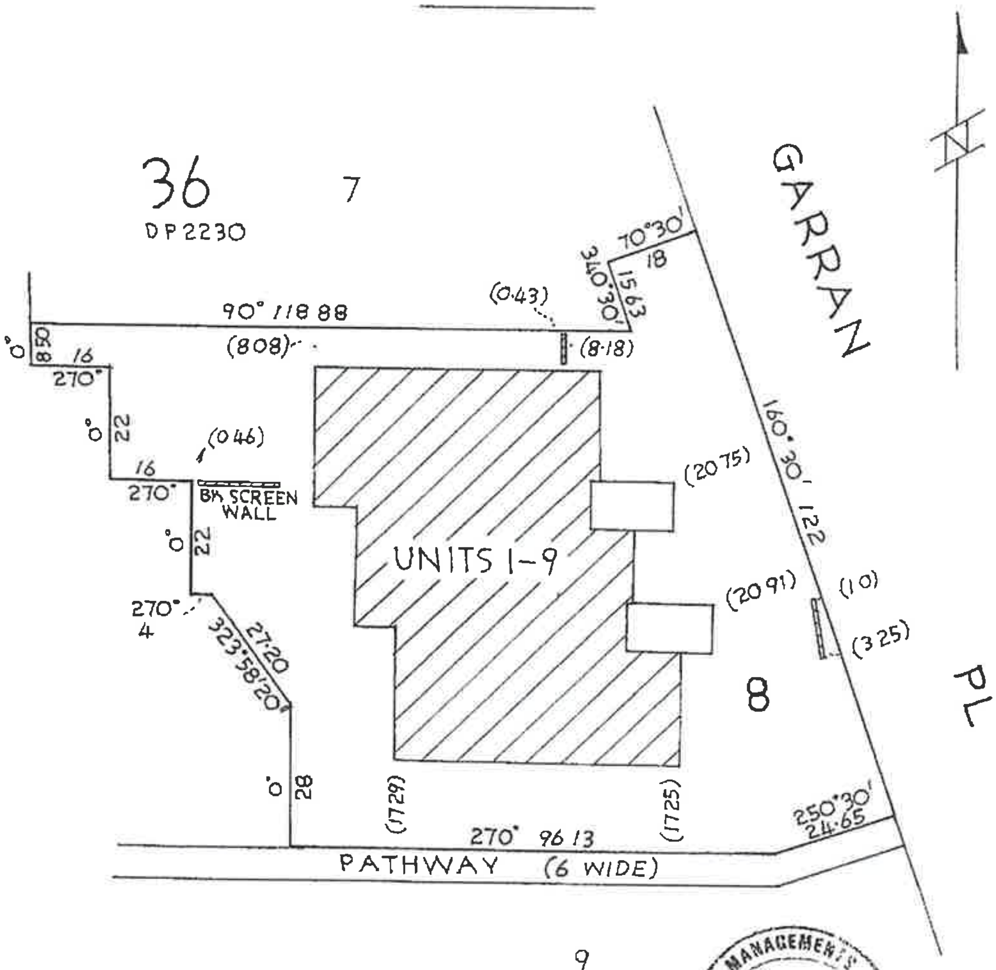
Delegate of the Minister of State for the ~~Interior~~ CAPITAL TERRITORY

Registered by me on the twentysixth day of March 1974, at twenty minutes past four o'clock in the after noon, the number allocated to the Units Plan being 39.

The terms of the leases of the units and the lease of the common property expire on the twentyeighth day of November 2067.

Registrar of Titles

SITE PLAN



PARTNERSHIP MANAGEMENTS PTY LTD

Applicant

Scale: 30 feet to the inch.

FORM 2

Real Property (Unit Titles) Ordinance 1970

UNITS PLAN No. 39

SCHEDULE OF UNIT ENTITLEMENTS

Block 8, Section 36, Division of GARRAN

Column 1			Column 2	
			Certificate of Title	
Unit No.	Unit Entitlement	Unit Subsidiaries	Volume	Folio
1	1200	2	493	84
2	1000	1	493	85
3	1200	2	493	86
4	1200	2	493	87
5	1200	2	493	88
6	1200	2	493	89
7	1000	1	493	90
8	1000	1	493	91
9	1000	1	493	92
Aggregate	10,000	14		

Director Common Seal Secretary

PARTNERSHIP MANAGEMENTS PTY LTD

Applicant

Column 1 above is the schedule of unit entitlement approved for the subdivision.

Dated this [redacted] day of [redacted]PITAL TERRITORY

Delegate of the Minister of State for the ~~Interior~~

The Certificate of Title issued for each of the units into which the parcel of land has been sub-divided is as shown in Column 2 above. The Certificate of Title for the common property is Register Book Volume 493 Folio 93

Registrar of Titles

FORM 3

Real Property (Unit Titles) Ordinance 1970

UNITS PLAN No. 39

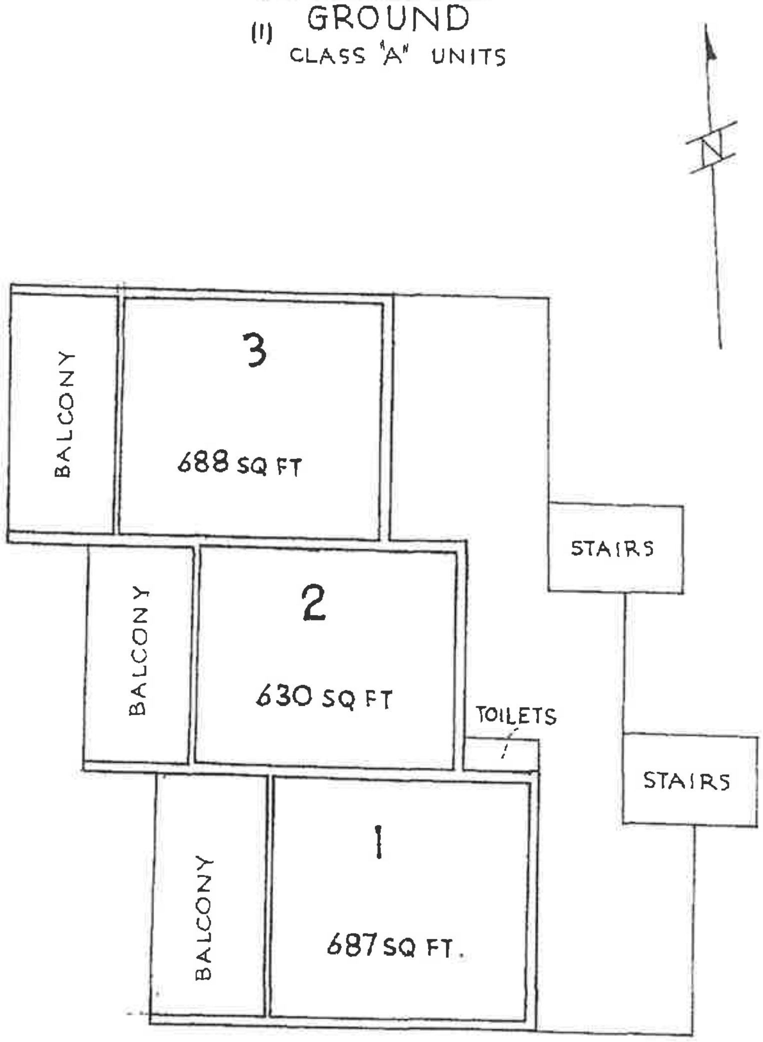
Block 8, Section 36, Division of GARRAN

FLOOR PLAN

(1) Number of floor

(1) GROUND

CLASS "A" UNITS



Scale: 16 feet to the inch.

PARTNERSHIP MANAGEMENTS PTY LTD
Common Seal
Director
Secretary

PARTNERSHIP MANAGEMENTS PTY LTD

Applicant

CAPITAL TERRITORY

Delegate of the Minister of State for the ~~Interior~~

FORM 3

Real Property (Unit Titles) Ordinance 1970

UNITS PLAN No. 39

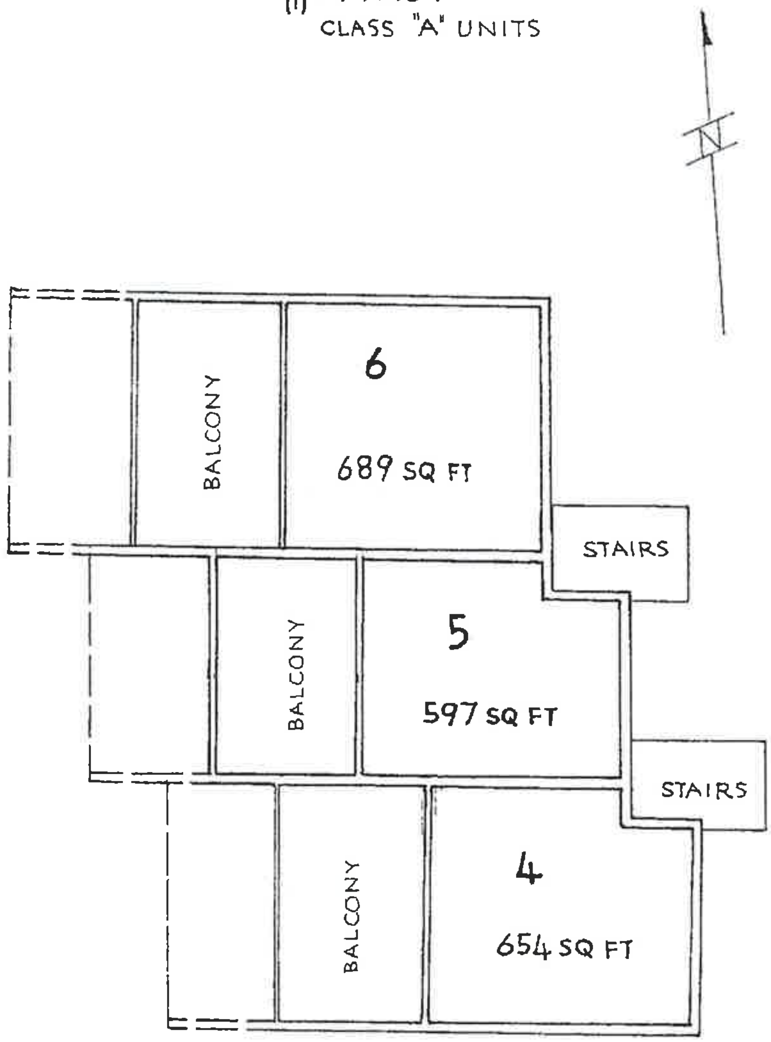
Block 8 , Section 36 , Division of GARRAN

FLOOR PLAN

(1) Number of floor

(1) FIRST

CLASS "A" UNITS



Scale: 16 feet to the inch.

Common Seal
Director
Secretary

PARTNERSHIP MANAGEMENTS PTY LTD
Applicant

[redacted]
Delega[redacted] Minister of State for the ~~Interior~~ CAPITAL TERRITORY

FORM 3

Real Property (Unit Titles) Ordinance 1970

UNITS PLAN No. 39

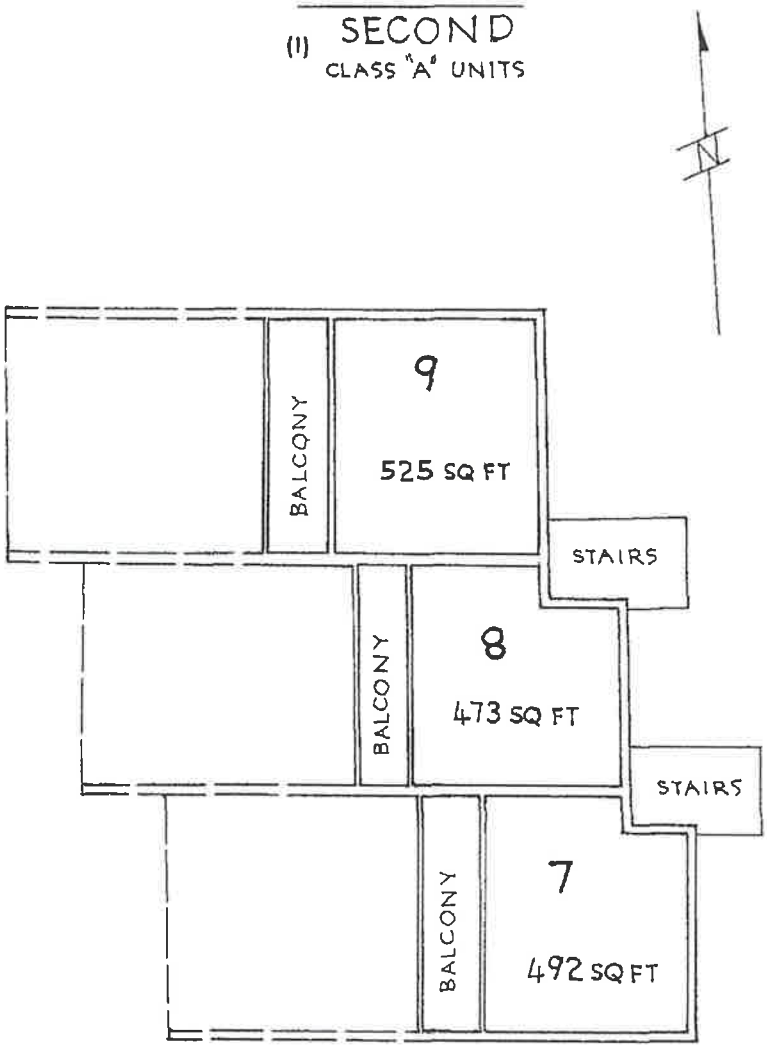
Block 8, Section 36, Division of GARRAN

FLOOR PLAN

(1) Number of floor

(1) SECOND

CLASS "A" UNITS



Scale: 16 feet to the inch.

PARTNERSHIP MANAGEMENTS PTY. LTD.
Applicant

Delegate of the Minister of State for the ~~Interior~~ CAPITAL TERRITORY

FORM 3

Real Property (Unit Titles) Ordinance 1970

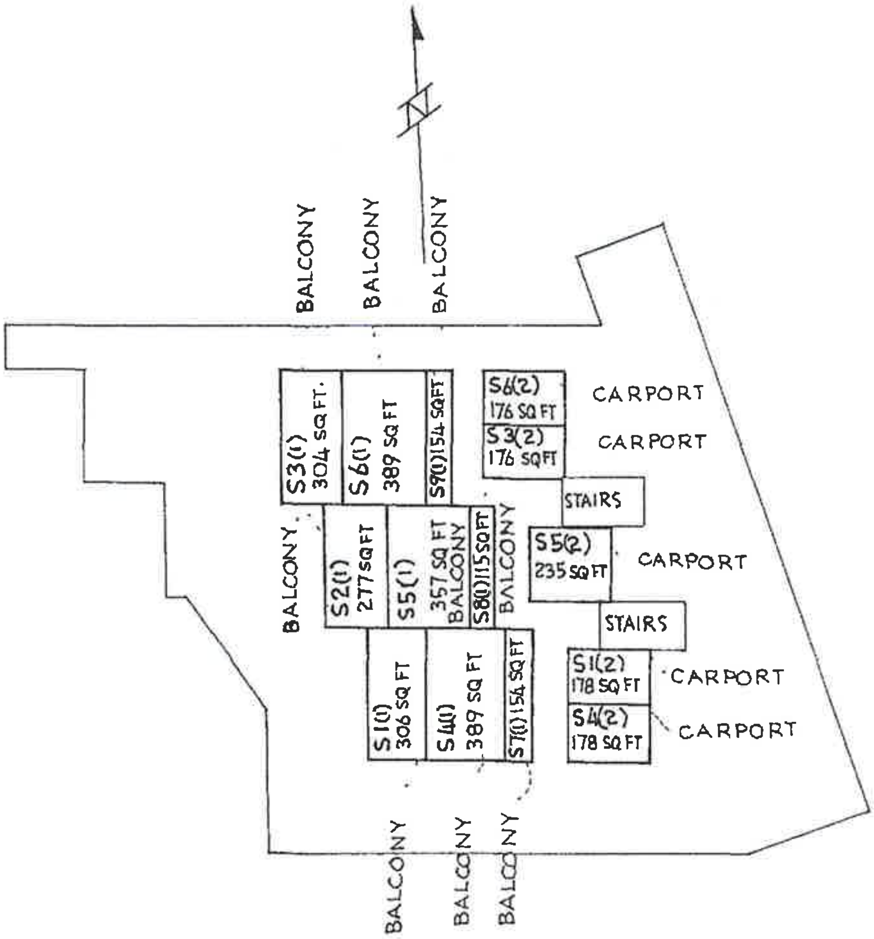
UNITS PLAN No. 39

Block 8, Section 36, Division of GARRAN

FLOOR PLAN

(1) Number of floor

(1) UNIT SUBSIDIARIES



Scale: 30 feet to the inch.

Common Seal

PARTNERSHIP MANAGEMENTS PTY. LTD.

Director

Secretary

Applicant

CAPITAL TERRITORY

Delegate of the Minister of State for the ~~Interior~~

FORM 4

Real Property (Unit Titles) Ordinance 1970

UNITS PLAN NO. 39

Block 8 Section 36 Division of Garran

SCHEDULE OF PROVISIONS COVENANTS AND CONDITIONS SUBJECT TO WHICH LEASES OF UNITS ARE HELD

1. The term of the lease of each of the units expires on the twenty eighth day of November, two thousand and sixty seven.

2. The rent reserved by and payable under the lease of each of the units is Five cents per annum if and when demanded.

3. Each of the lessees of Units Nos. 1 to 9 covenants with the Commonwealth of Australia as follows:-

(a) to pay to the Minister or to the person as may be authorised by the Minister for that purpose at Canberra the rent hereinbefore reserved within one month of the date of any demand made by the Minister relating thereto and served on the Lessee;

(b) at all times during the term of the lease to maintain repair and keep in repair to the satisfaction of the Minister the part of the building comprising the relevant Unit, shown in the Unit Plan herein and any Unit subsidiary to that Unit;

(c) not to make any structural alterations to the relevant Unit shown in the Unit Plan herein or to any Unit subsidiary to that Unit without the previous approval in writing of the Commonwealth or the Minister on behalf of the Commonwealth;

(d) to use the Unit for residential purposes only;

(e) if and whenever the Lessee fails to repair or keep in repair the part of the building comprising the relevant Unit or any Unit subsidiary thereto the Commonwealth or the Minister on behalf of the Commonwealth may by notice in writing to the Lessee specifying the wants of repairs require the Lessee to effect repairs in accordance with the said notice or to remove the said part of the building and if after the expiration of one calendar month from the date of the said notice or such longer time as the Commonwealth or the Minister on behalf of the Commonwealth may in writing allow the Lessee has not effected the said repairs or removed the said part of the building the Minister or any person or persons duly authorised by the Commonwealth or the Minister in that behalf with such equipment as is necessary may enter upon the said land and effect the said repairs or (if the Minister is of opinion that the building or the part of the building comprising the relevant Unit is beyond reasonable repair) may demolish and remove the building or the said part of the building and all expenses incurred by the Commonwealth or the Minister in effecting such repairs or demolition and removal shall be paid by the Lessee to the Commonwealth on demand and from the date of such demand until paid shall for all purposes of this Lease be a debt due and payable to the Commonwealth by the Lessee;

(f) to permit any person or persons authorised by the Minister to enter into that part of the building comprising the relevant Unit or Unit subsidiary thereto at all reasonable times and in any reasonable manner and inspect the said part of the building;

(g) to pay to the Commonwealth his proportion being the proportion the Unit entitlement bears to the aggregate Unit entitlement of all the Units of any amounts payable by the Corporation to the Commonwealth under the provisions of the City Area Leases Ordinance 1936-1970 or the provisions of the lease granted to the Corporation in accordance with the Unit Titles Ordinance 1970.

4. It is mutually covenanted and agreed by the Commonwealth of Australia and each of the lessees of all the Units as follows:-

(a) if the Unit is at any time not used for a period of one year for the purpose for which this lease is granted the Commonwealth or the Minister on behalf of the Commonwealth may determine this lease but without prejudice to any claim which the Commonwealth or the Minister on behalf of the Commonwealth may have against the Lessee in respect of any breach of the covenants on the part of the Lessee to be observed or performed;

(b) acceptance of rent by the Commonwealth or the Minister or a person authorised by the Minister for that purpose during or after the period referred to in paragraph (a) of this Clause shall not prevent or impede the exercise by the Commonwealth or the Minister on behalf of the Commonwealth of the powers conferred on it by paragraph (a) of this clause;

(c) in this lease the expression "Minister" shall mean the Minister of State of the Commonwealth for the time being administering the City Area Leases Ordinance 1936-1970 including any amendments thereof or any Statute or Ordinance substituted therefor or the member of the Executive Council of the Commonwealth for the time being performing the duties of such Minister and shall include the authority or person for the time being authorised by the Minister or by law to exercise those powers and functions of the Minister;

(d) any notice requirement demand consent or other communication to be given to or served upon the Lessee under this lease shall be deemed to have been duly given or served if signed by or on behalf of the Minister and delivered to or sent in a prepaid letter addressed to the Lessee at the said land or at the usual or last-known address of the lessee or affixed in a conspicuous position on the said land;

(e) that if the Lessee shall consist of one person the word "Lessee" shall where the context so admits or requires be deemed to include the Lessee and the executors administrators and assigns of the Lessee;

(f) if the Lessee shall consist of two or more persons the word "Lessee" shall where the context so admits or requires in the case of a tenancy in common be deemed to include the said persons and each of them and their and each of their executors administrators and assigns and in the case of a joint tenancy be deemed to include the said persons and each of them and the executors administrators and assigns of the survivor of them;

(g) if the Lessee shall be a corporation the word "Lessee" shall where the context so admits or requires be deemed to include such corporation and its successors and assigns.

DATED the eighth day of March 1974

The Common Seal of PARTNERSHIP MANAGEMENTS PTY. LIMITED was hereto affixed in pursuance of a Resolution of the Board of Directors previously given and in the presence of the Director whose name is set opposite hereto and in the presence of
Applicant

DIRECTOR.

Secretary

Delegate of the Minister of State for the Capital Territory

PARTNERSHIP MANAGEMENTS PTY. LIMITED Common Seal

FORM 5

Real Property (Unit Titles) Ordinance 1970

UNITS PLAN NO. 39

Block 8 Section 36 Division of Garran

SCHEDULE OF PROVISIONS COVENANTS AND CONDITIONS SUBJECT TO WHICH LEASE OF THE COMMON PROPERTY IS HELD

1. The term of the lease expires on the twenty eighth day of November, two thousand and sixty seven.

2. The rent reserved by and payable under the lease is Five cents per annum if and when demanded.

3. The Corporation covenants with the Commonwealth of Australia as follows:-

(a) to pay to the Minister or to the person as may be authorised by the Minister for that purpose at Canberra the rent hereinbefore reserved within one month of the date of any demand made by the Minister relating thereto and served on the Lessee;

(b) at all times during the term of the lease to maintain repair and keep in repair to the satisfaction of the Minister all buildings or parts of buildings and all erections on the common property;

(c) not to erect any building or make any structural alterations in any building or part of a building on the common property without the previous approval in writing of the Commonwealth or the Minister on behalf of the Commonwealth;

(d) to use the common property for the purpose of performing its duties exercising its powers and performing its functions imposed or conferred on it by the Unit Titles Ordinance and amendments thereunder;

(e) if and when the Corporation fails to repair or keep in repair any building or part of a building or erection on the common property the Commonwealth or the Minister on behalf of the Commonwealth may by notice in writing to the Corporation specifying the wants of repairs require the Corporation to effect repairs in accordance with the said notice or to remove the building or part of a building or erection and if after the expiration of one calendar month from the date of the said notice or such longer time as the Commonwealth or the Minister on behalf of the Commonwealth may in writing allow the Corporation has not effected the said repairs or removed the building or the part of the building or the erection the Minister or any person or persons duly authorised by the Commonwealth or the Minister in that behalf with such equipment as is necessary may enter upon the common property and effect the said repairs or (if the Minister is of opinion that the building or part of the building or erection is beyond reasonable repair) may demolish and remove the building or the part of the building or the erection and all expenses incurred by the Commonwealth or the Minister in effecting such repairs or demolition or removal shall be paid by the Corporation to the Commonwealth on demand and from the date of such demand until paid shall for all purposes of this lease be a debt due and payable to the Commonwealth by the Corporation;