



Maxkamada Federaalka ee Australia

Diiwaanka Degmada: Fiktooriya

Waaxda: Guud

Lambarka: VID820/2017

GUDIGA AMAANKA AUSTRALIA & MAALGALINTA

Dacwoodaha

AMMAANO HAYNTA MAALGELINTA QIIMAHA SAAFIGA AH EE GURYAHA (REALESTATE EQUITY INVESTMENT TRUST) (ARSN 094 623 515) iyo mid kale

lagu magacaabay lifaaqa

Eedaysane

AMAR

XAAKIN: JUSTICE MURPHY

TAARIIKHDA AMARKA: 19 Diisembar 2017

HALKA LAGU SOO SAARAY: Melbourne

ARRIMAHA KALE Tixraaca nidaamka diiwaangashan, Ammaano haynta Maalgelinta Qiimaha saafiga ah ee Guryaha (Realestate Equity Investment Trust) (ARSN 094 623 515), ee ku jira Amarradan waxaa ka mid ah tixraaca dhammaan ammaano haynta ka hoosaysa ee ku xiran REIT, oo ay ku jirto laakiin aan ku koobnayn Ammaano haynta Isutagga Dhisidda Guryaha ee Lara (Lara Property Development Syndicate Trust).

WAXAY MAXKAMADDU KU AMAR BIXINAYSAA IN:

Amarrada REIT

1. Marka la raaco qod. 601ND(1) ee Sharciga Shirkadaha ee 2001 (Cth) (**Sharciga**), shirkadda Lotus Securities Pty Ltd (ACN 121 418 317)(Soo afjarid ku jirta) (**Lotus**), iyadoo fulinaysa kaalinteeda hay'adda masuul ka ah nidaamka diiwaangashan ee Ammaano haynta Maalgelinta Qiimaha saafiga ah ee Guryaha (ARSN 094 623 515) (**REIT**), waxaa lagu amrayaa in ay joojiso nidaamka REIT, taasoo waafaqsan amarrada hoose.
2. Marka la raaco qod. 601NF(1) ee Sharciga, Nicholas John Martin (**Mr. Martin**) iyo Andrew Thomas Sallway (**Mr. Sallway**) ee ka socda BDO Australia, ayaa loo magacaabay dadka qaadaya masuuliyadda lagu hubinayo in REIT lagu joojiyo si waafaqsan dastuurkiisa iyo Amarradan.



3. Marka la raaco qod. 601NF(2) ee Sharciga, Mr. Martin iyo Mr. Sallway ayaa loo magacaabay in ay qaadaan hantida REIT.
4. Marka la raaco qod. 601NF(2) ee Sharciga, Mr. Martin iyo Mr. Sallway ayaa hantida REIT u helaya dhammaan awoodaha ku jira qod. 420 ee Sharciga, *marka isbeddelka loo baahan yahay la sameeyo.*
5. Iyadoo aan la xaddidayn baaxadda Amarka 4 ee kor ku xusan, Mr. Martin iyo Mr. Sallway waxay leeyihiin dhammaan awoodaha lagama-maarmaanka u ah inay sii wadaan ganacsiga REIT iyadoo ujeeddadu ay tahay in la joojiyo REIT, taasoo ay ka mid tahay laakiin aan ku koobnayn awoodda:
 - (a) helitaanka buugaagta iyo diiwaannada REIT;
 - (b) la wareegidda, gacan ku qabashada iyo xooridda hantida REIT;
 - (c) lacag ku beddelidda hantida REIT;
 - (d) la macaamilidda deynleyaasha iyo dadka kale ee ammaano ku leh hantida REIT;
 - (e) baaridda dalbashooyinka lagu soo diro magaca xubnaha REIT; iyo
 - (f) dhaqan gelinta wixii dukumeenti ah, bilaabidda ama iska difaacidda dacwad sharciyeed.
6. Ilaa wax kale lagu amar bixinayo, baaritaannada Mr. Martin iyo Mr. Sallway ee raacsan magacaabidda lagu sameeyey Amarrada 2, 3 iyo 12 ee halkan ku jira, waxay ku kooban yihiin:
 - (a) soo helidda hantida ku jirta REIT iyo shirkadda Timeline Project Management Pty Ltd (ACN 145 830 851) (**Timeline**);
 - (b) soo helidda maalgeliyeyasha qayb ku leh REIT iyo xaqiijinta qiyaasta maalgelinta ay sameeyeen maalgeliyeyashaas qayb ku leh;
 - (c) soo helidda deynleyaasha kale ee REIT iyo Timeline;
 - (d) soo ogaanshaha xaaladda Heshiiska Musharakah (NMJ-23 ee ku xiran Dhaarta qoran ee Ms Naomi Johnston oo la dhaariyey maalintii ay taariikhdu ahayd 25 July 2017) iyo habboonaanta iyo qiimaha danta ay shirkadda Equitable Financial Solutions Pty Ltd ku leedahay dhulka ku yaalla cinwaanka 490 Flinders Avenue, Lara, Victoria (Shahaadada Milkiyadda Buugga 9660 Warqadda 387) (**Dhulka**);
 - (e) go'aaminta haddii maalgeliyeyashu ay wax ka dalban karaan Timeline ama REIT ama labadoodaba;



- (f) go'aaminta haddii Timeline ay wax ka dalban karto REIT;
 - (g) marka la go'aamiyo lacagta isku wada darsan ee diyaarka ah, xisaabinta inta la kala siin karo maalgeliyeyaasha qayb ku leh REIT iyo deynleyaasha kale; iyo
 - (h) soo helidda talo sharci oo ku saabsan arrimaha ku jira Amarka 6(a) ilaa (g) ee kor ku xusan.
7. Mr Martin iyo Mr Sallway waxay si kastoo macquul ah ugu dadaali doonaan in ay shirkadda Equitable Financial Solutions Pty Ltd (**EFSOL**) ka helaan qiime la hirgelin karo oo EFSOL ay Dhulka ku iibsato kaasoo loo qabto muddo 3 bilood ah si loo aqbal.
 8. Kama dambays marka ay saacaddu tahay 4.00 galabnimo maalinta ay taariikhdu tahay 9 Maarso 2018, Mr. Martin iyo Mr. Sallway waa in ay soo gudbiyaan warbixin ku saabsan arrimaha ku jira Amarrada 6(a) ilaa (g) iyo 7 ee kor ku xusan.
 9. Kharashyada canshuur laga bixiyey ee Dacwoodaha iyo wixii kalee kaga baxay codsashadan inta ay ku xiran tahay joojinta REIT waa in looga celiyo hantida REIT.
 10. Marka la raaco qod 601NF(2) ee Sharciga, Mr. Martin iyo Mr. Sallway waxaa lagu amrayaa in mushaarkooda iyo kharashyadooda macquulka ah ee ku xiran Amarrada 6, 7 ee kor ku xusan, laga siiyo hantida REIT, haddiina hantida REIT aanay ku filnayn, lagu daro kharashyada lagu soo afjarayo Lotus iyo/ama Timeline. Kharashyada noocaas ah lama bixin karo ilaa mar kale lagu amrayo.

Amarrada Timeline

11. Marka la raaco qod. 461(k) ee Sharciga, in Timeline la soo afjaro sababtoo ah in ay sax tahay oo ay caddaali tahay in la soo afjaro.
12. Marka la raaco qod 472(1) ee Sharciga, Mr. Martin iyo Mr. Sallway ayaa loo magacaabay soo afjareyaasha wadajir ah ee dhowr ah ee Timeline (**Soo afjareyaasha**).
13. Marka la raaco qod. 466(2) ee Sharciga, waa in Soo afjareyaashu ay Dacwoodaha uga celiyaan hantida Timeline, kharashyada canshuur laga bixiyey ee Dacwoodaha iyo wixii kalee kaga baxay codsashadan inta ay kharashyadaasi ku xiran yihiin soo afjaridda Timeline.

Amarrada ilaalinta hantida

14. Marka la raaco qod. 1323(1) iyo (3) ee Sharciga Shirkadaha (2001) ama qod. 23 ee Sharciga Maxkamadda Federaalka ee 1976 (Cth), in ilaa amar kale la bixinayo, Eedaysaneyaasha laftigooda, wakiilladooda, shaqaalahooda ama iskaashatadooda loo diido:




- (a) iibinta, kharash dallicidda, deyn gelinta ama si kale ula macaamilidda, xooridda ama naaqusidda qiimaha dhulka ku yaalla cinwaanka 490 Flinders Ave, Lara; iyo
 - (b) la bixidda, xawiladda ama si kale ula macaamilidda lacag ku jirta akoontiga Bangiga Commonwealth ee lambarkiisu yahay 06 3158 1037 482 8 ee ku qoran magaca shirkadda Timeline Project Management Pty Ltd.
15. Dacwoodaha waxaa loo rukhsaynayaa, inta lagama maarmaanka ah, in uu Amarradan ogaysiin ka siiyo Bangiga Commonwealth ee Australia iyo Land Use Victoria.

Amarrada Kale

16. Iyadoo ku xiran amarka kale, marka la raaco qod. 37AF(1) ee Sharciga Maxkamadda Federaalka ee Australia ee 1976 (Cth) (FCA) bandhigyada NMJ-1, NMJ-6 ilaa NMJ-9 ee ku xiran dhaarta qoran ee Naomi Margaret Johnson oo la dhaariyey maalintii ay taariikhdu ahayd 17 August 2017 waa inay ahaadaan kuwo qarsoodi ah oo ku jira faylka Maxkamadda oo aanan loo shaaciyayn ama uusan baarin qof kaste oo aanan ahayn dhinacyada dacwaddan ka mid ah iyo Mr. Martin iyo Mr. Sallway (iyo shaqaalahooda iyo lataliyeyaashooda sharciga).
17. Amarka ku jira faqradda 16 ee kor ku xusan waa lagama maarmaan si looga hortago waxyeellaynta fulinta habboon ee caddaaladda sida ku cad qod. 37AG(1)(a) ee FCA.
18. Mr. Martin iyo Mr. Sallway waxay helayaan dukumeentiyada uu Dacwooduhu ka hayo Eedayanaha Koowaad iyo midka Labaad.
19. In ay Dacwoodaha iyo Mr. Martin iyo Mr. Sallway xorriyad u helaan wax codsashada.
20. In dacwadda loo qorsheeyo dhegeysiga maamulka dacwadda maalinta ay taariikhdu tahay 20 Maarso 2018 marka ay saacaddu tahay 9.30 subaxnimo.

Gelinta taariikhdaas waxaa la shaabadeeyey: 19 Diisembar 2017


Registrar



Lifaaqa

Lambarka: VID820/2017

Maxkamada Federaalka ee Australia

Diiwaanka Degmada: Fiktooriya

Waaxda: Guud

Eedaysanaha Labaad: AMMAANO HAYNTA MAALGELINTA QIIMAHA SAAFIGA
AH EE GURYAHA (REALESTATE EQUITY INVESTMENT
TRUST) (ARSN 094 623 515)