



Tax Depreciation Report

3/36 Abbotsfield Road,
Claremont, TAS 7011

Reshmi Kiran
134 Stagecoach Blvd
SOUTH MORANG, VIC 3752

Issue Schedule	
Issue Date:	Issued by:
24 October 2019	Mark Kilroy Bsc (Hons) MRICS

Reshmi Kiran
134 Stagecoach Blvd
SOUTH MORANG, VIC 3752

October 2019
Job No: RES7011004

Tax Depreciation Report – 3/36 Abbotsfield Road, Claremont, TAS 7011

We thank you for choosing Koste Pty Ltd to prepare the attached Tax Depreciation report and schedule for the above property.

This report has been prepared to provide an independent review of Tax Depreciation entitlements available on the subject property, under The Income Tax Assessment Act 1997.

Koste Pty Ltd are a registered tax agent (24836767) who comply with the Tax Agent Services Act 2009. The attached schedule is based on an apportionment of the total expenditure, together with the Tax Commissioners current intentions in preparing this document.

As you continue to grow your portfolio, we would be pleased to provide you with free estimates of tax depreciation allowances on purchases. We can also provide updates for \$100+GST on any revised depreciation reports which may include new capital works and write-offs on disposed assets over the coming years.

The majority of our custom is based on repeat customers and from word of mouth. Testimonials are important to our business especially on social media including Google+, LinkedIn and Facebook. If you are pleased with our service and have some time to write a short testimonial on either social media or via an email, this would be greatly appreciated.

If you or your accountant require any further clarification on the contents of this report, please do not hesitate in contacting a member of our team on 1300 669 400 where they would be more than happy to assist.

Yours Sincerely

Koste Pty Ltd

Koste Pty Ltd
Tax Depreciation Quantity Surveyors



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1. Property Information

Date of Report

24 October 2019

Purchaser

Reshmi Kiran

Property Address

3/36 Abbotsfield Road, Claremont, TAS 7011

Real Property Description

LOT 4 105133

Property Type

Residential Townhouse

Date of Construction

1 October 1993

Property Photo



2. Report Details

2.1 Introduction

Koste Pty Ltd has prepared an independent Tax Depreciation Schedule for the purchase of the subject property under the Income Tax Act 1997.

We have evaluated and reported the allowances based on the following:

Division 40 (Capital Allowances)

Referred to as Depreciating Assets, identified as assets which can be removed with ease including; Appliances, Furnishings and the like. Koste will identify and provide an analysis using both Diminishing Value and Prime Cost methods of depreciation. All items which have a value less than \$300 will be written off in the first year.

Division 40 (Capital Allowances) - Low Value Pool

Low Cost Assets are depreciating assets which have a cost of between \$300 and \$1,000 at your purchase date. These assets are depreciated at 18.75% in the first year, and 37.5% in each subsequent year.

Division 43 (Capital Works)

Capital works often referred to as Building Allowances entitles the tax payer to a deduction on assessable income producing buildings and other capital works. The opening value of these assets will be calculated on the date of installation; typical assets may include Windows, Doors and Walls.

3. Capital Allowances

3.1 Entitlement

Capital Allowances Division 40 of the Income Tax Act 1997 allows the taxpayer to a deduction of the decline in value of a depreciating asset used for income producing purpose over its effective life. A depreciating asset will deteriorate over the life and will therefore decline in value.

3.2 Qualifying Expenditure Calculation

On a property acquisition, Capital Allowances (Plant and Equipment) are based on a reasonable apportionment of the purchase price relating to qualifying plant under the Income Tax Assessment Act (ITAA) 1977 Section 40 – 195.

3.3 Effective Life

The Commissioner of Taxation provides regular tax rulings which determine the period an asset can be used to produce income. Included within this report is as new effective life rates.

3.4 Immediate Write-Off Assets

A depreciating asset which costs less than \$300 can be immediately written off under Division 40 of ITAA. Please note that this is only applicable to residential property investments.

3.5 Low Value Pool

Assets which have a starting value of between \$300 and \$1000 have been included within the Low Value Pool. These assets are depreciated at 18.75% in the first year and 37.5% for all subsequent years on a diminishing basis.

An asset that has a written down value under \$1000 in following years will be allocated to the low value pool and depreciated at 37.5% using diminishing value method. This method does not apply to assets that were depreciated using the prime cost method in any previous years.

3.6 Method of Depreciation

We provide you with a choice to calculate the decline in value for depreciating assets. Your choice on whether to use Diminishing Value or Prime Cost method of depreciation should be discussed with your accountant. Once a depreciation method is chosen for an asset this cannot be changed.

Diminishing Value Method					Prime Cost Method				
Diminishing value method is often the most popular form of depreciation due to the cash-flow benefits in the early years of asset ownership.					Prime Cost Method of Depreciation, often referred to as straight line depreciation is depreciated at a constant rate each year.				
Benefits					Benefits				
<ul style="list-style-type: none"> • Cash-flow during initial years of asset ownership • Ability to use Low Value Pool for assets less than \$1000 (Note: unable to write off these assets) 					<ul style="list-style-type: none"> • Write off assets when they are demolished or disposed. 				
Calculation Example					Calculation Example				
Under Diminishing Value method, the effective life is dividing by 200.					Under Prime Cost method, the effective life is dividing by 100.				
200 / 10 Years = 20% (Adjusted Value)					100 / 10 Years = 10% (Straight Line)				
If an asset has a value of \$10,000 and an effective life of 10 years the following annual depreciation may be claimed.					If an asset has a value of \$10,000 and an effective life of 10 years the following annual depreciation may be claimed.				
Year 1	Year 2	Year 3	Year 4	Year 5	Year 1	Year 2	Year 3	Year 4	Year 5
\$2,000	\$1,600	\$1,280	\$1,024	\$819.20	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000

4. Capital Works

4.1 Entitlement

Capital Works Division 43 of the Income Tax Act 1997 allows the taxpayer to a deduction of the decline in value of a depreciating asset used for income producing purpose over its effective life.

4.2 Method of Depreciation

Capital Works allowances under Division 43 are based on the historical construction costs and are not based on an apportionment of the purchase price. Where construction costs are not available, a qualified Quantity Surveyor will establish costs in accordance with the Tax Ruling TR97/25.

Capital Works are depreciated by Prime Cost method only, which may vary dependant on the date the construction works commenced and the property usage. Where a property has been updated over the years, capital works expenditure may be allocated in different periods. Clients must make any construction periods clear wherever possible to ensure your claim is maximised.

4.3 Method of Depreciation

Structural improvements such as fencing, paths and other hard landscaping can also be written off at 2.5% per annum if construction started after 27 February 1992.

5. Summary of Entitlements – Diminishing Value Method

Year	Financial Year	Effective Life	Pooled Plant	Total Div 40	Division 43	Totals
1	4 March 16 to 30 June 16	521	0	521	344	865
2	1 July 16 to 30 June 17	1,343	0	1,343	1,066	2,409
3	1 July 17 to 30 June 18	372	1,278	1,650	1,066	2,716
4	1 July 18 to 30 June 19	182	1,690	1,872	1,066	2,938
5	1 July 19 to 30 June 20	0	1,188	1,188	1,066	2,254
6	1 July 20 to 30 June 21	0	742	742	1,066	1,808
7	1 July 21 to 30 June 22	0	464	464	1,066	1,530
8	1 July 22 to 30 June 23	0	290	290	1,066	1,356
9	1 July 23 to 30 June 24	0	181	181	1,066	1,247
10	1 July 24 to 30 June 25	0	113	113	1,066	1,179
11	1 July 25 to 30 June 26	0	71	71	1,066	1,137
12	1 July 26 to 30 June 27	0	44	44	1,066	1,110
13	1 July 27 to 30 June 28	0	28	28	1,066	1,094
14	1 July 28 to 30 June 29	0	17	17	1,066	1,083
15	1 July 29 to 30 June 30	0	11	11	1,066	1,077
16	1 July 30 to 30 June 31	0	7	7	1,066	1,073
17	1 July 31 to 30 June 32	0	4	4	1,066	1,070
18	1 July 32 to 30 June 33	0	3	3	1,066	1,069
19	1 July 33 to 30 June 34	0	2	2	352	354
20	1 July 34 to 30 June 35	0	1	1	128	129
21	1 July 35 to 30 June 36	0	1	1	128	129
22	1 July 36 to 30 June 37	0	0	0	128	128
23	1 July 37 to 30 June 38	0	0	0	128	128
24	1 July 38 to 30 June 39	0	0	0	128	128
25	1 July 39 to 30 June 40	0	0	0	128	128
26	1 July 40 to 30 June 41	0	0	0	128	128
27	1 July 41 to 30 June 42	0	0	0	128	128
28	1 July 42 to 30 June 43	0	0	0	116	116
29	1 July 43 to 30 June 44	0	0	0	1	1
30	1 July 44 to 30 June 45	0	0	0	0	0
31	1 July 45 to 30 June 46	0	0	0	0	0
32	1 July 46 to 30 June 47	0	0	0	0	0
33	1 July 47 to 30 June 48	0	0	0	0	0
34	1 July 48 to 30 June 49	0	0	0	0	0
35	1 July 49 to 30 June 50	0	0	0	0	0
36	1 July 50 to 30 June 51	0	0	0	0	0
37	1 July 51 to 30 June 52	0	0	0	0	0
38	1 July 52 to 30 June 53	0	0	0	0	0
39	1 July 53 to 30 June 54	0	0	0	0	0
40	2054+	0	0	0	0	0
Totals		2,418	6,135	8,553	19,959	28,512

The diminishing value method involves multiplying the remaining amount (or also known as the written down value) of the item by the depreciation rate each year. Hence the term diminishing value method as it diminishes in value each year never quite reaching zero.

Example

	DV Rate	Opening Value	Year 1	WDV	Year 2
Carpet	20%	\$1,000	\$200	\$800	\$160

6. Summary of Entitlements – Prime Cost Method

Year	Financial Year	Effective Life	Pooled Plant	Total Div 40	Division 43	Totals
1	4 March 16 to 30 June 16	242	0	242	344	586
2	1 July 16 to 30 June 17	752	0	752	1,066	1,818
3	1 July 17 to 30 June 18	742	0	742	1,066	1,808
4	1 July 18 to 30 June 19	1,223	308	1,530	1,066	2,596
5	1 July 19 to 30 June 20	674	192	866	1,066	1,932
6	1 July 20 to 30 June 21	647	120	767	1,066	1,833
7	1 July 21 to 30 June 22	569	75	644	1,066	1,710
8	1 July 22 to 30 June 23	498	47	545	1,066	1,611
9	1 July 23 to 30 June 24	491	29	520	1,066	1,586
10	1 July 24 to 30 June 25	491	18	509	1,066	1,575
11	1 July 25 to 30 June 26	434	11	446	1,066	1,512
12	1 July 26 to 30 June 27	327	7	334	1,066	1,400
13	1 July 27 to 30 June 28	258	4	263	1,066	1,329
14	1 July 28 to 30 June 29	141	3	144	1,066	1,210
15	1 July 29 to 30 June 30	104	2	106	1,066	1,172
16	1 July 30 to 30 June 31	80	1	81	1,066	1,147
17	1 July 31 to 30 June 32	12	1	13	1,066	1,079
18	1 July 32 to 30 June 33	12	0	12	1,066	1,078
19	1 July 33 to 30 June 34	12	0	12	352	364
20	1 July 34 to 30 June 35	12	0	12	128	140
21	1 July 35 to 30 June 36	12	0	12	128	140
22	1 July 36 to 30 June 37	0	0	0	128	128
23	1 July 37 to 30 June 38	0	0	0	128	128
24	1 July 38 to 30 June 39	0	0	0	128	128
25	1 July 39 to 30 June 40	0	0	0	128	128
26	1 July 40 to 30 June 41	0	0	0	128	128
27	1 July 41 to 30 June 42	0	0	0	128	128
28	1 July 42 to 30 June 43	0	0	0	116	116
29	1 July 43 to 30 June 44	0	0	0	1	1
30	1 July 44 to 30 June 45	0	0	0	0	0
31	1 July 45 to 30 June 46	0	0	0	0	0
32	1 July 46 to 30 June 47	0	0	0	0	0
33	1 July 47 to 30 June 48	0	0	0	0	0
34	1 July 48 to 30 June 49	0	0	0	0	0
35	1 July 49 to 30 June 50	0	0	0	0	0
36	1 July 50 to 30 June 51	0	0	0	0	0
37	1 July 51 to 30 June 52	0	0	0	0	0
38	1 July 52 to 30 June 53	0	0	0	0	0
39	1 July 53 to 30 June 54	0	0	0	0	0
40	2054+	0	0	0	0	0
Totals		7,733	820	8,553	19,959	28,512

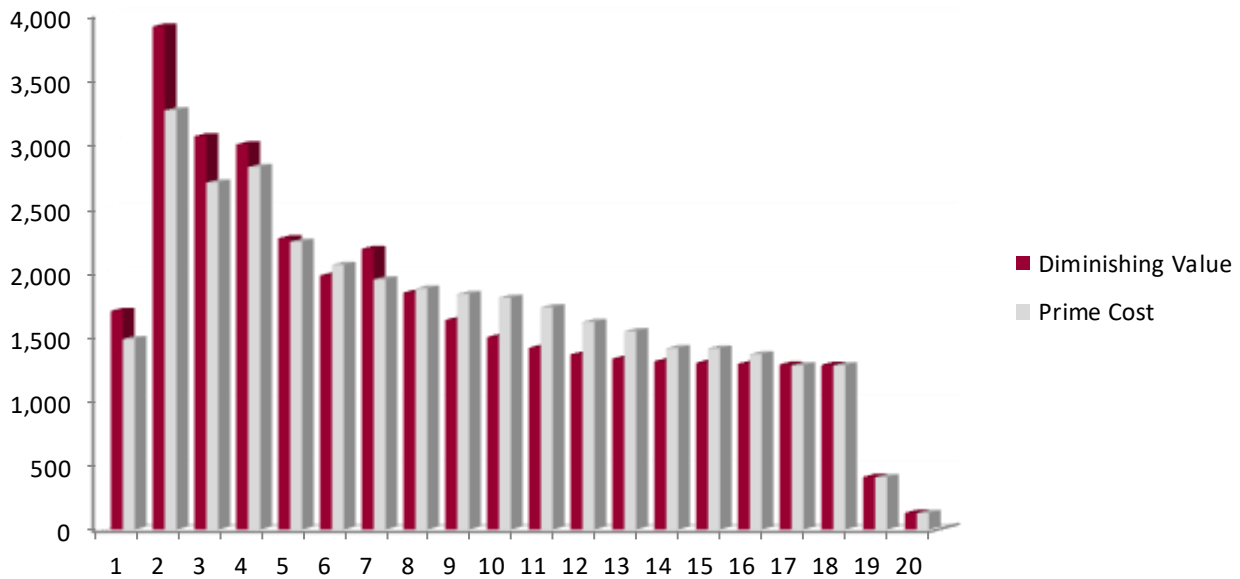
The prime cost method assumes that the item depreciates uniformly over its effective life. It is also known as straight line method and has a lower rate compared to diminishing value method. So the item depreciates at a constant rate until the written down value reaches zero.

Example

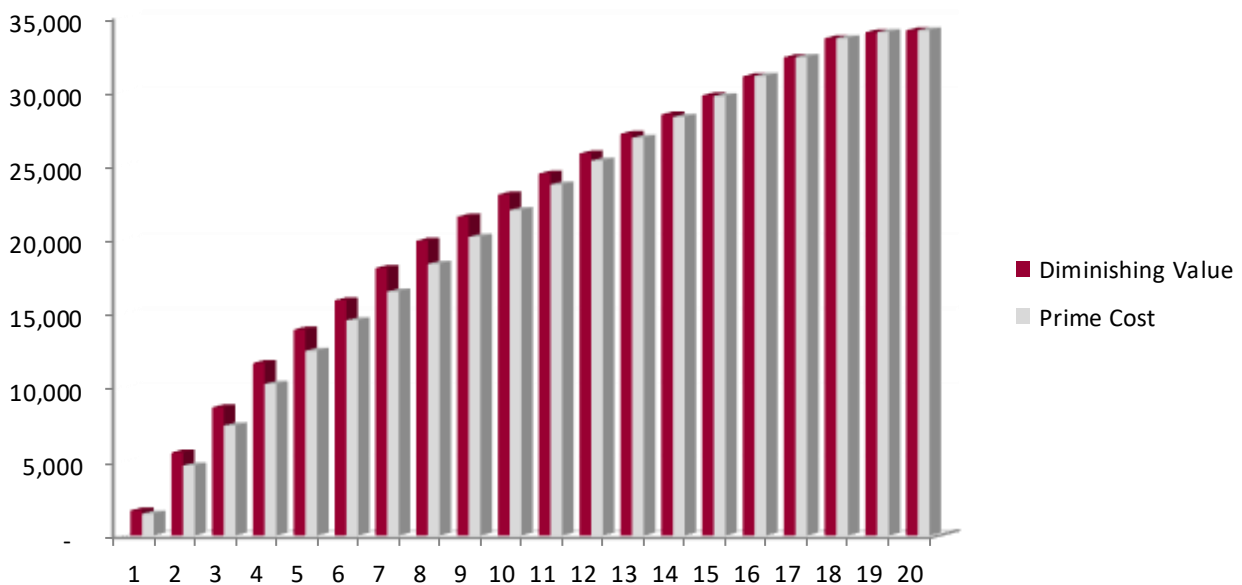
	PC Rate	Opening Value	Year 1	WDV	Year 2
Carpet	10%	\$1,000	\$100	\$900	\$100

7. Comparison Graphs

20 YEAR COMPARISON GRAPH



20 YEAR CUMULATIVE GRAPH



Advantages of using diminishing value method over prime cost method, as can be seen in the 20 year comparison graph, diminishing value method has higher deductions in the first few years. Prime cost method has lower deductions over the first few years, but around the 5-6 year mark starts to give higher deductions and in later years. However cumulatively they equal out at about the 10 year mark. It comes down to whether you want the higher deductions in the first few years or the more evenly spread out deductions approach.

8. Capital Expenditure Analysed

Purchase Details

Contract Date	4 March 2016
Settlement Date	4 March 2016

Expenditure Analysed

Purchase Price	\$120,000
Stamp Duty	\$2,950
Post Expenditure	\$820
Total Expenditure Analysed	\$123,770

Historical Construction Details

Construction Start Date	4 April 1993
Construction Completion Date	1 October 1993
Historical Construction Cost (Estimated)*	\$46,683

9. Reconciliation of Capital Expenditure

Apportionment of cost relating to:

Division 40 (Plant)	\$8,553
Division 43	\$19,959
Land (Advised)	\$43,033
Balance of Capital Expenditure**	\$52,225
Total Expenditure Analysed	\$123,770

Notes

* The historical construction has been calculated and the eligible qualifying expenditure for the purposes of calculating the Division 43 deductions capital works has been taken from this total by excluding the plant (Division 40) and any non eligible expenditure items

** Balance of capital expenditure comprises the apportionment of all capital works which are ineligible for depreciation or capital allowances



10. Diminishing Value Depreciation Schedule

Assets Generally	Diminishing Value Rate	Install Date	Opening Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Division 40 - Plant and Equipment													
Bathroom assets													
Exhaust fans (including light/heating)	20.00%	4-Mar-16	277	18	52	78	49	30	19	12	7	5	3
Shower curtains (excl. curtain rods & screens)	100.00%	4-Mar-16	55	55									
Curtains and drapes													
	33.33%	4-Mar-16	466	50	139	104	65	41	25	16	10	6	4
Door closers													
	20.00%	4-Mar-16	200	13	37	56	35	22	14	9	5	3	2
Fire control assets													
Detection & alarm systems, detectors	10.00%	4-Mar-16	244	8	24	80	50	31	19	12	8	5	3
Floor coverings (removable without damage)													
Carpets	20.00%	4-Mar-16	605	39	113	170	106	66	41	26	16	10	6
Furniture													
Furniture	15.00%	4-Mar-16	554	27	79	168	105	66	41	26	16	10	6
Furniture	15.00%	4-Mar-16	665	32	95	202	336						
Garbage disposal													
Garbage bins	30.00%	4-Mar-16	177	17	48	42	26	16	10	6	4	3	2
Garden sheds, freestanding													
	20.00%	4-Mar-16	554	36	104	156	97	61	38	24	15	9	6
Hot water systems (excluding piping)													
Gas or electric	16.67%	4-Mar-16	1,663	89	262	219	182	341	213	133	83	52	33
Kitchen assets													
Rangehoods	16.67%	4-Mar-16	499	27	79	148	92	58	36	23	14	9	5
Stoves	13.33%	4-Mar-16	1,386	60	177	153	373	233	146	91	57	36	22
Lights													
Shades, removable	40.00%	4-Mar-16	388	50	135	76	48	30	19	12	7	5	3
Additional Items (Post Expenditure)				Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Furniture	18.75%	31-Oct-18	820				308	192	120	75	47	29	18
Pooled Plant Total						1,278	1,690	1,188	742	464	290	181	113
Effective Life Plant Total				521	1,343	372	182						
Total Division 40			8,553	521	1,343	1,650	1,872	1,188	742	464	290	181	113
Division 43 - Capital Works Allowance													
	Rate		Opening Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Building Works - Completed 1993	2.50%	04-Mar-16	15,315	281	872	872	872	872	872	872	872	872	872
Building Works - Completed 2003	2.50%	04-Mar-16	2,256	27	83	83	83	83	83	83	83	83	83
Structural Improvements - Completed 1993	2.50%	04-Mar-16	1,157	21	66	66	66	66	66	66	66	66	66
Structural Improvements - Completed 2003	2.50%	04-Mar-16	1,231	15	45	45	45	45	45	45	45	45	45
Total Division 43			19,959	344	1,066	1,066	1,066	1,066	1,066	1,066	1,066	1,066	1,066
Total Depreciation			28,512	865	2,409	2,716	2,938	2,254	1,808	1,530	1,356	1,247	1,179

11. Prime Cost Depreciation Schedule

Assets Generally		Prime Cost	Install Date	Opening Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10		
Division 40 - Plant and Equipment	Rate															
Bathroom assets																
Exhaust fans (including light/heating)	10.00%	04-Mar-16	277	9	28	28	28	28	28	28	28	28	28	28		
Shower curtains (excl. curtain rods & screens)	50.00%	04-Mar-16	55	9	28	18										
Curtains and drapes																
	16.67%	04-Mar-16	466	25	78	78	78	78	78	78	51					
Door closers																
	10.00%	04-Mar-16	200	6	20	20	20	20	20	20	20	20	20	20		
Fire control assets																
Detection & alarm systems, detectors	5.00%	04-Mar-16	244	4	12	12	12	12	12	12	12	12	12	12		
Floor coverings (removable without damage)																
Carpets	10.00%	04-Mar-16	605	20	61	61	61	61	61	61	61	61	61	61		
Furniture																
Furniture	7.50%	04-Mar-16	554	13	42	42	42	42	42	42	42	42	42	42		
Furniture	7.50%	04-Mar-16	665	16	50	50	549									
Garbage disposal																
Garbage bins	15.00%	04-Mar-16	177	9	27	27	27	27	27	27	27	7				
Garden sheds, freestanding																
	10.00%	04-Mar-16	554	18	55	55	55	55	55	55	55	55	55	55		
Hot water systems (excluding piping)																
Gas or electric	8.33%	04-Mar-16	1,663	45	139	139	139	139	139	139	139	139	139	139		
Kitchen assets																
Rangehoods	8.33%	04-Mar-16	499	13	42	42	42	42	42	42	42	42	42	42		
Stoves	6.67%	04-Mar-16	1,386	30	92	92	92	92	92	92	92	92	92	92		
Lights																
Shades, removable	20.00%	04-Mar-16	388	25	78	78	78	78	78	51						
Additional Items (Post Expenditure)					Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10		
Furniture	18.75%	31-Oct-18	820				308	192	120	75	47	29		18		
Pooled Plant Total							308	192	120	75	47	29		18		
Effective Life Plant Total							242	752	742	1,223	674	647	569	498	491	491
Total Division 40			8,553	242	752	742	1,530	866	767	644	545	520		509		
Division 43 - Capital Works Allowance																
	Rate		Opening Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10			
Building Works - Completed 1993		2.50%	04-Mar-16	15,315	281	872	872	872	872	872	872	872	872	872		
Building Works - Completed 2003		2.50%	04-Mar-16	2,256	27	83	83	83	83	83	83	83	83	83		
Structural Improvements - Completed 1993		2.50%	04-Mar-16	1,157	21	66	66	66	66	66	66	66	66	66		
Structural Improvements - Completed 2003		2.50%	04-Mar-16	1,231	15	45	45	45	45	45	45	45	45	45		
Total Division 43			19,959	344	1,066	1,066	1,066	1,066	1,066	1,066	1,066	1,066	1,066	1,066		
Total Depreciation			28,512	586	1,818	1,808	2,596	1,932	1,833	1,710	1,611	1,586		1,575		

12. Division 43 Capital Works Schedule

The table below outlines the amount of Division 43 building write-off available for this property. The building write-off is claimed over forty years from the construction date of the works completed and is the remaining value after plant and equipment has been taken out.

Qualifying Building Allowance

Description	Start and Completion Dates	Historical Cost	Rate	Annual Claim	Opening Value
Building Works - Completed 1993	4 Apr 93 to 1 Oct 93	34,883	2.50%	872	15,315
Building Works - Completed 2003	14 Apr 03 to 4 May 03	3,323	2.50%	83	2,256
Sub-total		38,206		955	17,571

Qualifying Structural Improvements

Description	Start and Completion Dates	Historical Cost	Rate	Annual Claim	Opening Value
Structural Improvements - Completed 1993	4 Apr 93 to 1 Oct 93	2,634	2.50%	66	1,157
Structural Improvements - Completed 2003	14 Apr 03 to 4 May 03	1,813	2.50%	45	1,231
Sub-total		4,447		111	2,388
Totals		42,653		1,066	19,959

The table below demonstrates the various property types and the depreciation rates for Capital expenditure deductions. Eligibility is based on the date of construction commencement.

	Today - 27 Feb 92	26 Feb 92 - 16 Sept 87	15 Sept 87 - 18 Jul 85	17 Jul 85 - 22 Aug 84	21 Aug 84 - 20 Jul 82	19 Jul 82 - 21 Aug 79
Traveller Accommodation	4%	2.5%	4%	4%	2.5%	2.5%
Non Residential	2.5%	2.5%	4%	4%	2.5%	N/A
Manufacturing	4%	2.5%	4%	4%	2.5%	N/A
Residential	2.5%	2.5%	4%	N/A	N/A	N/A
Structural Improvement	2.5%	N/A	N/A	N/A	N/A	N/A

13. Definition of Terms

Adjusted Value	This is the value of an asset after a period of decline often referred to as the written down value or WDV.
Balancing Adjustment	The balancing adjustment amount is the difference between the termination value and the adjustable value of a depreciating asset at the time of a balancing adjustment event.
Decline in Value	Deductions for the cost of a depreciating asset are based on the decline in value between any two dates. This report includes both methods of the decline in value of a depreciating asset; the prime cost method and diminishing value method.
Depreciating Assets	Assets with limited effective life that are reasonably expected to decline in value.
Diminishing Value Method	This is the method of calculating the decline in value which uses the opening adjusted value as the basis for the calculation.
Effective Life	The effective life of a depreciating asset is how long it can be used by any entity for a taxable income producing purpose.
Immediate WriteOff	A depreciating asset which costs less than \$300 can be immediately written off at 100% of the total cost. This is only available where the asset is not part of a set e.g. table and chairs.
Installed Costs	This is the total cost of installing the asset inclusive of fees and labour etc.
Low Value Pool	Low cost assets which have a value between \$300 and \$1000. These assets are depreciated at 18.75% in the first year and 37.5% in each subsequent years.
Low Cost Asset	A depreciable asset with an installed cost of less than \$1000.
Low Value Asset	A depreciable asset that has an adjusted value of less than \$1000.
Non Eligible	This may include a proportion of the purchase price that is not claimable due to the age of the building or asset type.
Prime Cost Method	This is a method of calculating depreciation using a constant opening cost base often referred to as the "Straight Line" method.

14. Contact Details

COMPANY DETAILS	
Company Name	Koste Pty Ltd
Postal Address	Suite 1, L12/133 Mary Street, Brisbane, Qld 4000
Office Number	1300 669 400
Office Email	info@koste.com.au

15. Disclaimer

This report has been prepared for the exclusive use of the parties named within this report, Koste Pty Ltd does not accept any contractual, tortious or other form of liability for any consequences that may arise from any other person acting upon or using this valuation.