
CONTRACT FOR THE SUBTENANT'S LUNCH

THIS AGREEMENT is made on the 6th day of December 2020

at 37 Swanston Street, Melbourne, Victoria 3000

BETWEEN

DAVID MCLEAN, REPRESENTATIVE OF THE NICHOLAS BUILDING ASSOCIATION of the Nicholas Building, 37 Swanston Street, Melbourne, Victoria 3000
(THE LANDLORD)

AND

DISCORDIA GALLERY of Level 3, Room 23 Nicholas Building, 37 Swanston Street, Melbourne, Victoria 3000 **(TENANT)**

AND

LONG PRAWN of S16, 35 Johnston Street, Collingwood, Victoria 3066 **(SUBTENANT)**

AND

PABLO BRITTON of 650 Canning Street, Carlton North, Victoria 3054
(SUBCONTRACTOR)

AND

NICK MODRZEWSKI of 405 Little Bourke St, Melbourne, Victoria 3000 **(SECOND SUBTENANT)**

AND

LANEWAY LEARNING PTY LTD of Level 3, Room 17, 37 Swanston St, Melbourne, Victoria 3000 (**CHAIRS AND TABLES LENDER**)

AND

CATHEDRAL COFFEE of 37 Swanston St, Melbourne, Victoria 3000 (**FOOD AND BEVERAGE LICENSEE**)

AND

VARIOUS SUBTENANTS in attendance for the enjoyment of lunch (**VARIOUS SUBTENANTS**) [PRINT NAME HERE: _____]

A. DEFINITIONS AND INTERPRETATION

A.1 Definitions

In this agreement, unless the context otherwise requires:

fine natural wines means fermented *Vitis Vinifera* pertaining to methods that favour the unpredictable, volatile, surprising and rewarding process of winemaking with minimal chemicals and/or superficial processes, including a resistance towards processes that produce carbon emissions, such as air travel. As an unregulated title this attribution is at the discretion of the SUBTENANT and may only be mooted tableside by the VARIOUS SUBTENANTS.

high-market produce means all fruit, vegetable, legume, grain, nut, seed, fat, oil, meat, poultry, fish, beverages and other foods are sourced with utmost respect to holistic practices, small businesses, sustainable thinking and quality. As an

unregulated title this attribution is at the discretion of the SUBCONTRACTOR and may only be mooted tableside by the VARIOUS SUBTENANTS.

lunch means solid or semi-solid foodstuffs and liquids including but not limited to fine natural wines, unshackled chef food and high-market vegetable produce, eaten throughout the day or evening and is not limited to food consumed at “midday” or a time commonly known as “lunchtime” and for the purposes of this contract includes food eaten between the hours 6pm and 9pm.

miscellaneous kitchenware means knives, forks, spoons, plates, bowls, cups, napkins, table-cloths, and chair coverings;

unshackled chef food means plated or unplated dishes which eschew the ball and chain of restaurant expectations; while utilising the methods and/or techniques of professional chefs. Food which abandoned the pressures of instagramability, repeatability and civility.

1. PREMISES

1.1 The Gallery

The TENANT agrees to sublet the premises known as **Level 3, Room 23 Nicholas Building, 37 Swanston Street, Melbourne, Victoria 3000** (together with those items indicated in the Schedule of Items) to the SUBTENANT, SECOND SUBTENANT and VARIOUS SUBTENANTS with the express permission of the LANDLORD, pursuant to section 81 of the *Residential Tenancies Act 1997* (Vic).

1.2 The Cathedral Arcade

The TENANT, with the express permission of the LANDLORD, agrees to temporarily provide access to the Cathedral Arcade for the first and second SUBTENANTS and VARIOUS SUBTENANTS.

2. PERIOD

2.1 Duration

The duration of the subtenancy is **three (3) hours** commencing at 18:00 on the **6th** day of **December** 2020 and ending at 21:00 on the **6th** day of **December** 2020.

2.2 Termination

Unless otherwise agreed, the tenancy will terminate in accordance with the *Residential Tenancies Act 1997* at the end of the tenancy and will not continue as a periodic tenancy.

2.3 Eviction

The LANDLORD retains the sole discretion as to whether and when to evict the VARIOUS SUBTENANTS, including prior to the termination of the tenancy. At the conclusion of the SUBTENANCY, the VARIOUS SUBTENANTS will be evicted by notice given by the LANDLORD in accordance with *Land Ownership (Entry and Miscellaneous Rights) Act 1986* (Vic) or alternatively a Notice to Vacate given in accordance with the section 319 of the *Residential Tenancies Act 1997* (Vic).

3. RENT

3.1 Rental amount

The rental amount is **(\$)150**.

3.2 Rental rights

The rental amount entitles the VARIOUS SUBTENANTS to the rights described in paragraph 5.2 below.

3.3 Time for paying rental amount

Payment of the rental amount by the VARIOUS SUBTENANTS is constituted by the purchase of a ticket to attend the lunch.

4 CHAIRS, TABLES AND MISCELLANEOUS KITCHENWARE

4.1 Use of chairs, tables and miscellaneous kitchenware

With the express permission of the CHAIRS AND TABLES LENDER and the FIRST SUBTENANT, throughout the duration of the tenancy, the VARIOUS SUBTENANTS are entitled to the use of the chairs, tables and miscellaneous kitchenware for the purposes of:

- a. consuming the lunch;
- b. engaging in conversation; or
- c. resting various parts of the body including, but not limited to, knees and ankles.

4.2 Inspection of chairs and tables

At any point throughout the duration of the tenancy, the LANDLORD is entitled to:

- a. with or without notice to the VARIOUS SUBTENANTS, inspect the use made by the VARIOUS SUBTENANTS of the chairs, tables and miscellaneous kitchenware; and
- b. create a report on the condition of the chairs, tables and miscellaneous kitchenware, noting any damage which, in the reasonable opinion of the LANDLORD, was caused by the VARIOUS SUBTENANTS.

If the LANDLORD chooses to provide notice to the VARIOUS SUBTENANTS of the inspection, notice may be given by any method described in section 48 (3) (d) (iv) of the *Land Ownership (Entry and Miscellaneous Rights) Act 1986* (Vic).

4.3 Maintenance of chairs, tables and miscellaneous kitchenware

If, as a result of an inspection by the LANDLORD carried out in accordance with clause 4.2 above, the LANDLORD identifies any damage, uncleanliness or unauthorised wear and tear, the LANDLORD may:

- a. issue one or more of the VARIOUS SUBTENANTS with an infringement notice in accordance with section 7 of the *Infringements Act 2006* (Vic); or
- b. otherwise take reasonable steps to ensure that the chairs, tables and miscellaneous kitchenware are returned to good repair.

5 LUNCH

5.1 Various stages of lunch

Upon the commencement of the lunch, the VARIOUS SUBTENANTS can expect to receive various items as outlined in Schedule 1.

5.2 Rights with respect to The Lunch

The VARIOUS SUBTENANTS' rights to the lunch are strictly limited to:

- a. immediate consumption of the lunch;
- b. digestion (including chewing and swallowing) of the lunch, including but not limited to any use of the mouth; throat (pharynx); oesophagus (swallowing tube); stomach; small intestine (duodenum, jejunum and ileum) and any associated function of the pancreas, liver or gallbladder;
- c. with the exception of any nutrients that may have been absorbed through the process of digestion described in paragraph b. above, any remainder from the lunch must be returned to the LANDLORD via the colon and deposited at any of the washroom facilities located throughout the premises.

6 BREAK LEASE

If, for any reason the VARIOUS SUBTENANTS require to be released from this subtenancy prior to its normal termination date, the VARIOUS SUBTENANTS acknowledge and agree to:

- a. forfeit the rent paid to date;
- b. pay a service fee (re-leasing fee) equivalent to 30% of the total rent payable;
- c. pay for all advertising expenses required to re-sublet the lunch.

The VARIOUS SUBTENANTS must give notice in writing if they intend to break the subtenancy. Unless written acknowledgement and acceptance is given in return the subtenancy remains in force. The LANDLORD retains the right to refuse any subtenancy application. No communication or correspondence will be entered into. The VARIOUS SUBTENANTS must vacate the premises prior to the new SUBTENANT arriving. This time frame allows the LANDLORD to conduct a final inspection of the chairs, tables and miscellaneous kitchenware and attend to any outstanding issues. If the incoming SUBTENANT is unable to move in at the agreed time, the outgoing SUBTENANT is liable for compensation (costs involved).

I/We, the VARIOUS SUBTENANTS, confirm having read the terms of this contract and agree to abide by them and sign hereunder as to my/our agreement

SIGNED by the VARIOUS SUBTENANTS:

[Signature]

[Print Name]

Schedule 1

Item #	Type	Dish Name	Components	Utensils	Notes
1	Tipple	<i>Celebrate a Morning's Bidding with a shot of Moccona topped vodka.</i> ¹	Freeze dried Moccona Gold (5) coffee, 42 Below vodka.	Cup	Dalgona Coffee is a South Korean preparation of instant coffee. With sugar and vigorous whipping, the coffee is elevated to a rich, velvet like foam which rests effortlessly on milk. In lieu of the lactose, vodka is called upon to stiffen things up. A frightful wake up call to ready the bidding elbow.
2	Snack	<i>These days, property portfolios are covered in skin</i> ²	Fried rice paper skin, salt and black garlic foam, caperberry, kale crisp. (v)	Napkin	<p>A miraculous gastronomic moment occurs when pork skin is fried, or as the Colombians say, “exploded” (<i>chicharrón toteado</i>). With vigorous contortions, the skin transforms to a light, crisp pork vessel.</p> <p>Similarly, rice paper, when bathed in bubbling oil, reacts much the same. Spits the dummy really, flips, turns and becomes frightfully crisp.</p> <p>Both illustrious crackers are destined for a good dip, a fine blob of aerated umami.</p>
3	First Drink	<i>Fizzy Good Make Feel Nice</i>	Yarra Valley Syrah and Chardonnay	Wine Glass	Raised in old oak, then refermented in bottle. Creamy mouthfeel, Cantaloupe, Rose petal, smooth rounded acidity.
4	Starter	<i>Foundations, i.e. bricks, soil etc. (they say a house is just an extension of the body)</i>	Pressed terrine of potatoes (sebago, kestrel, royal blue, king edward, desiree), truffle, sage and herb oil. (v)	Plate	Fruits of the land, rough with nodules and odd growths, rooted below the sun's reach make a most compelling pressed terrine. Rooty vegetables, or more accurately tubers, rhizomes, corms, bulbs, and hypocotyls, or more simply potatoes and truffles are cooked and placed under pressure to compress into a unified form. A brick from the ground served alongside a soil of mushroom and

¹ See Nick Modrzewski, *The Knees and Ankles of a Landlord* (2020, limited edition, hand-bound book on 120gsm Stephen Gesso paper with Buckram hardcover and gold foiled lettering) 67.

² See Nick Modrzewski, *The Knees and Ankles of a Landlord* (2020, limited edition, hand-bound book on 120gsm Stephen Gesso paper with Buckram hardcover and gold foiled lettering) 67.

					garnished with micro herbs. The foundations of any worthy degustations must be built with such integrity.
5	Table Wine	<i>ZUNGGUZUNGGU GUZUNGGUZENG</i>	A melange of red and white varietals.	Wine Glasses	<p>“\$1 from every bottle goes to Change The Record. We are incredibly privileged to make wine on aboriginal land. Change the Record is Australia’s only national Aboriginal led justice coalition of legal, health and family violence prevention experts. Their mission is to end the incarceration of, and family violence against, Aboriginal and Torres Strait Islander people.”</p> <p>No Australian wine can ever be swilled, spilled or enjoyed without an understanding that the sovereignty of the lands on which it was made has never been ceded.</p>
6	Main	<i>The Ankles of a Landlord & Rent Sauce.</i>	<p>Fried pork hock, cardamom salt.</p> <p>Zhoug aka green sauce.</p> <p><i>or</i></p> <p>Fried globe artichokes, cardamom (v).</p> <p>Zhoug aka green sauce.</p>	Serveware	<p>A ham hock (or hough) or pork knuckle is the joint between the tibia/fibula and the metatarsals of the foot of a pig, where the foot was attached to the hog's leg. It is the portion of the leg that is neither part of the ham proper nor the ankle or foot (trotter), but rather the extreme shank end of the leg bone. For the fussy or the ill-educated, this cut is undesired and thrown aside. Yet for those in the know, the hock yields the most succulent and delicate flesh. Just add expertise and time.</p> <p>Similarly, the artichoke, in its crown of thorns, wards off the undedicated. Yet beneath the stubborn layers lies a most supple and aromatic centre. Cooked correctly, this low yielding plant is a delicacy. As the Italians say, “1000 kisses to get to the heart”.</p>
7	Table Wine	<i>2020 CRÉ Sauvignon blanc</i>	Sauvignon blanc	Wine Glass	<p>Grown in the upper yarra, from the Tibooburra Vineyard. Great natural acid, good fruit ripeness.</p> <p>Destemmed with four days on skins, then pressed to old oak for extended lees contact for five months. Lees stirred and topped regularly throughout elevage.</p>

					No additions. Wild Fermentation 25ppm SO2 at bottling.
8	Table Wine	<i>2020 CRÉ Pinot Noir</i>	Pinot Noir	Wine Glass	Grown at the Tibooburra Vineyard, in the Upper Yarra, near Hoddles Creek and Gembrook. Black volcanic topsoil over clay with seams of granite rock. At an elevation of 200m, the highest point in the Yarra Valley, 500kg of fruit was picked. 50% remained whole bunches and 50% de-stemmed. A green and effervescent mix gentle foot trodden every couple of days. 8 days of maceration followed. Elevage in old oak for 4 months. No additions, no S02.
8	Ornament- al Side	<i>Pears that fell close to the tree (so close that they inherited an entire 200m² suburban kingdom, turning them into Proud Young Despots, Rulers of their patch of land and builders of high-rise apartments)³</i>	Pears baked in Kaolin clay	Ream of paper	Sink your teeth into these ornaments if you like the taste of ornaments. White china like clay coats these fructose bombs. Edible but only for the starving and crazed.
10	Side	<i>Yard Scraps</i>	An assortment of vegetables (Jerusalem artichoke, beetroot, asparagus, heirloom carrot, radish, parsnip) served on mushroom soil with a clay gel (!) underneath.	Serveware	Strawn across the back yard is not trash but treasure. And as we know one chef's trash is another chef's treasure. That said these scraps are anything but, pearls of produce from fine local farms, selected for plumpness and rooty prowess.
11	Salad	<i>Palette Relief</i>	Bitter leaves (endive, cress, radicchio), hazelnuts, champagne vinaigrette	Serveware	Without shadow there is no light. The same goes for the palette. Herein, an olive branch for your soldiering tongue. Some acid to cut light into your life. Champagne for my real friends, real pain for my sham friends.
12	Sweet				

³ See Nick Modrzewski, *The Knees and Ankles of a Landlord* (2020, limited edition, hand-bound book on 120gsm Stephen Gesso paper with Buckram hardcover and gold foiled lettering) 33.

		<i>Unauthorised Home Renovation Fig.9</i>	Honeycomb (hand-made kind) with Tasmanian leatherwood honey, caulked chevre, figs, thyme, olive oil.	Tupperware with a name on it. Hammers	Handyman from hell enters from stage left. Twitching at the eye and with a finger firmly on the power drill. 'Its renovation time' he cackles. Slabs of aerated and caramelized honey takes the place of expanding foam, fine creamed chevre parades as silicon in this forey.
13	Tea/Coffee	<i>Reflections on an Afternoon's Subtenancy</i>	Filter coffee and an aspirin	Coffee cup and saucer.	<p>The Nicholas building completed in 1926 was the endeavour of the Nicholas company, a pair of enterprising brothers Alfred and George who both relieved and created a lot of headaches.</p> <p>During WW1. George Nicholas got wind that European-made aspirin was banned from import into Australia and set about re-inventing the medication. He did so with old kerosene tins and his wife's kitchen utensils.</p> <p>With Alfred's dedication and George's pharmaceutical genius, they sort of happened upon gold. They were awarded the patent for Australian-made aspirin, and the subsequent Aspro business expanded into global markets throughout the 20th century.</p>