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Document 2 is exempt under  
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*Freedom of Information Act* 1989.



Fax to Peter Christensen - 5pg  
x 59453

Mr Matthew Hardy  
Director  
Measurement, Monitoring and Reporting  
Department of Education and Training  
GPO Box 158  
CANBERRA ACT 2601

Dear Mr Hardy

**BLOCK 5 SECTION 36 FORREST  
APPLICATION FOR THE GRANT OF AN EXECUTIVE LEASE**

I refer to your letter dated 29 January 2008 requesting the grant of an Executive Crown lease over Block 5 Section 36 Forrest. Thank you for payment of the application fee, a copy of the receipt is enclosed for your information.

The ACT Planning & Land Authority ("Authority") is now in a position to offer an Executive Crown lease to the Australian Capital Territory over the above site.

The Crown lease is granted under section 161 of the *Land (Planning & Environment) Act 1991* and will incorporate the following terms and conditions and should be read in conjunction with the specific conditions attached to this letter.

**LEASE CONDITIONS:**

- LESSEE** - Australian Capital Territory;
- LAND:** - Block 5 Section 36 Forrest;
- AREA:** - 1.457 hectares or thereabouts;
- TERM:** - 99 years commencing on the date of the grant of the lease;
- PURPOSE:** - To be used by the lessee for any purpose permitted pursuant to the Territory Plan;
- RENT:** - 5 cents per annum if and when demanded;
- TRANSFER:** - That the lessee shall not transfer the premises or any part of the premises;

If this offer is acceptable to you, advice to this effect in writing, together with the executed Crown leases, should be forwarded to the Director, Development Services Branch, ACT Planning & Land Authority, GPO Box 1908, Canberra ACT 2601.

The new Crown leases are required to be executed by a person authorised to sign on behalf of the Department of Education and Training in the Australian Capital Territory, as lessee. The lessee's signature and witness to the lessee's signature should be entered in **black ink**, as indicated by pencil marks on the two copies of the Crown lease.


When the lease documents have been returned, they will be executed by a person duly authorised by the Authority, for and on behalf of the Commonwealth. Once fully executed by both parties the lease documents will be made available to you for presentation at the ACT Revenue Office for stamp duty assessment and registration at the Registrar-General's Office.

Please note that the agency responsible for the facility will be required to pay all fees and charges associated with the preparation and registration of the Crown lease.

All enquiries concerning the payment of stamp duty should be directed to the Commissioner for ACT Revenue, ACT Revenue Office, Nara House, corner of Constitution Avenue and London Circuit, Canberra City (extension 70034).

Should you have any queries concerning the above, please do not hesitate to contact Dulce Lander on telephone 6207 2112.

Yours sincerely



Dulce Lander  
Principal Officer  
Leasing Section

4 March 2008



Education and Training

File Ref: 2008/0537

**Acting Chief Executive****TELOPEA PARK SCHOOL - LEASE TRANSFER OF MONTGOMERY OVAL****Recommendation**

That you sign the two lease documents (Attachment A) for Forrest Block 5 Section 36 (Montgomery Oval) on behalf of the Department.

AGREED/NOT AGREED/PLEASE DISCUSS

  
Janet Davy

Director's Name: Matthew Hardy

27/3/08

Phone: 6205 5511

**Background**

Montgomery Oval is a very valuable piece of land directly adjacent to Telopea Park School and there are no other suitable vacant blocks within walking distance. Telopea Park School has an enrolment of over 1000 students, with a land provision around a third of the recommended allocation. The school has used Montgomery Oval for many years but has not been able to derive optimal benefit due to the degraded condition of the surface caused by its use as an overflow car park during major events at Manuka Oval and the lack of clarity on the ownership of the block.

Negotiations to arrange an executive lease for the transfer of Montgomery Oval to the Department for use by Telopea Park School have been ongoing over the past year. The Minister is aware of this matter through prior contact from the School Board and departmental briefs.

**Issues**

Lease documents were prepared by ACTPLA. Additional administrative requirements included in changes to the Territory Plan to be implemented on 31 March 2008, could add a number of months to the transfer process if the lease documents are not provided to ACTPLA a few days prior to 31 March.

The ACT Planning and Land Authority (ACTPLA) and the Department of Territory and Municipal Services (TAMS) have indicated that the Oval is not on either agency's asset register, that it is unleased land and that there is no valuation of the block. (Attachment B). This information is required to satisfy audit requirements.

The school has a number of potential uses for the oval that are permitted under the terms of the lease offered by ACTPLA. Montgomery Oval offers a major benefit to the school for sports activities and will take pressure off existing facilities on the main school block.

To make optimal use of the land, the Department will need to undertake a Master Planning process. This standard practice will resolve issues associated with traffic management, safety, sustainability and provision of sporting facilities.

Consideration of long-term water availability for the oval will be an integral element of the Master Planning process. Synthetic surfaces are proposed for trials in 2008/09 at several primary schools in Canberra to assess sustainability benefits and this information will be integrated into the Master Planning process.

### **Funding Implications**

The registration fee for transfer of the land, payable to the Land Titles Office, is estimated to be less than \$500.

The cost of the Master Plan and subsequent implementation will be funded through the Schools Capital Works Directorate from the Schools Infrastructure budget.

A valuation of the asset is also required and is being progressed by the Finance and Facilities Directorate, who will fund the cost of the valuation.

### **Consultations**

The Director Schools Capital Works, Director Schools Central, Director Finance and Facilities and the Principal of Telopea Park School have all been consulted. Governance, Regulation and Risk have advised the lease documents are acceptable to the Department.

Ongoing discussions with the school will be undertaken following the signing of the lease.

TAMS and ACTPLA have also been consulted.

### **Media**

Once the transfer is finalised, the Minister will be invited to attend a ceremony to mark the occasion of the land transfer. This would be an opportunity to recognise the achievements of the school and reinforce the importance of physical education in the school's curriculum.



Michael Bateman  
Acting Executive Director

27 March 2008



Education and Training

File reference: 2008/01112/

Mr Gerard Allen  
ACTPLA

By Hand

Dear Sir,

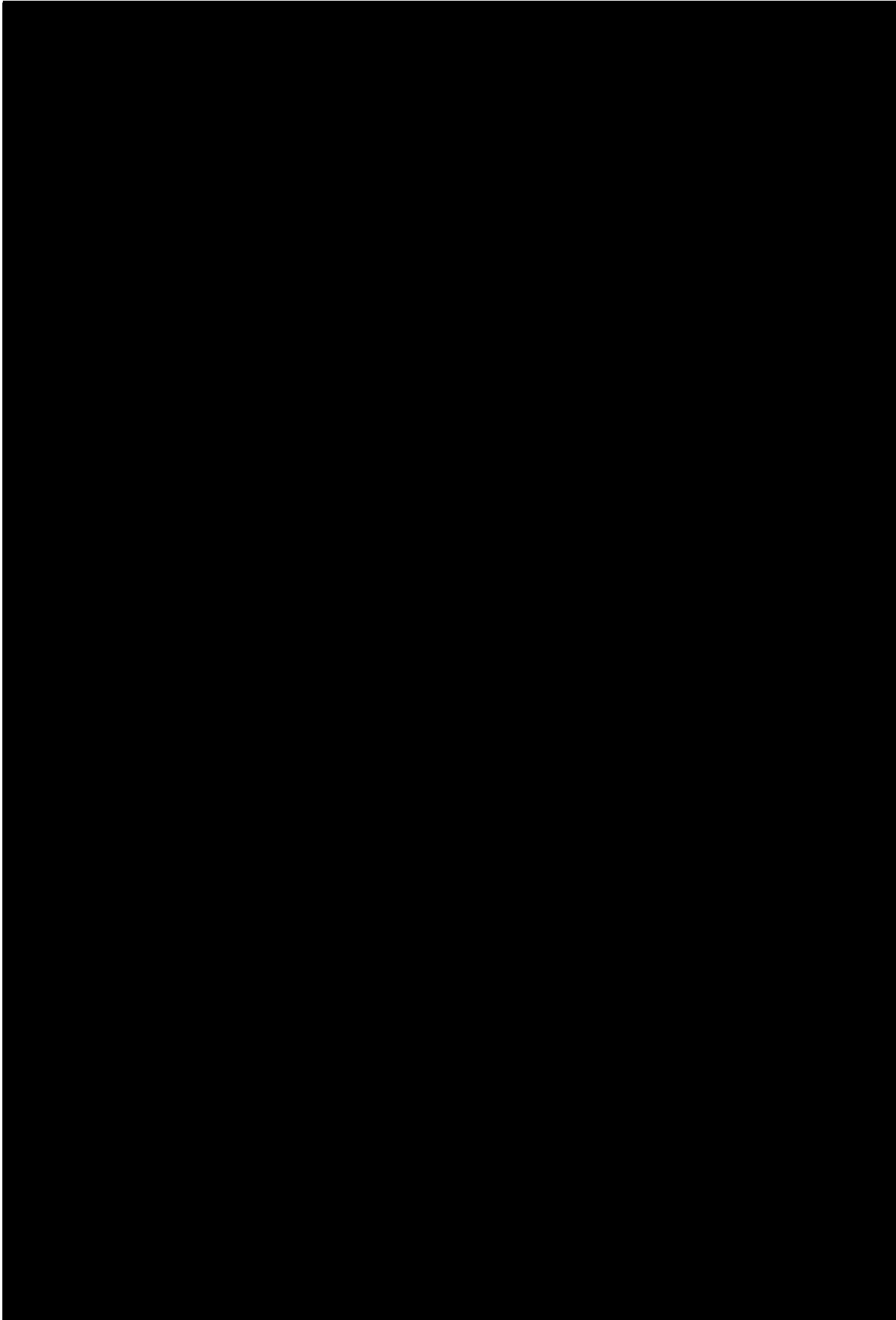
EXECUTIVE LEASE – 5/36 FORREST

I enclose above lease, duly executed on behalf of the Department, for execution by ACTPLA and registration.

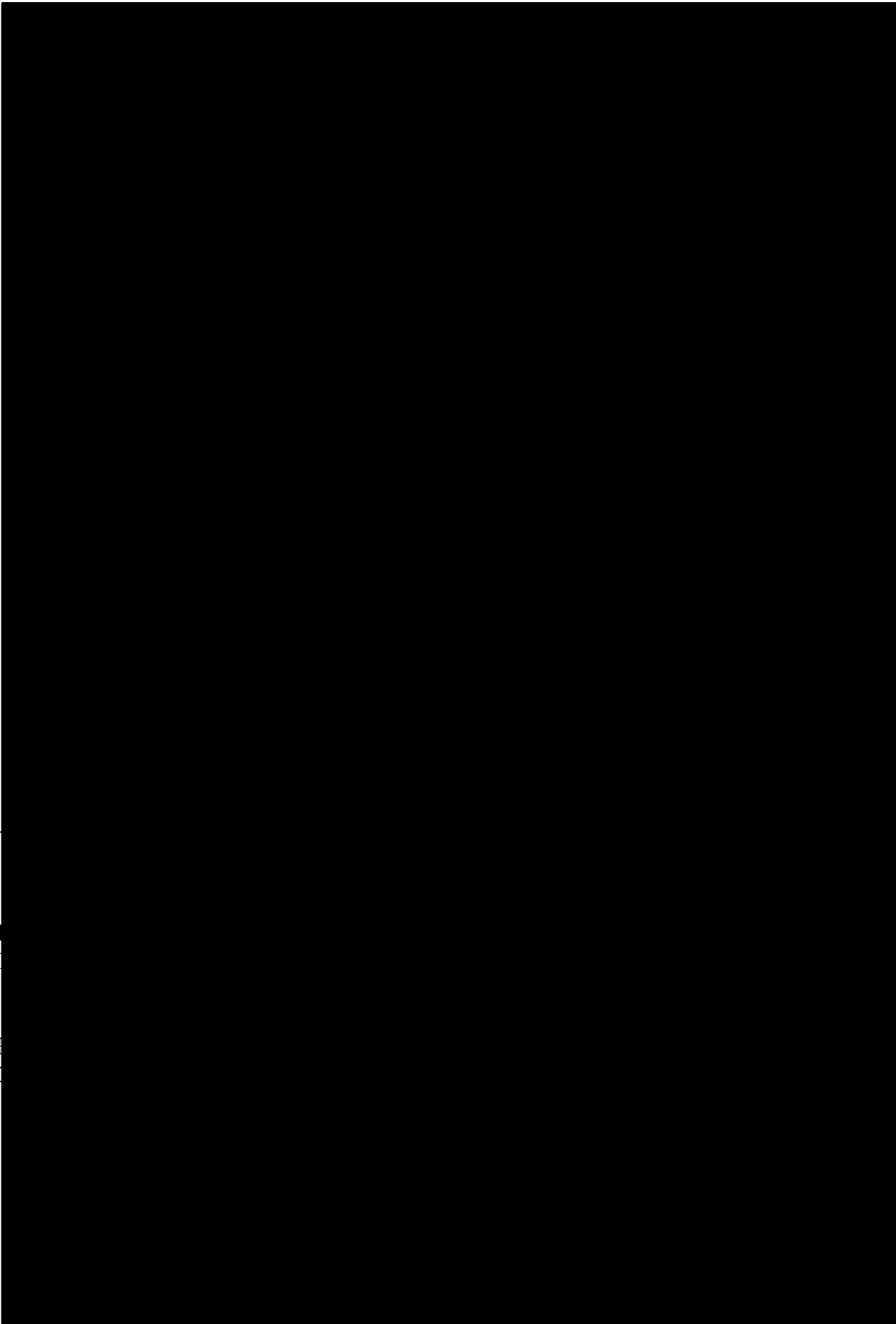
Yours faithfully,

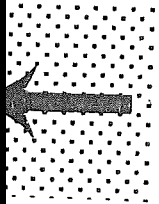
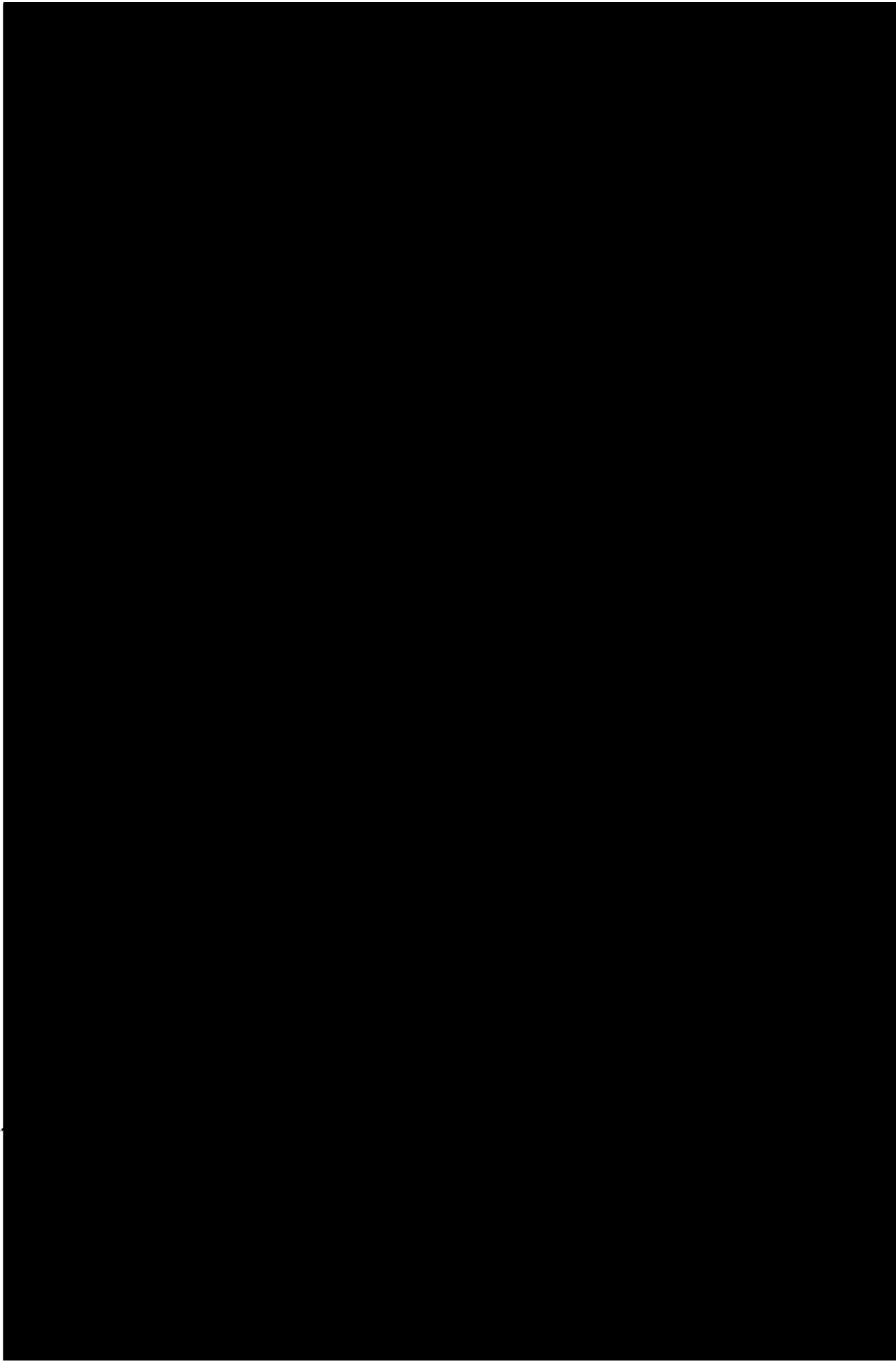
[Redacted Signature]  
Peter Christensen  
Manager, Legal Support  
Governance and legal Liaison

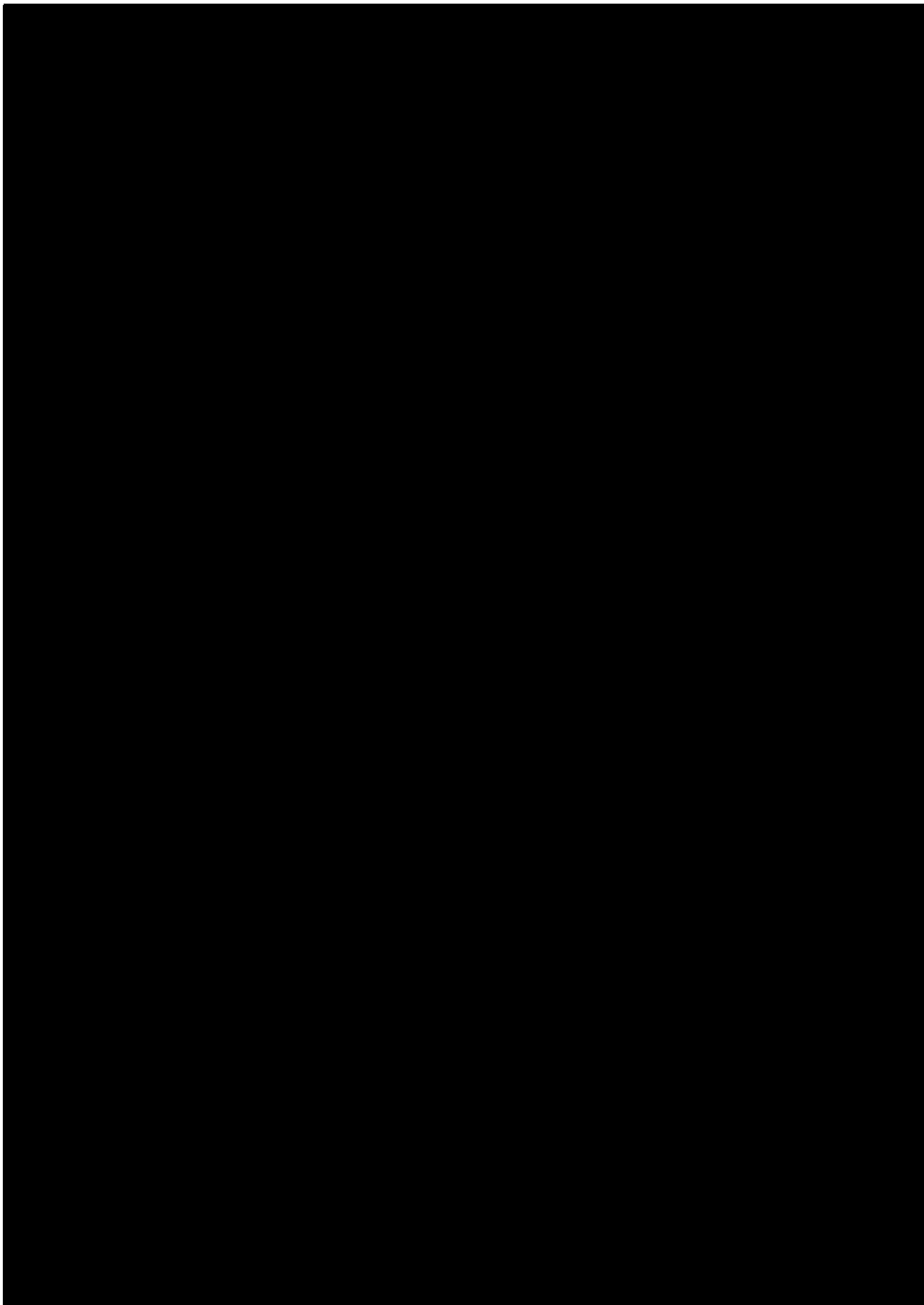
28 March 2008

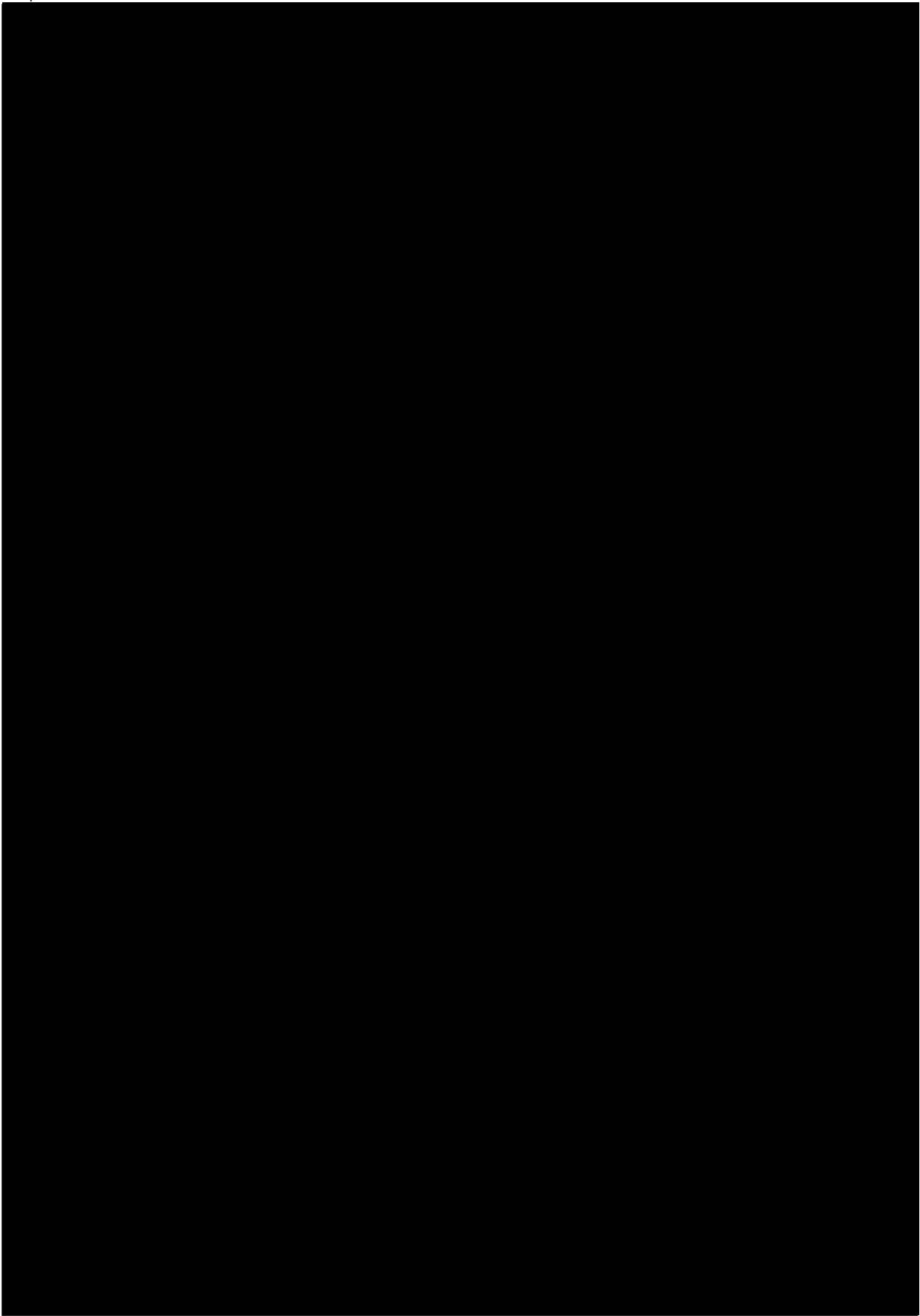


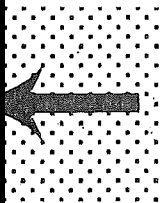
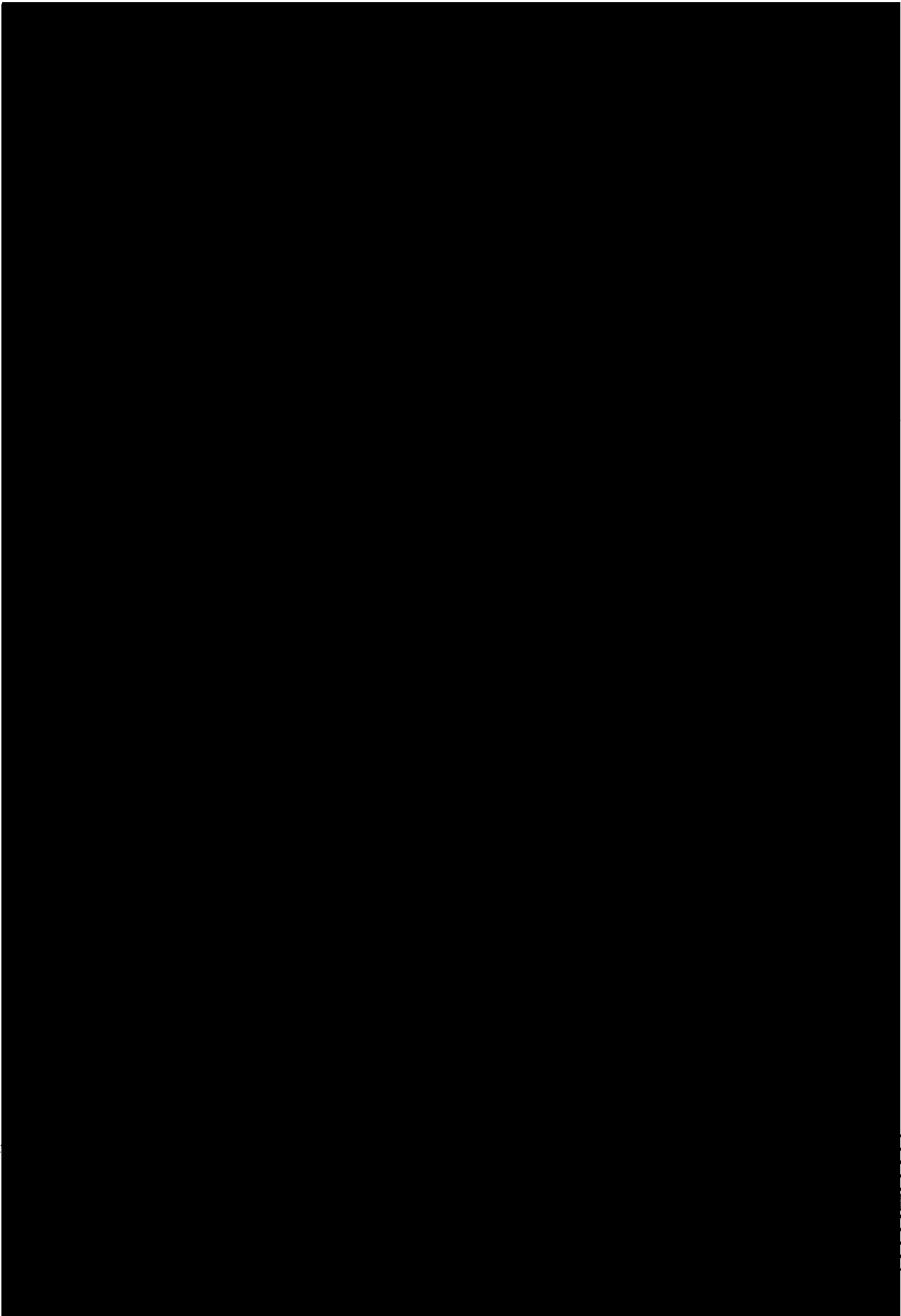


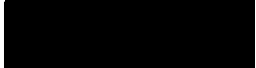












**From:** Hughes, Janet  
**Sent:** Thursday, 27 March 2008 2:35 PM  
**To:** Cuzner, Jane  
**Subject:** FW: Block 5 Section 36 Forrest- Montgomery Oval transfer Telopea Park

Jane,

Here is the 2<sup>nd</sup> email I referred to, with text below from Rick Rand about the block not having a valuation and not being on their asset register. I realise this sounds quite extraordinary but Rick explained there are quite a few instances of this happening, a hangover from before self-government apparently when many assets were not clearly assigned between departments.

Could you pls let me know when the lease is signed or if there are any problems arising since it is really difficult to manage this process from Tuggeranong

Janet Hughes  
Manager Data Analysis and Reporting  
ACT Department of Education and Training  
PO Box 158  
Canberra City ACT 2601

Tel +61 2 6207 5377  
Fax +61 2 6205 8353

-----Original Message-----

**From:** Hughes, Janet  
**Sent:** Thursday, 27 March 2008 12:10 PM  
**To:** Kilpatrick, Robyn  
**Subject:** FW: Block 5 Section 36 Forrest- Montgomery Oval transfer Telopea Park

Robyn

Herewith the 2<sup>nd</sup> email regarding the oval, this one being confirmation from TAMS.

Janet Hughes  
Manager Data Analysis and Reporting  
ACT Department of Education and Training  
PO Box 158  
Canberra City ACT 2601

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Fax +61 2 6205 8353

-----Original Message-----

**From:** Hughes, Janet  
**Sent:** Wednesday, 26 March 2008 5:22 PM  
**To:** Donnelly, Robert; Hardy, Matthew  
**Subject:** FW: Block 5 Section 36 Forrest- Montgomery Oval transfer Telopea Park

Matt, Rob

Herewith advice from Rick Rand at TAMS regarding the lack of valuation or any other asset details. Normally Sue Marriage has been our correspondent at TAMS but Rick is familiar with the issues and has searched for the relevant documents at TAMS. He explained the problems that have arisen elsewhere for recreational land

managed by TAMS where ownership is unclear.

Janet Hughes  
Manager Data Analysis and Reporting  
ACT Department of Education and Training  
PO Box 158  
Canberra City ACT 2601

Tel +61 2 6207 5377  
Fax +61 2 6205 8353

-----Original Message-----

**From:** Rand, Rick  
**Sent:** Wednesday, 26 March 2008 5:11 PM  
**To:** Hughes, Janet  
**Subject:** Block 5 Section 36 Forrest

Janet -

As we discussed, the situation as I understand it is as follows:

- This block has never been clearly indicated as falling within the custodianship of TAMS, or for that matter, DET - it was in effect, without any custodian.
- As such, it does not appear on any asset register for TAMS, nor does it have any "book value."
- Because it is not strictly a TAMS asset, there is no need for any formal transfer of any asset.
- It would appear therefore that an Executive lease can be issued by ACTPLA, to formally become a DET asset, and DET can subsequently arrange for a valuation so that this new asset can be included in future asset registers.

I hope this is helpful.

Thanks

Rick Rand  
Manager  
Sport and Recreation Facilities  
Sport and Recreation Services Branch  
TAMS  
26.3.08

-----Original Message-----

**From:** Hughes, Janet

**Sent:** Thursday, 27 March 2008 12:08 PM

**To:** Kilpatrick, Robyn

**Cc:** Donnelly, Robert

**Subject:** FW: Forrest - Block 5 Section 36 (Block 5) tranfer of lease for Montgomery Oval, Telopea Park School

Robyn

Following various discussions with Rob Donnelly over the past couple of days about the transfer of the Montgomery Oval, Rob has agreed to the signing of the lease provided we obtain written (ie email) confirmation from both ACTPLA and TAMS that the Oval is not on either agency's asset register and that there is no valuation of the block. This is required to satisfy audit requirements although there is no doubt that everyone (Minister, school, DET) wants this transfer to proceed since there is no other possible land that the school could obtain and the school has actually partially used the land for some decades. We are on a very tight timeline to get the lease signed and sent to Dulce Lander at ACTPLA before the new Territory Plan comes into effect on Monday- which would delays things by months!

Grateful if you could expedite signature. I will forward the other email from TAMS (in a similar vein) in a moment. Could you pls keep me informed on this as it is very difficult to arrange by remote control from Tuggeranong. If you can let me know when the lease is signed and then pass it to Peter Christensen in Legal and he will take it (or arrange for it to be taken to Dulce at ACTPLA).

Janet Hughes  
Manager Data Analysis and Reporting  
ACT Department of Education and Training  
PO Box 158  
Canberra City ACT 2601

Tel +61 2 6207 5377

Fax +61 2 6205 8353

-----Original Message-----

**From:** Lander, Dulce

**Sent:** Thursday, 27 March 2008 11:55 AM

**To:** Hughes, Janet

**Cc:** Stewart, Slavica; Myers, Rhonda

**Subject:** Forrest - Block 5 Section 36 (Block 5)

Dear Janet



I refer to our earlier telephone conversation this morning in regard to the above block.

I wish to confirm that the ACT Planning and Land Authority (Authority) does not manage any unleased Territory land and as a consequence the Authority is not the custodian of any land.

In regard to a valuation for Block 5, the Authority does not have a current valuation for the block nor has the Authority ever been required to value Block 5 as it is unleased land and is not managed by the Authority.

I hope this provides you with the information that you are seeking.

Regards

Dulce

**Dulce Lander** | Principal Officer | Leasing Section | Development Services Branch | ACT Planning & Land Authority |  
**Ph:** (02) 6207 2112 | **Fax:** (02) 6207 1862 | **email:** [dulce.lander@act.gov.au](mailto:dulce.lander@act.gov.au)



OFFICER : [REDACTED]  
PHONE : [REDACTED]  
FAX : [REDACTED]  
FILE : FORREST S36 B5

Mr Peter Christensen  
Manager  
Legal Support  
Governance and Legal Liaison  
Department of Education and Training  
GPO Box 158  
CANBERRA ACT 2601

Dear Mr Christensen

**BLOCK 5 SECTION 36 FORREST  
APPLICATION FOR EXECUTIVE CROWN LEASE**

Please find enclosed:

- the new Crown lease documents that have been executed by the Delegate of the ACT Planning and Land Authority ("the Authority");
- an Application Form to Register the new Crown lease (ACL); and
- a letter to the Commissioner of ACT Revenue.

Please present these documents to the ACT Revenue Office for Stamp Duty assessment within 90 days of execution. Presentation after this time may incur additional fees.

The ACT Revenue Office is located on the Ground Floor of the Nara Centre, Cnr of London Circuit and Constitution Avenue, Canberra City. Office hours are 8.30am to 5.00pm weekdays, except for Wednesdays, when the office is opened from 10.30am to 5pm. For more information their office can be contacted on (02) 6207 0028.

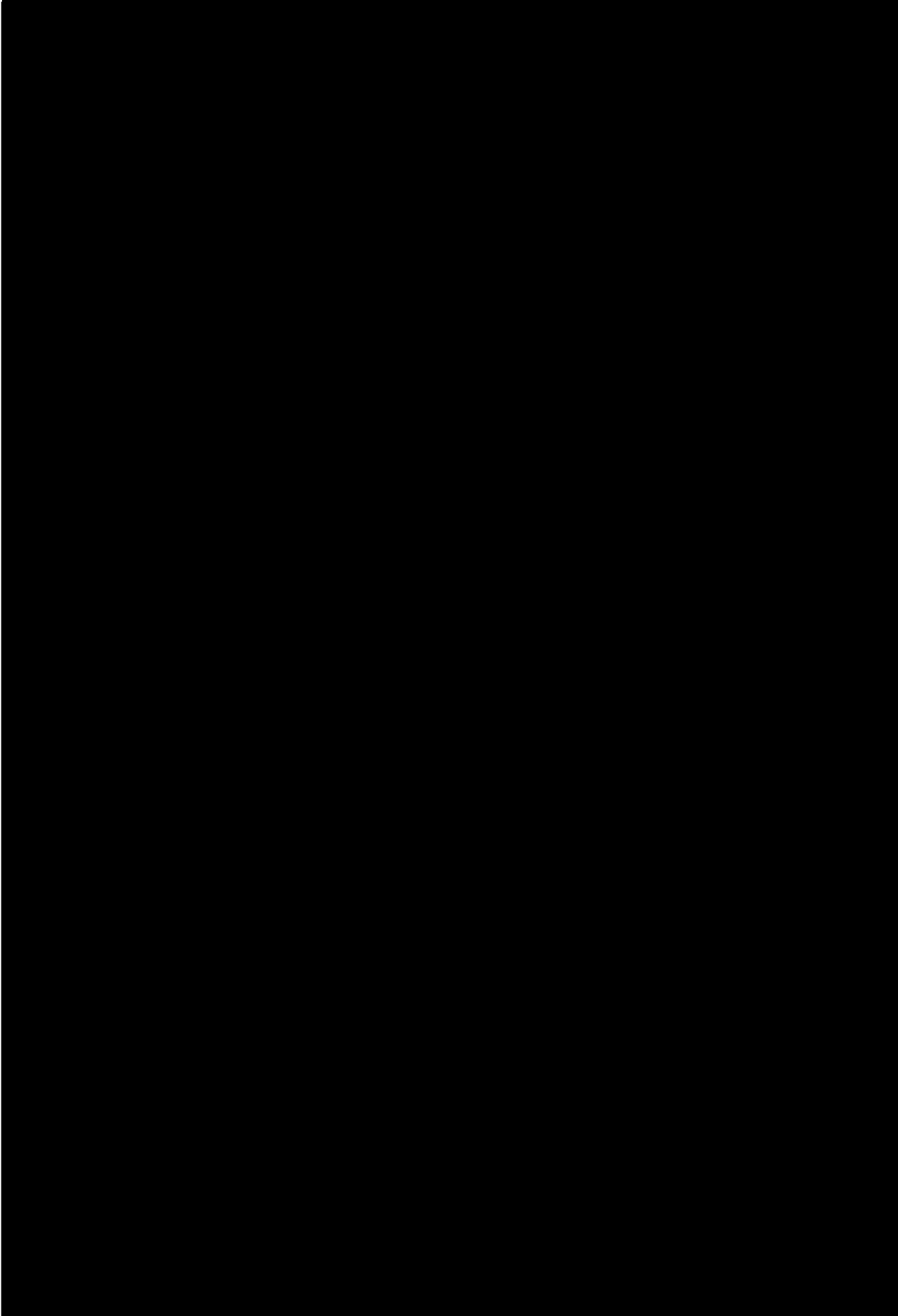
After stamp duty is paid, please present the two originals of the Crown lease and the ACL form to the Office of Regulatory Services, Registrar-General's Office. The address is 255 Canberra Avenue, Fyshwick ACT. Office hours are 9.00am to 4.30pm weekdays. For lodgement and registration fee information, contact them on (02) 6207 0491.

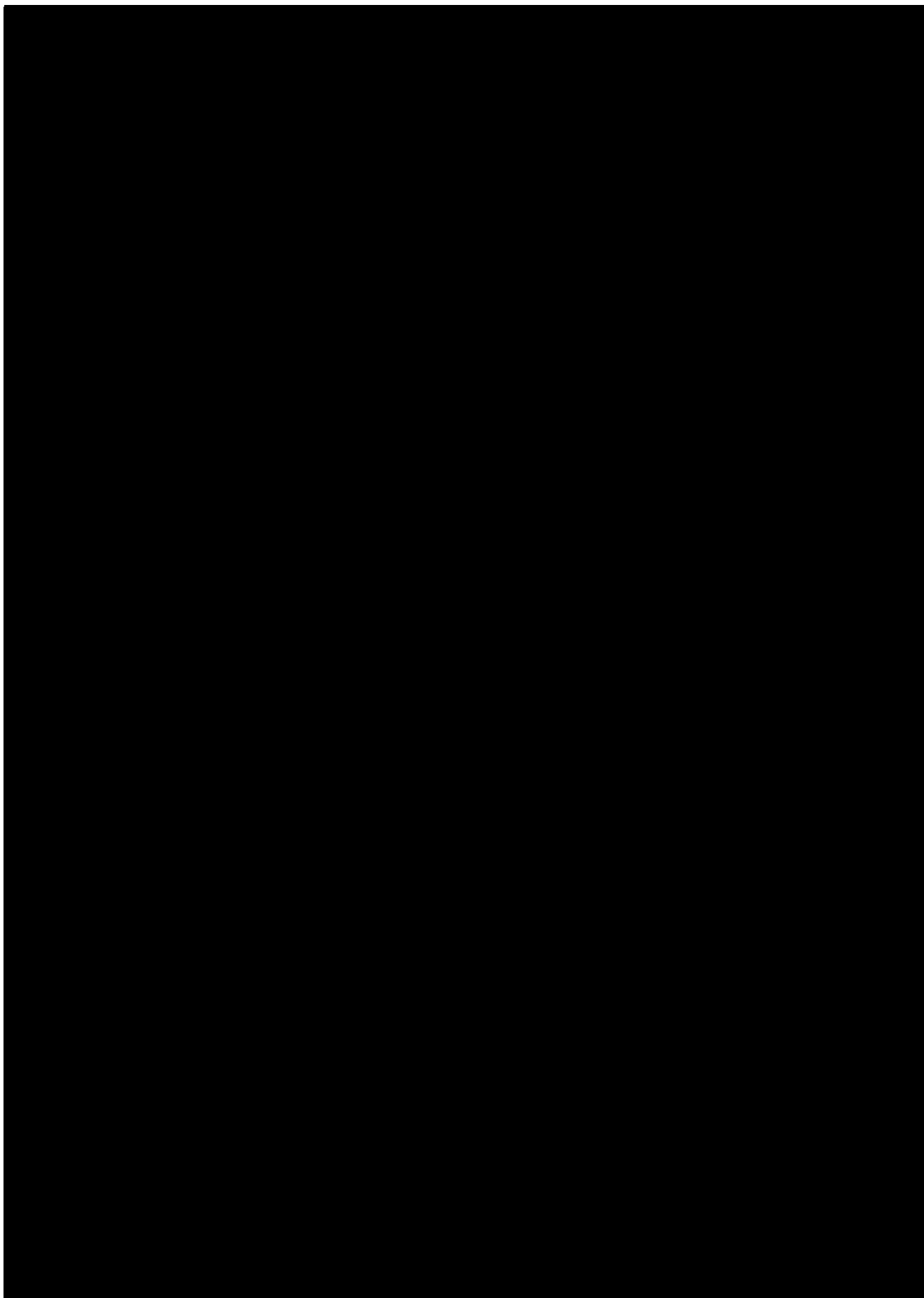
All expenses associated with the lodgement and registration of the documents is the Lessee's responsibility.

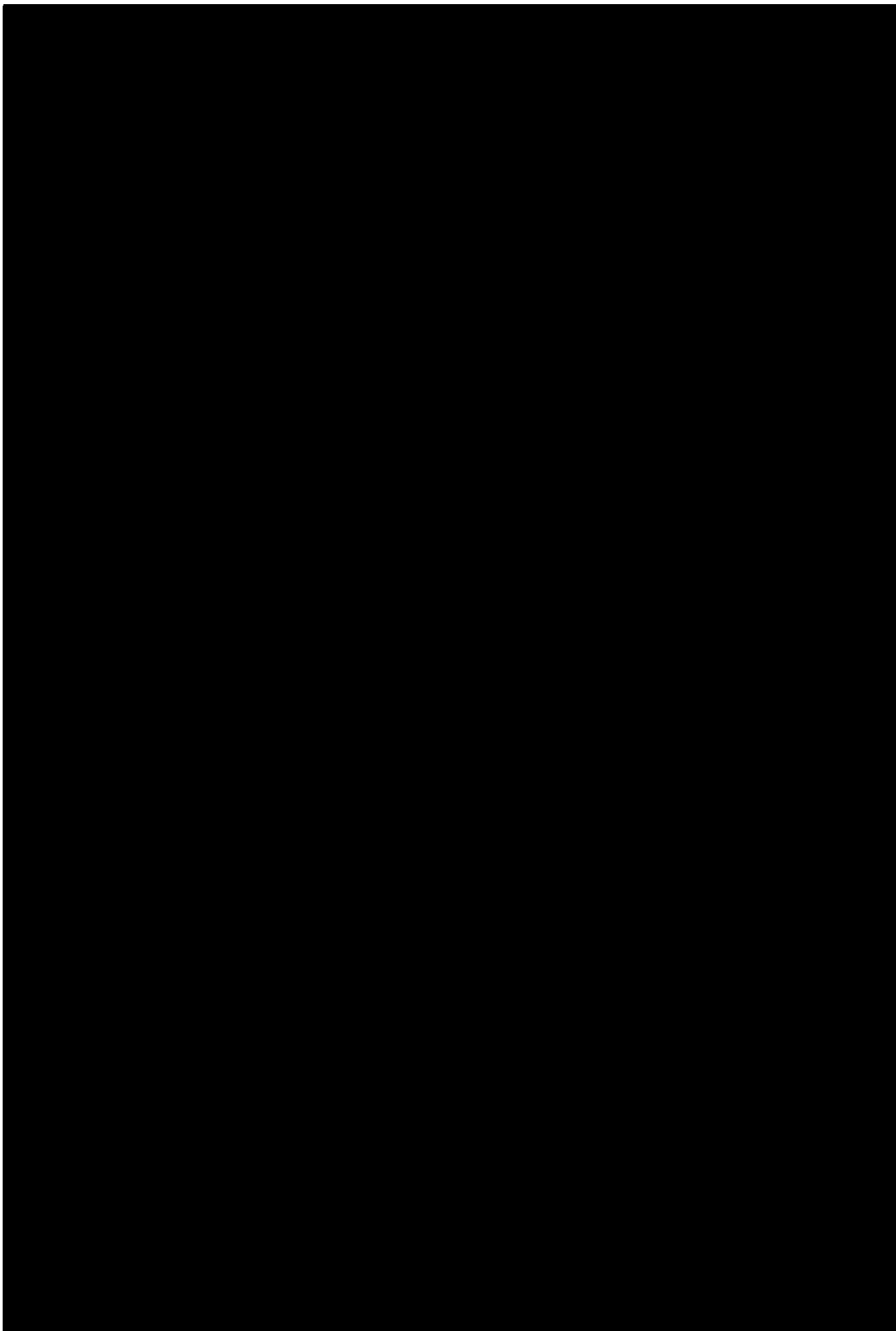
Yours sincerely

[REDACTED]  
Dulce Lander  
Principal Officer  
Leasing Section

28 March 2008







Duty Only



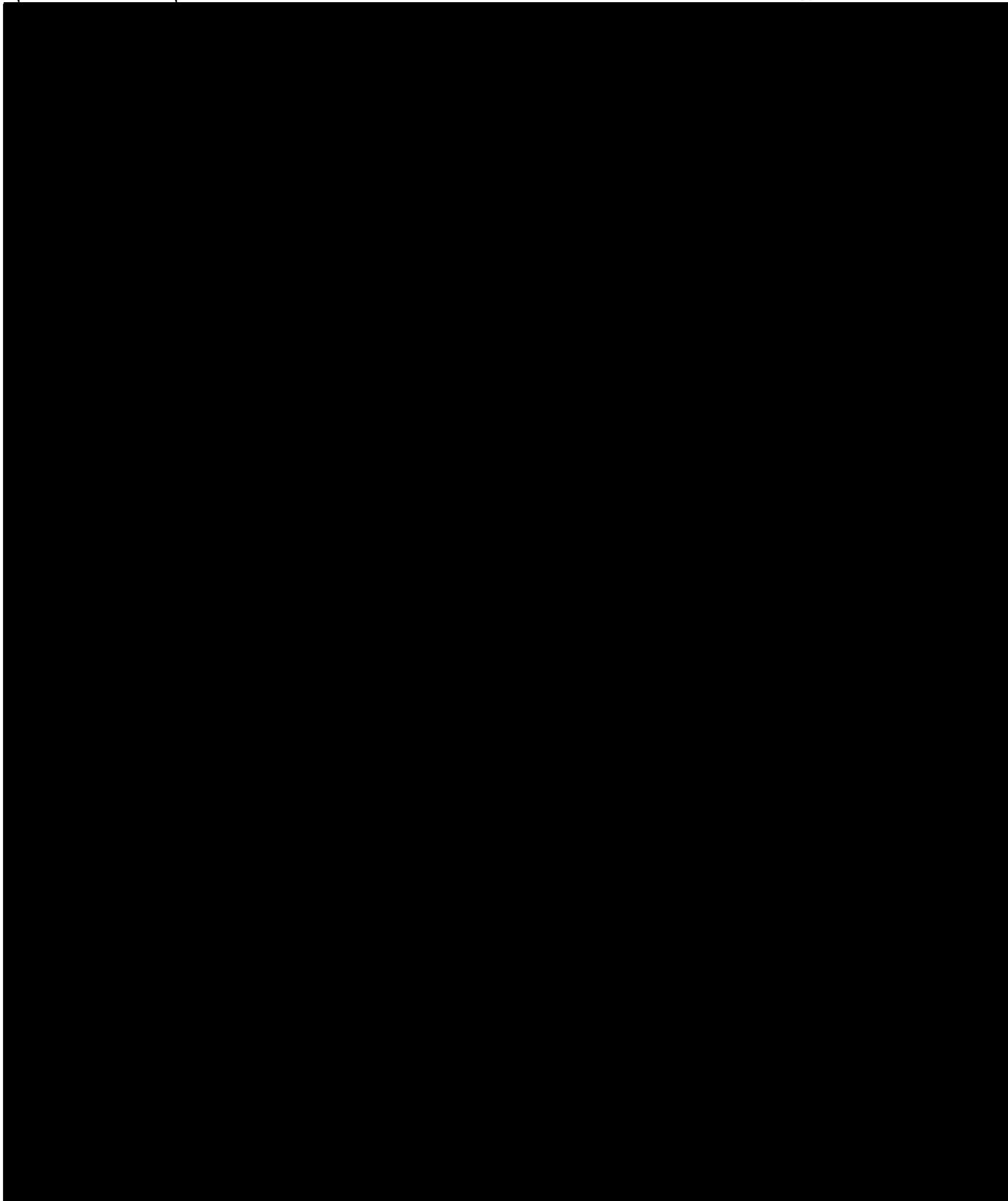
**ACL**

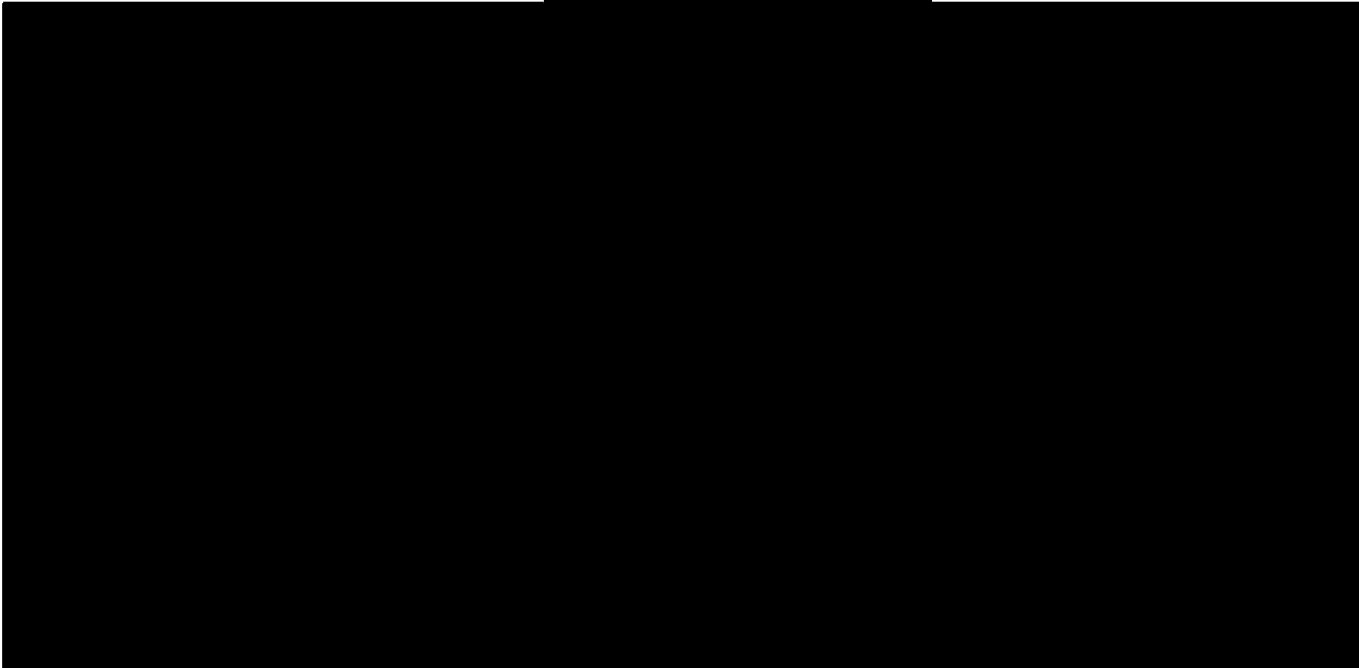
Form 031

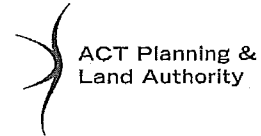
**APPLICATION TO REGISTER A  
CROWN LEASE**

Lodging Party

Box Number







OFFICER : [REDACTED]  
PHONE : [REDACTED]  
FAX : [REDACTED]  
FILE : FORREST S36 B5

**The Commissioner  
ACT Revenue Office**

**New Crown Lease  
Block 5 Section 36 Division of Forrest**

An application for the grant of a Crown lease to the Australian Capital Territory was approved by the ACT Planning and Land Authority on 4 March 2008.

There are no off-site works associated with this Crown lease.

If you require any further details, I can be contacted on 6207 2112.

[REDACTED]  
Dulce Lander  
Principal Officer  
Leasing Section  
ACT Planning and Land Authority

28 March 2008





File Ref: 2011/04777-3

A/g Executive Director, Corporate Services

**ARTIFICIAL GRASS PROGRAM 2011-13 PACKAGE 1 PROCUREMENT PLAN**

**Recommendation**

That you approve and sign the attached Procurement Plan for the Landscaping- Installation of Artificial Grass Surfaces Program – Stage One and part Stage Two (total value of \$2.38 m. ex. GST)

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS



Mark Whybrow

Director's Name: Rodney Bray

314112

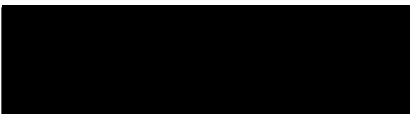
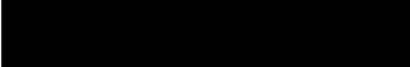


Phone: 6205 3173

**Background**

The Landscaping – Installation of Artificial Grass Surfaces Program for 2011-12 is based on the 2011-12 Budget Capital Works Program and a further \$0.5 million brought forward in anticipation of the 2012-13 Budget Capital Works Program.

In order to deliver a cost effective program, the installation of artificial grass surface works are issued in tender packages by Shared Services Procurement (SSP).

The proposed Installation of Artificial Grass Surfaces is to occur at:

- 
- 
- 
- Teloopa Park School – tennis court area
- 

The installation work is programmed for completion by October 2012.

**Issues**

In total, the Capital Works funding for Stage One 2011-12 is \$2.3 m (ex. GST) and for Stage Two 2012-13 is \$0.5 m (ex. GST).

These funds have been allocated as follows:

GPO Box 158 Canberra ACT 2601 | phone: 132281 | www.act.gov.au

Consultants Stage One \$0.16 m (ex GST)

Construction Stage one



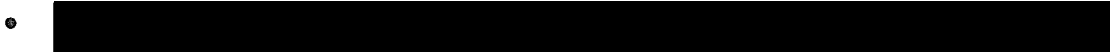
Telopea Park School – tennis court area \$0.48 m  
Subtotal



A further \$0.5 m (ex GST) is to be allocated in the 2012-13 year.

Consultants Stage Two (portion) Integrated into Stage 1

Construction Stage Two (portion)



Advice provided by SSP indicates that, at \$2.38 m, the proposed construction budget for Stage One and Stage Two (part) is of sufficient size to generate industry interest when issued for tender and that a lump sum contract is the appropriate delivery method.

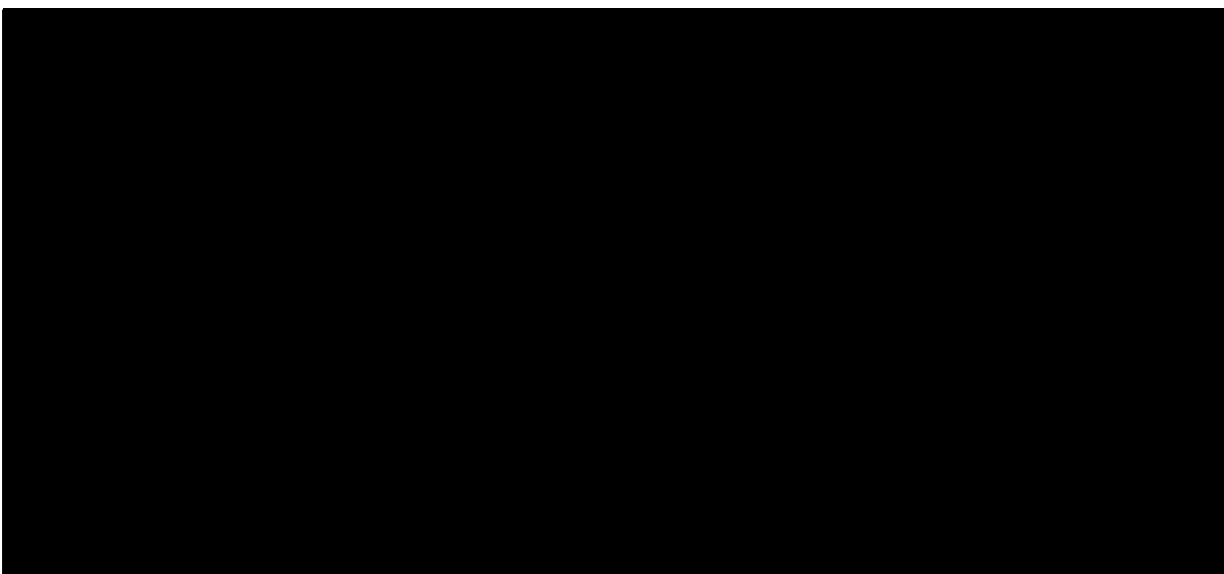
As the value of the works exceeds \$1.0 m (ex GST) the ACT Government Procurement Board must approve the procurement.

You have the delegated authority for this Procurement Plan.

**Consultation with Finance and Corporate Support and Funding Implications**

This brief has been cleared by Finance and Corporate Support Branch.

The budget and funding source for the Package 4 works is;



Budgets for this package of works do not exceed the 2011-12 and 2012-13 funding allocations.



### Consultations

Shared Services Procurement has assisted with the preparation of the Procurement Plan.

Shared Services Procurement will facilitate the tender and participate in the tender evaluation process.

The scope of works was developed from consultations with school Principals, school boards, and school P&C Associations as part of the Installation of Artificial Grass Surfaces Program for 2011-12.

Individual schools have been consulted on the detail and timing of the full scope of works and will continue to be consulted by the consultant superintendent during the construction phase.

### Media

There may be media opportunities when the successful contractor is announced.



Rodney Bray  
Director  
Schools Capital Works

3 April 2012

[REDACTED]

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**From:** Mark Williams [REDACTED]  
**Sent:** Thursday, 6 December 2012 5:48 PM  
**To:** Phuong Tran  
**Cc:** Martin Boyd (InTouch); Kidman, Fiona; Bray, Rodney; Shortis, Tim; Sam Dunning; John Hillman  
**Subject:** RE: Revised scope of works for Telopea sites 1 and 2  
**Attachments:** GHD Variation Assessment of NPV 27 for Huon response.pdf; Ommision of Site 1 Telopea School.pdf; [REDACTED]

Phuong,

Please find attached letters for the following

- [REDACTED]
- Omission of Telopea Park School Site 1

[REDACTED]

Regards

Mark

---

**From:** Phuong Tran [REDACTED]  
**Sent:** Friday, 30 November 2012 6:57 PM  
**To:** Mark Williams  
**Cc:** Martin Boyd (InTouch); Kidman, Fiona; Rodney Bray (InTouch); Shortis, Tim; Sam Dunning; John Hillman  
**Subject:** RE: Revised scope of works for Telopea sites 1 and 2

Mark,

[REDACTED]

Regards,

Phuong Tran  
Huon Contractors Pty Ltd

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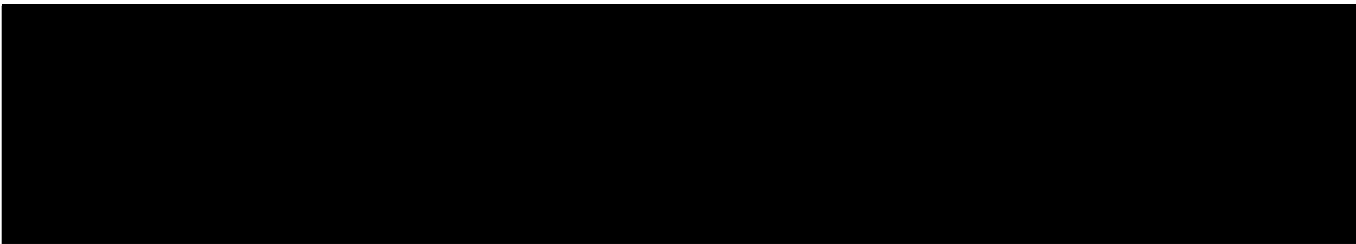
**From:** Mark Williams [REDACTED]  
**Sent:** Monday, 19 November 2012 6:30 PM  
**To:** Phuong Tran  
**Cc:** Martin Boyd; Kidman, Fiona; Rodney Bray (InTouch); Shortis, Tim; Sam Dunning; John Hillman  
**Subject:** Revised scope of works for Telopea sites 1 and 2

Hi Phuong,

Please find attached the revised scope of works for pricing on sites 1 and 2 at Telopea School after assessment of the Geotechnical and asbestos reports. Huon are to price the revised drawings allowing for all changes so that ETD can understand the cost of the works as detailed.

GHD will be sending the TMP and site access plans which should be used as part of the pricing, as well as a document covering tree management issues to be followed on Tuesday morning.

No works are to proceed onsite until ETD/GHD provide approval to proceed. This will be based on acceptance of the price for the rescope works for both sites.



Regards

Mark Williams  
**Senior Technical Officer**

**GHD**  
T 61 2 6113 3403 | V 233403 | M [REDACTED] F 61 2 6113 3299 | [REDACTED]  
Level 7, 16 Marcus Clarke Street, Canberra ACT 2601 | GPO Box 1877 Canberra ACT 2601 | [www.ghd.com](http://www.ghd.com)

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06 December 2012

Phuong Tran  
Huon Management Services Pty Ltd  
PO Box 1446  
FYSHWICK ACT 2609

Our ref: 

Your ref: 

Dear Phuong

**Artificial Grass for ACT Schools  
Telopea Park School Site 1 - Omission of Works from Contract**

**CONTRACT:** 

GHD as Superintendent for the Artificial Grass for ACT Schools project, hereby advises Huon Management Services under AS2124 Clause 40.1 (a), that Telopea Park School Site 1 (as referenced in drawings 23-14151-C020), has been omitted from the current contract. No works on this site will proceed on this basis. GHD has been advised by ACT Shared Services Procurement and Education and Training Directorate that there is insufficient funding available within the project budget to deliver this package of work under this contract.

Sincerely  
GHD Pty Ltd

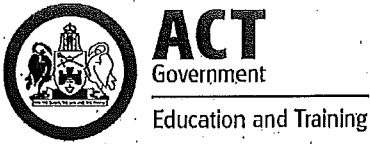
  
**Mark Williams**  
Superintendent

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*Freedom of Information Act* 1989.



Document 10 is exempt under  
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POSTED  
28/1/15

~~Mr David Dawes~~  
 Director-General  
 Economic Development Directorate  
 GPO Box 158  
 CANBERRA ACT 2601

Dear Mr <sup>Dawes</sup> Dawes

I am writing to formalise arrangements following representations by your office to the Education and Training Directorate for release of land currently occupied by Telopea Park School. I understand that the land, part of Montgomery Oval, New South Wales Crescent, Barton is required for development of a childcare site. The childcare centre, once established, is to be operated by the Manuka Occasional Childcare Centre Association.


I support the Directorate's provision of the land, which amounts to 2,948m<sup>2</sup> on block 5 section 36, for the purposes of the childcare centre development. This will involve a sub-division of the current block, with the Education and Training Directorate to retain the lease for the remainder of Montgomery Oval.

Currently a pedestrian pathway dissects the proposed sub-division of the land. It is important that this pathway be maintained, for ease of access for the school; the childcare centre and the local community. As such, I propose that ownership of the pathway be formally transferred to Territory and Municipal Services Directorate.

Staff from our Directorates have proposed that \$800,000 be provided by Economic Development Directorate to the Education and Training Directorate, and that this funding be used for facilities at Telopea Park School.

I suggest that staff from your office meet with both Telopea Park School and Manuka Occasional Childcare Centre Association to outline these arrangements. Tracy Stewart, Director, Planning and Performance, will provide Education and Training Directorate assistance with these meetings.

Yours sincerely

  
 Diane Joseph  
 Director-General

28 January 2015

GPO Box 158 Canberra ACT 2601 | 220 Northbourne Ave, Braddon ACT 2612 | phone: 6207 5111 |  
[www.det.act.gov.au](http://www.det.act.gov.au)



**ACT**  
Government  
Economic Development



Land  
Development  
Agency  
CANBERRA FIRST

ABN 204 199 255 79  
TransACT House  
470 Northbourne Avenue  
Dickson ACT 2602  
GPO Box 158 Canberra ACT 2601  
Phone: (02) 6205 0600  
Fax: (02) 6207 5101  
Email: [lda@act.gov.au](mailto:lda@act.gov.au)  
Web: [lda.act.gov.au](http://lda.act.gov.au)

Ms Diane Joseph  
Director-General  
Education and Training Directorate  
GPO Box 158  
CANBERRA ACT 2601

Dear Ms Joseph

I am writing in response to your letter of 28 January 2015 formalising arrangements for the subdivision of Block 5 Section 36 Forrest for the purposes of relocating the Manuka Occasional Childcare Centre Association.

Your assistance in the facilitation of this land transfer is greatly appreciated as it allows Economic Development (ED) to implement the broader urban renewal of Manuka and its surrounding area.


ED will arrange for \$800,000 to be transferred to the Education and Training Directorate for the purposes of funding the upgrade/replacement of sporting facilities currently located on Block 5 Section 36 Forrest. I have asked the Land Development Agency (LDA) to investigate the additional subdivision and handover of the pathway to the Territory and Municipal Services Directorate.

Liz Lopa, Director, Urban Renewal at the LDA will contact Ms Tracy Stewart to arrange the necessary meetings.

Yours sincerely



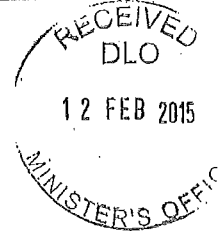
David Dawes  
Director-General, Economic Development/Chief Executive Officer, Land Development Agency

 18 February 2015

Dnc: 26/2

MIN 15/121

From: [Redacted]  
Sent: Saturday, 7 February 2015 4:10 AM  
To: BURCH  
Subject: Concern about Telopea Park School land



Dear Minister Burch,

I am deeply concerned that tonight at our first P&C meeting of the year, an ACT Government representative advised us that the Government is considering an option to repurpose part of Telopea Park Schools grounds - specifically Montgomery Oval. This houses the school's tennis courts and oval. This official was not helpful in responding to the significant range of questions and indicated that there was no imminent consultation process planned with the school, families or the wider community about the overall issue and potential options. It was advised that this is a decision of Government and that a communication strategy is under development but not yet finalised. We were advised that an option being considered was this land being used to relocate the Manuka Occasional Child Care service. No reason was given why this was necessary as that service has been long established on Flinders Way. While I appreciate that child care is in demand in Canberra you can appreciate that this is very distressing for families at the school. In addition it is extremely frustrating to have a government representative attend a parent and citizen meeting and drop this bomb shell and then not be able to provide any useful information.

If the land is proposed for a child care centre why has land not been made available in the major foreshore development instead of resulting in a major impact on the size of the schools grounds.

I would appreciate further advice from you on when and how we can all be involved in a discussion before a final decision is made. I am sure you would be most welcome to attend our next P&C meeting to discuss any draft options with us.

Regards,

[Redacted]

To

- Minister
- Chief of Staff
- Senior Advisor
- Media Advisor
- DLO
- OM

Please

- Reply
- Advise
- Noted
- File
- Comment .....
- Arrange Meeting
- FYI
- Refer to .....
- Action

E-MAILED  
18/3/15

## Joy Burch MLA

MINISTER FOR EDUCATION AND TRAINING  
 MINISTER FOR POLICE AND EMERGENCY SERVICES  
 MINISTER FOR DISABILITY  
 MINISTER FOR RACING AND GAMING  
 MINISTER FOR THE ARTS

---

MEMBER FOR BRINDABELLA

Dear [REDACTED]

Thank you for your email of 7 February 2015 about the tennis courts used by Telopea Park School.

I can confirm that a decision has been taken to provide a portion of land on Montgomery Oval, where four tennis courts are currently located, for the development of a childcare centre.

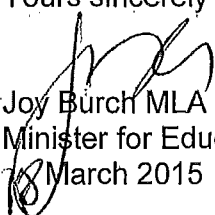
This arrangement will enable the urban renewal of the Manuka precinct which is a significant priority for the ACT Government. The renewal includes a replacement building for the Canberra Services Club along with a Defence Housing Australia residential development; the provision of additional childcare places in the community through the relocation of the Manuka Occasional Childcare Centre to a larger, purpose-built facility; and the revitalisation of the Manuka Oval.

Funding of \$800,000 is being made available to Telopea Park School for the purpose of providing new and upgraded sporting facilities to replace the tennis courts. This is a significant investment for the school, which will enhance the availability of sporting and recreational facilities available to students.

The Principal of Telopea Park School, Ms Kerrie Blain is consulting with the school community, including the School Board and the P&C, about options for the new sports facilities and I would encourage you to be part of these conversations should you wish to do so. Ms Blain can be contacted on (02) 6205 5599 or via email at: [Kerrie.blain@ed.act.edu.au](mailto:Kerrie.blain@ed.act.edu.au). I am expecting that work will commence this year, which will be prior to the construction of the childcare centre.

Thank you for writing to me on this matter and taking the time to contribute to your school community.

Yours sincerely

  
 Joy Burch MLA  
 Minister for Education and Training  
 18 March 2015

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601  
 Phone: (02) 6205 0020 Fax: (02) 6205 0495 Email: BURCH@act.gov.au  
 Twitter: @JoyBurchMLA Facebook: www.facebook.com/joyburchmla



CANBERRA

[REDACTED]

---

**From:** Wynants, John  
**Sent:** Tuesday, 10 February 2015 4:34 PM  
**To:** Jones, David  
**Cc:** Stewart, Tracy (DET); Bray, Rodney; Lewis, Robyn  
**Subject:** FW: 10022015 Telopea Park School

David

Please find below information in relation to the commitment to refurbish the tennis courts at Telopea Park School.

The key issue is that there has been no further funding allocation to undertake the tennis court refurbishment works.

John W

- Telopea Park School tennis courts originally formed part of the Artificial Grass Program 2011-13 Package 1 (Appropriated in the 2011-12 Budget).
  - The project at Telopea Park School was a replacement of the existing bitumen hard court surface with a new innovative synthetic surface.
  - The total budget allocation for the Artificial Grass Program 2011-13 Package 1 was \$2.38m.
- The portion of funding allocated to the design and construction of Telopea Park school tennis court area (Refer DET12/293) was \$0.48M.
- After tender negotiation, both a half sized artificial grass area and the refurbished tennis courts (flexi pave) at Telopea Park School were included in the construction program based on the tender price.
  - The tender prices for the two components were – artificial grass pitch [REDACTED] and refurbished courts [REDACTED]
  - The final actual construction cost for the artificial grass pitch was \$496,476.36.
- However as the project progressed, the scope was cut to mitigate budget overruns. The hard-courts were deleted from the works based on the construction program.
- The total amount of funding allocated to Artificial Grass Program 2011-13 Package 1 was expended during the construction phase and there are no remaining funds.

[REDACTED]

[REDACTED]

Document 14 is exempt under  
section 36 of the  
*Freedom of Information Act* 1989.

Document 15 is exempt under  
section 36 of the  
*Freedom of Information Act* 1989.



**From:** Wynants, John  
**Sent:** Thursday, 12 February 2015 9:16 AM  
**To:** Budnick, Narelle  
**Cc:** Neathercote, Mark; Morton, Phillip; Kidman, Fiona; Lewis, Robyn; Bray, Rodney; Brighton, Meg; Wasiluk, Kendra  
**Subject:** FW: Additional info; Telopea  
**Attachments:** FW: 10022015 Telopea Park School

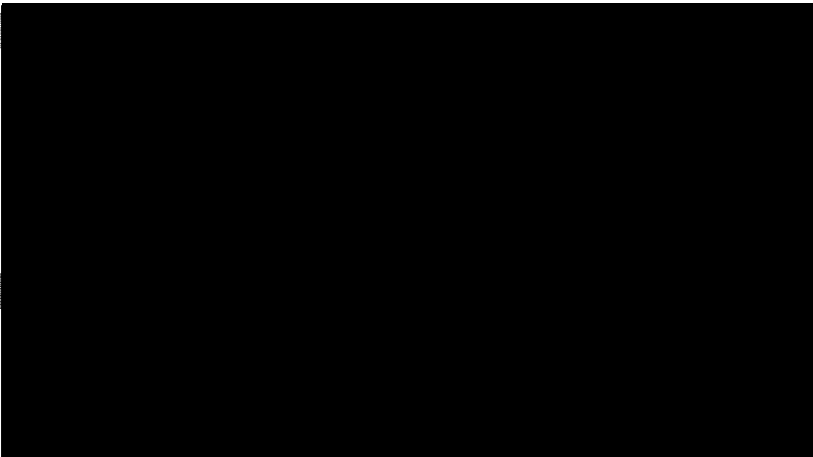
**Importance:** High

**Categories:** FOI [REDACTED]

Narelle

Can you coordinate the ICW information. I will need information by 10:00am.

1.



2.

- 3. Commitment (hard court upgrade)
  - Commitment already confirmed (attached)
  - Essentially:
    - i. \$480,000 was commitment to replace hard courts
    - ii. This was revised to provide synthetic pitch and hard court refurbishment
      - o Cost estimate for synthetic pitch was [REDACTED]
      - o Cost estimate for hard court refurbishment was [REDACTED]
    - iii. Final cost for synthetic pitch was \$496,000
    - iv. Funding for hard court was dependent on future Budget funding (stage 2). These proposal have not been approved

Thanks

John W

---

**From:** Brighton, Meg  
**Sent:** Wednesday, 11 February 2015 10:34 PM  
**To:** Stewart, Tracy (DET); Wynants, John  
**Subject:** Additional info; Telopea

Hi

On thurs am can we have dots on:

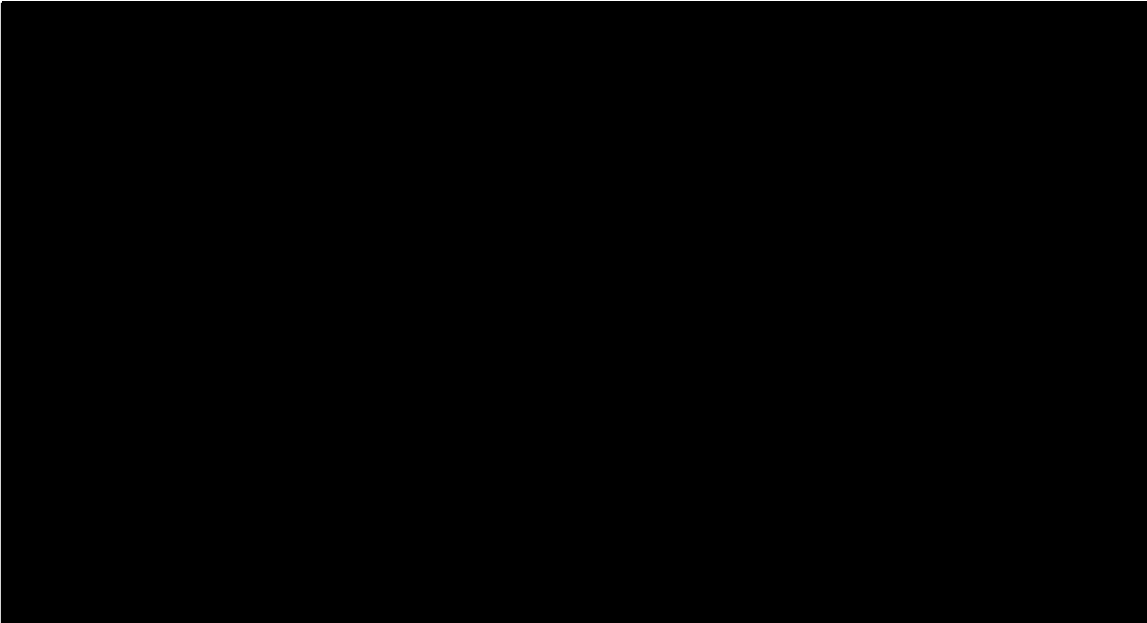


- [REDACTED]  
-

- confirmation of leaseholder for oval - Tracy
- previous budget commitment and reasons why not progressed - John

Thanks  
Meg

**Meg Brighton** | Deputy Director-General, Organisational Integrity |  
T: +61 2 6207 0384 | F: +61 2 6205 9418 | M: [REDACTED] E: [meg.brighton@act.gov.au](mailto:meg.brighton@act.gov.au)  
| **Education and Training Directorate** | ACT Government  
Level 4, 220 Northbourne Ave Braddon | GPO Box 158 Canberra ACT 2601 | [www.det.act.gov.au](http://www.det.act.gov.au)



**Commitment - Hard Court upgrade**

- Teloepa Park School tennis courts originally formed part of the Artificial Grass Program 2011-13 Package 1 (Appropriated in the 2011-12 Budget).
- Cost estimates for the two project tasks at Teloepa PS were – artificial grass pitch and refurbished courts



**From:** Brighton, Meg  
**Sent:** Thursday, 12 February 2015 8:42 AM  
**To:** Gange, Carly; Kulasingham, Mark; Hawthorne, Maria; Emerson, Marc  
**Cc:** Stewart, Tracy (DET)  
**Subject:** FW: Montgomery Oval media Q&A  
**Attachments:** Q&A Media template - Montgomery Oval.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** FOI - Telopea P&C

Dear Maria and Marc

Messages re: Montgomery Oval.

Tracy will get them over to EDD this morning.

Meg

**From:** Stewart, Tracy (DET)  
**Sent:** Thursday, 12 February 2015 8:27 AM  
**To:** Brighton, Meg  
**Subject:** Montgomery Oval media Q&A

Tracy Stewart | Director  
Phone: +61 2 6205 5511 | Email: [tracy.stewart@act.gov.au](mailto:tracy.stewart@act.gov.au)  
Planning and Performance Branch | Education and Training | ACT Government  
GPO Box 158 Canberra ACT 2601 | [www.det.act.gov.au](http://www.det.act.gov.au)



**ACT**  
Government

Education and Training

## Media Briefing

<b>Date: 12 February 2015</b>	<b>Interview time/location:na</b>
<b>Journalist/Media Org: na</b>	<b>Contact:na</b>

**Subject:** Montgomery Oval development/Telopea Park School upgraded sports facilities

**Objective:** To respond to community questions about the transfer of land on Montgomery Oval to facilitate the Manuka precinct renewal.

**Key Points:**

1. The LDA has requested the transfer of a small part of Montgomery Oval site to facilitate the urban renewal of the Manuka precinct.
2. Having regard to the best options for the Territory and the opportunities for upgrade of Telopea Park School, the Education and Training Directorate has agreed to the transfer of 1/5<sup>th</sup> of Montgomery Oval to LDA for the purposes of this urban renewal.
3. LDA is proposing to replace the tennis courts currently occupying the land with a childcare centre. The LDA will undertake the usual community consultation, traffic studies and development application processes.
4. The LDA will also fund new and upgraded sporting facilities at Telopea Park School.
5. The Education Directorate will consult with the school community on the proposed new and upgraded sporting facilities at the school.

Expected Question	Answer	Media point
Why was the transfer of land on Montgomery Oval undertaken?	<p>This initiative has enormous benefits to Telopea Park School – students will receive upgraded sporting facilities and students will no longer need to cross the road to access tennis courts.</p> <p>The transfer also has important benefits for the local community, enabling the urban renewal of the Manuka precinct.</p> <p>The co-location of community facilities, such as school and childcare, provides benefits for the local community.</p>	<p>This arrangement provides enormous benefits to Telopea Park School students through new and upgraded sports facilities.</p> <p>It also provides significant benefits to the wider community.</p>
Why wasn't the school community consulted on the land transfer?	LDA had been looking for suitable land for some time. When the proposal was put	

	<p>to the Education Directorate there was some urgency to the decision.</p> <p>The Education Directorate will retain the majority of the land (only 1/5<sup>th</sup> is transferring) and Montgomery Oval will continue to be used by Telopea Park School students.</p>	
<p>Will the development go through the usual consultation?</p>	<p>Yes. It is usual for the Education Directorate to consult with school communities at the time that development is proposed, not in relation to land transfers within government. For this process, the land transfer and development are occurring within a close timeframe.</p> <p>Consultation has commenced with the Telopea Park School community regarding the outcome for the school and its students. There will be the usual community consultation and traffic studies undertaken as part of the LDA's proposal.</p>	<p>Yes, the development is proceeding through the usual consultation processes. Consultation with the Telopea Park School community has already commenced.</p>
<p>Will the transfer of the land impact on the School's ability to cater for the needs of its local students?</p>	<p>No. The proposed new and upgraded sporting facilities will deliver additional benefits for the students.</p> <p>In relation to capacity, the primary school section of the school does not cater for local students due to the specialist French program that is in operation at the School. Local primary students, not eligible for the French program, attend Red</p>	<p>The new and upgraded sporting facilities will deliver additional benefits for students.</p> <p>The School has ample capacity to cater for local high school students.</p>

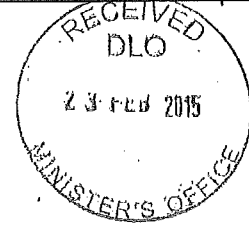
	<p>Hill Primary School or Forrest Primary School.</p> <p>The high school section has ample capacity to cater for local high school students, and in fact has had the capacity to cater for large numbers of out of area students.</p>	
<p>Is the decision on the land transfer final? An Education spokesperson indicated to the School P&amp;C that it was not.</p>	<p>Yes, the decision on the land transfer is final. Unfortunately the spokesperson did not provide the correct information to the meeting.</p> <p>This decision is important to facilitate a range of community benefits, including upgrades at the School and the renewal of the Manuka precinct.</p>	<p>Yes. This decision is important to facilitate a range of community benefits, including upgrades at the School and the renewal of the Manuka precinct.</p>

Document 18 is exempt under  
section 36 of the  
*Freedom of Information Act* 1989.



MIN 15/152  
DUE 9/2/15

**From:** [REDACTED]  
**Sent:** Wednesday, 18 February 2015 12:23 PM  
**To:** BURCH  
**Cc:** DOSZPOT; BERRY; Dunne, Vicki  
**Subject:** Telopea Park School Tennis Courts



Dear Minister Burch,

I am writing to you to express my deep upset over the decision to remove Telopea Park School Tennis courts from their current location on Montgomery oval and replace them with MOCCA childcare centre. I understand the courts are proposed to be relocated onto the back of the school oval. This decision I find very disappointing and surprising.

As a parent [REDACTED] with a long history at Telopea Park school, I am confused why your government did not consult with the school community first?

In fact, when [REDACTED] was attending Telopea we were informed about the tennis courts being upgraded in the 2011 ACT budget. The community was ecstatic ! Obviously this did not take place! We waited patiently for the refurbishment. I know wonder if this another empty promise?

Now you want to take more land off a public school with an exceptional reputation. Surely we must be investing in our education system and not be removing valuable land but instead continuing to develop the infrastructure and resources of that school.

To try and buy the community off by promising a sports centre- aka tennis courts when they should of been refurbished in 2011 as promised, is not only insulting but disrespectful to your constituents and not the best interests of our children or the community. I ask again where was the consultation? The traffic contestation in that area is horrific at best and a childcare centre would only make the area more congested and more dangerous. It seems to me to be a ludicrous proposal on all accounts.

Telopea Park school has a rich history and the excellent leadership has lead this school into a light house in the ACT and Australia. I ask instead of removing valuable assets- land- you and your government invest more money and make a great school even better.

I eagerly await your reply

[REDACTED]

**To**

- Minister
- Chief of Staff
- Senior Advisor
- Media Advisor
- DLO
- OM

**Please**

- Reply
- Advise
- Noted
- File
- Comment .....
- Arrange Meeting
- FYI
- Refer to .....
- Action

**E-MAILED**  
21/3/15



**Joy Burch MLA**

MINISTER FOR EDUCATION AND TRAINING  
MINISTER FOR POLICE AND EMERGENCY SERVICES  
MINISTER FOR DISABILITY  
MINISTER FOR RACING AND GAMING  
MINISTER FOR THE ARTS

---

MEMBER FOR BRINDABELLA

Dear [REDACTED]

Thank you for your email of 18 February 2015 and your email of 17 March 2015 to the Chief Minister about the tennis courts used by Telopea Park School.

I can confirm that a decision has been taken to provide a portion of land on Montgomery Oval, where four tennis courts are currently located, for the development of a childcare centre.

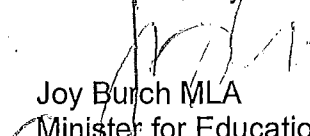
This arrangement will enable the urban renewal of the Manuka precinct which is a significant priority for the ACT Government. Specifically, the renewal includes the provision of additional childcare places in the community through the relocation of the Manuka Occasional Childcare Centre to a larger, purpose-built facility; and the revitalisation of Manuka Oval; a replacement building for the Canberra Services Club and a Defence Housing Australia residential development. As part of the child care centre development process, the ACT Government is undertaking a traffic study of the relevant area.

\$800,000 is being made available to Telopea Park School for the purpose of providing new and upgraded sporting facilities to replace the tennis courts.

The Principal of Telopea Park School, Ms Kerrie Blain is consulting with the school community, including the School Board and the P&C, about options for the new sports facilities. I am expecting that work will commence this year, which will be prior to the construction of the childcare centre.

Thank you for writing to me on this matter and taking the time to contribute to your school community.

Yours sincerely

  
Joy Burch MLA  
Minister for Education and Training  
March 2015

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601  
Phone: (02) 6205 0020 Fax: (02) 6205 0495 Email: BURCH@act.gov.au  
Twitter: @JoyBurchMLA Facebook: www.facebook.com/Joyburchmla



CANBERRA



**Telopea Park School  
Parents and Citizens  
Association**

26 February 2015

Ms Kathy Leigh  
Head of Service and Director-General  
Chief Minister, Treasury and Economic Development Directorate  
GPO Box 158  
Canberra City ACT 2601

Dear Ms Leigh,

**TELOPEA PARK SCHOOL PLAYING FIELDS - MANUKA CIRCLE**

I am writing on behalf of the Parents and Citizens Association (P&C) of the Telopea Park School (the School) in relation to recently-published decisions by the ACT Government that directly affect our School and its students and, in particular, to express the P&C's deep concerns and disappointment over the way in which the ACT Government has apparently handled such decisions.

**Background**

By way of background, Mr Wayne Prowse, the ACT Education and Training Directorate's Network Leader for South/Weston, attended our P&C Annual General Meeting at the School on 11 February 2015. We were informed by our School principal, Ms Kerrie Blain, that Mr Prowse was attending our AGM for the purposes of observing how our P&C meetings are conducted.

During the 'Any Other Business' agenda item at the AGM, a specific question was put to Mr Prowse by a parent regarding whether a decision had been taken by the ACT Government to relocate the Manuka Occasional Childcare Centre Association (MOCCA), currently located on Flinders Way, and, if so, whether such decision would have any impact on Telopea Park School.

While Mr Prowse did not answer this question directly, he raised in his response the possibility that some part of the Telopea Park School grounds, namely the Montgomery Playing Fields, had been identified and was being considered by the ACT Government as "one possible option" for the MOCCA relocation but that no decision had yet been made.

The information disclosed by Mr Prowse at our AGM came as a complete surprise to the P&C since we had not previously been informed that any part of the School's grounds was under consideration for re-purposing.

**Consultation and Communication**

The lack of any prior warning from the ACT Government, or consultation with the P&C or to the best of our knowledge the School, regarding the proposed re-purposing of the School's playing fields, combined with reticence from Mr Prowse to engage in any open discussion of the issue at our AGM, has caused considerable confusion and concern amongst the P&C and the wider School community (both during and subsequent to the AGM).

Even more concerning is that, within a mere three days of the express statements made by Mr Prowse at our AGM that no decisions had yet been taken by the ACT Government in relation to re-purposing of the School's playing fields, *The Canberra Times* published an article which suggested that the re-purposing was, as they say, a 'done deal' involving not only MOCCA but also the Canberra Services Club, the Defence Housing Association and Manuka Oval (see <http://www.canberratimes.com.au/act-news/canberra-services-club-secures-home-in-act-government-land-swap-20150212-13d8ch.html>).

The P&C is deeply concerned that the ACT Government has apparently been engaged in implied lengthy and complex negotiations which have been "months in the pipeline" (to quote from *The Canberra Times* article) in relation to re-purposing of the School's playing fields and yet it did not at any time during such negotiations take any steps to consult with or even properly inform the School community.

### **Information provided at the School's Board Meeting**

Subsequent to the AGM, an Extraordinary meeting of the School's Board was called by the Chair of Board. Representatives of the ACT Government attended the meeting to allow the Board the chance to ask questions about this decision. The representatives were Mr Prowse and Ms Tracey Stewart (from Central Office, Education and Training Directorate) and Ms Liz Lopa and Mr Dan Stewart from the Land Development Agency.

The essence of what the ACT Government's representatives said at the meeting was that the ACT Government had made a decision to conduct this negotiation with Defence Housing, Canberra Services Club and MOCCA and to not consult with the School until an agreement had been reached. We were informed that the ACT Government does not consult with schools or the community when it comes to decisions about the distribution and allocation of community resources.

The Board was told by the Principal, and the ACT Government's representatives confirmed that:

- Mr Prowse met with the Principal on 20 January 2015 to show her the plans for the tennis courts and the MOCCA relocation.
- Ms Stewart and Ms Lopa briefed the Principal on 9 February 2015 that the land had been transferred from the School. The land had been valued and \$800,000 would be given to the School.
- The Principal was told that this matter was confidential and she was not permitted to tell the Board or the P&C until the ACT Government had prepared their communication strategy.
- Ms Stewart prepared a letter for the Principal's signature which was sent to the School community informing them about the transfer on 12 February 2015 (ie this was the ACT Government's "communication strategy").

The Board members asked the ACT Government representatives a number of questions about:

- the lack of consultation;
- the lack of transparency surrounding this decision;
- whether the Government had considered a safety strategy for the children and community to deal with the increased traffic issues before a decision was made; and
- what the School could do with the \$800,000 (ie whether there were any conditions attached).

The Board was told that:

- The ACT Government does not consult on matters to do with school land and the re-purposing of it. The P&C, Board and community could take part in the Development Approval process.
- Decisions of this type are made frequently by the ACT Government and this decision was approached no differently.
- The information provided to the P&C was incorrect and misleading.
- The School could use the tennis courts until replacement courts were completed. The funding should be sufficient to cover the cost of the tennis courts rebuild.
- The School had the discretion of how to use the funding.

The information above represents our current understanding of the situation as it currently stands.

### **Teloepa P&C Response**

To be clear, the P&C is generally supportive of elements of the plan which was described in *The Canberra Times* article, in particular, the construction of a new building for the Canberra Services Club, improvements to childcare availability and supply with the new MOCCA facility and the improved ability to accommodate larger sporting events at Manuka Oval (and the resulting benefits to the local economy).

However, we currently lack the basic information required to conduct a meaningful overall analysis of the decision or assess its impact upon the School and the School community.

Suffice it to say that our strong preference is to not lose any part of our School's grounds and, at the very least, to have been included in some form of consultation regarding a decision which will have a direct impact on our children and our School.

### **Request for Further Information**

In the circumstances, the P&C requests clarification and further information as follows:

- *Details of Plan*  
Please provide exact details of the land proposed to be repurposed, including plans detailing which part of Montgomery Playing Fields and the tennis courts will be redeveloped and which land will remain accessible by the School.
- *Decision-Making*  
Please provide details of the ACT Government's decision-making process which resulted in the decision to re-purpose the School's playing fields, including the time period of the process, the consultation undertaken and the proposed timescales for implementation of the decision.
- *Agreements Reached*  
Please confirm the substantive details of the agreements which the ACT Government has reached with the Canberra Services Club, Defence Housing Association, Manuka Oval and/or MOCCA affecting the whole or any part of the Montgomery Playing Fields.
- *Impact Assessment*  
Please provide further information demonstrating the ACT Government's proper assessment and consideration of how the re-purposing of the playing fields will impact our School and the local community.



- *Traffic and Parking*

Please confirm whether the ACT Government has considered and conducted any studies on the impact a new childcare centre will have on the parking and traffic issues in the area surrounding our School.

The considerable parking and traffic safety issues that currently confront the School community have previously been well documented and publicised and, we can only assume, will only be made worse by the introduction of further traffic and parking demands in the area.

- *Valuation*

Please provide details of any property valuation which was obtained in respect of the land in question and how the replacement costs for the School's lost sporting facilities were assessed.

This information will assist the P&C in determining our next steps.

### **Open Government**

Finally, we would appreciate your explanation of why the ACT Government did not consider it appropriate to involve the School and its P&C in a decision process which would directly affect the School and its students.

In our view, there is currently a disappointing and alarming lack of transparency surrounding the decision to re-purpose our School's playing fields which is in direct contradiction to the ACT Government's espoused "Open Government" policy and its public commitment to:

- transparency in process and information;
- participation by citizens in the governing process; and
- public collaboration in finding solutions to problems and participation in the improved well-being of the Community.

If you require any further information please do not hesitate to contact me. Otherwise, I look forward to receiving the further information requested above. I can be reached on 0405 070 136 or at [president@telopeapnc.org.au](mailto:president@telopeapnc.org.au).

We will be providing a copy of this letter to the Principal, Kerrie Blain, for her information.

Yours sincerely



Paul Haesler  
President  
Telopea Park School P&C Association

cc: Dan Stewart  
Deputy Director General  
Land Development Agency  
  
Jacinda Still  
Chair  
Telopea Park School Board

[REDACTED]

---

**From:** Whybrow, Mark  
**Sent:** Friday, 27 February 2015 1:03 PM  
**To:** Douch, Lauren; Podnar, Peter  
**Cc:** Podnar, Peter; Morton, Phillip; Wynants, John; Nugent, Adam  
**Subject:** RE: Crown Lease Surrender

Lauren/ Peter

I have confirmed with Adam that ETD's roll is just the agreement to sign the transfer and the provision of core documentation (i.e. our existing lease doco). LDA will do all the leg work and meet all the costs.

Adam please liaise with Lauren directly.

Cheers  
Mark

Mark Whybrow | Chief Finance Officer |  
Phone: 02 62052685 | Fax: 02 620 | Mobile: [REDACTED]  
Strategic Finance | Education and Training Directorate |  
ACT Government | Level 1 Annex, 220 Northbourne Avenue, Braddon |  
GPO Box 158 Canberra ACT 2601 |  
<mailto:mark.whybrow@act.gov.au>  
<http://www.det.act.gov.au>

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**From:** Douch, Lauren  
**Sent:** Friday, 27 February 2015 12:13 PM  
**To:** Wynants, John  
**Cc:** Podnar, Peter; Morton, Phillip; Whybrow, Mark  
**Subject:** RE: Crown Lease Surrender

Hi John,

My mistake. You are correct EDD will be undertaking the work to subdivide this block and we just need to relinquish the entire block to them.

Sorry for any confusion I have cause. I will do some investigation on what is required and move forward with this.

Regards  
Lauren

**Lauren Douch**  
Assistant Manager - Internal Reporting and Statistics  
Strategic Finance | Education and Training | ACT Government | [www.det.act.gov.au](http://www.det.act.gov.au)  
Ph: (02) 6205 9115 | Fax: (02) 6205 5472 | Email: [lauren.douch@act.gov.au](mailto:lauren.douch@act.gov.au)  
Level 1 220 Northbourne Avenue | GPO Box 158 Canberra ACT 2601 |

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**From:** Wynants, John  
**Sent:** Friday, 27 February 2015 10:03 AM  
**To:** Douch, Lauren

**Cc:** Podnar, Peter; Morton, Phillip; Whybrow, Mark  
**Subject:** RE: Crown Lease Surrender

Lauren

My understanding was that EDD would be undertaking this task.

John W

---

**From:** Douch, Lauren  
**Sent:** Friday, 27 February 2015 9:04 AM  
**To:** Wynants, John; Morton, Phillip  
**Cc:** Podnar, Peter  
**Subject:** FW: Crown Lease Surrender

Hi John and Phil,

I have been asked to progress this work for the subdivision of this block which I believe is Block 5 Section 36 of Forrest.

As we have previously discussed, I was wondering if we would be able to engage with the lady that you spoke about that would be able to advise us of which process we need to undertake to do this work. If there is any possible way to not have to undertake the DA process this would be ideal.

Please let me know if you are able to assist.

Cheers  
Lauren

**Lauren Douch**

Assistant Manager - Internal Reporting and Statistics  
Strategic Finance | Education and Training | ACT Government | [www.det.act.gov.au](http://www.det.act.gov.au)  
Ph: (02) 6205 9115 | Fax: (02) 6205 5472 | Email: [lauren.douch@act.gov.au](mailto:lauren.douch@act.gov.au)  
Level 1 220 Northbourne Avenue | GPO Box 158 Canberra ACT 2601 |

---

**From:** Podnar, Peter  
**Sent:** Thursday, 26 February 2015 4:46 PM  
**To:** Douch, Lauren  
**Subject:** FW: Crown Lease Surrender

Hi Lauren,

Can you please check with your contacts on how to do this.

Cheers

Pete.

---

**From:** Whybrow, Mark  
**Sent:** Thursday, 26 February 2015 4:14 PM  
**To:** Podnar, Peter  
**Subject:** RE: Crown Lease Surrender

Peter

This is happening. Please arrange documentation for my approval.



Cheers  
Mark

Mark Whybrow | Chief Finance Officer |  
Phone: 02 62052685 | Fax: 02 620 | Mobile: [REDACTED]  
Strategic Finance | Education and Training Directorate |  
ACT Government | Level 1 Annex, 220 Northbourne Avenue, Braddon |  
GPO Box 158 Canberra ACT 2601 |  
<mailto:mark.whybrow@act.gov.au>  
<http://www.det.act.gov.au>

---

**From:** Podnar, Peter  
**Sent:** Thursday, 26 February 2015 3:45 PM  
**To:** Whybrow, Mark  
**Cc:** Douch, Lauren  
**Subject:** FW: Crown Lease Surrender

Hi Mark

This relates to transfer of lease for Montgomery Oval (adjacent to Telopea Park School) to LDA so that they can subdivide to build a childcare centre on that site (relocate Manuka CCC).

I have never received official direction here within ETD to progress the work, or whether it had been approved to go ahead, so no work has progressed.

If this has been agreed to, please advise and we will arrange for the lease to be transferred to LDA.

Thanks

Peter.

---

**From:** Whybrow, Mark  
**Sent:** Thursday, 26 February 2015 2:57 PM  
**To:** Podnar, Peter  
**Subject:** FW: Crown Lease Surrender

Your advice please.

---

**From:** Nugent, Adam  
**Sent:** Thursday, 26 February 2015 2:48 PM  
**To:** Whybrow, Mark  
**Subject:** Crown Lease Surrender

Hi Mark,

As discussed on the phone earlier today.

Please see email below regarding the surrender of the Crown Lease for the Forrest School Site.  
Could you please arrange for this at your earliest convenience.

If you have any questions please contact myself or Lucia Carson on 6207 9604.

Regards

Adam

**Adam Nugent | Manager, Land Management  
Sales | Marketing | Land Management.**

Phone: 02 6207 4754 | Fax: 02 6207 5101 | Mobile: [REDACTED]

Land Development Agency | Economic Development Directorate | ACT Government

Ground Floor TransACT House, 470 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | Web:

[www.lda.act.gov.au](http://www.lda.act.gov.au)

---

**From:** Carson, Lucia

**Sent:** Monday, 23 February 2015 12:06 PM

**To:** Nugent, Adam

**Cc:** Prendergast, MichaelJ; Lopa, Liz

**Subject:**

Afternoon Adam,

As per our conversation this morning. The Lease for Forrest Block 5 Section 36 (school site) needs to be surrendered. I believe Education hold the lease for this site. Could you please make sure that it is surrendered as soon as possible as we need to subdivide the site as well undertake due diligence.

If you need any further information from me, please do not hesitate to contact me.

Kind regards,

Lucia Carson | Project Officer

Urban Renewal | Land Development Agency

Chief Minister, Treasury & Economic Development Directorate

Level 7 TransACT House | 470 Northbourne Avenue | DICKSON ACT 2602

T: 6207 9604 | F: 6207 7324 | E: [lucia.carson@act.gov.au](mailto:lucia.carson@act.gov.au)

Document 22 is exempt under  
section 36 of the  
*Freedom of Information Act* 1989.

**From:** Nugent, Adam  
**Sent:** Thursday, 5 March 2015 9:18 AM  
**To:** Douch, Lauren  
**Cc:** Carson, Lucia  
**Subject:** RE: Crown Lease Surrender - Block 5 Section 36 Forrest  
**Attachments:** DCL Form 2012-59.pdf

Lauren,

Attached is the Crown Lease surrender form.

Could you please fill in the details of the lease as indicated in the 'Title and Land Details' section of the form (these details can be found on the lease doc) and also have the 'Lessee/s Execution' section signed and witnessed.

Once this is done could you please send this back to me and I will take care of the rest.

Any questions please contact me.

Kind Regards

Adam

**Adam Nugent | Manager, Land Management  
Sales | Marketing | Land Management.**

Phone: 02 6207 4754 | Fax: 02 6207 5101 | Mobile: [REDACTED]

Land Development Agency | Economic Development Directorate | ACT Government

Ground Floor TransACT House, 470 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | Web:

[www.lda.act.gov.au](http://www.lda.act.gov.au)

---

**From:** Douch, Lauren  
**Sent:** Monday, 2 March 2015 2:14 PM  
**To:** Nugent, Adam  
**Subject:** RE: Crown Lease Surrender - Block 5 Section 36 Forrest

Hi Adam,

As per emails below, once you have any documentation ready for ETD to sign please contact me and I will be able to assist in getting it to happen from our end.

Any questions let me know.

Regards  
Lauren

**Lauren Douch**

Assistant Manager - Internal Reporting and Statistics

Strategic Finance | Education and Training | ACT Government | [www.det.act.gov.au](http://www.det.act.gov.au)

Ph: (02) 6205 9115 | Fax: (02) 6205 5472 | Email: [lauren.douch@act.gov.au](mailto:lauren.douch@act.gov.au)

Level 1 220 Northbourne Avenue | GPO Box 158 Canberra ACT 2601 |

## DETERMINATION / SURRENDER OF A CROWN LEASE

Form 057 - DCL

*Land Titles Act 1925*

### IMPORTANT INFORMATION

This form is to be used to lodge a determination/surrender of a crown lease under the *Land Titles Act 1925* (the Act). You can access the Act at [www.legislation.act.gov.au](http://www.legislation.act.gov.au). You may also obtain further information and forms at [www.ors.act.gov.au](http://www.ors.act.gov.au).

### PRIVACY INFORMATION

The Act authorises the Registrar-General to collect the information required by this form. The Registrar-General provides identifiable information to various agencies including, but not limited to, the ACT Environment and Sustainable Development Directorate, ACT Treasury Directorate, Canberra Connect and ACTEWAGL for conveyancing, municipal account administrative, statistical and valuation purposes. These agencies may also use this information to prepare and sell property sales reports to commercial organisations concerned with the development, sale or marketing of land.

### CONTACT INFORMATION

Lodge in person at the **Office of Regulatory Services:** **255 Canberra Avenue, Fyshwick ACT 2609**  
Office Hours: **9:00am to 4:30pm Monday to Friday**  
General enquiries telephone number: **(02) 6207 0491**  
Website address: **[www.ors.act.gov.au](http://www.ors.act.gov.au)**

### INSTRUCTIONS FOR COMPLETION

- The certificate of title or production of title consenting to the registration of this document is required for lodgement.
- All information should be typed or clearly printed. If completing this form by hand please use a solid black pen only.
- This office will not accept lodgement of this form if it is not completed in full.
- Any alteration to information provided on this form must be struck through with a black pen. Substitute information must be clear and all parties must sign in the margin. Do not use correction fluid or tape.
- Ensure all required documents are attached. If there is insufficient space in any panel, please use an Annexure Sheet.
- Execution by:
  - a) **A Natural Person** – Should be witnessed by an adult person who is not a party to the document.
  - b) **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 e.g. “AB by his/her attorney XY pursuant to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation”. (This execution requires a witness).
  - c) **Corporation** – Section 127 of the *Corporations Act* provides that a company may now validly execute a document with or without using a Common Seal if the document is signed by:
    - i. Two directors of the company;
    - ii. A director and a secretary of the company; or
    - iii. Where the company is a proprietary company and has a sole director who is also the sole company secretary, that director. (This execution does not require a witness).
- The following forms of execution are suggested –
  - a) **With A Common Seal**  
The common seal of ABC Pty Ltd/Ltd ACN.....  
was affixed in the presence of-  
.....(signature)  
.....(director/secretary)\*  
(\*repeat if necessary i.e. if two directors signing. If signing as sole director and sole secretary, state ‘director/secretary’) – (This execution does not require a witness).
  - b) **Without A Common Seal**  
Signed by ABC Pty Ltd/Ltd ACN.....  
.....(signature)  
.....(director/secretary)\*  
(\*repeat if necessary i.e. if two directors signing. If signing as sole director and sole secretary, state ‘director/secretary’) – (This execution does not require a witness).

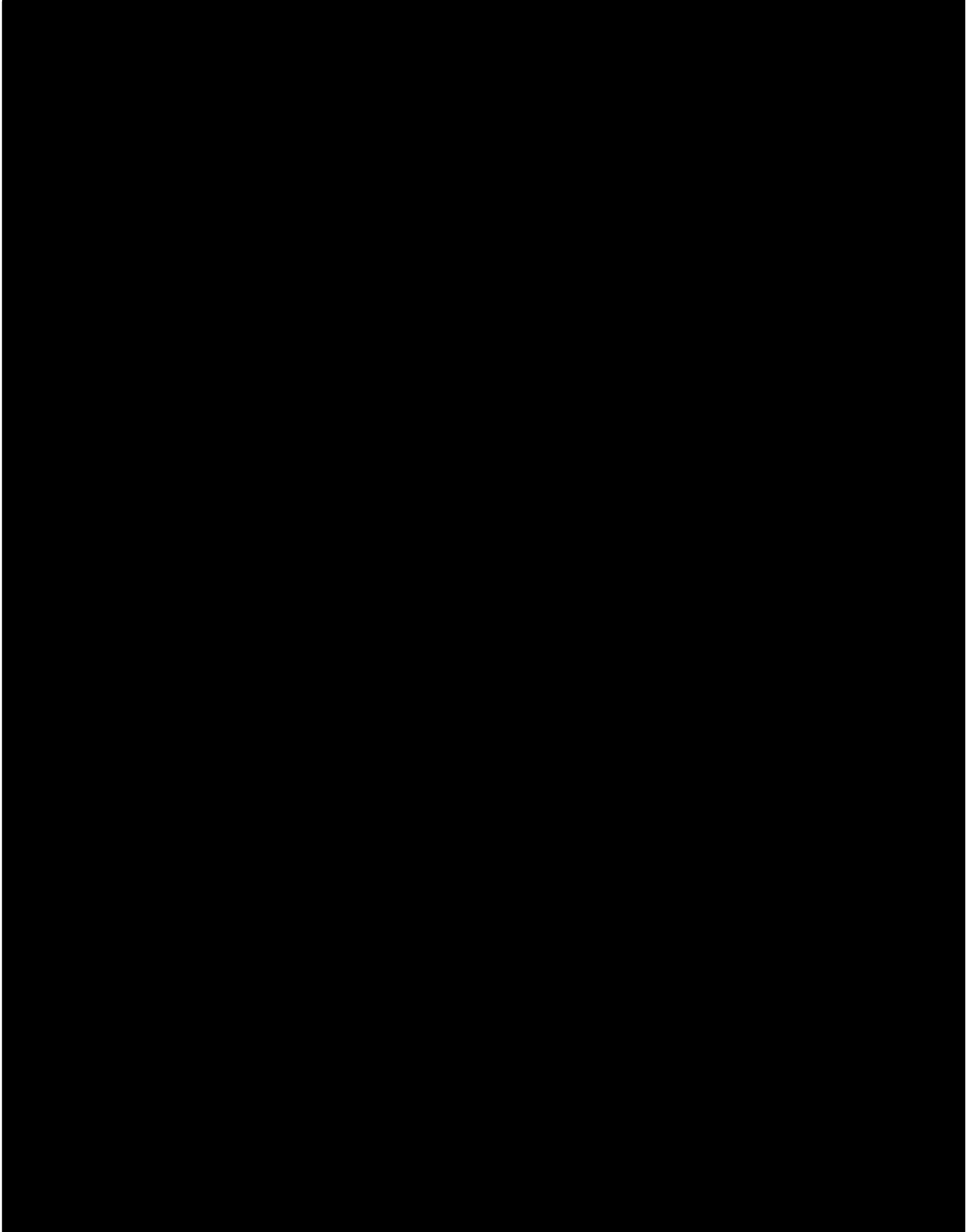


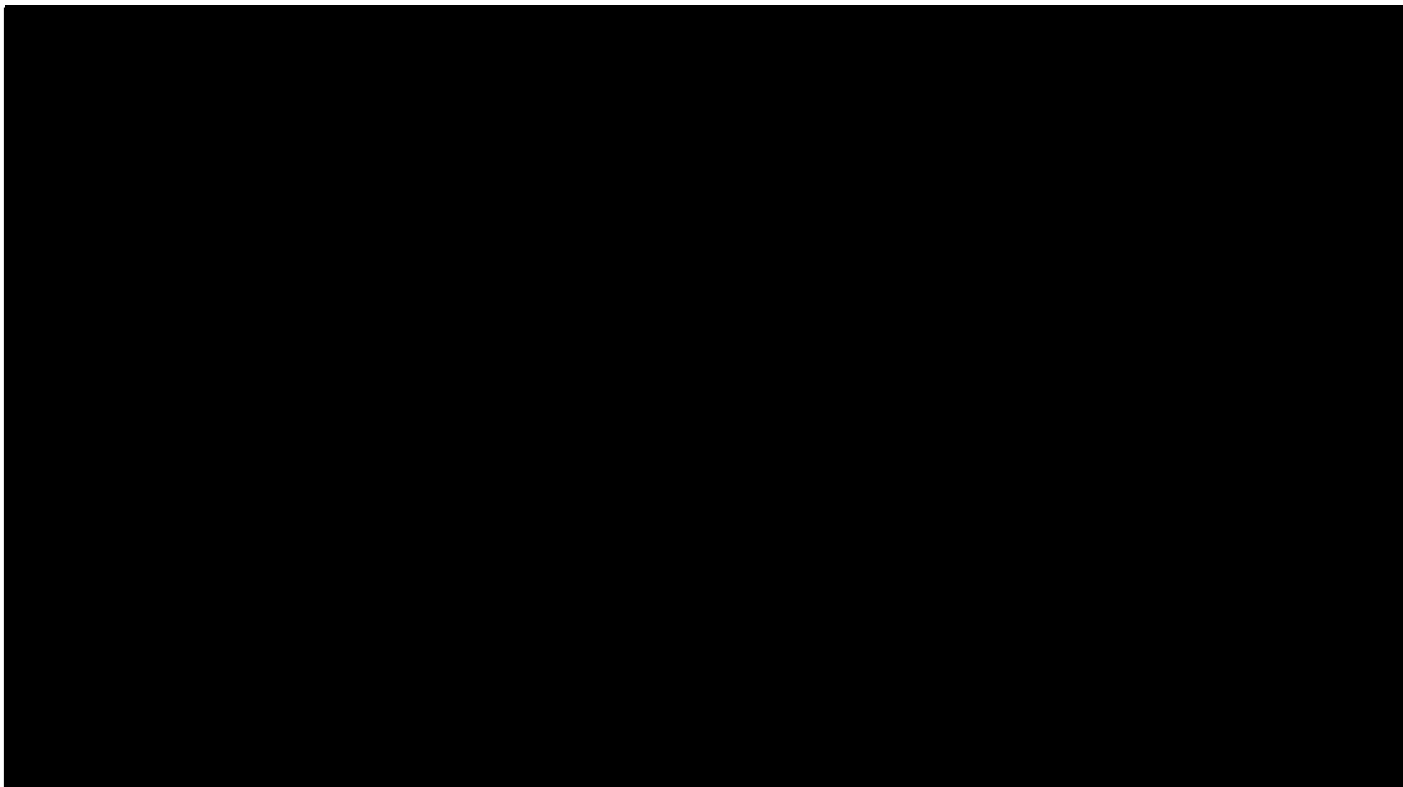
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ACT Justice and Community Safety Directorate

## DETERMINATION / SURRENDER OF A CROWN LEASE

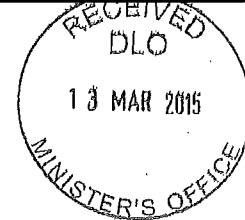




MINIS/233

Page 27/3

From: [redacted]  
Sent: Tuesday, 10 March 2015 9:57 AM  
To: BURCH  
Cc: [redacted]  
Subject: relocation of childcare centre to Telopea Park school land [redacted]



UNCLASSIFIED

Hello Minister Burch

We were very disappointed to read in the Canberra Times last week that the tennis courts from Telopea Park school are to be offered to private developers for a child care centre.

Our concerns are:

- we understand the school was not consulted
- parents of the school were unaware of the proposal
- the school regularly uses the tennis courts so this would be a loss of facilities for the students
- we would be very disappointed to see community land sold/gifted to private developers without any community consultation
- we would also be concerned about any proposal about the rest of the land/oval - which is valuable land for the school
- the OHS aspect of the proposed location, with New South Wales Crescent already a nightmare for school drop off and pick up, and Manuka Circle being a major thoroughfare
- access to Manuka Circle is closed during major event events at Manuka Oval
- the nearest childcare centre is within 500m
- the gap left for childcare in Griffith, particularly those on lower incomes

We would appreciate your thoughts on the issue.

The article referred to is: <http://www.canberratimes.com.au/act-news/manuka-childcare-centre-cant-afford-canberra-services-club-land-swap-20150302-13r3lm.html>

thanks

IMPORTANT:

[redacted] If you have received this email in error, you are requested to contact the sender and delete the email.

Check EID to Respond?

To

- Minister
- Chief of Staff
- Senior Advisor
- Media Advisor
- DLO
- OM

Please

- Reply
- Advise
- Noted
- File
- Comment
- Arrange Meeting
- FYI
- Refer to ..... CMO
- Action

CMO

WDA

EDD





## Joy Burch MLA

MINISTER FOR EDUCATION AND TRAINING  
 MINISTER FOR POLICE AND EMERGENCY SERVICES  
 MINISTER FOR DISABILITY  
 MINISTER FOR RACING AND GAMING  
 MINISTER FOR THE ARTS

**E-MAILED**

17/3/15

---

MEMBER FOR BRINDABELLA



Dear 

Thank you for your email of 10 March 2015 about the development of a child care centre on tennis courts adjacent to the Telopea Park School.

I can confirm that a decision has been taken to provide a portion of land on Montgomery Oval, where four tennis courts are currently located, for the development of a childcare centre.

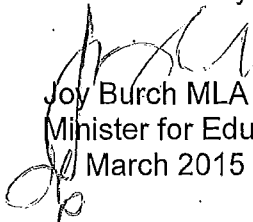
This arrangement will enable the urban renewal of the Manuka precinct which is a significant priority for the ACT Government. Specifically, the renewal includes the provision of additional childcare places in the community through the relocation of the Manuka Occasional Childcare Centre to a larger, purpose-built facility; and the revitalisation of Manuka Oval; a replacement building for the Canberra Services Club and a Defence Housing Australia residential development. As part of the child care centre development process, the ACT Government is undertaking a traffic study of the relevant area.

\$800,000 is being made available to Telopea Park School for the purpose of providing new and upgraded sporting facilities to replace the tennis courts.

The Principal of Telopea Park School, Ms Kerrie Blain is consulting with the school community, including the School Board and the P&C, about options for the new sports facilities. I am expecting that work will commence this year, which will be prior to the construction of the childcare centre.

Thank you for writing to me on this matter and taking the time to contribute to your local community.

Yours sincerely

  
 Joy Burch MLA  
 Minister for Education and Training  
 10 March 2015

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601  
 Phone: (02) 6205 0020 Fax: (02) 6205 0495 Email: BURCH@act.gov.au  
 Twitter: @JoyBurchMLA Facebook: www.facebook.com/joyburchmla





**ACT**  
Government  
Education and Training

File Ref: 2013/11036  
Trim No: DET15/280

**Chief Financial Officer**

**Determination / Surrender of a Crown Lease (DCL) form for the surrender of Block 5  
Section 36 of Forrest**

**Recommendation/s**

That you:

Agree to sign the DCL form at Attachment 1 for the surrender of the Crown Lease for Block 5  
Section 36 of Forrest to the Land Development Agency (LDA).

*AGREED*  
AGREED/NOT AGREED/PLEASE DISCUSS

Mark Whybrow

Assistant Manager's Name: Lauren Douch

Phone: 59115

*11/13/15*  
**Background**

The Education and Training Directorate (ETD) has agreed to transfer a portion of Block 5  
Section 36 of Forrest to the LDA who will redevelop their portion of the site for a childcare  
centre to be built.

There are many steps to be undertaken for Block 5 to be subdivided and a portion of this  
block to be transferred to the LDA. The LDA has taken the lead role in this work. The initial  
step involves ETD surrendering the Crown Lease over this block. The LDA has prepared the  
required paperwork for this (DCL form) and provided it to ETD for sign off.

**Issues**

To undertake the work to transfer a portion of Block 5 Section 36 of Forrest to the LDA, the  
initial step is for ETD to surrender the Crown Lease over this Block. The DCL form at  
Attachment 1 is the form which is required to be signed for this to occur.

In September 2014 the Deputy Director-General Organisational Integrity signed off on a  
brief to provide the Chief Financial Officer (CFO) of the Directorate with delegations to sign

as the Directorate's Land Custodian for Crown Leases. To progress this work, it is requested that you sign the DCL form at Attachment 1 for Blocks 5 Section 36 of Forrest.

### **Consultation with Strategic Finance and Funding Implications**

This brief has been prepared by Strategic Finance. There are no funding implications related to this brief.

### **Consultations**

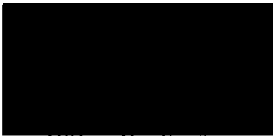
Land Development Agency (LDA).

Infrastructure and Capital Works (ETD).

Planning and Land Authority – Environment and Planning Directorate have been consulted in relation to what processes are required to be undertaken.

### **Media**

Nil



Peter Podnar  
Manager - Internal Budgets and Reporting  
Strategic Finance  
5 March 2015



**ACT**  
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OFFICE OF REGULATORY SERVICES  
ACT Justice and Community Safety Directorate

## DETERMINATION / SURRENDER OF A CROWN LEASE

Form 057 - DCL

Land Titles Act 1925

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- Ensure all required documents are attached. If there is insufficient space in any panel, please use an Annexure Sheet.
- Execution by:
  - a) **A Natural Person** – Should be witnessed by an adult person who is not a party to the document.
  - b) **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 e.g. "AB by his/her attorney XY pursuant to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation". (This execution requires a witness).
  - c) **Corporation** – Section 127 of the *Corporations Act* provides that a company may now validly execute a document with or without using a Common Seal if the document is signed by:
    - i. Two directors of the company;
    - ii. A director and a secretary of the company; or
    - iii. Where the company is a proprietary company and has a sole director who is also the sole company secretary, that director. (This execution does not require a witness).
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The common seal of ABC Pty Ltd/Ltd ACN.....  
was affixed in the presence of-  
.....(signature)  
.....(director/secretary)\*  
(\*repeat if necessary i.e. if two directors signing. If signing as sole director and sole secretary, state 'director/secretary') – (This execution does not require a witness).
  - b) **Without A Common Seal**  
Signed by ABC Pty Ltd/Ltd ACN.....  
.....(signature)  
.....(director/secretary)\*  
(\*repeat if necessary i.e. if two directors signing. If signing as sole director and sole secretary, state 'director/secretary') – (This execution does not require a witness).

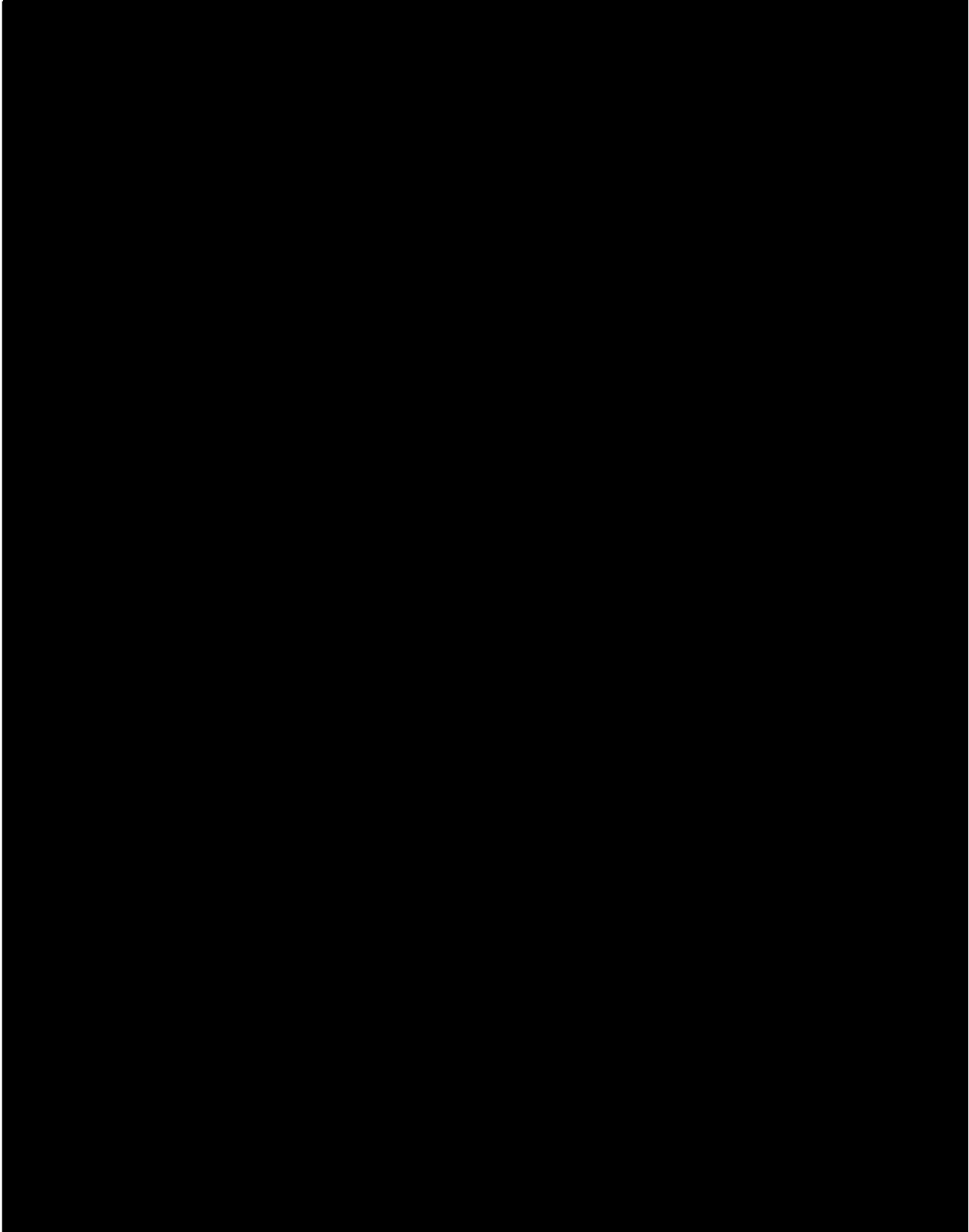


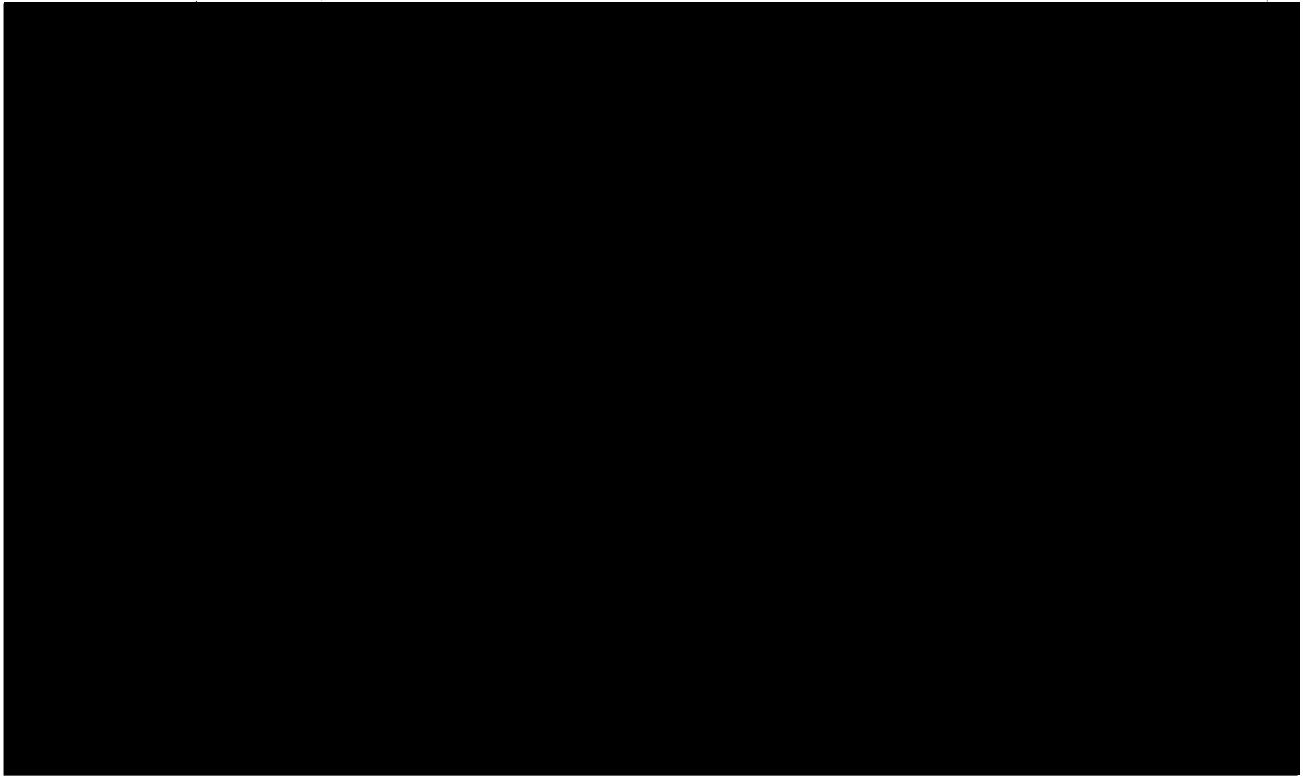
**ACT**  
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ACT Justice and Community Safety Directorate

## DETERMINATION / SURRENDER OF A CROWN LEASE





Document 26 is exempt under  
section 36 of the  
*Freedom of Information Act* 1989.

**From:** Podnar, Peter  
**Sent:** Friday, 17 April 2015 8:51 AM  
**To:** Douch, Lauren  
**Subject:** RE: Montgomery Oval

Thank you, I will let John and Tracy know what the status is  
Cheers  
Pete

---

**From:** Douch, Lauren  
**Sent:** Friday, 17 April 2015 8:33 AM  
**To:** Podnar, Peter  
**Subject:** RE: Montgomery Oval

Hi Peter,

I spoke to Adam Nugent from the LDA yesterday who advised me that the Crown Lease for Block 5 Section 36 Forrest had been Surrendered at the Office of Regulatory Services (which we gave them authority to do). Adam was seeking advice as to what the next steps are in relation to this body of work.

I advised Adam that ETD is still the custodian of the above mentioned block and the following work needs to be undertaken by the LDA:

- A survey of the block will need to be undertaken to subdivide the block into two blocks. One for ETD (Block A) and the other for LDA to sell (Block B).
- As ETD is the land custodian of Block 5, ETD will only need to transfer Block B to LDA. Once LDA is the land custodian of Block B, the block can be sold.

Once this work is done ETD will need to request a new Executive Crown lease over Block A.

I have attached an email from Monica Saad from ACTPLA who has advised of the above steps that need to be undertaken.

Ultimately, ETD are waiting for the LDA to do the survey of the Block so the transfer can occur.

I hope this assists with where we are at. If you require any further information please let me know.

Cheers  
Lauren

**Lauren Douch**

Assistant Manager - Internal Reporting and Statistics  
Strategic Finance | Education and Training | ACT Government | [www.det.act.gov.au](http://www.det.act.gov.au)  
Ph: (02) 6205 9115 | Fax: (02) 6205 5472 | Email: [lauren.douch@act.gov.au](mailto:lauren.douch@act.gov.au)  
Level 1 220 Northbourne Avenue | GPO Box 158 Canberra ACT 2601 |

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**From:** Podnar, Peter  
**Sent:** Wednesday, 15 April 2015 9:03 AM  
**To:** Douch, Lauren  
**Subject:** FW: Montgomery Oval

Hi Lauren,

Can you advise what step the Montgomery Oval is at?



Cheers

Pete.

---

**From:** Stewart, Tracy (DET)  
**Sent:** Tuesday, 14 April 2015 10:23 PM  
**To:** Brighton, Meg  
**Cc:** Wynants, John; Podnar, Peter  
**Subject:** Re: Montgomery Oval

Yes, I agree. Peter, can you let me know what needs to be done to facilitate the subdivision? I will advise Liz.

Tracy

Sent from my iPad

On 14 Apr 2015, at 7:14 pm, "Brighton, Meg" <[Meg.Brighton@act.gov.au](mailto:Meg.Brighton@act.gov.au)> wrote:

John  
Thanks for following up.

Tracy - your views? This would deal with the perception issues.

**Meg Brighton** | Deputy Director-General, Organisational Integrity |  
T: +61 2 6207 0384 | F: +61 2 6205 9418 | M: [REDACTED] | E: [meg.brighton@act.gov.au](mailto:meg.brighton@act.gov.au)  
| **Education and Training Directorate** | ACT Government  
Level 4, [220 Northbourne Ave](#) Braddon | GPO [Box 158](#) Canberra ACT  
2601 | [www.det.act.gov.au](http://www.det.act.gov.au)

On 14 Apr 2015, at 7:00 pm, Wynants, John <[John.Wynants@act.gov.au](mailto:John.Wynants@act.gov.au)> wrote:

Meg

I spoke with Peter Podnar before lean  
Bing the office. Montgomery oval is still an ETD asset, however Strategic  
Finance is in the process of transferring the to EDD to allow the sub-division  
of the site.

My suggestion is that ETD retains the whole site, ETD facilitates and funds  
the sub-division and ETD transfers the sub-divided blocks to EDD and TAMS

John W