

10453
No. 544261 TRANSFER TO The Trustees of the —
Roman Catholic Church for the Archdiocese of —
Canberra and Goulburn of Commonwealth
Avenue Parkes — of the land within described

Entered 1st July 1986 at TWO o'clock in
the after noon



S. ROBERTSON Deputy
Registrar of Titles

No. 732057 VARIATION OF PURPOSES CLAUSE
OF CROWN LEASE whereby the existing
purpose clause 1(g) of the within
Crown Lease is varied by deleting the
said clause and substituting the
following clause:

"1(g) To use the premises for one or more
of the following purposes:

- (i) welfare;
- (ii) day care centre or creche;
- (iii) institutional establishment including
residential accommodation for children
youth, sick, the disadvantaged, the aged
and/or physically or mentally
handicapped persons, and ancillary
facilities;
- (iv) a convent;
- (v) community development office."

Entered 6 MAY 1991 at ten o'clock
in the fore noon



REGISTRAR OF TITLES

15



ACT Government Service

Department of the Environment, Land and Planning

LAND DIVISION

Braddon Offices, 220 Northbourne Ave., Braddon
GPO Box 1908, Canberra ACT 2601
Telephone: (06) 246 8649
Facsimile : (06) 257 6595

RECEIPT

No. 301739

Received from : MS ANNE BURNS
MARYMEAD CHILDREN'S CENTRE
PO BOX 260 KINGSTON ACT 2604 by CHEQUE

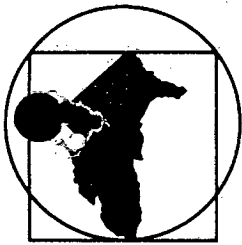
The sum of : Six hundred twenty five dollars 00 cents.

Being for : ADMIN FEE FOR SECTION 72A VARIATION
BLOCK 2 SECTION 100 NARRABUNDAH
A/C NO 52.46.0002.9

BANK	BRANCH	CHEQUE NO.	AMOUNT
C'WEALTH	MANUKA	725884	625.00

TOTAL \$625.00

Collector / Receiver of Public Monies *b. Ryan* Date 16-APR-1991



D E L P

ACT GOVERNMENT

DEPARTMENT OF THE ENVIRONMENT LAND AND PLANNING

JOHN OVERALL OFFICES

220 NORTHBOURNE AVE BRADDON ACT 2601

GPO BOX 1908 CANBERRA ACT 2601

TEL (06)

FAX (06)

Contact Officer: Kathleen Pooley

246 8219

Our Ref: TL 220/26/17

Fax: 257 5691

Ms. Anne Burns
Director
Marymead Children's Centre
P.O. Box 260
KINGSTON ACT 2604

Dear Madam

BLOCK 2 SECTION 100 NARRABUNDAH

I refer to previous correspondence in this matter.

The Certificate of Variation and the Application to the Land Titles Office have been duly executed on behalf of the Chief Minister and are forwarded herewith for you to register at the Land Titles Office.

It would be appreciated if you could advise this office when registration has been affected.

Yours faithfully

K.M. Pooley
Kath Pooley
for Assistant Secretary
Lease Administration Branch

16 April 1991

LODGED BY:

BOX NO:



AUSTRALIAN CAPITAL TERRITORY APPLICATION FORM REAL PROPERTY ACT 1925

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

1. TITLE OF APPLICATION

TO VARY CROWN LEASE PURSUANT TO SECTION 72A OF THE REAL PROPERTY ACT 1925

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

I **NICHOLAS EDGAR NOWAK** being a person authorised in that behalf by the Chief Minister DO HEREBY APPLY to you to register the variation which has been made in the purposes for which the land described below may be used.

A Certificate of Variation of Purposes of Lease in accordance with Section 72A of the Real Property Act 1925 is submitted herewith.

3. LAND

DISTRICT/DIVISION	SECTION	BLOCK	UNIT	VOL.FOL	INSTRUMENT NO.
NARRABUNDAH	100	2	-----	224 : 71	-----

4. DATE

16th April 1991

5. EXECUTION

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

[Signature]
NICHOLAS EDGAR NOWAK

DELEGATE OF THE CHIEF MINISTER
 SIGNATURE OF APPLICANT.

[Signature]
CARL JAMES THOMPSON
 SIGNATURE OF WITNESS.
COMMISSIONER FOR DECLARATIONS
 NAME AND DESIGNATION (J.P., SOLICITOR ETC) OF WITNESS. (BLOCK LETTERS), AS REQUIRED.

ANNEXURE REFERRED TO

12

ANNEXURE TO MEMORANDUM OF

DATED.....

AUSTRALIAN CAPITAL TERRITORY
REAL PROPERTY ACT 1925
CERTIFICATE OF VARIATION OF PURPOSES OF LEASE

I, **NICHOLAS EDGAR NOWAK**, a person duly authorised to exercise the powers and functions of the Minister administering the City Area Leases Act 1936 as amended hereby certify that I have agreed to the variations specified hereunder in the purposes for which the land comprised in the lease specified hereunder (or part thereof) may be used by the Lessee:

Name of Registered Proprietor: **THE TRUSTEES OF THE ROMAN CATHOLIC CHURCH FOR THE ARCHDIOCESE OF CANBERRA AND GOULBURN**

Register Book Volume 224 Folio 71
Short Description of Land affected:
Division of NARRABUNDAH Section 100 Block 2

Purposes for which the land could formerly be used -

"To use the said land only for the purposes of a Child Welfare Centre a convent and a hostel for girls."

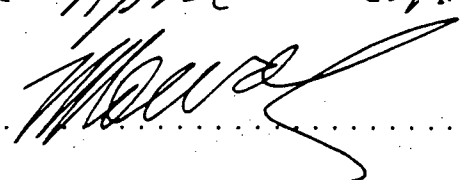
Purposes for which the land may hereafter be used -

"To use the premises for one or more of the following purposes:

- i) welfare;
- ii) day care centre or creche;
- iii) institutional establishment including residential accommodation for children, youth, sick, the disadvantaged, the aged and/or physically or mentally handicapped persons, and ancillary facilities;
- iv) a convent;
- v) community development office."

Dated at Canberra in the Australian Capital Territory
this 16th Day of April 1991

SIGNED BY THE SAID)
NICHOLAS EDGAR NOWAK)
in the presence of:)



COMMISSIONER FOR DECLARATIONS

CARL JAMES THOMPSON

We THE TRUSTEES OF THE ROMAN CATHOLIC CHURCH FOR THE ARCHDIOCESE OF
CANBERRA AND GOULBURN the Lessee abovementioned hereby certify that
we agree to the variations set out above.

The COMMON SEAL of the TRUSTEES)
OF THE ROMAN CATHOLIC CHURCH FOR)
THE ARCHDIOCESE OF CANBERRA AND)
GOULBURN was hereunto affixed in)
the presence of:)

+ Francis P. Carroll
John...
James... Heare



DEPARTMENT OF
ADMINISTRATIVE
SERVICES



AUSTRALIAN
VALUATION
OFFICE
ACT Office
Telecom House
490 Northbourne Ave
PO Box 911
Dickson ACT 2602
Tel. (06) 243 6745
Fax (06) 243 1056

SV/P.M.Robson
Telephone: 243 1002

Assistant Secretary
Lease Administration Branch
Department of the Environment
Land and Planning
GPO Box 1908
CANBERRA ACT 2601

ATTENTION: K. Pooley

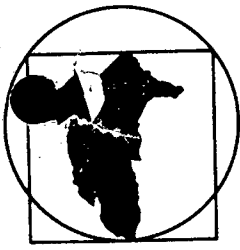
BLOCK 2, SECTION 100, NARRABUNDAH
Your reference TL 218/100/2 dated 18 February 1991

This property has been inspected by Valuer R. Garnock.

The proposed variation to the lease purpose clause, as detailed in your request, is not considered to add value to the lease.

B.M. Hurrell
MANAGER A.C.T.

26/3/91



D E L P

ACT GOVERNMENT

DEPARTMENT OF THE ENVIRONMENT LAND AND PLANNING

220 NORTHBOURNE AVE BRADDON ACT 2601

GPO BOX 1908 CANBERRA ACT 2601

TEL (06) 246 2211 FAX (06) 246 2303

Contact Officer: Kathleen Pooley

246 8219

Our Ref: TL 218/100/2

Fax: 257 5691

Ms. Anne Burns
Director
Marymead Children's Centre
P.O. Box 260
KINGSTON ACT 2604

Dear Madam

BLOCK 2 SECTION 100 NARRABUNDAH

I refer to your application of 30 July 1990 to vary the purpose clause of the existing lease. The Interim Territory Planning Authority has provided me with the following information with which this office is in support.

Provided that the proposed uses are confined to the existing buildings the land may be used for the following purposes:

"To use the premises for one or more of any of the following purposes:

- i) welfare;
- ii) day care centre or creche;
- iii) institutional establishment including residential accommodation for children, youth, the sick, the disadvantaged, the aged and/or physically or mentally handicapped persons, and ancillary facilities;
- iv) convent;
- v) community development office."

With regard to your letter of 7 January 1991 requesting advice on the occupation of the Playgroup Building by the Australian Early Childhood Association, the Interim Territory Planning Authority advises that the A.E.C.A. is considered to be best defined as a "Community Development Office". This is one of the uses in the proposed purpose clause and once the variation is registered the A.E.C.A. may take up occupation on the premises.

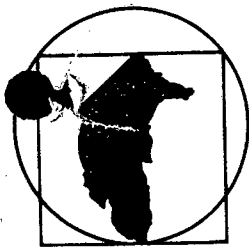
Please find enclosed for execution by the Lessee the Certificate of Variation of Purposes of Lease and accompanying letter of instruction.

If you have any further queries please do not hesitate to contact me.

Yours faithfully

K. M. Pooley
Kathleen Pooley
for Assistant Secretary
Lease Administration Branch

6.3.91



D E L P

ACT GOVERNMENT

DEPARTMENT OF THE ENVIRONMENT LAND AND PLANNING

220 NORTHBOURNE AVE BRADDON ACT 2601

GPO BOX 1908 CANBERRA ACT 2601

TEL (06) 246 2211 FAX (06) 246 2303

Contact Officer: Kathleen Pooley

246 8219

Our Ref: TL 218/100/2

Fax: 257 5691

Ms. Anne Burns
Director
Marymead Children's Centre
P.O. Box 260
KINGSTON ACT 2604

Dear Madam

BLOCK 2 SECTION 100 NARRABUNDAH

I refer to your letter dated 30 July 1990 requesting a change to the lease purpose of the abovementioned block.

The Certificate of Variation of Purposes of Lease has been prepared and is enclosed herewith for execution by the lessee and any person who appears in the Register Book at the Land Titles Office as having any estate or interest in the land. If the case is one in which the consent of any person would be necessary to the surrender of the lease the Certificate should also be signed by that person as evidence of his consent to the variation. These endorsements should be made on the reverse side of the document.

This process attracts an administration fee of \$625.00 and the offer will remain open for acceptance for a period of one month from the date of this letter.

If the variation is acceptable would you please complete the document and return it together with your payment of \$625.00 to
Shop Front, Ground Floor
220 Northbourne Avenue
Braddon
for completion by the Delegate of the Minister.

Following execution, the documents will be forwarded to you for registration at the Land Titles Office.

Yours faithfully

K. M. Pooley
Kathleen Pooley
Assistant Secretary
Lease Administration Branch

6.3.91

ANNEXURE REFERRED TO

6

ANNEXURE TO MEMORANDUM OF

DATED.....

AUSTRALIAN CAPITAL TERRITORY
REAL PROPERTY ACT 1925
CERTIFICATE OF VARIATION OF PURPOSES OF LEASE

I, _____, a person duly authorised to exercise the powers and functions of the Minister administering the City Area Leases Act 1936 as amended hereby certify that I have agreed to the variations specified hereunder in the purposes for which the land comprised in the lease specified hereunder (or part thereof) may be used by the Lessee:

Name of Registered Proprietor: THE TRUSTEES OF THE ROMAN CATHOLIC CHURCH
FOR THE ARCHDIOCESE OF CANBERRA AND
GOULBURN

Register Book Volume 224 Folio 71
Short Description of Land affected:
Division of NARRABUNDAH Section 100 Block 2

Purposes for which the land could formerly be used -

"To use the said land only for the purposes of a Child Welfare Centre a convent and a hostel for girls."

Purposes for which the land may hereafter be used -

"To use the premises for one or more of the following purposes:

- i) welfare;
- ii) day care centre or creche;
- iii) institutional establishment including residential accommodation for children, youth, sick, the disadvantaged, the aged and/or physically or mentally handicapped persons, and ancillary facilities;
- iv) a convent;
- v) community development office."

Dated at Canberra in the Australian Capital Territory
this _____ Day of _____ 19 ____

SIGNED BY THE SAID _____)
in the presence of: _____)

James Stewart

270

We THE TRUSTEES OF THE ROMAN CATHOLIC CHURCH FOR THE ARCHDIOCESE OF
CANBERRA AND GOULBURN the Lessee abovementioned hereby certify that
We agree to the variations set out above.

Please sign here

The COMMON SEAL of the TRUSTEES)
OF THE ROMAN CATHOLIC CHURCH FOR)
THE ARCHDIOCESE OF CANBERRA AND)
GOULBURN was hereunto affixed in)
the presence of:)

Minute Paper

5

Subject:

BLOCK 2 SECTION 100 NARRABUNDAH

LESSEE: The Trustees of the Roman Catholic Church for the Archdiocese of Canberra and Goulburn.

OIC
SOUTHSIDE

Information

Purpose:

To obtain your approval to grant a variation to the purpose clause of the existing Crown lease pursuant to Section 72A of the Real Property Act.

Background:

On 30 July 1990, the Director of Marymead made application on behalf of the lessee, to vary the purpose clause of the existing Crown Lease.

The Director, Ms. Anne Burn had originally met with Officers of the Community Leases Section on 10 July 1990 [folio 97]. It was at this meeting that Ms. Burn stated an interest in modifying the purpose clause due to changing circumstances. It was noted as well that the lessee were not keen to accrue additional value.

With this in mind, an application was made to ITPA [folio 100] on 12 September 1990. In October 1990, ITPA gave its support to the proposal [folio 102].

On 7 January 1991 the Director of Marymead requests that consideration be given to another proposal [folio 103] that of accommodation for the Australian Early Childhood Association.

I approached Mr. John Malouf the Director of Community Leases regarding the type of variation that would be required. John said that given that it fitted current policy and was a modified version of the purpose clause it could be done pursuant to Section 72A of the Real Property Act [folio 104].

ITPA was approached 1 February 1991 regarding the accommodation proposal [folio 108].

6 February 1991, approached Leon Blom - Lease Services regarding wording for purpose clause [folios 110 - 111].

Agreed
72A cont-
checked
[Signature] 6/3/91

Brief to the Executive Deputy Assisting the Chief Minister on the Environment, Land and Planning pertaining to the A.E.C.A. accommodation issue [folio 114].

ITPA approve application for accommodation of A.E.C.A. stating that it was supported under current policy and that the definition of the use is a Community Development Office [folio 123].

Australian Valuation Office advice sought as to whether premium may be applicable [folios 125 - 132].

Approached Leon again to tighten purpose clause and ensure that A.E.C.A. did fit within the proposed variation [folio 133].

Lessee's authority provided by Anne Burns [folio 134].

AVO advice - NO ADDED VALUE received [folio 1 TL 218/100/2 Pt2].

Recommendation:

That you agree to vary the existing Crown lease purpose clause pursuant to 72A of the Real Property Act.

K.M. Pooley
Kath Pooley
Lease Redevelopment

6.3.91

AGREED / DISAGREED

3

ARCHBISHOP'S HOUSE
G.P.O. BOX 89
CANBERRA, A.C.T. 2601
Tel.: (06) 248 6411

Fax (06) 2479636

FAX MESSAGE

FAX NO. 2468316

TO: Kathleen Pooley, Lease Administration Branch

FROM: Bob Smeaton, Archdiocesan Business Manager

SUBJECT: Lease Purpose Clause, Baymead Children's Centre

COPY SENT TO: Anne Burns, Director Baymead Children's Centre
FAX NO. 2959944

DATE: _____ TIME: _____

NO. OF PAGES: _____ (INCLUDING THIS PAGE)

IF ALL CORRESPONDENCE NOT RECEIVED CONTACT: Bob Smeaton
2486411

MESSAGE TO RECEIVER:

Kathleen,
Attached are the details you
require for the drawing of a revised
lease document.
Regards,
Bob Smeaton

2

ARCHBISHOP'S HOUSE
G.P.O. BOX 89
CANBERRA, A.C.T. 2601
Tel.: (06) 248 6411

6 March 1991

Kathleen Pooley
Lease Administration Branch
Land Division
Department of the Environment,
Land and Planning

Revised lease document - Marymead Children's Centre

The following words should be used in the re-drawn lease document to provide for signature by the diocesan Trustees:

THE COMMON SEAL OF THE)
TRUSTEES OF THE ROMAN)
CATHOLIC CHURCH FOR THE)
ARCHDIOCESE OF CANBERRA)
AND GOULBURN was hereto)
affixed in the presence)
of:)

Three of the Trustees will sign the document. Sufficient space will need to be provided for this purpose.

Bob Smeaton
Bob Smeaton
Business Manager

**FACSIMILE
TRANSMISSION**

Date

5 March 91

No. of Pages

1

**AUSTRALIAN VALUATION OFFICE
A.C.T. Office**

5th Floor Telecom House
490 Northbourne Ave
DICKSON A.C.T. 2602

P.O. Box 911
DICKSON
A.C.T. 2602

Telephone: (06) 243 1103
Facsimile: (06) 243 1056

TO:

Name: <i>K. POOLEY</i>	Fax No <i>2575691</i> or	Phone No. <i>2468316</i>
<i>Lease Administration - D.E.L.P.</i>		

FROM:

Name: <i>R. GARNOCK</i>	Fax No <i>(06) 243 1056</i>	Phone No. <i>2436173</i>
Designation: <i>A.V.O. - A.C.T.</i>		

MESSAGE:

Block 2 Section 100 Narrabundah
Marymead Homes - Purpose Clause
Variation

In view of the community use for Purpose ii) and the siting of the houses, there is considered to be No Added Value due to the proposed new Purpose Clause.

R. Garnock