

Should you have any queries in relation to the processing of your request please contact me at epsdfoi@act.gov.au

Kind Regards,

Raffaele Mallamace

Information Governance Officer | Information Governance

Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue, Dickson ACT 2602

Phone 02 6207 2383 | Email: Raffaele.Mallamace@act.gov.au

From: [REDACTED]
Sent: Tuesday, 11 October 2022 6:37 AM
To: EPSDFOI <EPSDFOI@act.gov.au>
Subject: Re: FOI 22/130574 – Acknowledgement of Freedom of Information Application

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Thank you EPSDFOI,

My apologies the request was such a mess. I have attempted to provide a clearer summary of what I am seeking below. I am happy to withdraw the previous request and submit this as a new one if it helps to give you more time and clearer scope.

Either way, I am very grateful and I do apologise for the incredible inconvenience of seeking an FOI,

[REDACTED]

Specifically you are seeking:

Any information about cars parking on block 23, Section 41. I am trying to understand the history of car parking on the oval, and when, how and why the car park on B23,S41 was created and then later sealed.

This may include but is not limited to; any correspondence between EPSDD internally and across other agencies discussing the car park on B23,S41, any design concept plans and EPSDD review, historic design concept plans and review, historical applications to secure the site for car parking (eg direct sales attempts, historical DAs and DA approvals, DA exemption attempts), and records of EPSDDs assessments and decisions.

If they are available, and the car park is infact a public infrastructure works development, please include planning documents prepared in preparation for the infrastructure maintenance works (in late 2016), and/or any contracts or tenders for the works, asset description forms and Works as Executed (WAE) Drawings, and any ongoing maintenance and handover plans.

Please also include any evidence, documents or correspondence about cars parking on block 23, section 41 prior to 2009. (Ie any records of visitors parking on the grass of the oval, to support the creation of the gavel car park in 2009 and formalisation in late 2016).

There may also be documents related to cars parking on the oval (block 23, section 41) reported to TCCS in 3 & 4 of February 2020.

On Mon, 10 Oct 2022, 4:04 pm EPSDFOI, <EPSDFOI@act.gov.au> wrote:

Good Afternoon,

FOI 22/130574 – ACKNOWLEDGEMENT OF FREEDOM OF INFORMATION APPLICATION

I refer to your application attached received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 23 September 2022, in which you sought access to information under the *Freedom of Information Act 2016* (the Act).

Thank you for providing the background context relating to Car Park at Block 23, Section 41 Lyneham

FOI to EPSDD - 28th October 2022

I am seeking an FOI request to better understand if block 23, Section 41 has been subdivided into two blocks, and if a Territory Plan Variation was actioned.

Block 23, Section 41 was and is zoned PRZ1 and is reserved under S315 of the Planning and Development Act (2007). It has a "Pe" Public Land overlay' applied and is managed within: Inner Canberra's Urban Parks and Sports Grounds Plan of Management.

The ACTMapi land custodian map appears to show that block 23, Section 41 as subdivided. It appears to be renamed, block 27, section 41 (images 1, 2, and 3 below). However, blocks 27 (x2) do not appear on the Territory Plan Map (image 4 below).

Previous FOI records indicate that the Education and Training Directorate (ETD) requested a subdivision of Block 23 in 2014, which was processed to Cadastar, but was later considered to be defunct, as ETD were not successful in gaining wider Government support for the proposal. See image 5 below.

There is other correspondence, with the Surveyor General that this subdivision would create blocks 25 and 26. See image 6 below.

I have tried to keep the scope of this FOI refined.

I would like to understand:

- Has Block 23, section 41 been subdivided?
- Was a Territory Plan variation actioned or discussed to subdivide the site?
- Why do the Custodian map and the Territory Plan map differ?
- Why does the subdivision, and the creation of blocks 27 appear on the Custodian map?
- Why doesn't block 27, section 41 appear on the Territory map?

What: I am seeking all records, correspondence and documents that EPSDD (eg ACTPLA, LRAC, ACTMapi) hold regarding all subdivisions, or subdivision attempts of **block 23, section 41**. I am seeking all records, correspondence and documents regarding the creation or attempted creation of **blocks 25, 26 or 27, Section 41, Lyneham**.

Dates: 2009 until today

Who: I am seeking the records that the Environment, Planning and Sustainable Development Directorate (EPSDD) may hold, including ACTPLA, ACTMapi and LRAC, and any correspondence with other ACT Government directorates or entities (eg the Surveyor General, or Education and Training Directorate, and TCCS), regarding the subdivision on block 23, section 41.

Why: I am seeking this information to protect public open green spaces in our community, ensure transparency of government decision making, and uphold the ACT Planning and Development Legislation.

Remain anonymous: I would like to please remain anonymous outside of the EPSDD FOI team, as I have been provided advice to be careful in pursuing information regarding the car park development.

Thank you,

Supporting images:

Image 1: Land Custodianship map, Block 23, Section 41

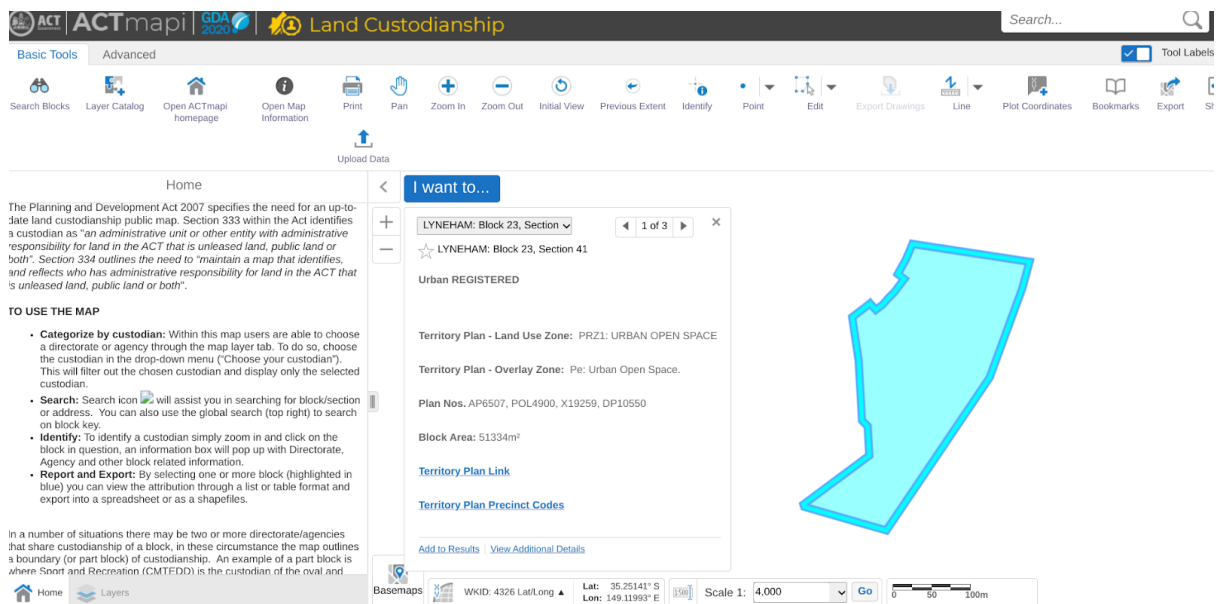


Image 2: Land Custodianship map, Block 27, Section 41

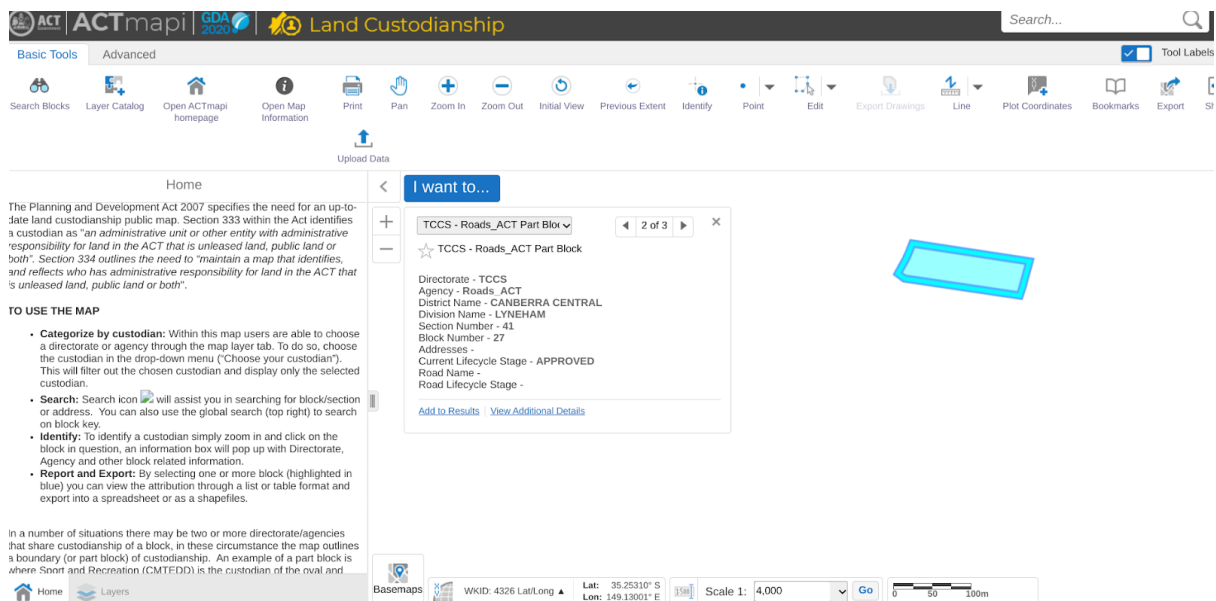


Image 3: Land Custodianship map, Block 27, Section 41

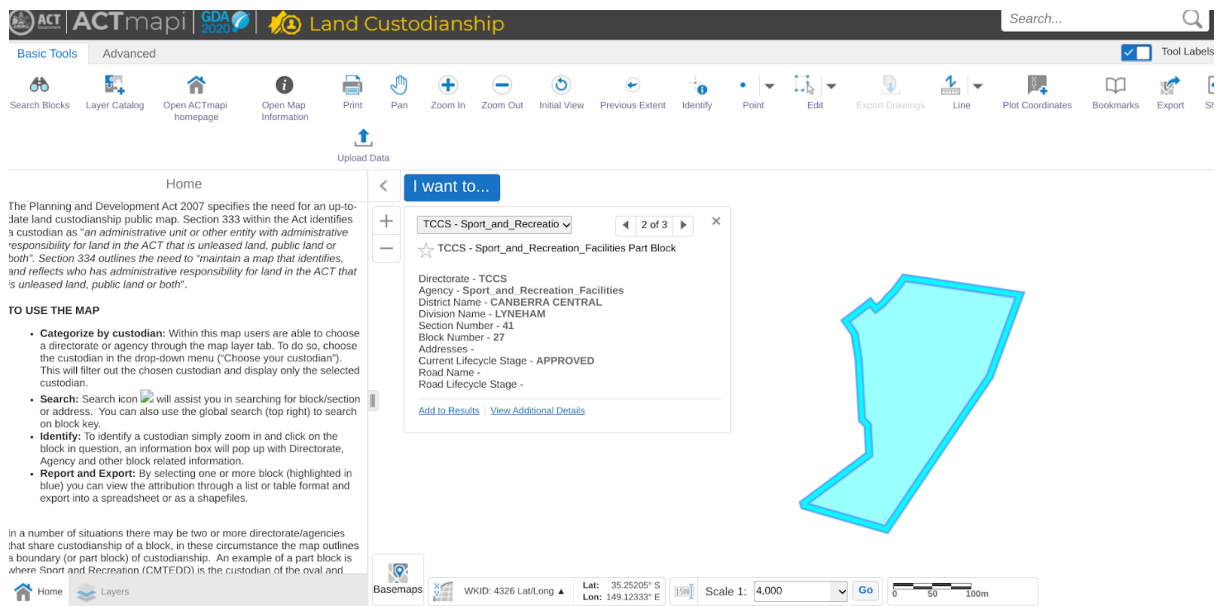


Image 4: Territory Plan Map, block 23, section 41.

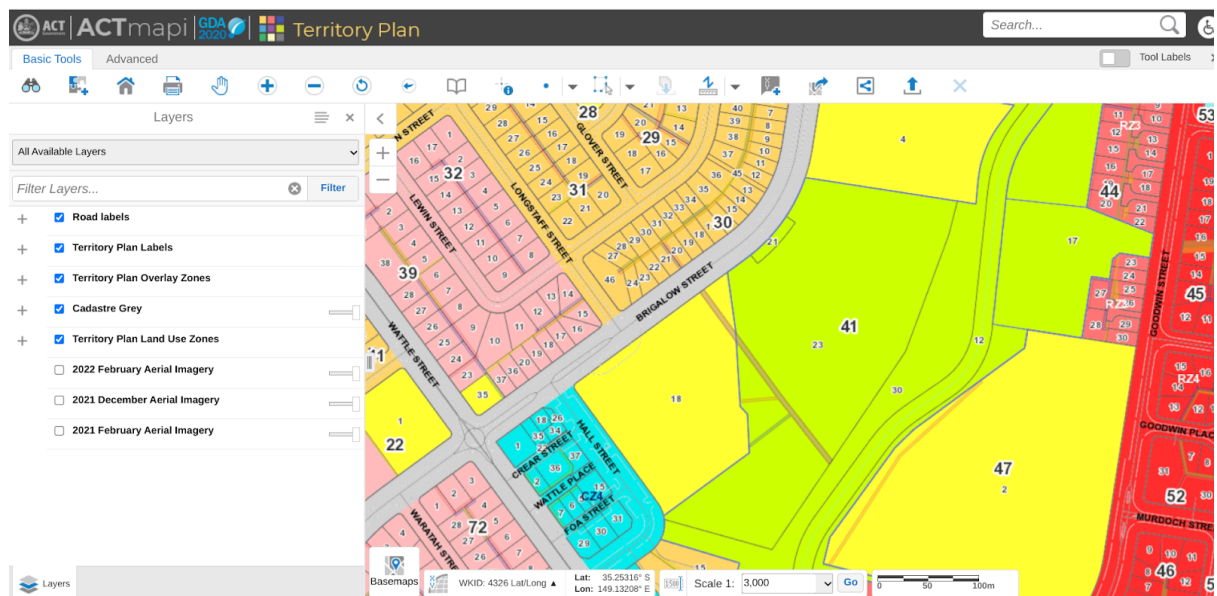


Image 5: image from [Freedom of Information 19/28355](#), part 01 - EPSDD, pg 62

From: Harding, Barbara (ACTPLA)
Sent: Thursday, 18 December 2014 6:59 PM
To: Messer, Sue
Cc: ESD, LRAC; Jarman, Ron; Dekiefte, Rene; McFarlane, Trina
Subject: Section 41 Lyneham (Lyneham ovals)

Sue Messer
Manager
Leasing DA
Planning Delivery Division

Hi Sue,

I understand you are handling the surrender of the Executive Lease (managed by Sport and Recreation) over Block 23 Section 41 Lyneham and the granting of a new Executive lease over the same land and also some additional land; the new lease also to be managed by Sport and Recreation (CMTEDD).

As discussed, I am writing to confirm that an earlier subdivision of Block 23, which was requested by the Education and Training Directorate (ETD) and which was processed to the Cadaster, is considered to be defunct and has been superseded by agreement to the current arrangement where the whole of the land will remain with Sport and Recreation under the new Executive lease.

The background is that although the land was subdivided, ETD were not successful in gaining wider Government support for their proposal for the part of the part of the land shown in hatching on plan below and therefore custodianship was not transferred to them.

Image 6: image from [Freedom of Information 19/28355](#), part 01 - EPSDD, pg 56

Surveyor General

Lyneham Section 41 Block 21 is not Registered on a Survey Plan.

An AP (AP6970) was processed to subdivide Block 23 Section 41 into two new blocks (Blocks 25 and 26), however, on advice a custodian transfer would need to be agreed to before the new block arrangement was utilized, the information is not displayed on ACTMAPi.

Rene de Kiefte

Queries to LRAC Secretariat
p 6207 0224 (Sanzida Akhter) or 6207 6325 (Mick Bennett) / e esdlrac@act.gov.au