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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Monday, 18 March 2019 4:10 PM  
**To:** Fitzgerald, Bruce; Rutledge, Geoffrey; Sch 2 s 2.2(a)(ii)  
**Cc:** Sch 2 s 2.2(a)(ii)  
**Subject:** FW: ANU SA8 and potential ESA Location [SEC=UNCLASSIFIED]

Regards

Sch 2 s 2.2(a)(ii)

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Monday, 18 March 2019 4:07 PM  
**To:** 'White, Robyn' <Robyn.White@act.gov.au>; Clarke, Kerri <Kerri.Clarke@act.gov.au>; Lane, Dominic <Dominic.Lane@act.gov.au>  
**Cc:** Casimir, Amanda <Amanda.Casimir@act.gov.au>; Harding, Alicia <Alicia.Harding@act.gov.au>; Sch 2 s 2.2(a)(ii)  
Sch 2 s 2.2(a)(ii)  
**Subject:** RE: ANU SA8 and potential ESA Location [SEC=UNCLASSIFIED]

Thank you for the response ,and yes , we understand the position at this point in time of the ESA.

Can you confirm the time for the meeting with TCCS as alluded to last week in the email from [REDACTED]

Regards

Sch 2 s 2.2(a)(ii)

---

**From:** White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>  
**Sent:** Monday, 18 March 2019 2:59 PM  
**To:** Sch 2 s 2.2(a)(ii) Clarke, Kerri <[Kerri.Clarke@act.gov.au](mailto:Kerri.Clarke@act.gov.au)>; Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>; Harding, Alicia <[Alicia.Harding@act.gov.au](mailto:Alicia.Harding@act.gov.au)>; Sch 2 s 2.2(a)(ii)  
Sch 2 s 2.2(a)(ii)  
**Subject:** RE: ANU SA8 and potential ESA Location [SEC=UNCLASSIFIED]

Hi [REDACTED]

ESA is aware of the need for the ANU to have an early resolution to this situation and we are working towards this.

As discussed at the meeting last week, our position has not changed in our commitment to deliver a city station on the most suitable site. We note that the ANU's preferred location for ESA is to the south of the site closest to Parkes Way, unfortunately this is not a preferred location for ESA. At the meeting ESA presented a compromise locations that would infringe on Building C of ANU's stage 1. At the meeting ESA suggested that the ANU look at options to relocate Building C towards Sullivans Creek to accommodate ESA's proposed location.

Regards

Robyn White

Director – Governance & Logistics

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 13 March 2019 5:03 PM  
**To:** Clarke, Kerri <[Kerri.Clarke@act.gov.au](mailto:Kerri.Clarke@act.gov.au)>; White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>; Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>; Harding, Alicia <[Alicia.Harding@act.gov.au](mailto:Alicia.Harding@act.gov.au)>  
**Subject:** RE: ANU SA8 and potential ESA Location [SEC=UNCLASSIFIED]

Yes I understood that the initiating email referred to last week but also included response to subsequent meeting proposal arising out of that meeting  
The proposed times are acceptable ,however I am disturbed at the inordinately long lead time that is proposed i.e. two weeks to get together with TCCS on a matter of the Urgency that all have recognised  
This time delay is frustrating the progress of both the ACT Govts decision on the Direct Grant and the NCA's consideration of Early Works and Works Approval for the SA8 Project to the extent that there is now a very real risk of the Project not proceeding  
A week makes the difference between our ability to open the Student Accommodation for the beginning of Semester 1 2021 and having to cancel or at least delay the Project for 1 year at best

Regards

Sch 2 s 2.2(a)(ii)

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**From:** Clarke, Kerri <[Kerri.Clarke@act.gov.au](mailto:Kerri.Clarke@act.gov.au)>  
**Sent:** Wednesday, 13 March 2019 4:09 PM  
**To:** Sch 2 s 2.2(a)(ii) White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>; Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>; Harding, Alicia <[Alicia.Harding@act.gov.au](mailto:Alicia.Harding@act.gov.au)>  
**Subject:** RE: ANU SA8 and potential ESA Location [SEC=UNCLASSIFIED]

Hi Sch 2 s 2.2(a)(ii)

The original email you are referring to on this email chain was for a meeting that occurred last week, I'm assuming you mean the secondary meeting that was requested?

If so, I can advise that we are currently looking at the following dates:

Date/ Time	Availability (Y/N)
Thurs 21 March 9:30am-12noon OR 3pm onwards	
Fri 22 March 1:00pm-5pm	
Tues 26 March 1:00pm onwards	

I will update you as soon as I have been given availability information, and thank you for your offer of assistance.

I'll be in touch shortly.

Kind regards,

*Kerri Clarke*

**Kerri Clarke** | Executive Assistant to ESA Commissioner  
Phone 02 6207 8383 | Email: [kerri.clarke@act.gov.au](mailto:kerri.clarke@act.gov.au)  
**ACT Emergency Services Agency** | Justice & Community Safety Directorate  
9 Amberley Avenue, Fairbairn Business Park Majura ACT 2609 | GPO Box 158 Canberra ACT 2601  
[www.esa.act.gov.au](http://www.esa.act.gov.au)



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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 13 March 2019 3:28 PM  
**To:** White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>; Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>; Clarke, Kerri <[Kerri.Clarke@act.gov.au](mailto:Kerri.Clarke@act.gov.au)>; Harding, Alicia <[Alicia.Harding@act.gov.au](mailto:Alicia.Harding@act.gov.au)>  
**Subject:** RE: ANU SA8 and potential ESA Location [SEC=UNCLASSIFIED]

G'day Robyn  
I have been requested by Chris Grange from the ANU , after discussing the matter with the [redacted] late yesterday, to follow up on our meeting of last Thursday ,my email of yesterdays date and your response(attached and below)  
Do you have you had any update on this proposed meeting  
I am happy to assist if it is proving difficult

Regards  
Sch 2 s 2.2(a)(ii)

---

**From:** White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>  
**Sent:** Tuesday, 12 March 2019 1:02 PM  
**To:** Sch 2 s 2.2(a)(ii) Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>; Clarke, Kerri <[Kerri.Clarke@act.gov.au](mailto:Kerri.Clarke@act.gov.au)>; Harding, Alicia <[Alicia.Harding@act.gov.au](mailto:Alicia.Harding@act.gov.au)>  
**Subject:** RE: ANU SA8 and potential ESA Location [SEC=UNCLASSIFIED]

Hi [redacted]

We are in the process of arranging a meeting with the various stakeholders involved and will get back to you as soon as possible.

Regards

Robyn White  
Director – Governance & Logistics  
Emergency Services Agency

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 12 March 2019 12:07 PM  
**To:** Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>; Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>  
**Subject:** RE: ANU SA8 and potential ESA Location

Gday Dominic

Do you have any update on meeting with TCCS?

Regards

Sch 2 s 2.2(a)(ii)

---

**From:** Clarke, Kerri <[Kerri.Clarke@act.gov.au](mailto:Kerri.Clarke@act.gov.au)> **On Behalf Of** Lane, Dominic  
**Sent:** Thursday, 7 March 2019 10:24 AM  
**To:** Sch 2 s 2.2(a)(ii) >; Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>; Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>  
**Subject:** RE: ANU SA8 and potential ESA Location

Hi Sch 2 s 2.2(a)(ii)

I'm waiting to hear back from ANU as we will be meeting there.

Apologies for the short turnaround on this, I will be in contact shortly.

Kind regards,

*Kerri Clarke*

**Kerri Clarke** | Executive Assistant to ESA Commissioner  
Phone 02 6207 8383 | Email: [kerri.clarke@act.gov.au](mailto:kerri.clarke@act.gov.au)  
**ACT Emergency Services Agency** | Justice & Community Safety Directorate  
9 Amberley Avenue, Fairbairn Business Park Majura ACT 2609 | GPO Box 158 Canberra ACT 2601  
[www.esa.act.gov.au](http://www.esa.act.gov.au)



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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Thursday, 7 March 2019 10:22 AM  
**To:** Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>; Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>  
**Subject:** FW: ANU SA8 and potential ESA Location

Good morning Dominic  
Are you able to advise location of our 1;30 meeting today?

Regards  
Sch 2 s 2.2(a)(ii)

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 6 March 2019 4:14 PM  
**To:** Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>  
**Cc:** Pryce, David <[David.Pryce@act.gov.au](mailto:David.Pryce@act.gov.au)>; White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>; Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>  
**Subject:** Re: ANU SA8 and potential ESA Location

Thanks Dominic  
Available at 1:30  
Where would you like to meet?  
I will hopefully have my team and at least one Colleague from the ANU  
Regards  
Sch 2 s 2.2(a)(ii)

On 6 Mar 2019, at 4:06 pm, Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)> wrote:

Good afternoon Sch 2 s 2.2(a)(ii)

Sorry for delay in responding to you. I have been liaising with my colleagues in the Environment, Planning and Sustainable Development Directorate, and in Transport Canberra and City Services.

From our analysis, the site for the proposed ambulance and fire and rescue city station will impact on the ANU's proposed stage 1 development. Therefore, before we continue any further, I suggest we meet as soon as possible to discuss the matter. I am available tomorrow between 1:30pm and 3:00pm.

Regards,

Dominic Lane

<image009.png>

<image004.png><image005.png>

<image006.png>

<image010.jpg>

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 6 March 2019 12:47 PM  
**To:** Lane, Dominic <[Dominic.Lane@act.gov.au](mailto:Dominic.Lane@act.gov.au)>; White, Robyn <[Robyn.White@act.gov.au](mailto:Robyn.White@act.gov.au)>; Casimir, Amanda <[Amanda.Casimir@act.gov.au](mailto:Amanda.Casimir@act.gov.au)>  
**Cc:** Fitzgerald, Bruce <[Bruce.Fitzgerald@act.gov.au](mailto:Bruce.Fitzgerald@act.gov.au)>; Rutledge, Geoffrey <[Geoffrey.Rutledge@act.gov.au](mailto:Geoffrey.Rutledge@act.gov.au)>  
**Subject:** ANU SA8 and potential ESA Location

I refer to my email of earlier this week and our meetings of last Tuesday with TCCS and prior to that with yourself and Sch 2 s 2.2(a)(ii) of the ANU regarding the above  
The work required to proceed with the ANU's proposal requires sign off by the NCA through a Works Approval Process which has been halted by the NCA until the issues regarding location of the possible ESA Station has been generally resolved  
This does not require them to consider anything other than the ESA being able to be potentially located outside the area identified as STAGE1 of the ANU's proposed Development Envelope  
This matter has now reached a critical stage where the University will be required to consider cancelling this M\$160 Project

Your advice ,in the manner sought , would therefore be appreciated

As advised I can be contacted by return Email or on (m) [REDACTED]

Regards

Sch 2 s 2.2(a)(ii)

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 26 March 2019 4:57 PM  
**To:** Fitzgerald, Bruce  
**Subject:** FW: <no subject>  
**Attachments:** ESAanu draft 260319.docx

Are you able to advise if this attachment will address the issues that need to be settled

Regards

Sch 2 s 2.2(a)(ii)

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 26 March 2019 4:51 PM  
**To:** 'Rutledge, Geoffrey' <Geoffrey.Rutledge@act.gov.au>  
**Subject:** FW: <no subject>

G'day Geoff

This is the Draft of the letter to be forwarded to You re the DLG Application and the resolution of the site for the proposed ESA facility  
For review

Regards

Sch 2 s 2.2(a)(ii)

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DRAFT

The Applications Secretariat

Direct Grant of Land

A.C.T Government

GPO Box 158

Canberra 2601

Attention: Mr Geoffrey Rutledge

Via Email: [Geoffrey.Rutledge@act.gov.au](mailto:Geoffrey.Rutledge@act.gov.au)

Dear Sir,

Application for Direct Grant of Land lodged 15/3/2018

Block 1 Section 86

I refer to the above application and the subsequent Agreement in Principle, which was subject to the resolution of the location of the proposed ACT Emergency Services Agency (ESA) site and Cabinet Approval.

The University wishes to advise that Agreement has been reached with Officials of the Government on the Area that is to be excluded from the Above Application - See Attachment A (Hatched Area - Area in Blue reserved for potential ESA Site).

In order to allow the University to meet the proposed Development Program and have the facility available Semester 1, 2021 we seek your agreement subject to Cabinet Approval, (where necessary) to the following:

- 1) That the Territory advise the National Capital Authority that the Location for the potential ESA site has been agreed in accordance with the Attachment A.
- 2) That the Territory supports the entire parcel of Block 1 Section 86 being determined as 'Community Use' which would allow both the University and the ESA to proceed with their respective Developments subject to Statutory Approvals.
- 3) Agree to make available that portion of the Land identified as Stage 1 in Attachment B and support the necessary applications by the University in gaining Works Approval for the Stage 1 development from appropriate Approving Authorities.

- 4) Agree to make available the Land in Stage 2 as at Attachment C (which excludes the Land identified in Attachment A) at such future time as may be agreed between the University and the Territory.
- 5) Notes that should the ESA not require the entirety of the area identified in Attachment A, that any land not required by the ESA would be incorporated into the proposed Stage 2 Development by the University.

The University appreciates the work yet to be done in relation to the design and operation of the proposed ESA facility and will continue to make available any information to assist the Territory in its deliberations.

Your written confirmation as to these proposals would be appreciated.

I remain

Yours etc

Sch 2 s 2.2(a)(ii)

Etc etc

---

**From:** Rutledge, Geoffrey  
**Sent:** Tuesday, 26 March 2019 9:41 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: <no subject>

Thanks Sch 2 s 2.2(a)(ii)

Bruce or I will get back to you tomorrow.

Geoffrey

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 26 March 2019 4:51 PM  
**To:** Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>  
**Subject:** FW: <no subject>

G'day Geoff

This is the Draft of the letter to be forwarded to You re the DLG Application and the resolution of the site for the proposed ESA facility  
For review

Regards

Sch 2 s 2.2(a)(ii)

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**From:** Fitzgerald, Bruce  
**Sent:** Thursday, 28 March 2019 4:10 PM  
**To:** Sch 2 s 2.2(a)(ii); Rutledge, Geoffrey  
**Subject:** RE: <no subject>

UNCLASSIFIED

Hi Sch 2 s 2.2(a)(ii)

I am just seeking to confirm with ESA that they have no objections. I will hopefully have a response to you by tomorrow morning.

Regards  
Bruce

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Thursday, 28 March 2019 4:08 PM  
**To:** Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>  
**Cc:** Fitzgerald, Bruce <Bruce.Fitzgerald@act.gov.au>  
**Subject:** RE: <no subject>

G'day  
Just chasing up your comments re the DRAFT letter from Sch 2 s 2.2(a)(ii)

Regards  
Sch 2 s 2.2(a)(ii)

---

**From:** Rutledge, Geoffrey <[Geoffrey.Rutledge@act.gov.au](mailto:Geoffrey.Rutledge@act.gov.au)>  
**Sent:** Tuesday, 26 March 2019 9:41 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: <no subject>

Thanks Sch 2 s 2.2(a)(ii)

Bruce or I will get back to you tomorrow.

Geoffrey

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 26 March 2019 4:51 PM  
**To:** Rutledge, Geoffrey <[Geoffrey.Rutledge@act.gov.au](mailto:Geoffrey.Rutledge@act.gov.au)>  
**Subject:** FW: <no subject>

G'day Geoff

This is the Draft of the letter to be forwarded to You re the DLG Application and the resolution of the site for the proposed ESA facility

For review

Regards

Sch 2 s 2.2(a)(ii)

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**From:** Fitzgerald, Bruce  
**Sent:** Tuesday, 2 April 2019 8:54 AM  
**To:** Sch 2 s 2.2(a)(ii) Rutledge, Geoffrey  
**Subject:** RE: <no subject>

UNCLASSIFIED

Hi Sch 2 s 2.2(a)(ii)

Can you please give me a call on 6205 8294 to discuss how we proceed.

Thanks  
Bruce

---

**From:** Sch 2 s 2.2(a)(ii) >  
**Sent:** Thursday, 28 March 2019 4:08 PM  
**To:** Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>  
**Cc:** Fitzgerald, Bruce <Bruce.Fitzgerald@act.gov.au>  
**Subject:** RE: <no subject>

G'day  
Just chasing up your comments re the DRAFT letter from Sch 2 s 2.2(a)(ii)

Regards  
Sch 2 s 2.2(a)(ii)

---

**From:** Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>  
**Sent:** Tuesday, 26 March 2019 9:41 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: <no subject>

Thanks Sch 2 s 2.2(a)(ii)

Bruce or I will get back to you tomorrow.

Geoffrey

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 26 March 2019 4:51 PM  
**To:** Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>  
**Subject:** FW: <no subject>

G'day Geoff

This is the Draft of the letter to be forwarded to You re the DLG Application and the resolution of the site for the proposed ESA facility

For review

Regards

Sch 2 s 2.2(a)(ii)

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 2 April 2019 10:23 AM  
**To:** Fitzgerald, Bruce  
**Subject:** ESAanu draft 260319 (002) FINAL  
**Attachments:** ESAanu draft 260319 (002) FINAL.docx

DRAFT letter – to be forwarded today

Subject to amendment but not anticipated

Regards

Sch 2 s 2.2(a)(ii)

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DRAFT

The Applications Secretariat

Direct Grant of Land

A.C.T Government

GPO Box 158

Canberra 2601

Attention: Mr Geoffrey Rutledge

Via Email: [Geoffrey.Rutledge@act.gov.au](mailto:Geoffrey.Rutledge@act.gov.au)

Dear Sir,

Application for Direct Grant of Land lodged 15/3/2018

Block 1 Section 86-Barton

I refer to the above application and the subsequent Agreement in Principle, which was subject to the resolution of the location of the proposed ACT Emergency Services Agency (ESA) site and Cabinet Approval.

The University wishes to advise that Agreement has been reached with Officials of the Government on the Area that is to be excluded from the Above Application - See Attachment A (Hatched Area - Area in RED reserved for potential ESA Site).

In order to allow the University to meet the proposed Development Program and have the facility available Semester 1, 2021 we seek your agreement subject to Cabinet Approval, (where necessary) to the following:

- 1) That the Territory advise the National Capital Authority that the Location for the potential ESA site has been agreed in accordance with the Attachment A.
- 2) That the Territory supports the entire parcel of Block 1 Section 86 being determined as 'Community Use' which would allow both the University and the ESA to proceed with their respective Developments subject to Statutory Approvals.
- 3) Agree to make available that portion of the Land identified as Stage 1 in Attachment B (the White overlay of part Block 1 section 86 outside the ANU Boundary identified in red) and support the necessary applications by the University in gaining Works Approval for the Stage 1 development from appropriate Approving Authorities.

- 4) Agree to make available the Land in Stage 2 as at Attachment C (which excludes the Land identified in Attachment A) at such future time as may be agreed between the University and the Territory.
- 5) Notes that should the ESA not require the entirety of the area identified in Attachment A, that any land not required by the ESA would be incorporated into the proposed Stage 2 Development by the University.

The University appreciates the work yet to be done in relation to the design and operation of the proposed ESA facility and will continue to make available any information to assist the Territory in its deliberations.

Your written confirmation as to these proposals to both the University and the NCA would be appreciated.

I remain

Yours etc

Sch 2 s 2.2(a)(ii)

Etc etc

ATTACHMENT "A"-Agreed Site -Possible ESA Facility

ATTACHMENT "B"-Agreed Site -Stage One – ANU SA 8

ATTACHMENT "C"-Agreed Site Scope -Stage TWO -ANU SA 8



Attachment A: Agreed Site - Possible ESA



**Attachment B: Agreed Site - Stage 1 SA8**



Attachment C: Agreed Site - Stage 2 SA8

---

**From:** Fitzgerald, Bruce  
**Sent:** Tuesday, 2 April 2019 2:55 PM  
**To:** Sch 2 s 2.2(a)(ii)t  
**Subject:** ANU Letter of Support  
**Attachments:** ANU Letter of Support.docx

UNCLASSIFIED For-Official-Use-Only

Hi Sch 2 s 2.2(a)(ii)t

This is the letter of support that I am proposing to send to ANU. Can you please let me know if it will be sufficient.

Thanks  
Bruce

**Bruce Fitzgerald** | Executive Group Manager, Urban Renewal

Phone: 6205 8294 | Email: [bruce.fitzgerald@act.gov.au](mailto:bruce.fitzgerald@act.gov.au)  
Environment, Planning and Sustainable Development Directorate  
ACT Government | Level 2, 221 London Circuit, Canberra ACT 2601  
GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/housingrenewal](http://www.act.gov.au/housingrenewal)

Sch 2 s 2.2(a)(ii)

Australian National University  
CANBERRA ACT 2600

Dear Sch 2 s 2.2(a)(ii)

Thank you for your letter dated 2 April 2019 in relation to the Australian National University (ANU) Application for Direct Grant of Land. I can confirm that following discussions between the Environment, Planning and Sustainable Development Directorate, the Emergency Services Agency and the ANU that agreement has been reached in relation to the proposed location of the new City fire station. Attachment A of your letter accurately identifies the location (the exact location will still be subject to survey).

Noting that a lease over the land can only be granted by Cabinet agreement, EPSDD supports the assessment of works approval by the National Capital Authority for Stage 1 of the ANU and the necessary changes to the National Capital Plan to facilitate this development.

EPSDD notes that the Territory land which forms Stage 2 of the development will continue to be considered for a direct sale of land which will be determined by Cabinet. Any land not required by the ESA for the development of the new fire station will also be considered for direct sale to the ANU.

Thank you for your patience and I look forward to achieving a beneficial outcome for Canberra.

Yours sincerely

Brett Phillips  
A/g Deputy Director-General – Sustainability and the Built Environment

April 2019

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 3 April 2019 11:49 AM  
**To:** Fitzgerald, Bruce  
**Subject:** RE: ANU Letter of Support

Letter from ANU has been signed (in the form I previously advised) and is to be emailed to [Geoff.Rutledge@act.gov.au](mailto:Geoff.Rutledge@act.gov.au) shortly

Regards  
Sch 2 s 2.2(a)(ii)

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 2 April 2019 3:33 PM  
**To:** 'Fitzgerald, Bruce' <Bruce.Fitzgerald@act.gov.au>  
**Subject:** RE: ANU Letter of Support

Spot on , thanks Bruce  
(hopefully CG letter to you shortly)

Regards  
Sch 2 s 2.2(a)(ii)

---

**From:** Fitzgerald, Bruce <[Bruce.Fitzgerald@act.gov.au](mailto:Bruce.Fitzgerald@act.gov.au)>  
**Sent:** Tuesday, 2 April 2019 2:55 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** ANU Letter of Support

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Hi Sch 2 s 2.2(a)(ii)

This is the letter of support that I am proposing to send to ANU. Can you please let me know if it will be sufficient.

Thanks  
Bruce

**Bruce Fitzgerald** | Executive Group Manager, Urban Renewal

Phone: 6205 8294 | Email: [bruce.fitzgerald@act.gov.au](mailto:bruce.fitzgerald@act.gov.au)  
Environment, Planning and Sustainable Development Directorate  
ACT Government | Level 2, 221 London Circuit, Canberra ACT 2601  
GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/housingrenewal](http://www.act.gov.au/housingrenewal)

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 3 April 2019 12:05 PM  
**To:** Fitzgerald, Bruce  
**Subject:** FW: ESA and ANU FINAL  
**Attachments:** CG to GRutledge re ESA 20190403.pdf

Attached is a copy of the signed letter from the ANU (Sch 2 s 2.2(a)(ii)) to the ACT Govt , sent this a.m.

Regards

Sch 2 s 2.2(a)(ii)

---

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Australian  
National  
University

Sch 2 s 2.2(a)(ii)

Sch 2 s 2.2(a)(ii)

Canberra ACT 0200 Australia

[www.anu.edu.au](http://www.anu.edu.au)

CRICOS Provider No. 00120C

3 April 2019

The Applications Secretariat  
Direct Grant of Land  
ACT Government  
GPO Box 158  
CANBERRA ACT 2601

Attention: Mr Geoffrey Rutledge  
Via Email: [Geoffrey.Rutledge@act.gov.au](mailto:Geoffrey.Rutledge@act.gov.au)

Dear Mr Rutledge

Application for Direct Grant of Land lodged 15/3/2018  
Block 1 Section 86-Barton

I refer to the above application and the subsequent Agreement in Principal, which was subject to the resolution of the location of the proposed ACT Emergency Services Agency (ESA) site and Cabinet Approval.

The University wishes to advise that Agreement has been reached with Officials of the Government on the Area that is to be excluded from the Above Application - See Attachment A (Hatched Area-Area in RED reserved for potential ESA Site).

In order to allow the University to meet the proposed Development Program and have the facility available Semester 1, 2021 we seek your agreement subject to Cabinet Approval, (where necessary) to the following:

- 1) That the Territory advise the National Capital Authority that the Location for the potential ESA site has been agreed in accordance with the Attachment A.
- 2) That the Territory supports the entire parcel of Block 1 Section 86 being determined as 'Community Use' which would allow both the University and the ESA to proceed with their respective Developments subject to Statutory Approvals.
- 3) Agree to make available that portion of the Land identified as Stage 1 in Attachment B(the White overlay of part Block 1 section 86 outside the ANU Boundary identified in red) and support the necessary applications by the University in gaining Works Approval for the Stage 1 development from appropriate Approving Authorities.

- 4) Agree to make available the Land in Stage 2 as at Attachment C (which excludes the Land identified in Attachment A) at such future time as may be agreed between the University and the Territory.
- 5) Notes that should the ESA not require the entirety of the area identified in Attachment A, that any land not required by the ESA would be incorporated into the proposed Stage 2 Development by the University.

The University appreciates the work yet to be done in relation to the design and operation of the proposed ESA facility and will continue to make available any information to assist the Territory in its deliberations.

Your written confirmation as to these proposals to both the University and the NCA would be appreciated.

Sincerely

Sch 2 s 2.2(a)(ii)

ATTACHMENT "A"-Agreed Site -Possible ESA Facility  
ATTACHMENT "B"-Agreed Site -Stage One – ANU SA 8  
ATTACHMENT "C"-Agreed Site Scope -Stage TWO -ANU SA 8

ATTACHMENT "A"-



Attachment A: Agreed Site - Possible ESA



ATTACHMENT "B"-



Attachment B: Agreed Site - Stage 1 SA8



ATTACHMENT "C"-



Attachment C: Agreed Site - Stage 2 SA8



---

**From:** Fitzgerald, Bruce  
**Sent:** Wednesday, 3 April 2019 5:17 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** FW: ANU letter - direct sale of land  
**Attachments:** Direct Sale of Land - ANU 3 April 2019.pdf

UNCLASSIFIED

FYI – in case you haven't received a copy.

---

**From:** Phillips, Brett  
**Sent:** Wednesday, 3 April 2019 3:36 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Cc:** Fitzgerald, Bruce <Bruce.Fitzgerald@act.gov.au>; McRae, Poppy <Poppy.McRae@act.gov.au>  
**Subject:** ANU letter - direct sale of land

UNCLASSIFIED

Dear Sch 2 s 2.2(a)(ii)

Thank you your recent correspondence in relation to the ANU Application for Direct Grant of Land. Please find attached a written response in relation to the matters you have raised.

Should you have any further questions about the attached letter please do not hesitate to contact me.

Kind Regards,

Brett Phillips

Poppy McRae | Executive Officer to Geoffrey Rutledge, Deputy Director-General, Sustainability and the Built Environment  
Environment, Planning and Sustainable Development Directorate | ACT Government  
Phone (02) 620 70730 | Email: [Poppy.McRae@act.gov.au](mailto:Poppy.McRae@act.gov.au)  
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602



---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 3 April 2019 5:36 PM  
**To:** Fitzgerald, Bruce  
**Subject:** Re: ANU letter - direct sale of land

Thanks for your help  
Please pass on our thanks

Regards  
Sch 2 s 2.2(a)(ii)

On 3 Apr 2019, at 5:16 pm, Fitzgerald, Bruce <[Bruce.Fitzgerald@act.gov.au](mailto:Bruce.Fitzgerald@act.gov.au)> wrote:

UNCLASSIFIED

FYI – in case you haven't received a copy.

---

**From:** Phillips, Brett  
**Sent:** Wednesday, 3 April 2019 3:36 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Cc:** Fitzgerald, Bruce <[Bruce.Fitzgerald@act.gov.au](mailto:Bruce.Fitzgerald@act.gov.au)>; McRae, Poppy <[Poppy.McRae@act.gov.au](mailto:Poppy.McRae@act.gov.au)>  
**Subject:** ANU letter - direct sale of land

UNCLASSIFIED

Dear Sch 2 s 2.2(a)(ii)

Thank you your recent correspondence in relation to the ANU Application for Direct Grant of Land. Please find attached a written response in relation to the matters you have raised.

Should you have any further questions about the attached letter please do not hesitate to contact me.

Kind Regards,

Brett Phillips

Poppy McRae | Executive Officer to Geoffrey Rutledge, Deputy Director-General, Sustainability and the Built Environment  
Environment, Planning and Sustainable Development Directorate | ACT Government  
Phone (02) 620 70730 | Email: [Poppy.McRae@act.gov.au](mailto:Poppy.McRae@act.gov.au)  
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602

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<Direct Sale of Land - ANU 3 April 2019.pdf>

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 1 May 2019 1:04 PM  
**To:** Rutledge, Geoffrey; Phillips, Brett  
**Cc:** Landon, Daniel; Cook, Michael  
**Subject:** FW: ESA and Anu

Gday Gents

I refer to my email below

The ANU's Campus Planning Committee (Chaired by the Chancellor) which includes representatives of Council and The Vice Chancellor meets in 9 days

All Papers are required to be submitted by CoB this Friday

The paper in regard to the Development Proposal known as SA8 ,partially on Land owned by the Territory, subject to an Application lodged in April 2018 for Direct Grant of such Land, is required to recommend ,or not, the Commencement of this Project

University representations have been in good faith in trying to resolve any outstanding issues and to this end meet with the ESA and Directorate Officials for the fourth time 17 days ago.

I understood that the University was likely to have a response to these issues apx 10 working days from that meeting

To date we have received no response

Can you please advise as a matter of Urgency as to where the Administration is at in regard to resolving these issues so as an informed recommendation can be made to the University as to "Go or "No Go" for this important University Project

Regards

Sch 2 s 2.2(a)(ii)

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Monday, 29 April 2019 1:46 PM  
**To:** brett.phillips@act.gov.au  
**Subject:** FW: ESA and Anu

FYI

Regards

Sch 2 s 2.2(a)(ii)

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Monday, 29 April 2019 1:45 PM

**To:** Rutledge, Geoffrey <[Geoffrey.Rutledge@act.gov.au](mailto:Geoffrey.Rutledge@act.gov.au)>

**Subject:** ESA and Anu

Gday

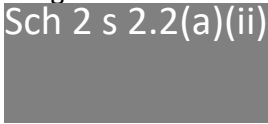
At our last meeting(on site) the ESA indicated that it would attempt to respond further to those on-site discussions concerning "location"

As refernced at the time our window of opportunity to commence this project is almost closed

Have you been advised of any response

Regards

Sch 2 s 2.2(a)(ii)



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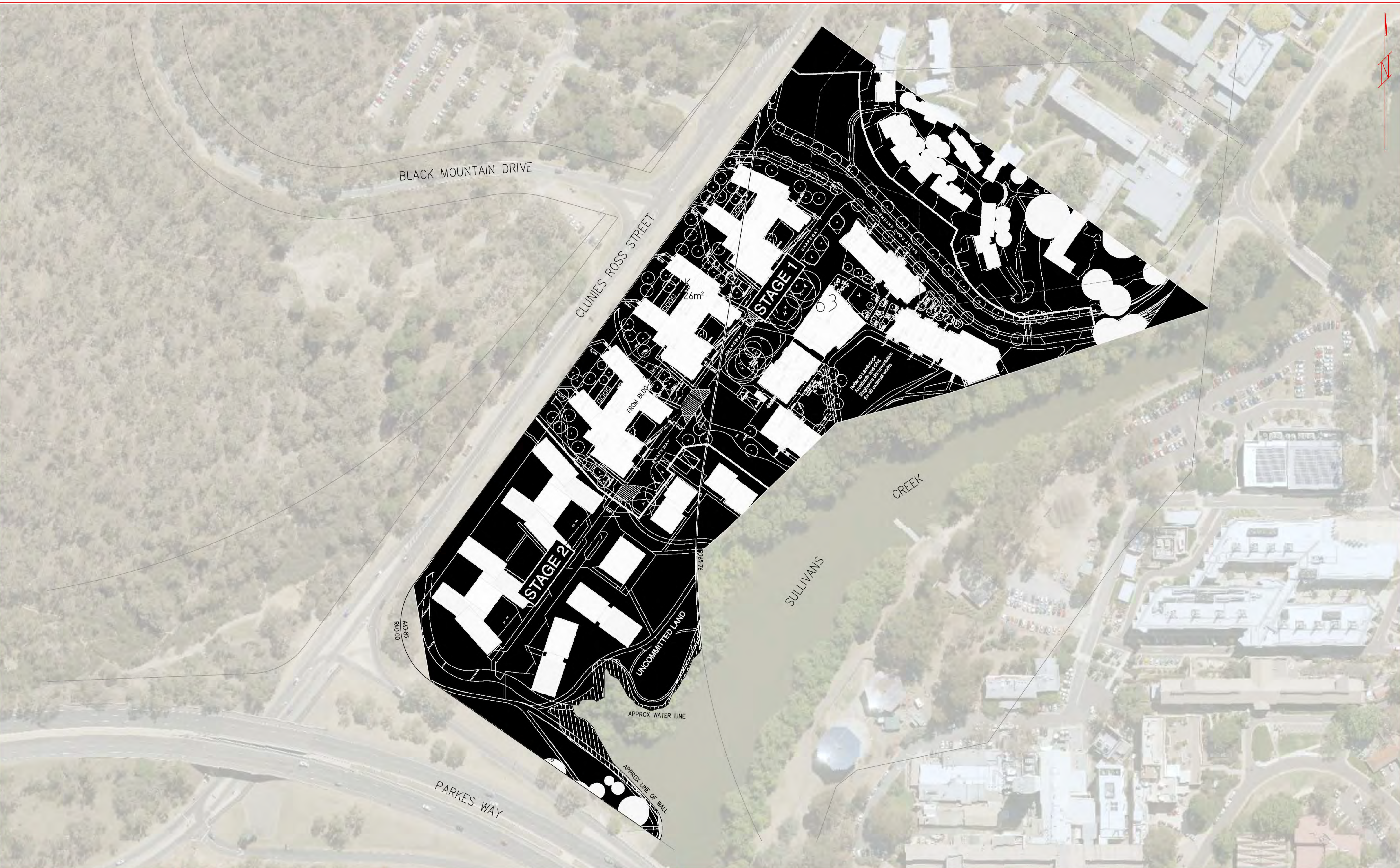
**From:** Phillips, Brett  
**Sent:** Friday, 3 May 2019 2:25 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Cc:** McRae, Poppy; Rutledge, Geoffrey; Brady, Erin; Lane, Dominic; White, Robyn  
**Subject:** Direct Sale of Land - ANU  
**Attachments:** Direct Sale Application Section 86 Civic .pdf; Attachment A - ANU Letter.pdf

UNCLASSIFIED

Dear Sch 2 s 2.2(a)(ii)

Please find attached letter in relation to the application for direct sale of land to the ANU.

Brett Phillips | A/g Deputy Director-General, Sustainability & the Built Environment  
Environment, Planning and Sustainable Development Directorate  
Ph: 02 62073520 E:[brett.phillips@act.gov.au](mailto:brett.phillips@act.gov.au)  
ACT Government Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 [www.environment.act.gov.au](http://www.environment.act.gov.au)



BLACK MOUNTAIN DRIVE

CLUNIES ROSS STREET

SULLIVAN'S CREEK

PARKES WAY

STAGE 1

STAGE 2

UNCOMMITTED LAND

APPROX WATER LINE

APPROX LINE OF WALL

26m<sup>2</sup>

A3.95  
R40.00

92.45%

Please to determine  
Availability and Costs  
for an internal works



REGISTERED AND ENGINEERING SURVEYORS  
LAND DEVELOPMENT | CONSTRUCTION | INFRASTRUCTURE

4/70 DACRE ST, MITCHELL ACT 2911  
P.O. BOX 4104, AINSLIE ACT 2602  
(02) 6156 4699 info@lonergansurveying.com

CLIENT: ACT EMERGENCY SERVICES AGENCY		
DRAWN BY:	M. STEVENSON	28/03/19
SURVEYED BY:	N/A	N/A
JOB REFERENCE:	J-2019-039	
DRAWING FILE:	PROPOSED_SUB_PLAN.DWG	
LEVEL DATUM:	AHD	

SCALE 1:1000 ON A1



**DISCLAIMER:**

- The information shown hereon and its associated digital data were prepared to meet specific client requirements and should not be used by any other party or for any other purpose.
- The survey information shown hereon is current as at the time of survey and conditions may have changed since the survey. We recommend that the survey data be verified if used at a later date.
- The survey plan should be read in conjunction with the digital survey dataset.

**NOTES:**

- The aerial imagery shown is 2018 Aerial Photography from ACTMAPi and is approximate only.
- All areas shown hereon are approximate only and subject to design and final survey.
- The boundary information shown hereon is from DP1768, DP3432, DP8378 and ACTMAPi. Further survey and boundary marking may be required for future development.
- Any easement information shown hereon is derived from the underlying Deposited Plan and the ACTMAPi digital database. A title search and review of the Crown Lease should be undertaken to verify the easement information shown.
- The proposed design information shown hereon is from ANU SA8 - Proposed Site Masterplan - A01.100 [01]

REVISION TABLE		
REV	COMMENTS	DATE
A	PRELIMINARY ISSUE OF DATASET	28/03/19

PROPOSED SUBDIVISION PLAN  
TERRITORY LAND  
DIVISION OF ACTON  
DISTRICT OF CANBERRA CENTRAL

---

# Out of Scope

# Out of Scope

Sent from my iPhone, please excuse brevity and typos

Begin forwarded message:

**From:** Sch 2 s 2.2(a)(ii)  
**Date:** 6 May 2019 at 12:40:01 pm AEST  
**To:** "[michael.Cook@act.gov.au](mailto:michael.Cook@act.gov.au)" <[michael.Cook@act.gov.au](mailto:michael.Cook@act.gov.au)>, "[Daniel.landon@act.gov.au](mailto:Daniel.landon@act.gov.au)" <[Daniel.landon@act.gov.au](mailto:Daniel.landon@act.gov.au)>  
**Subject:** FW: SA8 staging options

The attached two plans demonstrate the issue  
Plan one shows the proposed Stage 1 with the possible ESA overlay that covers ,as a minimum Building 'C' in our original Master Plan  
The Second shows a relocated Build "C" and amended Stage One and proposes that the ESA occupy any or all of the remaining area(identified by as our Stage Two Area  
The issue is that despite repeated assurances ,the ESA is 'unable to determine"', where within stage two their site MAY be located  
I would suggest that THE LAST PLACE it would be located would be where we are proposing to place the relocated Bld "C" because of the fall of land , engineering requirements and access to Clunnis Ross st

Happy to brief the respective Ministers

Regards

Sch 2 s 2.2(a)(ii)

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Monday, 6 May 2019 12:17 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** SA8 staging options

<SA8 staging plan options 6.5.19.pdf>

---

# Out of Scope

# Out of Scope

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 7 August 2019 5:57 PM  
**To:** Landon, Daniel <[Daniel.Landon@act.gov.au](mailto:Daniel.Landon@act.gov.au)>  
**Subject:** Works Approval SA 8 -ANU

I have been advised that;

Lea Dury (by phone) advised NCA that The Territory does not support works approval and should not have approved early works in any event as 'Direct Sale' "has not been anywhere near Cabinet"

There is an email (I think dated around 1<sup>st</sup> August) from Chris Spark ,Act' Dir Direct Sales ESPD also suggesting that Works Approval for Stage One is not supported by the Territory  
Please find attached the Letter from the Minister dated 15/5/19 against which we have proceeded

For the record, NO Works have been undertaken outside the Approval for early works and within the defined borders attached and agreed within the Ministers Letter

The NCA is ,as you would expect, somewhat confused as to how they should treat the matter

I would suggest that a simple note to the NCA from Mr Ponton to the effect that the Territory supports consideration of the Stage One Works Approval consistent with the Ministers Letter (Attached) would suffice to allow Stage One Works Approval to be granted

Regards

Sch 2 s 2.2(a)(ii)

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 13 August 2019 11:16 AM  
**To:** Rutledge, Geoffrey; Landon, Daniel  
**Subject:** Emailing: Response to Rutlidge re SA8- issues from TCCS and Our response  
**Attachments:** Response to Rutlidge re SA8.docx

Your message is ready to be sent with the following file or link attachments:

Response to Rutlidge re SA8

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Issues raised are in Blue and response italicized

*The ANU received a letter from the Minister for Land and Planning on the 17/12/18 giving in principle support for the lodging of an early works package. A subsequent letter was received on the 15/5/19 from the same office acknowledging in principle support to the Stage 1 works, as amended by his letter, being lodged*

NCA has provided the ANU with approval to commence site preparations on Section 86, but not provided the ANU with any approval to construct anything on the site yet.

*The only works undertaken to date are as per the early works approval which includes bulk excavation.*

A temporary land use application was submitted to TCCSon 20 June 2019, for temporary storage of materials and road access within section 86 during the construction works. This application is currently on hold until an approved Landscape Management and Protection plan is provided.

*There have been 2 temporary land use applications submitted ,one by the ANU in direct discussions with Sch 2 s 2.2(a)(ii) in Oct 2018 and one by the Builder on the 20<sup>th</sup> June. The second application is on hold awaiting further plans being submitted. However it should be noted that this later Application only relates to access and egress to Block 1 during construction and reaffirms the Universities on going dialogue with TCCS on this and numerous other matters within TCCS's purview*

the ACT Government has identified Block 2, Section 86 (Attachment A) in Acton, as a potential future site for an ACT Ambulance Service and ACT Fire and Rescue Station. Due diligence work and site investigation has commenced to support further consideration of the best options for the optimal location of such a station. Until such time as the ACT Government has made a decision with respect to the release and sale of the portion of land identified on the attached map as BLK1 TCCS Directorate reserves its legal right to the land and to protect its interests.

*The ANU received the Letter, signed by the Minister, and referred to earlier on the 15/5/19 where it states in part;*

***“The ACT Government agrees to the release and sale of the area identified on the attached map as BLK1. This provides ANU with one of the most developable areas of the ACT Government land.***

***Releasing this land to ANU, does limit the area remaining for siting of the ACT Ambulance Service and ACT Fire & Rescue City Station. This remaining land has a range of physical constraints, but provides a large enough area to explore options for the optimal location. It also enables the ANU to undertake some of its Stage 1 work, albeit with at least one building being limited from being developed in Stage 1 (based on the current ANU proposed layout).***

the ANU has approval from the NCA to commence site preparations on section 86, the extent of earthworks and other activities appears to have extended over agreed boundary lines for Block 1 I am also concerned that the extent of works exceeds preliminary site preparations prior to the land actually being released by the ACT Government.

*The ANU concedes that it has marginally encroached upon the land known as Blk 2. This has occurred in order to maintain the existing water course in accordance with the approved plans and best practice in regard to water quality both during construction and post construction.*

*The incursion is as part of the batter that is required as the construction of the swale is deep at this point (as outlined in the early works application and Stage 1 Works Approval Application) and this is a matter of site safety. The final construction of a piped stormwater system, inside Blk 1 will rectify this incursion and the land will be reinstated to a level consistent with the original natural fall of the Land.*

*A further minor incursion also occurred following excavation and removal of contaminated soil across the ANU Boundary intersection with both Block 1 and 2. This excavation will be refilled, compacted and retain the natural fall of the Land prior to the remediation works*

The ANU will consult directly with my TCCS to ensure any works do not adversely impact upon the interests (Block 2) without express prior approval. ACT Government staff will attend the site to assess the current works and to ensure that the boundary lines between Block 1 and Block 2 are being honored.

*This is understood and all Plans, either for early works and or Stage 1 Works have been made available or were available through the co-ordination arrangements with the NCA and or discussed with responsible Officers of TCCS where required*

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 13 August 2019 11:25 AM  
**To:** Rutledge, Geoffrey  
**Subject:** RE: Block 1 Section 86 Acton - SA8 for the ANU

Thank you Geoff

I appreciate your assistance in this matter and regret the need to have to keep dogging you to get the NCA in line with the approval

Regards

Sch 2 s 2.2(a)(ii)

---

**From:** Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>  
**Sent:** Tuesday, 13 August 2019 11:19 AM  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** FW: Block 1 Section 86 Acton - SA8 for the ANU

Sch 2 s 2.2(a)(ii)

For your information, I have sent the below email to Andrew Smith.

Geoffrey

---

**From:** Rutledge, Geoffrey  
**Sent:** Tuesday, 13 August 2019 11:17 AM  
**To:** Andrew Smith <[andrew.smith@nca.gov.au](mailto:andrew.smith@nca.gov.au)>  
**Subject:** Block 1 Section 86 Acton - SA8 for the ANU

Andrew,

Further to my email of last week (8 August), and in line with the Minister's letter of 15 May (attached).

Surveyors, on behalf of the ACT Government, have yesterday pegged the site boundary, formalising the land for use of the ANU.

As such, the Territory has no objection to progressing any construction work within the boundary.

This should assist you in your consideration of any works approvals sought by the ANU.

Please don't hesitate to contact me, if you require anything further.

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment  
Phone 02 6207 5001 | Mobile [REDACTED]  
Environment, Planning and Sustainable Development Directorate | ACT Government  
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | [www.environment.act.gov.au](http://www.environment.act.gov.au)



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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 24 June 2020 9:45 AM  
**To:** McNamara, Damien  
**Subject:** Re: Acton Section 86 Block 3 - Info for Valuation

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

Morning Damien,

Buildings A and B are essentially identical, they both have 268 residents (beds) in individual study/bedrooms. Dormitory style with shared bathrooms at the end of the corridor (so not the same as a hotel or studio apartment). The GFA for each building is circa 7200 sqm.

I'm not sure your logic of attributing 50% of the development yield to Block 3 is valid, as if the Gov tried to sell the block as a stand-alone block it would be almost impossible to develop anything meaningful on it due to its shape. I'm sure this will get some discussion downstream.

Let me know if you need anything else.

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <Damien.McNamara@act.gov.au>  
**Date:** Tuesday, 23 June 2020 at 14:07  
**Subject:** RE: Acton Section 86 Block 3 - Info for Valuation

UNCLASSIFIED

Sch 2 s 2.2(a)

Thanks for the information.

It would greatly assist if you could provide the total number of dwellings/units in buildings A and B and total GFA of each building. I propose to attribute 50% of the development yield of buildings A and B to Block 3 in order to determine its valuation.

Damien

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Monday, 15 June 2020 2:48 PM  
**To:** McNamara, Damien <Damien.McNamara@act.gov.au>  
**Subject:** Acton Section 86 Block 3 - Info for Valuation

Hi Damien

The below link is the relevant information for the valuation which we gave to Knight Frank. It's basically the NCA approvals and layout drawings illustrating the development and the historical correspondence between ANU/ACT.

<https://assuredsolutionsptyltd.box.com/s/xdi2aioaz0s378p1f2l2dw8hplionldx>

Let me know if you need anything else.

Sch 2 s 2.2(a)(ii)



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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Thursday, 27 August 2020 8:22 AM  
**To:** McNamara, Damien  
**Cc:** Sch 2 s 2.2(a)(ii)  
**Subject:** Re: ANU Direct Sales

**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.

Morning Damien

Yes – that should work – thanks.

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <Damien.McNamara@act.gov.au>  
**Date:** Wednesday, 26 August 2020 at 10:32  
**To:** Sch 2 s 2.2(a)(ii)  
**Cc:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: ANU Direct Sales

**OFFICIAL**

Sch 2 s 2.2(a)

Once I get the lease approved the letter of offer can go up for signing. So I would like to think you could get the letter of offer late next week. Does that work?

Damien

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 26 August 2020 10:22 AM  
**To:** McNamara, Damien <Damien.McNamara@act.gov.au>  
**Cc:** Sch 2 s 2.2(a)(ii)  
**Subject:** Re: ANU Direct Sales

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Hi Damien

Thanks for the update.

Re Section 86 – [redacted] would like to take this to their Oct Council meeting for formal endorsement. How quickly can you get us the letter of offer? Thinking ahead if we get ANU Council endorsement in Oct. we would then to do the formalities (say in Nov) and settle (make payment) in Nov / Dec this year? Does that sound about right? Just need to get ANU to factor in the cash flow required.

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Date:** Tuesday, 25 August 2020 at 16:33  
**To:** Sch 2 s 2.2(a)(ii) [redacted]  
**Cc:** Sch 2 s 2.2(a)(ii) [redacted]  
**Subject:** ANU Direct Sales

OFFICIAL

Sch 2 s 2.2(a)

Thanks for the timeline. I have added additional steps i.e demolition, due diligence, valuations, etc and passed to Clint for his input. The key dates have remained the same.

More importantly, the Section 86 the valuation came in at \$1,650,000 ex GST. The valuers were asked to consider the odd shape and restricted access to the block and the use for student accommodation. I am currently seeking approval to the draft 99 year lease and the letter of offer is ready to be signed. The lease purpose clause is for 'educational establishment'.

Damien

---

**From:** Sch 2 s 2.2(a)(ii) [redacted]  
**Sent:** Thursday, 20 August 2020 11:26 AM  
**To:** McNamara, Damien <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Cc:** Sch 2 s 2.2(a)(ii) [redacted]  
**Subject:** City S20 Blocks 2&3 - Direct Sale / Development Timeline - Ver. B (DRAFT)

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Hi Damien

Further to your feedback last week I have tidied up the draft time-line and discussed with [redacted]

Refer Rev B. attached.

Sch 2 s 2.2(a) will be using this to progress (within ANU) to lock in the resources / commitment required to achieve this timeline.

Did you want to add your additional tasks to the timeline, so we have a more detailed working version?

(Any progress with land valuation for Acton-S86B3?)

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Date:** Thursday, 13 August 2020 at 10:07  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: City S20 Blocks 2&3 - Direct Sale / Development Timeline - DTAFT for Discussion

UNOFFICIAL

Sch 2 s 2.2(a)  
A good start but I want to discuss with Clint before providing comments.  
We will need more time for the direct sale process.  
While we can do some due diligence prior to receiving the DS application much of it can't commence until we receive the application.  
I plan to give you a call later today.  
Damien

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 12 August 2020 12:38 PM  
**To:** Peters, Clint <[Clint.Peters@act.gov.au](mailto:Clint.Peters@act.gov.au)>; McNamara, Damien <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Cc:** Sch 2 s 2.2(a)(ii)  
**Subject:** City S20 Blocks 2&3 - Direct Sale / Development Timeline - DTAFT for Discussion

**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.

Hi Clint / Damien

Further to our meeting this morning – please see attached working draft of a timeline.

Can you review and let me know if this captures correctly everyone's understanding?

Sch 2 s 2.2(a)(ii)



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**From:** Sparke, Chris  
**Sent:** Thursday, 3 September 2020 2:25 PM  
**To:** Sch 2 s 2.2(a)(ii)  
**Cc:** McNamara, Damien  
**Subject:** Direct Sale Application - Block 3 Section 86 Acton  
**Attachments:** Approved Crown Lease - Blk 3 Section 86 Action - Ready for Signature.pdf; Signed Letter of Offer B3 S86 Acton to ANU.pdf

**OFFICIAL**

Dear Sch 2 s 2.2(a)(ii),

Please find enclosed the following:

- Signed Letter of Offer
- Proposed Crown Lease for execution.

When you are executing the Crown lease, please ensure that you print off two copies of the Crown lease on plain white A4 paper, ensuring that the print is single sided.

If you have any questions in relation to this offer please do not hesitate to contact myself (my contact details are below) or Damien McNamara and [Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au).

Regards

**Chris Sparke | Assistant Director | Strategic Projects and Infrastructure | Urban Renewal  
Environment, Planning and Sustainable Development Directorate | ACT Government**

**Phone: 02 6205 2404**

480 Northbourne Avenue, Dickson ACT 2601

GPO Box 158 Canberra ACT 2601

Entered in Register Book Vol                      Folio  
**This is a market value  
lease - s238(2)(a)(ii) Planning  
and Development Act 2007**

**AUSTRALIAN CAPITAL TERRITORY**

**PLANNING AND DEVELOPMENT ACT 2007**

**Australian Capital Territory (Planning and Land  
Management) Act 1988 (C'th) (ss 29, 30 & 31)**

LEASE GRANTED pursuant to the Planning and Development Act 2007 and the  
Regulations made under that Act on the                      day of  
Two thousand and twenty WHEREBY THE PLANNING AND LAND  
AUTHORITY (“the Authority”) ON BEHALF OF THE COMMONWEALTH OF  
AUSTRALIA (“the Commonwealth”) in exercising its functions grants to  
LESSEE THE AUSTRALIAN NATIONAL UNIVERSITY a body corporate under the  
Australian National University Act 1991 (C'th) having its registered office at  
The Chancelry, Building 10, East Road, Action in the Australian Capital Territory  
 (“the Lessee”) ALL THAT piece or parcel of land situate in the Australian Capital  
LAND Territory containing **an area of 6526 square metres** or thereabouts and being  
**Block 3 Section 86 Division of Action** as delineated on **Deposited Plan Number  
11723** in the Registrar-General’s Office at Canberra in the said Territory (“the  
land”) RESERVING unto the Territory all minerals and the right to the use, flow  
and control of ground water under the surface of the land TO HOLD unto the  
TERM Lessee for the term of ninety nine years commencing on the  
day of                      **Two thousand and twenty** (“the date of the  
commencement of the lease”) to be used by the Lessee for the purpose set out in  
Clause 3(c) of this lease only YIELDING AND PAYING THEREFOR rent in the  
amount and in the manner and at the times provided for in this lease and UPON  
AND SUBJECT TO the covenants conditions and agreements contained in this  
lease.

## INTERPRETATION

1. IN THIS LEASE unless the contrary intention appears:
  - (a) “Authority” means the Planning and Land Authority established by section 10 of the Planning and Development Act 2007;
  - (b) “building” means any building or structure, constructed or partially constructed or to be constructed, as the context permits or requires, on or under the land;
  - (c) “educational establishment” means the use of land for the purpose of tuition, training or research directed towards the discovery or application of knowledge, whether or not for the purposes of gain, and may include associated residential accommodation;
  - (d) “Lessee” shall:
    - (i) where the Lessee consists of one person be deemed to include the Lessee and the executors administrators and assigns of the Lessee;
    - (ii) where the Lessee consists of two or more persons be deemed to include in the case of a tenancy in common the persons and each of them and their and each of their executors administrators and assigns and in the case of a joint tenancy be deemed to include the said persons and each of them and their and each of their assigns and the executors administrators and assigns of the survivor of them; and
    - (iii) where the Lessee is a corporation be deemed to include such corporation its successors and assigns;
  - (e) “NCA” means the National Capital Authority” and any body, whether incorporated or unincorporated which from time to time exercises substantially the same powers as the powers which are at the date of the commencement of the lease exercised by the National Capital Authority under the Australian Capital Territory Planning and Land Management) Act 1988 (C’th);
  - (f) “premises” means the land and any building or other improvements on the land;
  - (g) “Territory” means:
    - (i) when used in a geographical sense the Australian Capital Territory; and

- (ii) when used in any other sense the body politic established by section 7 of the Australian Capital Territory (Self-Government) Act 1988 (C'th);
- (h) words in the singular include the plural and vice versa;
- (i) words importing one gender include the other genders;
- (j) a reference in this lease to any statute or statutory provision shall include a reference to any statute or statutory provision that amends, extends, consolidates or replaces the statute or statutory provision and to any other regulation, instrument or other subordinate legislation made under the statute.

2. THE LESSEE COVENANTS WITH THE COMMONWEALTH as follows:

- |                           |   |
|---------------------------|---|
| RENT                      | (a) That the Lessee shall pay to the Authority rent at the rate of five cents per annum if and when demanded payable within one month of the date of any demand made by the Authority relating thereto and served on the Lessee;                  |
| MANNER OF PAYMENT OF RENT | (b) That any rent or other moneys payable by the Lessee to the Authority under this lease shall be paid to such person as may be authorised by the Authority for that purpose at Canberra in the said Territory without any deduction whatsoever. |

3. THE LESSEE FURTHER COVENANTS WITH THE COMMONWEALTH as follows:

- |                           |  |
|---------------------------|--|
| COMPLETION OF DEVELOPMENT | (a) That the Lessee shall within twenty four (24) months from the date of the commencement of the lease or within such further time as may be approved in writing by the Authority complete the erection of an approved development on the land in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the NCA and in accordance with every Statute Ordinance or Regulation applicable to such development;   |
| INDEMNITY                 | (b) That the Lessee shall indemnify and keep indemnified the Commonwealth, the Territory, the Authority, their servants and agents from all actions claims suits and demands brought maintained or made against the Commonwealth, the Territory, the Authority, their servants or agents by any person or body of persons arising out of the provision by the Lessee of the design and construction of the associated works referred to in Clause 3(b) until such works are completed and formally handed over to the Territory; |
| PURPOSE                   | (c) To use the premises only for the purpose of an Educational Establishment.  |

EASEMENT FOR  
SERVICES

- (d) That:
- (i) the Authority, on behalf of the Commonwealth, grants over that part of the land identified as a services easement on the Deposited Plan an easement (“Easement”) in favour of the relevant provider (referred to as the “service provider”);
  - (ii) the service provider may:
    - (A) provide, maintain and replace services supplied by that service provider through the land within the site of the Easement; and
    - (B) do anything reasonably necessary for that purpose, including without limitation:
      - (1) entering or passing through the land;
      - (2) taking anything on to the land; and
      - (3) carrying out work, including without limitation, constructing, placing, repairing or maintaining pipes, poles, wires, cables, conduits, structures and equipment;
  - (iii) in exercising the powers in Clause 3(e)(ii), the service provider must take all reasonable steps to:
    - (A) ensure that the work carried out on the land causes as little disruption, inconvenience and damage as is practicable; and
    - (B) ensure that the land is restored as soon as practicable to a condition that is similar to its condition before the work was carried out;
  - (iv) Clause 3(e)(iii)(B), does not require the service provider to restore:
    - (A) the land to a condition that would result in:
      - (1) an interference with:
        - (i) any service on or through the land; or
        - (ii) access to any service on or through the land; or
      - (2) a contravention of a law of the Territory; or

- (B) any building or structure placed or constructed on any part of the land comprising the Easement;
  - (v) the Lessee must not place or construct, nor permit to be placed or constructed, a building or structure or any part of a building or structure on any part of the land comprising the Easement UNLESS written advice from the service provider is obtained;
  - (vi) for the purposes of the Easement, “services”, includes, without limitation, communication services, the supply of water, gas, electricity and discharge or drainage of water, stormwater and sewerage; and
  - (vii) nothing in this clause diminishes or affects any rights or powers of a service provider conferred under any statute, regulation or law;
- CARPARKING (e) That the Lessee shall provide and maintain an approved drained and sealed carparking area on the land to a standard acceptable to the NCA in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the NCA;
- LANDSCAPING (f) That the Lessee shall provide and maintain landscaping on the land to a standard acceptable to the NCA in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the NCA;
- LIGHTING (g) That the Lessee shall illuminate and keep illuminated all public access areas, carparks and driveways on the land at the Lessee’s cost during the evening hours of operation to a standard acceptable to the NCA in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the NCA;
- PRESERVATION OF TREES (h) That the Lessee shall not, without the previous consent in writing of the Territory, remove any tree:
- (i) that has been identified in a development approval for retention during the period allowed for construction of the building; or
  - (ii) to which the Tree Protection Act 2005, applies;
- FACILITIES AND ACCESS FOR PERSONS WITH A DISABILITY (i) That the Lessee shall provide and maintain facilities and access on the land for persons with a disability in accordance with plans and specifications prepared by the Lessee and previously submitted to and approved in writing by the NCA;
- SERVICE AREAS (j) That the Lessee shall screen and keep screened all service areas to the satisfaction of the NCA and shall ensure that all plant and

machinery contained within the premises is suitably screened from public view;

BUILDING  
SUBJECT TO  
APPROVAL

(k) That the Lessee shall not without the previous approval in writing of the NCA, except where exempt by law, erect any building, or make any structural alterations to any building, on the land;

REPAIR

(l) That the Lessee shall at all times during the said term maintain repair and keep in repair the premises to the satisfaction of the NCA;

FAILURE TO  
REPAIR

(m) If and whenever the Lessee is in breach of the Lessee's obligations to maintain repair and keep in repair the premises the NCA may by notice in writing to the Lessee specifying the repairs and maintenance needed require the Lessee to effect the necessary work in accordance with the notice. If the NCA is of the opinion that a building or some other improvement on the land is beyond reasonable repair the NCA may by notice in writing to the Lessee require the Lessee to remove the building or improvement and may require the Lessee to construct a new building or improvement in place of that removed within the time specified in the notice. If the Lessee does not carry out the required work within the time specified by the NCA any person or persons duly authorised by the NCA with such equipment as is necessary may enter the premises and carry out the necessary work and all costs and expenses incurred by the NCA in carrying out the work shall be paid by the Lessee to the NCA on demand and from the date of such demand until paid shall for all purposes of this lease be a debt due and payable to the NCA by the Lessee;

RIGHT OF  
INSPECTION

(n) Subject to the provisions of the Planning and Development Act 2007 to permit any person or persons authorised by the Authority to enter and inspect the premises at all reasonable times and in any reasonable manner;

RATES AND  
CHARGES

(o) To pay all rates charges and other statutory outgoings assessed levied or payable in respect of the premises as and when they are due for payment.

4. THE COMMONWEALTH COVENANTS WITH THE LESSEE as follows:

QUIET  
ENJOYMENT

That the Lessee paying the rent and all other money due and observing and performing the covenants and stipulations on the part of the Lessee to be observed and performed shall quietly enjoy the premises without interruption by the NCA or any person lawfully claiming from or under or in trust for the NCA.

5. IT IS MUTUALLY COVENANTED AND AGREED as follows:

TERMINATION

- (a) That if:
- (i) any rent or other moneys payable under this lease shall remain unpaid for three months next after the date appointed for payment thereof (whether such rent or other moneys shall have been formally demanded or not); or
  - (ii) an approved development in accordance with Clause 3(a) of this lease is not completed within the period specified in the said Clause; or
  - (iii) associated works in accordance with Clause 3(b) of this lease are not completed within the period specified in the said Clause; or
  - (iv) after completion of an approved development as aforesaid the said land is at any time not used for a period of one year for the purpose for which this lease is granted; or
  - (v) the Lessee shall fail to observe or perform any other of the covenants herein contained in this lease on the part of the Lessee to be observed or performed and shall have failed to remedy such breach within a period of six months from the date of service on the Lessee of a notice in writing from the Authority specifying the nature of such breach

the Authority on behalf of the Commonwealth may terminate this lease but without prejudice to any claim which the Authority or the Commonwealth may have against the Lessee in respect of any breach of the covenants on the part of the Lessee to be observed or performed;

ACCEPTANCE  
OF RENT

- (b) That acceptance of rent or other moneys by the Authority during or after any period referred to in Clauses 5(a) (i), (ii), (iii), (iv) or (v) of this lease shall not prevent or impede the exercise by the Authority of the powers conferred upon it by the said Clauses;

FURTHER LEASE

- (c) Subject to the Lessee paying all money required to be paid under the provisions of the Planning and Development Act 2007 the Lessee shall be entitled to a further lease of the land for such further term and at such rent and subject to such conditions as may then be provided or permitted by Statute Ordinance or Regulation;

NOTICES

- (d) That any notice requirement demand consent or other communication to be given to or served upon the Lessee under this lease shall be deemed to have been duly given or served if signed by or on behalf of the Authority and delivered to or sent in a prepaid letter addressed to the Lessee at the registered

office of the Lessee in the said Territory BUT if for any reason the Lessee does not have a registered office in the said Territory then at the usual or last-known address of the Lessee or affixed in a conspicuous position on the premises;

EXERCISE OF POWERS

- (e) Any and every right, power or remedy conferred on the Commonwealth or Territory in this lease, by law or implied by law may be exercised on behalf of the Commonwealth or the Territory or as the case may be by:
  - (i) the Authority;
  - (ii) an authority or person for the time being authorised by the Authority or by law to exercise those powers or functions of the Commonwealth or Territory; or
  - (iii) an authority or person to whom the Authority has delegated all its powers or functions under the Planning and Development Act 2007.

IN WITNESS whereof the Authority on behalf of the Commonwealth and the Lessee have executed this lease.

Signed by )  
 a delegate authorised to execute this lease ) .....  
 on behalf of the Commonwealth in the ) Delegate  
 presence of )

.....  
 Witness

SIGNED, SEALED and DELIVERED for )  
**The Australian National University ABN** )  
**52 234 063 906** by its duly authorised officer )  
 on the ..... day of ..... )  
 2020 in the presence of:

..... ) (Signature of authorised officer)  
 )  
 ..... )  
 (Signature of witness) )

..... ) (Printed name of authorised officer)  
 )  
 )

..... ) (Position of authorised officer)  
 (Printed name of witness) )



**ACT**  
Government

Environment, Planning and  
Sustainable Development

## Sch 2 s 2.2(a)(ii)

Facilities and Services Division  
Anthony Low Building  
The Australian National University  
CANBERRA CITY ACT 2600

Dear Sch 2 s 2.2(a)(ii),

### **Letter of Offer: Direct Sale of Block 3 Section 86 Acton to The Australian National University**

I refer to the direct sale application by the Australian National University (ANU).

Following the ACT Government's approval of the direct sale application, the land you sought has been formally identified as Block 3 Section 86 Acton.

#### **OFFER**

I am pleased to advise that I am now in a position to offer you a Crown lease over the land under the *Planning and Development Act 2007* for a term **of 99 years** under the following terms:

#### **Block 3 Section 86 Acton (6,526sqm)**

##### **Sale Price**

Land at market value	\$1,650,000
Plus GST (@10%)	\$ 165,000

Final Sales Price	<b>\$1,815,000</b> (GST Inc.)
-------------------	-------------------------------

#### **Acceptance of Offer**

If this offer is acceptable to the ANU, on or before the date that **is 50 days** from the date of this letter please: -

1. arrange for the attached Crown lease documents (in duplicate) to be appropriately executed by the ANU's authorised representative (in black ink) where indicated; and
2. hand deliver both copies of the executed original Crown lease documents to:

Damien McNamara  
Direct Sales, Urban Renewal, EPSDD  
480 Northbourne Avenue, Dickson, Canberra

3. make an electronic payment to the amount of \$1,815,000 GST inclusive to the "Suburban Land Agency":



Once payment and the executed Crown lease documents have been received, you will be provided with:

1. the fully executed Crown leases (in duplicate) for presentation at the ACT Revenue Office for assessment of stamp duty followed by registration with the Office of Regulatory Services; and
2. a signed letter to the ACT Revenue Office.

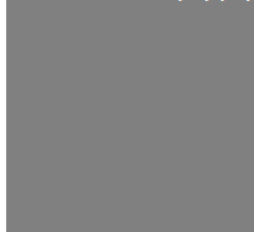
**Obligation to make own enquiries**

ANU must make its own interpretations, deductions and conclusions from the information made available and accept full responsibility for such interpretations, deductions and conclusions. It is recommended that legal and financial advice is sought before accepting the offer of a Crown lease or signing this Letter of Offer.

If you require any further information, please contact Damien McNamara, Direct Sales, Urban Renewal on 02 6207 6045.

Yours sincerely,

Sch 2 s 2.2(a)(ii)



Bruce Fitzgerald  
Executive Group Manager, Urban Renewal  
31 August 2020

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Tuesday, 6 October 2020 2:55 PM  
**To:** McNamara, Damien  
**Subject:** Re: Section 86 Acton

**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.

Hi Damien

ANU's legal advice confirms the same – you cannot change a 99 yr lease into a perpetual lease nor consolidate the two leases without losing the perpetual lease. So, this is agreed by ANU.

How are you going with resolving the lease issue?

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <Damien.McNamara@act.gov.au>  
**Date:** Tuesday, 29 September 2020 at 09:17  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: Section 86 Acton

**OFFICIAL**

Sch 2 s 2.2(a)

Apologies for the delay in responding. While I have done a little homework on this one, I have not obtained legal advice. The legislation only allows the Territory to leases with a timeframe of no greater than 99 years. If the ANU was to seek to consolidate a perpetual lease with a 99 year lease the Territory can only issue a 99 year lease over both blocks – resulting in the loss of the perpetual lease.

The advice I have received is that the ANU cannot change a 99 yr lease into a perpetual lease nor consolidate the two leases without losing the perpetual lease.

I am making progress on resolving the section 86 lease issue, it is just taking a little more time than I had hoped.

Damien

---

**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 23 September 2020 11:59 AM  
**To:** McNamara, Damien <Damien.McNamara@act.gov.au>  
**Subject:** Re: Section 86 Acton

**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.

Hi Damien

ANU has asked me to ask the question “will it be possible – as some time in the future – to change the 99 Yr lease into a perpetual lease – so it can consolidate the land” if they wanted to.

Is there a process to do this under current legislation?

The issue was raised by one of ANU Council members and we need to follow through and provide a response.

Thanks in advance.

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Date:** Monday, 21 September 2020 at 15:10  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: Section 86 Acton

UNOFFICIAL

Thanks, Hopefully that is sufficient.

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Sunday, 20 September 2020 11:54 AM  
**To:** McNamara, Damien <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Subject:** Re: Section 86 Acton

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Hi Damien

Certified Building Solution (CBS) have confirmed the following;

*The BCA permits buildings to be built on two parcels of land. The major requirement is that the building which is over two parcels of land complies with the BCA.*

*Therefore in this instance I will be able to issue a BCA certificate of compliance as one building.*

So it appears that there is not real technical compliance issue.

Is this what you needed?

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Date:** Thursday, 17 September 2020 at 08:54  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** Section 86 Acton

OFFICIAL

Sch 2 s 2.2(a)

Regarding Section 86 Acton, an issue is whether a certificate of occupancy can be issued. Are you able to discuss with the projects building certifier whether they have an concern with issuing/obtaining the appropriate certificates i.e compliance/completion/occupancy for a building that straddles two blocks of land.

thanks

**Damien McNamara** | Strategic Projects and Infrastructure  
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| [www.environment.act.gov.au](http://www.environment.act.gov.au) | [www.planning.act.gov.au](http://www.planning.act.gov.au)

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Wednesday, 18 November 2020 1:59 PM  
**To:** McNamara, Damien  
**Subject:** Re: Approved lease for Section 86

**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.

Hi Damien

Caught up with Sch 2 s 2.2(a) today, the paperwork / lease for both Acton S86B3 and Out of Scope have been signed by the ANU and they are planning to return with the payments within the next couple of weeks.

Regards

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <Damien.McNamara@act.gov.au>  
**Date:** Thursday, 15 October 2020 at 12:03  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: Approved lease for Section 86

UNOFFICIAL

Sch 2 s 2.2(a)

Great thanks.

Just letting you know that Sch 2 s 2.2(a)(ii)

Chris Sparke will be able to assist with any actions required by the Territory during this time (like getting the lease signed). Chris can be contacted by emailing [chris.sparke@act.gov.au](mailto:chris.sparke@act.gov.au)

Cheers, Damien

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**From:** Sch 2 s 2.2(a)(ii)  
**Sent:** Thursday, 15 October 2020 9:26 AM  
**To:** McNamara, Damien <Damien.McNamara@act.gov.au>  
**Subject:** Re: Approved lease for Section 86

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Hi Damien

OK. Lease has been signed off by ANU Legal – thanks.

I spoke to <sup>Sch 2 s 2.2(a)</sup> yesterday and she will progress based on the letter of offer issued. I'll follow up with her on Monday to see where they are at.

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Date:** Tuesday, 13 October 2020 at 10:23  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** RE: Approved lease for Section 86

OFFICIAL

Sch 2 s 2.2(a)

The attached version has been corrected.  
I would prefer not to issue an updated letter of offer, I would hate for the price to change.  
The only issue I see is the 50 days to sign the lease. Due to the delay in providing an approved lease for signing this timeframe can be extended. I suggest we get it signed and complete the sale as soon as practical.

Damien

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**From:** Gary Hudson <[gary@assuredsolutions.com.au](mailto:gary@assuredsolutions.com.au)>  
**Sent:** Monday, 12 October 2020 3:38 PM  
**To:** McNamara, Damien <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Subject:** Re: Approved lease for Section 86

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Hi Damien

In addition, ANU Legal have picked up the numbering in clause 3 goes straight from 3(c) to 3(f). Can you get this corrected?

Also – will you be issuing an updated Letter of Offer?

Regards

Sch 2 s 2.2(a)(ii)



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**From:** Damien McNamara <[Damien.McNamara@act.gov.au](mailto:Damien.McNamara@act.gov.au)>  
**Date:** Friday, 9 October 2020 at 10:31  
**To:** Sch 2 s 2.2(a)(ii)  
**Subject:** Approved lease for Section 86

OFFICIAL

Sch 2 s 2.2(a)

Good news, the lease for section 86 is finally approved. On a quick review, no changes that I can see other than the definition to educational establishment. I am sure your legal team will find more. Let's discuss next week.

regards

**Damien McNamara** | Strategic Projects and Infrastructure  
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