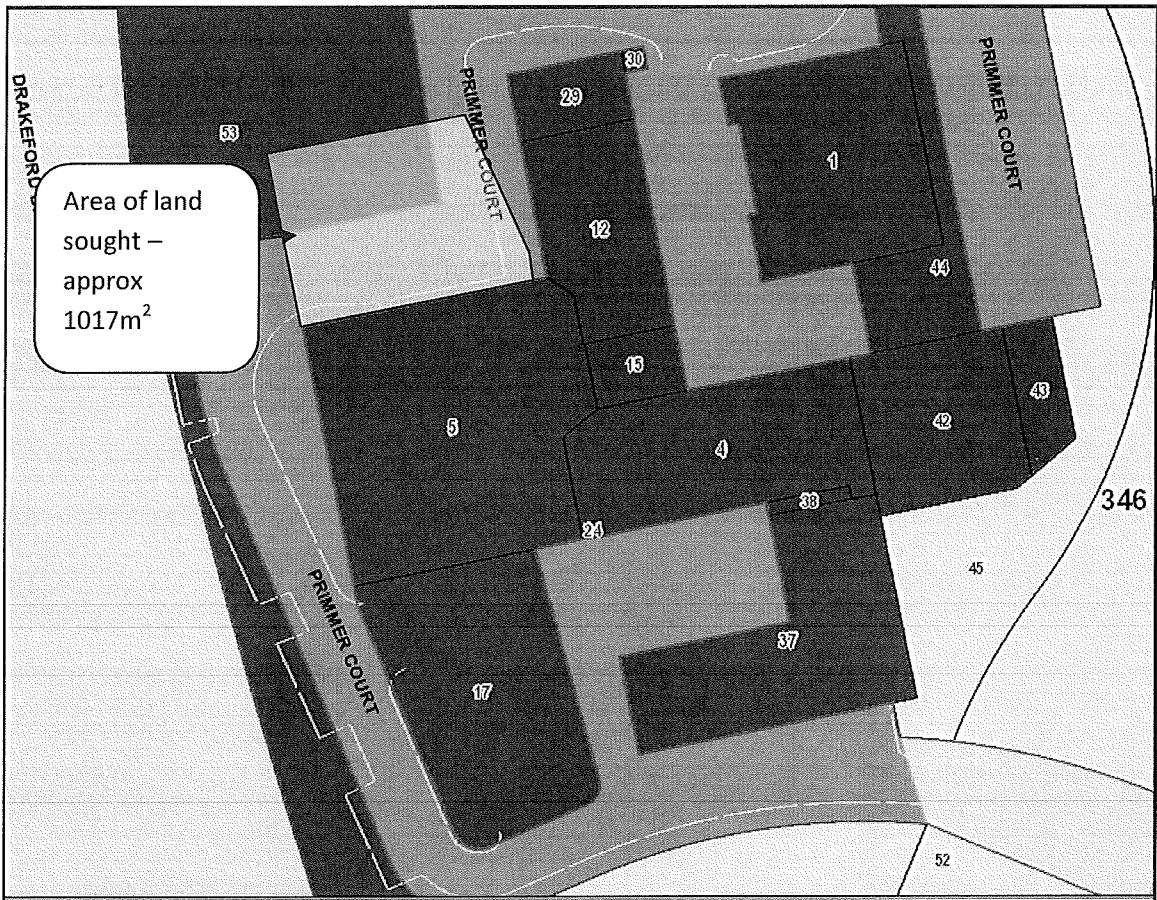


Direct Sale Application

part of Primmer Court and part Block 53 Section 346 Kambah

Applicant: Tzanetos Family Group (S & M Tzanetos)



Assessment against Criteria – Direct Sale of Land

Tzanetos Family – S & M Tzanetos

Criteria: s122 Direct Sale criteria for leases of contiguous unleased land other than public land – Act, s 240 (1) (a) (ii)

- (1) The criteria for the direct sale of a lease of unleased land other than public land (the **proposed lease**) to the lessee of a lease (the **existing lease**) that is contiguous with the proposed lease are that–
- (a) the grant of the proposed lease will–
 - (i) rectify an existing encroachment on the proposed lease by a building or structure on the existing lease for the purpose of consolidating the proposed and existing leases for subdivision under the *Unit Titles Act 2001*; or
 - (ii) facilitate the achievement of a good planning outcome; and
 - (b) the proposed use of the land is compatible with Territory or Commonwealth government policies applicable to the proposed use; and
 - (c) because of the size, location or configuration of the proposed lease, it is not reasonable or viable to grant the proposed lease as a separate independent lease; and
 - (d) the grant of the proposed lease–
 - (i) will not detract from the amenity of the surrounding area; and
 - (ii) will promote better land management; and
 - (iii) will not unreasonably restrict public access to other land.

Note **Public land**—see the Act, dictionary.

- (2) In this section:

encroachment includes a projection at, above or below ground level.

Response: s122 Direct Sale Criteria for leases of contiguous unleased land other than public land

- (1) (a) (ii) the proponent is in a unique position to develop to the north of its existing lease to spark off the implementation of the Kambah Group Centre Master Plan and deliver most of the works included in Stage A of the Master Plan including the realignment of Primmer Court and additional public parking. The development represents a large capital investment that could trigger other owners in the centre to undertake a much needed upgrade or redevelopment of the existing facilities and infrastructure.

- (b) the proposed use of the land is consistent with the Kambah Group Centre Master Plan and the proposal is intended to deliver most of the works included in Stage A of the Master Plan. Development to the north of the proponent's existing lease holding permits design flexibility and a unique opportunity to deliver a better design outcome than could ever be achieved by selling the land on the open market, which turns out to not be viable.
- (c) It is not viable to grant the proposed lease as a separate independent lease. This is supported by the valuation report which returned a [REDACTED] value if this were to be done. By selling the land to the proponent there is a [REDACTED] (approximately) due to economies of scale.
- (d)
 - (i) the direct sale will result in a better design outcome that will better address the planning outcomes of the Kambah Group Centre Master Plan and thereby improving the amenity of the centre.
 - (ii) the direct sale will achieve a better land management outcome because the lessee of Block 5 is required to improve the public realm which will help to revitalise the centre.
 - (iii) the proposal will enhance public access both pedestrian and vehicular by implementing the requirements of the Master Plan and improving the connectivity through the centre.



ACT
Government

Chief Minister, Treasury and
Economic Development

Date 31 March 2015 TRIM No: BM15/836
File No:

To Minister for Planning
Minister for Economic Development

- Director- General, Environment and Planning *1/4/15*
- Deputy Director – General, Environment and Planning *31-3-15*
- Director- General, Economic Development
- Deputy Director – General, Land Development and Corporate

From Director, Office of the Coordinator-General, Urban Renewal

Subject Announcement of direct Sale of part of Primmer Court and part Block 53
Section 346 Kambah to Tzanetos Family

Critical date and reason

ASAP - to allow you to make a public announcement about the Government's agreement in principle to the direct sale.

Purpose

To provide you with a media release, speaking points and other information regarding the direct sale of land within the Kambah Village ahead of a public announcement.

Background

The Tzanetos Family Group (the Group) is the owner of Block 5 Section 346 Kambah and their building currently houses the existing Woolworths supermarket. In 2013 they were found eligible for a direct sale over Block 17 (to the south of block 5).

On 24 April 2014 CBRE, on behalf of the lessee of Block 5, lodged a direct sale application for approximately 1,017m² of contiguous land to the north of Block 5, being part of Primmer Court and part Block 53 Section 346 Kambah. At their request, the lease offer for Block 17 has been put on hold while they go through this direct sale application.

The Group's vision is for an expansion and redevelopment to permit the establishment of a full line supermarket (with dedicated loading zone) and a modernization of that part of the shopping complex.

A brief from November 2014, where you approved the direct sale is at **Attachment A**.

Issues

Media announcement

Officers from Economic Development and your media adviser (Ellie Yates) met with Mr Tzanetos and his planning consultant from CBRE on March 24 to discuss a public announcement of the direct sale.

Mr Tzanetos and his consultant are keen for the announcement and a draft media release is at **Attachment B**. This media release envisages a joint announcement.

Agreement in principle

You have agreed that Mr Tzanetos is eligible for the direct sale of the land and that the Government intends to sell this land for the purposes the proponent has put forward i.e: for the expansion of the supermarket to the south and for a new retail area to the north. However, it is worth noting that this sale has not yet taken place and is dependent on the proponent obtaining a development approval.

Mr Tzanetos has not yet lodged a DA and is currently working with TAMS and his planning consultant on the realignment of the road, car parking and other issues ahead of lodgment. It is therefore important that the announcement is high level at this stage. More information will be made available in the public arena once Mr Tzanetos is in a position to undertake pre-DA consultation and lodge a DA. In essence, this is an announcement about the direct sale agreement and the high-level, future uses on these sites. No plans will be shown at this stage, as Mr Tzanetos is not far enough into his planning to be able to answer specific question about parking and traffic. A high-level Question and Answer document is at **Attachment C**.

Kambah Group Centre Masterplan (2012)

As you are aware, a master plan was established for the Kambah Group Centre in 2012. The direct sale to the Tzanetos Group is consistent with this plan and allows for the plan to begin to be implemented. The development of this site will integrate with the southern site redevelopment (Block 5 and Block 17) and the realignment of Primmer Court and effectively complete the implementation of Stage A of the endorsed Kambah Group Centre Master Plan (July 2012) in one coordinated proposal.

Timing and location of announcement

There is no timing imperative on the announcement. It is up to you to nominate when you would like to make the announcement. The Office of the Coordinator-General will liaise with your office and the proponent to assist in making sure of their availability for any announcement. The proponent is happy to stand with you at Kambah Village and make the announcement at a time of your choosing, should you wish that to be the case.

Consultation

The Environment and Planning Directorate has been consulted as part of this brief and were extensively consulted as part of the direct sale process.

Financial

An estimated return to the Territory is [redacted] for the sale of the land. However, a second valuation will be sought after the DA is approved for the redevelopment of the northern and southern block. Any figure should not be used in the public arena ahead of this second valuation.

Risks/ Sensitivities

Consultation was undertaken on the Kambah Village Masterplan and it was broadly endorsed by the community. No consultation has taken place on the direct sale, as is normally the case. Consultation will be undertaken at the DA stage where the community will have an opportunity to comment on the plans for the blocks. There is a risk that there is criticism from the community of the direct sale. However, it is important to note that the direct sale will not go ahead without DA approval and that this sale is consistent with the masterplan.

Some suggested answers to questions about consultation are in the attached Q&A document.

Media

A media release has been prepared. We will assist your office in organising media if you request.

Recommendation

That you:

- note the contents of this brief; and

NOTED/PLEASE DISCUSS

- agree to make a public announcement about the direct sale with the proponent, Mr Tzanetos at a time of your choosing.

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS

Liz Lopa
Action Officer: Katherine Hicks (x54868)

Mick Gentleman MLA / /



ACT
Government

Chief Minister, Treasury and
Economic Development

TRIM No: BM14/2252
File No: 13/2678

Date 27 October 2014

To Minister for Planning

Minister for Economic Development *AB 17-11-14*

- Director-General, Environment and Planning *15/11/14*
- Deputy Director-General, Environment and Planning *13-11-14*
- Director-General, Economic Development *DD 27/11/14*
- Deputy Director-General, Land Development and Corporate

From Chair, Direct Sale Panel

Subject Direct Sale Application by the Tzanetos Family Group of part of Primmer Court and part Block 53 Section 346 Kambah

Critical date and reason

18 November 2014, to ensure the timely completion of the direct sale process.

Purpose

To seek your agreement to support the direct sale of part of Primmer Court and part Block 53 Section 346 Kambah, that is contiguous to Block 5 Section 346 Kambah, to the Tzanetos Family Group.

Background

The Tzanetos Family Group (the Group) is the owner of Block 5 Section 346 Kambah and their building currently houses the existing Woolworths supermarket. In 2013 they were found eligible for a direct sale over Block 17 (to the south of Block 5).

On 24 April 2014 CBRE, on behalf of the lessee of Block 5, lodged a direct sale application for approximately 1,017m² of contiguous land to the north of Block 5, being part of Primmer Court and part Block 53 Section 346 Kambah. At their request, the lease offer for Block 17 has been put on hold while they go through this direct sale application. A map of the land being sought is at Attachment A.

The Group's vision is for an expansion and redevelopment to permit the establishment of a full line supermarket (with dedicated loading zone) and a modernization of that part of the shopping complex.

Issues

Kambah Group Centre Masterplan (2012)

A master plan was established for the Kambah Group Centre in 2012. The Group's vision for the redevelopment of their sites is consistent with that master plan. However, the master plan does envisage the block to the north (the block that is subject to this direct sale application) to be sold as a separate block.

The development of this site will integrate with the southern site redevelopment (Block 5 and Block 17) and the realignment of Primmer Court and effectively complete the implementation of

Stage A of the endorsed Kambah Group Centre Master Plan (July 2012) in one coordinated proposal. Further, the coordination of staging for both the north and the south developments will ensure minimal disruption to the centre.

The master plan encourages existing shops and services to expand and diversify facilitating greater business resilience and growth opportunities. The direct sale will assist in meeting this objective. The activation of the front entrance to the centre is also supported by the master plan.

The Environment and Planning Directorate (EPD) has been consulted throughout this direct sale process and agree that direct selling the subject block to the Group is the best way to achieve the master plan outcomes.

The value of the block

At the request of the Direct Sale Panel, a valuation report was sought to determine the estimated return to the Territory if the block were sold on the open market. The valuation had regard to the planning constraints set by the Master Plan and the Kambah Group Centre Precinct Code - which includes replacement car parking in a basement and a limit of two storeys for any future development on the block.

The valuation found it is not feasible to sell the parcel of land as a stand-alone block, with a [REDACTED] The report is at [Attachment B](#).

The second scenario, where the block is sold by direct sale to the Tzanetos Family Group, provides a [REDACTED] (approximate, subject to valuation again after a Development Application (DA) is approved) – see [Attachment C](#). This is primarily due to economies of scale. The proponent has the unique benefit of being able to integrate the north, central and southern sites and achieve efficiency in design and construction, thereby improving the feasibility of the project and being able to deliver a development that meets all the planning requirements for the site. The details around how the proponent will be able to meet the Kambah Group Centre Precinct Code and the Master Plan requirements is in the CBRE Planning report at [Attachment D](#).

Total redevelopment size

The direct sale will expand the supermarket site to the north and south of the existing lease of Block 5.

The exact size of the redevelopment site will be determined once a survey has been undertaken and the realignment of the road confirmed, but it is estimated to be approximately 3,800 – 4,000m².

Eligibility Criteria

The relevant eligibility requirements for the direct sale of contiguous land are set out in section 122 of the Planning and Development Regulation 2008. An assessment against the criteria is provided at [Attachment E](#).

At the request of the direct sale panel, legal advice was sought from the GSO to ensure the sale was consistent with the direct sale of contiguous land as set out in section 122 of the *Planning and Development Regulation 2008*. GSO has confirmed that the sale of the proposed block is consistent with this process ([Attachment F](#)).

Consultation

Land Requests Advisory Committee (LRAC)

This proposal was circulated by LRAC on 20 December 2013 for comment. Comments received indicate that there are no objections to the direct sale subject to the approval of a Development Application (DA). The proponent will be encouraged to discuss their proposal with the Strategic Planning and Policy Section of EPD. EPD recognise that the proposal to expand Block 5 to the north and south is consistent with the objectives of the master plan for the centre.

Direct Sale Panel and Indicative value of the block

The proposal was presented to the Direct Sale Panel (the Panel) on 4 June 2014 where the Panel asked for the valuation process to be undertaken (discussed above).

The proposal was re-presented to the Panel on 2 October 2014. The Panel is in agreement that the proponent is eligible for the direct sale of the northern block (Block 53 Section 346 and part Primmer Court).

Financial

The Tzanetos Family Group has the financial capacity to purchase and develop the land. The estimated return to the Territory is [REDACTED] for the sale of the land. A second valuation will be sought after the DA is approved for the redevelopment of the northern and southern block.

Risks/Sensitivities

There are no known risks or sensitivities to the ACT Government in relation to this proposal.

Media

Media interest is not anticipated.

Recommendation

That you:

- agree the Tzanetos Family Group is eligible for the direct sale of part of Primmer Court and part Block 53 Section 346 Kambah as it has met the eligibility criteria in accordance with section 122 of the *Planning and Development Regulation 2008*; and

AGREED / NOT AGREED / PLEASE DISCUSS

- agree the sale will be conditional on obtaining development approval for the consolidated development – noting that the consolidation will be required to include the land to the south of Block 5 (Block 17 Section 346 Kambah).

AGREED / NOT AGREED / PLEASE DISCUSS

Louise Gilding

Action Officer: Katherine Hicks (x54868)

Mick Gentleman MLA *MAG* 2A/11/14

Potential Questions and Answers

On the direct sale

Why the direct sale and not on the market?

The Masterplan in 2012 did identify the southern site as a direct sale. Then the Tzanetos group put in an application for the northern site. The Government undertook some valuations which showed it would not be economic for a single developer to buy the northern site as a separate block because of parking requirements, and so agreed to direct sale the land.

This decision fulfils the masterplan as finalised in 2012 and will lead to a better shopping experience for the community and the renewal of the shopping precinct.

Why no consultation on the direct sale?

The community was extensively consulted on the Kambah masterplan and this direct sale enables the implementation of that masterplan. The community will have a chance to have a say on the development that happens on these blocks as part of the consultation around the DA. The sale will not be finalised and no leases will be issued without an approved DA.

How much did you sell the land for?

The land is not yet sold. The sale will be finalised after a successful DA. The sale will be at market value and that valuation will be taken at the time of sale.

On the development

What is going to be built there?

In line with the Kambah Village masterplan, the southern site will be utilised for an extension to the existing supermarket site, leading to the provision of a full line supermarket for the community. The site to the north will entail new retail areas which could include medical facilities and/or new restaurants and cafes.

When will we see plans?

The developer is currently finalising plans. They will undertake pre-DA consultation with the community and there will be statutory consultation once a DA is lodged.

What about traffic and parking?

This will result in an increase in parking. A condition on the development of the land is the need to replace all existing parking as well as provide additional parking for the Village.

When will the supermarket be online? Will it be a Woolies?

Woolworths is currently a tenant of the Tzanetos Group. This is not a sale to Woolworths. The tenancy agreement is one between the Tzanetos Group and the supermarket.

The timing of the development depends on the approved DA.

At the pre-application meeting (with the EPD) we presented a concept design comprising a building footprint that are different from what was presented at the Direct Sale Stage.

The change primarily relate to meeting the requirements associated with designing a viable floorplate in which the extended supermarket will operate in the future. The land portions as approved in the Direct Sale application provide only for the siting a long and narrow floorplate which drives short shelf runs and long walking paths. Initial feedback received from supermarket operators and their designers indicate that such a design is sub-optimal and may be non-viable in a business model sense. A deeper floorplate was commented as being a more optimum design outcome - a design that would require the building to be extended to the west by approximately 7m. This resulted in the design areas presented at the pre-application meeting to be as follows:

Use	Direct Sale Areas	Pre-DA areas
Existing Supermarket	~1,535sqm	~1,535sqm
New Supermarket	~1,100sqm	~1,755sqm
Specialties extension	Up to ~1,900sqm over 2 levels	~1,715sqm
Totals	~4,535sqm	~5,005sqm
Change (%)		+ 10% (approx.)

We include the scheme presented at pre-DA meeting (with some minor changes made with the feedbacks received at the meeting) that present a workable floorplate for the supermarket for your consideration.

Since the pre-application meeting we considered the Master Plan requirements and confirm that a realigned Primmer Court (located along the Drakeford Drive verge boundary) can be delivered to TaMS requirements. We include an engineering design demonstrating how the Master plan requirement for road re-alignment may be resolved in the context of the building needs of access and loading among other needs. We have also considered other site context and character impacts relating to the road design and specifically note the advice from our arborist indicating that the road would impact on the viability of some of the large trees located along the geometry of the proposed new road alignment and flagging their proposed removal.

In the context of the design presorted at the pre-application meeting we request your consideration and confirmation that the land take presented is consistent with the intent for which the Direct Sale is granted and note that the servicing of this building with a TaMS compliant public road will impact on some of the trees along its geometry.

We look forward to your response in relation to this proposal and confirm that we are available at any time to meet with you to discuss any matter relating to this request as may be required. Should you have any further queries, please do not hesitate to contact me.

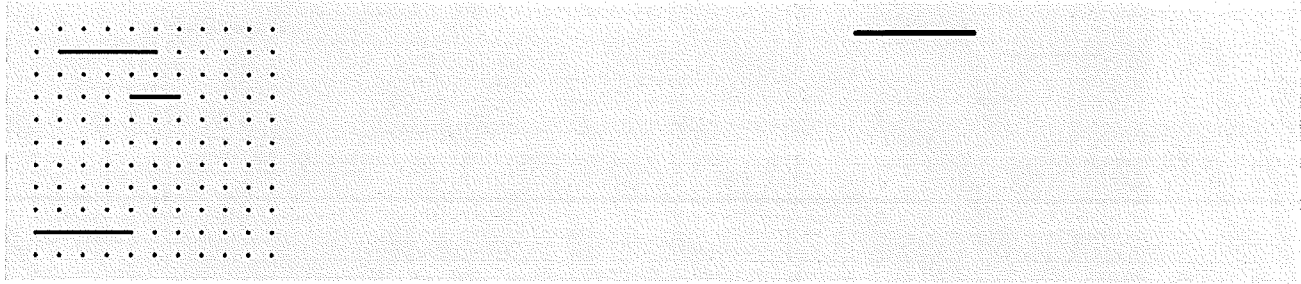
This letter is for the use only of the party to whom it is addressed and for no other parties. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this letter.

Yours sincerely



Attachments:

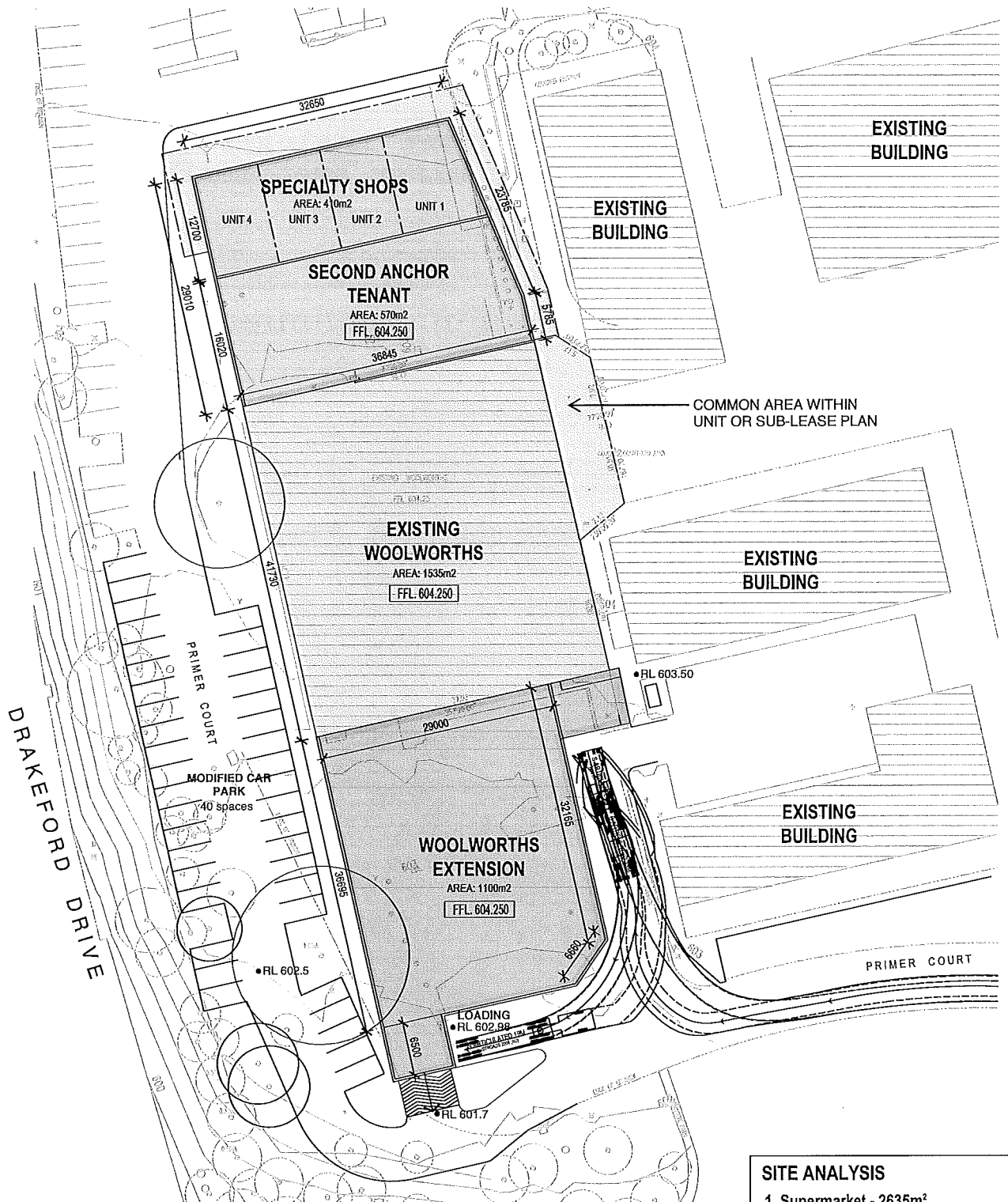
- Appendix 1: Direct Sale proposed site plan SK-10 (21.10.2013)*
- Appendix 2: Site Context Analysis DA03 P2 as presented at DA (with minor amendments)*
- Appendix 3: Notional Road Design -Primmer Court relocation (Sellick Consulting Engineers)*
- Appendix 4: Tree 1 and Tree 11 notional impact consideration.*



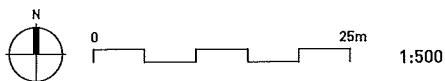
Appendix 1: Direct Sale proposed site plan SK-10 (21.10.2013)

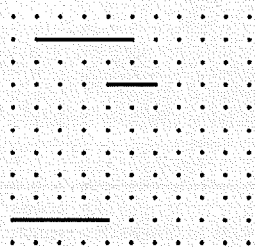
—

—



SITE ANALYSIS	
1. Supermarket - 2635m²	- Supermarket Existing: 1535m ² - Supermarket Extension: 1100m ²
2. Second Anchor - 600m²	570m ²
3. Specialty Retail - 405m²	
TOTAL RETAIL AREA: 3720m²	

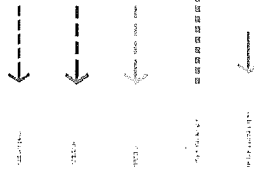




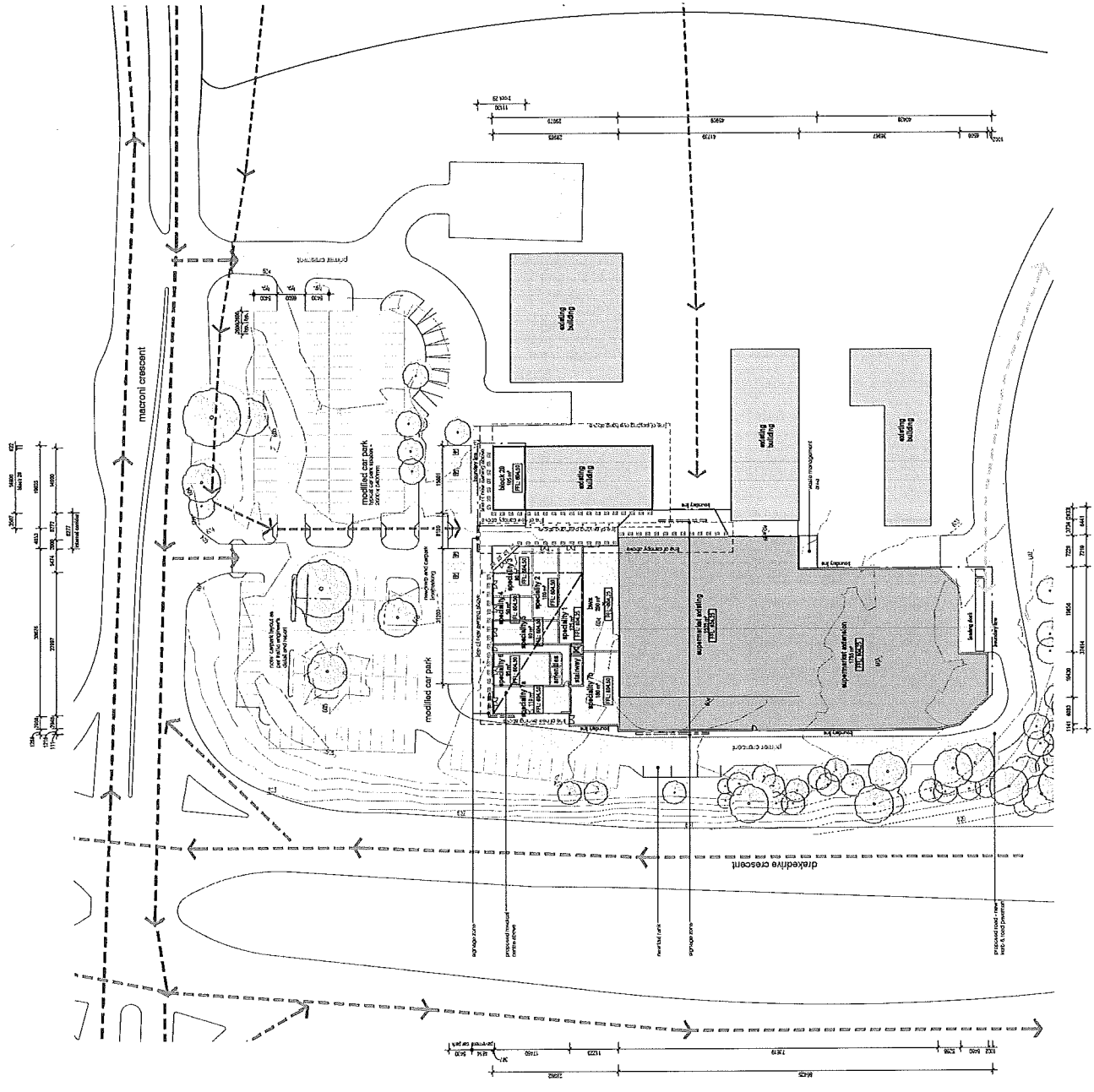
Appendix 2: Site Context Analysis DA03 P2 as presented at DA (with minor amendments)



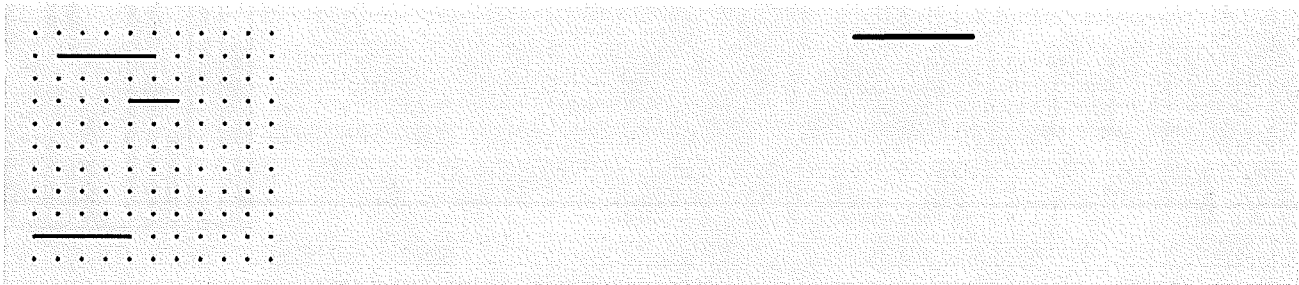
LEGEND



SITE CONTEXT ANALYSIS	
site:	5050m ² approx
supermarket:	
- supermarket existing:	1535m ²
- supermarket extension:	1755m ²
specialty / other:	
- ground:	1115m ²
- mezzanine:	600m ²
TOTAL GFA =	5010m²



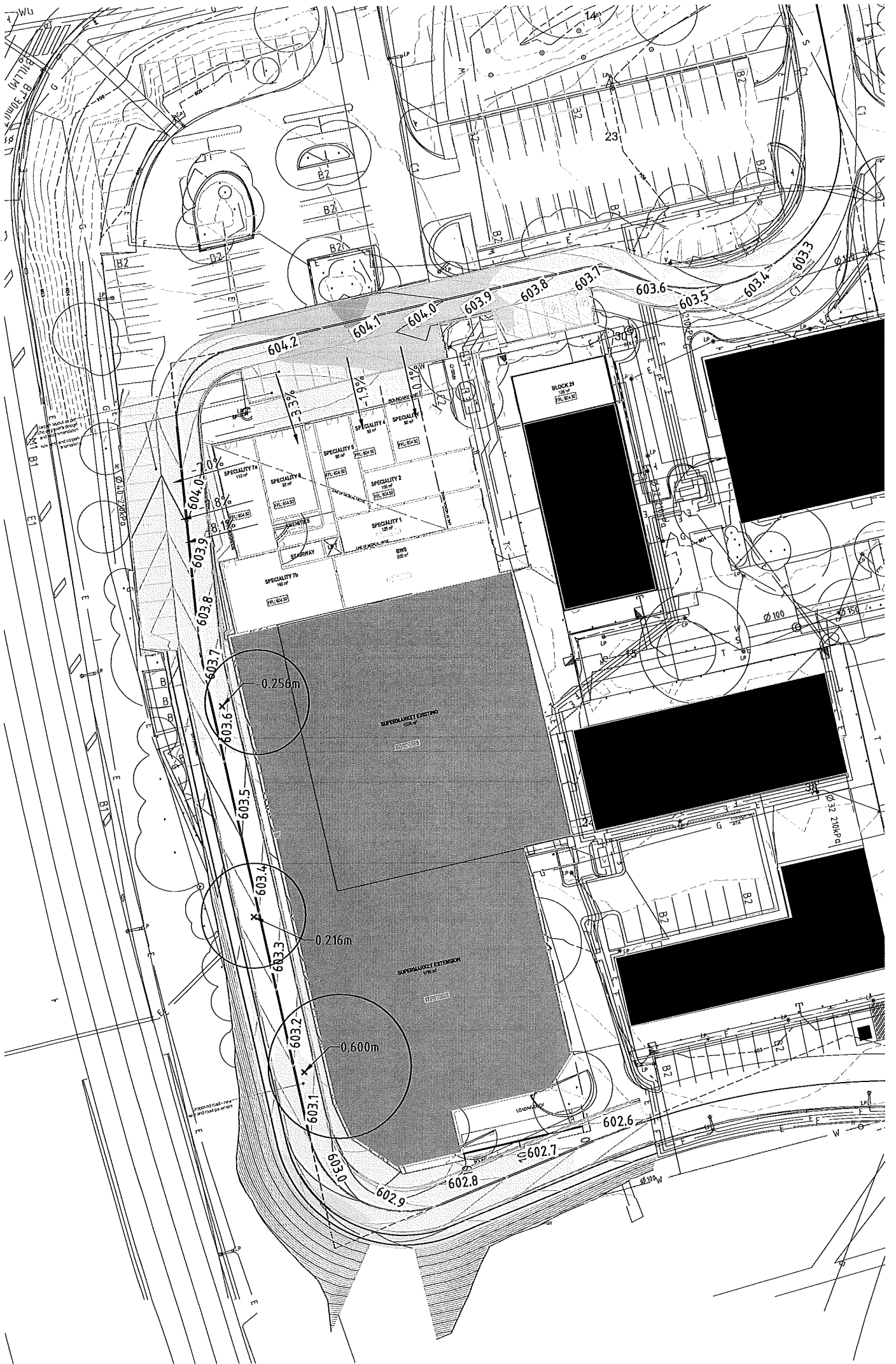
SITE PLAN 1:200

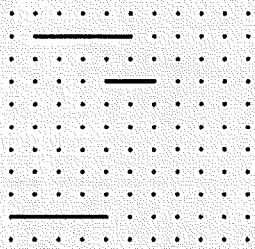


Appendix 3: Notional Road Design -Primmer Court relocation (Sellick Consulting Engineers)

—

—





Appendix 4: Tree 1 and Tree 11 notional impact consideration.



Company	Restifa + Partners	Date	15 July 2016
Attention			
From		Project No.	3349
Project	Kambah Shopping Centre Redevelopment		
Subject	Remnant Trees on Territory Land		

dsb Landscape Architects

14 Hannah Place, Deakin, ACT, 2600
02 6285 1955 dsb@dsbla.com.au www.dsbla.com.au

dsb Landscape Architects have prepared a Tree Assessment Report and Plan for the trees adjacent to the proposed Kambah Shopping Centre upgrade.

On the western edge of the development are two remnant trees identified as Tree1 and Tree 11. Both trees as part of the assessment report are identified as 'in decline'.

Engineering civil design documentation has been provided for the proposed road works on the western side of the development. Assessment of the extent of proposed grading for the road works indicates that the disturbance within the tree management zones of these two trees is substantial and the affect on the trees significantly adverse.

Retention of these trees within the project as proposed is not feasible.

Regards,





Direct Sale of Land Eligibility Application

Commercial

NAME OF APPLICANT: Tzanetos Family Group

DATE OF APPLICATION: 23 April 2014

Date Received (office use):

Contents

Section A Instructions	4
Completing your Eligibility Application	4
Submitting your application.....	4
Enquiries	4
Section B Your Details	5
Applicant Details.....	5
Directors, Partners and Associates.....	5
Parent Company.....	5
Subsidiaries.....	5
Trading Names.....	6
Representatives.....	6
Bankers	7
Accountants.....	7
Solicitors.....	7
Section C Your Proposal	8
The Land	8
Rationale and Alternatives.....	9
Section D Proposal Specifics	10
The Site.....	10
The Land Use.....	10
Contiguous Land	10
Unknown Site	13
The Buildings.....	13
Car Parking Facilities.....	14
The Development Schedule	14
The Management	14
Section E Your Company	15
Activities or Services	15
Date of Incorporation and/or ASIC Registration	15
Current Employees.....	15
Future Employees	15
Current Land Holdings.....	16
Previous Direct Sales	17
Other Projects	17
Section F Your Financial Capacity	18
Costs	18

Direct Sale of Land Eligibility Application: Commercial

Funding	19
Totals	20
Section G Public Benefit	21
Section H Your Capabilities	22
Expertise and Experience.....	22
Resources	23
Section I Statutory Declaration.....	24
Statutory Declarations Act 1959	24
Section J Checklists	25
Overall Checklist.....	25
Attachment Checklist.....	26
Section K Help section	27
Useful Legislation	27
Other Important Links	27

Disclaimer



This material is provided as guidance for applicants and no undertaking or representation is made that an applicant would be eligible for the grant of land by answering the questions in the attached forms or following the procedures herein. Applicants should consult the relevant legislation and where appropriate, obtain their own legal advice.

Section A Instructions

Complete and submit this Direct Sale of Land Eligibility Application to the Economic Development Directorate (EDD) to find out if you are eligible to apply for a direct sale of land for commercial use. Part of your application requires that you make a relevant business case for your proposal, to provide justification for a direct sale of the land rather than a sale by other means. This form is designed to help you communicate your business case. For this reason, it is essential that you fill in all sections as directed and attach all supporting evidence that is requested.

For more information on the direct sale of land process, go to the EDD website www.economicdevelopment.act.gov.au

Completing your Eligibility Application

- READ** Read the Eligibility Application taking note of the symbols:
-  → Denotes supporting documentation that you are required to attach;
 -  → Denotes that you may need help from a property professional; and
 - ^H → Denotes that you should go to the *Help Section* at Section K at the end of this document for information on relevant legislation and links.
- COMPLETE** Complete all sections of the eligibility application. Follow the questions in sequential order unless directed otherwise. *Note: If a section is 'not applicable' to your application this must be stated.*
- ATTACH** Attach all relevant documentation that is requested. Please note that if at any point you do not have enough room to list all that is required, please attach the information and mark this clearly on your application.
- SIGN** The Statutory Declaration must be completed by the person authorised to represent the applicant and that person's name, address and occupation must be stated.
- SUBMIT** Submit your completed application (**one hard copy and one disk copy** saved in PDF format) and your supporting documentation (one hard copy of each).

Submitting your application

- By mail** Director, Sustainable Land Strategy
Economic Development Directorate
GPO Box 158
CANBERRA CITY ACT 2601
- In person** Director, Sustainable Land Strategy
Economic Development Directorate
Level 6, Transact Building
470 Northbourne Avenue
DICKSON ACT

Enquiries

Contact Direct Sales, Sustainable Land Strategy, Economic Development Directorate on:
(02) 6205 1632

Section B Your Details

Applicant Details

- 1 Enter the applicant details (the name in which the lease will be granted) for your company or partnership

Company name	S & M Tzanetos
ABN	13589582970
Address	
Phone number	
Email	

Directors, Partners and Associates

- 2 Enter the full names, addresses and occupations of all directors, partners and associates

Name	
Position	
Business address	
Name	
Position	
Business address	
Name	
Position	
Business address	

Parent Company

- 3 If your company is a subsidiary, provide details about your parent company

Name	N/A
Place of incorporation	
Relationship	Wholly controlled <input type="checkbox"/> Partially controlled <input type="checkbox"/>

Subsidiaries

- 4 If your company is a holding company, provide details about your subsidiaries

Name	N/A
Place of incorporation	
Relationship	Wholly controlled <input type="checkbox"/> Partially controlled <input type="checkbox"/>
Name	
Place of incorporation	
Relationship	Wholly controlled <input type="checkbox"/> Partially controlled <input type="checkbox"/>

Section B Your Details

Trading Names

- 5 If your company uses other trading names, provide contact details for each

Name	Tzanetos Family Group
Address	[REDACTED]
Phone number	[REDACTED]
Name	
Address	
Phone number	

Representatives

- 6 Enter the contact details for a primary and a secondary contact who will act as your representative during the direct sale of land process.

PRIMARY REPRESENTATIVE

Name	[REDACTED]
Position	[REDACTED]
Phone number	[REDACTED]
Address	[REDACTED]
E mail	[REDACTED]

SECONDARY REPRESENTATIVE

Name	[REDACTED]
Position	[REDACTED]
Phone number	[REDACTED]
Address	[REDACTED]
E mail	[REDACTED]

Section B Your Details

Bankers

- 7 Enter the contact details for your company's bankers.

Name	
Business address	
Phone number	

Name	
Position	
Business address	

Name	
Business address	
Phone number	

Accountants

- 8 Enter the contact details for your company's accountants.

Name	
Business address	
Phone number	

Name	
Business address	
Phone number	

Name	
Business address	
Phone number	

Solicitors

- 9 Enter the contact details for your company's solicitors.

Name	
Business address	
Phone number	

Name	
Business address	
Phone number	

Name	
Business address	
Phone number	

Section C Your Proposal

The Land

- 10 Describe why you want the land and how you will use it. What types of business activities will you perform? What types of goods and services will you provide?

The Kambah Group Master Plan clearly identifies the intention to facilitate the establishment of a new retail site to the north of the current supermarket site. The land would be used to develop a retail mall comprising a number of specialty tenancies, adjoining the entrance to the supermarket. This application is submitted in conjunction with an application for the land to the south of Block 5 Section 346 to enable the expansion of the supermarket, as an anchor supermarket tenant is necessary to attract retailers to the northern development.

There are no other opportunities for expansion within the Centre.

Section C Your Proposal

Rationale and Alternatives

In the following questions describe why your company needs to obtain the land through direct sale and what other options you have considered:

- 11** Explain why you need to obtain land through a direct sale, rather than another process:

Previous Direct Sale applications were lodged in 2007 and 2009 for both the northern and southern sites adjoining Block 5 Section 346 Kambah.

An offer for the southern site has been made to the applicant in July 2013, however this application for the northern site is submitted as the proposal incorporates both sites.

The land is currently unleased Territory land utilised as surface car parking, and is not currently offered for public sale by the ACT Government, nor is it identified in the ACT land release program for 2013-2017. The Kambah Group Centre Master Plan identifies this site as part of 'Stage A' development of the centre, and further suggests that the implementation of the Master Plan occurs through the sale of Territory owned land. Direct sale is therefore the only avenue available for the applicant to purchase the site.

- 12** If your company has investigated alternatives to a direct sale of land, describe the actions you have taken:

No alternatives have been investigated, as no other options are available..

Section D Proposal Specifics

The Site

- 13 Do you have a preferred site?

Yes → Go to 14

No → Go to 24

- 14 *☞* If you have a preferred site, please provide details:

Block	
Section	346
Division	Kambah
Size (m²)	860 m ²
Current Territory Plan zoning ^H	CZ1 – Core Zone
Why this site is preferred	The site is identified in the Kambah Group Centre Master Plan for retail development purposes. The site enjoys direct access to surface car parking..

The Land Use

- 15

☞

☞ Attach a sketch plan of the ideal site layout, including:

- Proposed buildings
- Car parking facilities
- Public access arrangements

You should also indicate the staging of the development

Contiguous Land

- 16 Are you making an application for contiguous unleased land as described in Section 110 or Section 122 of the *Planning and Development Regulation 2008*? ^H

Yes → Go to 17

No → Go to 25

- 17 Is the land for the proposed lease adjoining land on which you hold a current lease?

Yes → Go to 20

No → Go to 18

- 18 Are you submitting this application to rectify an encroachment so the existing lease can be subdivided under the *Unit Titles Act 2001*? ^H

(Examples of such encroachments include balconies or signs that cross a boundary into unleased land)

Yes → Go to 20

No → Go to 19

Section D Proposal Specifics

- 19** Explain how your proposal would facilitate the achievement of a good planning outcome? ^H
The proposal would implement 'Stage A' of the Kambah Group Centre Master Plan. The development of this site in conjunction with supermarket expansion to the south of Block 5 Section 346, would represent a substantial and positive start to the implementation of the Master Plan. The proposal would provide improved infrastructure and access, and generate activity within the Centre. Development of the sites will drive redevelopment of the Centre and contribute to achieving key master plan outcomes.
- 20** Explain why the contiguous land would not be viable for separate lease because of its size, location or configuration:
Should the land be made available to sale to another party, the existing supermarket operation would suffer due to limited exposure and limited potential for expansion. As the supermarket represents a significant proportion of the Centre's prosperity, it is therefore vital to the viability of the Centre. This would be a disadvantageous outcome.
- Furthermore, under the Kambah Precinct Code, the site includes the requirement to provide replacement parking for existing surface carpark. The applicant is capable of delivering basement carparking should both the northern and southern sites be offered, as the expansion of the supermarket provides opportunity for the applicant to recover costs from the supermarket tenant, for example, through increased rental income. A third party would not enjoy the benefit of such an arrangement, and consequently the feasibility of development would be diminished, resulting in a reduced land price and inferior delivery of facilities for the Centre.
- 21** Explain how your proposal maintains or enhances the amenity of the surrounding area:
The amenity of the surrounding area is maintained and enhanced due to improved vehicle and pedestrian access, and additional car parking facilities. The proposal (comprising both northern and southern sites) includes the realignment of Primmer Court, which will improve access for heavy vehicles and additional off-street parking, whilst retaining protected trees along the Drakeford Drive corridor. The proposed northern development includes a covered walkway connecting to the central courtyard, improving amenity for pedestrians. .
- 22** Explain how your proposal will promote better land management, including how it will not unreasonably restrict public access to other land:
The applicant has engaged consultants with regard to vehicle and pedestrian access, parking and tree management of the site. The proposal improves the existing access arrangements for both pedestrians and vehicles within the Centre, and will resolve a number of safety and amenity issues currently affecting the western side of the centre.
The lack of development of the Kambah Group Centre can in part be attributed to fragmented ownership and conflicting interests. The applicant is well placed to deliver an integrated development for the benefit of the Centre, providing a "spark" to encourage further implementation of the Master Plan or at least motivation for refurbishment of other properties.
- 23** Does the *Territory Plan* identify this land as public land? ^H
Yes → Go to 25
No → Go to 25

Section D Proposal Specifics

Unknown Site

- 24 If you do not have a preferred site, provide details about the type of site you require:

Land area estimate (m²)	N/A
Preferred location	
Why preferred location	

The Buildings

- 25 Describe the proposed buildings:

Type of building	Gross floor area (m²)
Retail mall	860m ²
Total floor area (m²)	860m ²

- 26 If your proposed activity has any special location, land or building requirements, describe those requirements:
The proposal retail mall will require loading/service zones adjoining the building.

Section D Proposal Specifics

Car Parking Facilities

- 27 Describe the proposed car parking facilities for your proposal:
 This application is made in conjunction with land to the south of Block 5 Section 346 Kambah. Proposed car parking is to comprise an understorey car park with up to 24 parking spaces. The rationale for locating car parking to the southern site is to facilitate efficient access to parking and deliver the maximum number of parking spaces for the Centre. In addition, the realignment of Primmer Court will provide the opportunity to increase surface off-street parking along the western and southern boundaries of the centre. The proposed configuration will provide net additional car parking spaces to the Centre. The Kambah Group Centre Master Plan identifies that the Centre has a surplus of 50 spaces; the proposed parking facilities are considered to adequately cater for the development..

The Development Schedule

- 28 Explain how you will schedule the development. If you will develop the land in stages, describe the stages and the estimated timeframe:

Stage	Development activities	Start and end dates (estimated)
1	South site supermarket extension & fit out	Jan – Oct 2015
2	North site construction and renovation of existing supermarket	Oct – Apr 2016
3	Refurbishment of supermarket (subject to tenant's program)	Apr – Jun 2016
4		
5		

The Management

- 29 Explain how you will maintain the viability of this development into the future, including its social, economic and environmental sustainability
 The expansion of the supermarket and new specialty tenancies will help to retain the supermarket tenant and provide a broader range of retail services within the Centre. These new facilities will encourage greater spending and attract local businesses to the Centre, strengthening the local economy to ensure the viability of the Centre.
 From the social aspect, the proposal will provide the impetus for the implementation of other Master Plan strategies, enhancing amenity and the provision of services for the local community. The proposal will encourage environmental sustainability through the choice of construction methods and materials as well as through the building and landscaping design. The proposed understorey parking arrangement is considered to provide a more efficient parking solution with reduced environmental impact.

Section E Your Company

Activities or Services

- 30** Describe your company's business activities: the goods and services your company provides

The Tzanetos Family Group, of which S & M Tzanetos are part of, is involved with Residential and Commercial Development, Commercial Leasing / Renting and Businesses within the ACT Region. The Tzanetos Family Group have been involved with Supermarkets for over 50 years in the ACT.

Date of Incorporation and/or ASIC Registration

- 31** Enter the date of your company's incorporation:

N/A

☛ *Attach your certificate of incorporation*

- 32** Is your company registered with the Australian Securities and Investments Commission (ASIC)?

Yes →

Enter date the date on which your company was registered:

go to 33

No → *go to 33*

Current Employees

- 33** Enter the approximate number of staff employed by your company:

Family members only

Future Employees

- 34** Estimate the number of employees that you expect will be engaged in the proposed activity over the next 5-10 years:

Family members only

☛ *Attach a copy of your annual report and any other evidence, such as a personnel forecast extracted from a business plan, to substantiate the future employee estimates.*

Section E Your Company

Current Land Holdings

- 35 If your company currently holds land in the ACT or region identify the land, explain how you're using it and why it cannot accommodate the proposed development.

SITE ONE

Block	5
Section	346
Address	Kambah
Lease period	01/01/1979 – 01/01/2077
Land use	Commercial
Is this site fully developed?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Why it can't be used for the proposed development?	There is no room for expansion

SITE TWO

Block	
Section	
Address	Phillip
Lease period	01/11/1989 – 07/11/2082
Land use	Commercial
Is this site fully developed?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Why it can't be used for the proposed development?	The site is not contiguous to the existing development

SITE THREE

Block	
Section	
Address	Fyshwick
Lease period	20/12/1980 – 25/11/2084
Land use	Industrial
Is this site fully developed?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Why it can't be used for the proposed development?	The site is not contiguous to the existing development

SITE FOUR

Block	
Section	
Address	
Lease period	
Land use	Residential
Is this site fully developed?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Why it can't be used for the proposed development?	The site is not contiguous to the existing development SEE ADDITIONAL INFORMATION SHEETt

Section E Your Company

Previous Direct Sales

- 36 Has your company (including any parent or subsidiary entities) ever previously applied for a direct sale of land?

No

Yes → Provide details below:

The applicant has previously applied for direct sale of the same land, in both 2007 and 2009. An offer for the southern site, Block 17 Section 346 Kambah, has been made to the applicant in July 2013, however the offer has not yet been accepted pending the assessment of this application, as the proposal incorporates the development of both sites. The applicant has requested EDD to retain the currency offer until such time as the outcome of this application has been determined.

Since the previous applications were submitted, the Kambah Group Centre Master Plan has been adopted into the Territory Plan which provides clear strategies for the development of the site. The proposal is consistent with the objectives of the Master Plan.

Other Projects

- 37 If your company has other land development projects in progress in the ACT or other jurisdictions, provide a brief description and the estimated costs of each:

Project description and location	Estimated costs
N/A	
Total estimated costs	

Section F Your Financial Capacity

- 38 *Attach audited financial statements from the previous two financial years*
- 39 *Attach bank statements for the two previous financial years*

Costs

- 40 Itemise your cost estimates for the acquisition, development and maintenance of a parcel of land.
NOTE: You may be required to contribute to the cost of offsite infrastructure works. Please consider this when providing your estimates.

	ITEM
Land acquisition	Land (based on the area required)
	Professional services and advice
	Other
	Subtotal
Land development	Approvals
	Buildings
	Fit-outs, plant and equipment
	Landscaping
	Car parking
	Professional services and advice
	Other
	Subtotal
	Contingency (15% of the land development subtotal)
Land management	Professional services and advice
	Annual maintenance
	Other
	Subtotal
	Total estimated costs (sum of ALL subtotals plus contingency)



Section F Your Financial Capacity

Funding

41 List all of your funding sources for the acquisition, development and maintenance of the land:

	FUNDING SOURCE	AMOUNT	
Grants			<p><i>Attach one of the following for each grant:</i></p> <ul style="list-style-type: none"> A letter of support from each source that states the amount of funds they are willing to commit to the project A document that shows you have applied for a grant, stating the amount of funding, the circumstances on which the grant is based and the expected decision date
	Subtotal		
Loans			<p><i>Attach a letter of support from each source (bank or other) that states the amount of funds they are willing to commit to the project</i></p>
	Subtotal		
Cash			<p><i>Attach current account statements that show the total amount of the cash holdings for each source</i></p>
	Subtotal		
Other, including partnerships			<p><i>Attach supporting documents.</i></p> <p><i>Where there is a partnership:</i></p> <ul style="list-style-type: none"> Attach a formalised contract indicating the relationship between your company and the funding partner Attach your partner's audited financial statements from the two previous financial years Attach your partner's bank statements for the two previous financial years
	Subtotal		
	Total		

Section F Your Financial Capacity

Totals

- 42 Confirm that the total funding exceeds the total estimated costs

ITEM	TOTAL
Funding (enter funding total from 41)	
Costs (enter costs total from 40)	
Difference (funding-costs)	

- 42 Is the difference (funding - Costs) positive?
Yes → Go to 46
No → Go to 43
- 43 Is the difference greater than the contingency calculated in question 36?
Yes → Go to 44
No → Go to 46
- 44 Will you fund the difference by obtaining additional financing?
No → Go to 45
Yes → Explain your reasoning:

- 45 Will you fund the difference by scaling back the development?

No →

Your funding is insufficient to submit this application.

You may wish to consider the following questions:

- Can you revise your proposal so that it can be achieved with your current level of funding?
- Can you seek additional sources of funding?

Yes → Explain your reasoning:

Section G Public Benefit

- 46 Section 240 (2) of the *Planning and Development Act 2007* states that for a lease to be granted by direct sale other than in accordance with the prescribed criteria (i.e. for commercial entities) you must demonstrate that your proposal meets one or more grant objectives listed. You must demonstrate that a sale by other means (i.e. a competitive process on the open market) is not likely to meet a grant objective or is unlikely to meet an objective to the same extent as a grant of lease by direct sale.

The grant objectives identified in legislation are listed below. Please state how your company meets at least one of these objectives: ^H

- Benefit the economy of the ACT or region;
- Contribute to the environment, or social or cultural features in the ACT;
- Introduce new skills, technology or services in the ACT;
- Contribute to the export earnings and import replacement of the ACT or region; or
- Facilitate the achievement of a major policy objective.

Kambah Group Centre is currently underutilised and in need of upgrade if the anchor supermarket tenant is to remain, as identified in the Kambah Group Centre Master Plan. The proposal implements a number of the key actions identified in the Master Plan, and represents a significant commencement of these strategies to the benefit of the Centre.

The direct sale of the site to the applicant will allow the expansion of the existing supermarket to a modern operation providing a full line of products, and therefore retain this key tenant to ensure the economic prosperity of the centre. The inclusion of the northern site with new retail tenancies will generate further activity and investment within the centre, helping to establish local businesses and support upgrades to local infrastructure. Such investment will help to revitalise Kambah, and reduce the outflow of retail activity to other Group and Town Centres.

The applicant is capable of delivering an integrated development, including basement carparking, comprising the existing supermarket site and contiguous land to the north and south of the site. This is due to the applicant having the unique benefit of being able to integrate the north, central and southern sites and achieve efficiency in building construction and design, therefore improving the feasibility of the project and providing a better quality outcome for the Centre. This places the applicant in a superior position to be able to deliver development in a timely and efficient manner, with minimal disruption to the Centre's activities.

Section H Your Capabilities

Expertise and Experience

- 47 Describe the expertise, experience and any qualifications of your staff or contractors in relation to:
- Developing land
 - Managing land
 - Operating the proposed business

Name	Tzanetos
Employment status	<input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Contractor <input type="checkbox"/> Other:
Qualification/s	Diploma in Building Construction], Bachelor of Management
Expertise/ experience	8 years construction management of multi unit residential sites including basement parking 18 years commercial property management.
Name	[REDACTED]
Employment status	<input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Contractor <input type="checkbox"/> Other:
Qualification/s	Bachelor of Economics
Expertise/ experience	Project manager of residential and commercial developments 14 years. Commercial property management 18 years

Name	
Employment status	<input type="checkbox"/> Permanent <input type="checkbox"/> Contractor <input type="checkbox"/> Other:
Qualification/s	
Expertise/ experience	

Name	
Employment status	<input type="checkbox"/> Permanent <input type="checkbox"/> Contractor <input type="checkbox"/> Other:
Qualification/s	
Expertise/ experience	

Section H Your Capabilities

Name	
Employment status	<input type="checkbox"/> Permanent <input type="checkbox"/> Contractor <input type="checkbox"/> Other:
Qualification/s	
Expertise/ experience	

Name	
Employment status	<input type="checkbox"/> Permanent <input type="checkbox"/> Contractor <input type="checkbox"/> Other:
Qualification/s	
Expertise/ experience	

Resources

- 48 Describe any other resources your company has at its disposal to do all of the following:
- Develop land
 - Manage land
 - Operate the proposed business

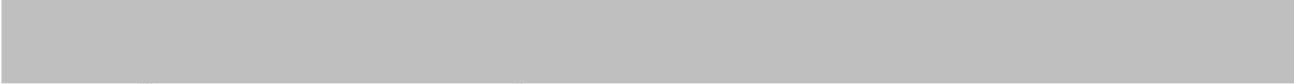
The Tzanetos Family Group has a Property Development and Construction company under its umbrella of group of companies. This company named 'Master Property Developments Pty Limited' is active within the ACT currently developing Medium density Residential Developments. These developments range in scale from 7 House townhouses to 20-30 Unit apartment projects. TZFG has also constructed several Industrial and commercial properties within the ACT region. The current properties we hold are ALL built by the TZFG group (TZFG including S&M Tzanetos and MPD). These properties include Industrial warehouse in Fyshwick, commercial and office properties in Phillip, and

TZFG has thus a large scope for a wide range of property development, this means taking a project from initial bare land, completing the whole Development Application process, and finally actually constructing the development. TZFG has a solid, successful supermarket business operational and management history. TZFG has operated Supermarkets within the ACT region for some 50 years. We have successfully operated 2 large supermarkets (over 1000m² each), over these years and thus have a vast knowledge of supermarket operation and management.

Section I Statutory Declaration

Statutory Declarations Act 1959 (Cwlth)

I, [name, address and occupation of person making the declaration]



.....
.....
.....

Make the following declaration under the *Statutory Declarations Act 1959 (Cwlth)*:

That the answers to questions and the statements made in this application are true and correct in every particular.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959 (Cwlth)*, and I believe that the statements in this declaration are true in every particular.

[Signature of person making declaration]



Declared at [place]..... on [day]..... 23..... of [month]..... April..... [year]..... 2014.....

Before me,

[Signature of person before whom the declaration is made]

.....

Section J Checklists

Overall Checklist

Before submitting this eligibility application form, please check that you have done all of the following:

General	<input type="checkbox"/>	<i>You have followed the questions in sequential order, completed all that you were directed to answer and attached all documents requested (complete the "attachment checklist" over page)</i>
	<input type="checkbox"/>	<i>Any questions that you were directed to fill in but were not applicable to you are clearly stated as "N/A"</i>
Section B	<input type="checkbox"/>	<i>The applicant listed is the name in which the lease is to be granted. Note: for contiguous land this must be the existing lessee.</i>
Section C	<input type="checkbox"/>	<i>You have clearly stated why you need to obtain the land through direct sale rather than another process</i>
Section D	<input type="checkbox"/>	<i>You have clearly identified whether the block you are applying for is contiguous land</i>
Section E	<input type="checkbox"/>	<i>All current developments, previous direct sales and current leases of your business are listed.</i>
Section F	<input type="checkbox"/>	<i>You have used the correct contingency in your calculations. Note: If funding is to be provided from a parent company, subsidiary, or another organisation etc., you must confirm the relationship and provide confirmation of that funding support (financial information must be current i.e. within the last six months).</i>
Section G	<input type="checkbox"/>	<i>You have noted the public benefits of your proposal</i>
Section H	<input type="checkbox"/>	<i>You have described the expertise, experience and any qualifications of your staff or contractors in relation to developing land, managing land and operating the proposed business.</i>
Section I	<input type="checkbox"/>	<i>You have completed and signed the statutory declaration</i>

Section J Checklists

Attachment Checklist

Before submitting this eligibility application form, please check that you have attached all of the following documents:

REQUIRED FOR ALL APPLICATIONS	<input type="checkbox"/>	<p>(Question 15) <i>✍</i> Attach a sketch plan of the ideal site layout, including:</p> <ul style="list-style-type: none"> • Proposed buildings • Car parking facilities • Public access arrangements <p>You should also indicate the staging of the development</p>
	<input type="checkbox"/>	<p>(Question 31) <i>✍</i> Attach your company's certificate of incorporation</p>
	<input type="checkbox"/>	<p>(Question 34) <i>✍</i> Attach a copy of your annual report and any other evidence, such as a personnel forecast extracted from a business plan, to substantiate your future employee estimates</p>
	<input type="checkbox"/>	<p>(Question 38) <i>✍</i> Attach audited financial statements from the previous two financial years</p>
	<input type="checkbox"/>	<p>(Question 39) <i>✍</i> Attach bank statements for the two previous financial years</p>
ONLY ATTACH IF DIRECTED TO DO SO	<input type="checkbox"/>	<p>(Question 41) <i>✍</i> If your funding source is grants, attach one of the following for each grant:</p> <ul style="list-style-type: none"> • A letter of support from each source that states the amount of funds they are willing to commit to the project • A document that shows you have applied for a grant, stating the amount of funding, the circumstances on which the grant is based and the expected decision date
	<input type="checkbox"/>	<p>(Question 41) <i>✍</i> If your funding source is a loan, attach a letter of support from each source (bank or other) that states the amount of funds they are willing to commit to the project</p>
	<input type="checkbox"/>	<p>(Question 41) <i>✍</i> If your funding source is cash, attach current account statements that show the total amount of the cash holdings for each source</p>
	<input type="checkbox"/>	<p>(Question 41) <i>✍</i> If you have any other funding sources, including partnerships, attach supporting documents.</p> <p><i>✍</i> Where there is a partnership:</p> <ul style="list-style-type: none"> • Attach a formalised contract indicating the relationship between your company and the funding partner • Attach your partner's audited financial statements from the two previous financial years • Attach your partner's bank statements for the two previous financial years