

AGENDA
24 November 2021 – 10:00am

Teams online meeting

Chair: Ben Green (EPSDD – Development and Implementation (DI))

Members: Nicholas Holt (SLA); Jennifer Finlay (EPSDD); Liz Klein (Education); Hugh Maclachlan (CMTEDD); Jason Hart (CSD); David Clapham (CMTEDD); Daniel Landon (Health); Clint Peters (CRA); Kathy Goth (CMTEDD); Tim Wyatt (TCCS)

Apologies:

1. **Presentations by Applicant: NIL**
2. **Acceptance of Minutes from previous meeting – 20 October 2021**
3. **Confirmation of Members probity prior to consideration of applications.**
4. **Applications for Consideration.**

4.1 Best Practice Education Group Ltd (Blue Gum School Hackett)



5. **Update on previous applications.**



6. **Applications received since last meeting - Information only:**



7. **Other Business**

8. **Next Meeting – February 2022 - TBC**

DIRECT SALE PANEL AGENDA ITEM 4. –

SUBJECT: 2021 - 319 - Direct Sale Application by Best Practice Education Group Limited – Blocks 6, 11 and part Block 12 Section 12 Hackett

To: Direct Sale Panel

From: Chair, Direct Sale Panel

Date: 24 November 2021

Purpose

To seek the Direct Sale Panel's agreement for a recommendation to be put forward to the Minister for Planning and Land Management regarding the application by Best Practice Education Group Limited for the direct sale of Blocks 6, 11 and part Block 12 Section 12 Hackett (former Hackett Primary School site).

Background

The applicant, Best Practice Education Group Limited operates the Blue Gum Community School (Blue Gum) that is one of a number of tenants that occupy the former Hackett Primary School (the site). The site is currently held under an Executive Lease by the Territory and is managed by ACT Property Group, in the Chief Minister, Treasury and Economic Development Directorate.

There are three buildings on the site; one building (on Block 11) is fully occupied by Blue Gum; a second building, the central Hall (also on Block 11) is partly occupied by Blue Gum and partly by other community groups and businesses. A third building, Maitland House (Block 6) is also shared between Blue Gum and other community groups.



Land Use History – Previous Applications

The original Hackett primary school closed in 1990 and the school buildings were adapted for use by a range of community organisations.

In October 2005 Blue Gum applied for the direct sale of Block 11 Section 12 Hackett for an “*Intergenerational Community Facility*”. In March 2006, Blue Gum was advised that its direct sale application was not supported. A series of licences and a sublease were subsequently created that expire between 2031 and 2036.

In 2015/16, Blue Gum successfully applied for the direct sale of its “Preschool and school library” (located in Dickson); a concessional Crown lease for which was granted in December 2016.

Current Application – Supporting Documentation

Purdon Planning has prepared a planning report in support of Blue Gum’s application which is included at **Attachment A**.

Issues

Blue Gum wishes to secure its tenure over the site in order to improve its eligibility for Commonwealth and Territory government education funding. Blue Gum’s current status as a tenant is disadvantageous compared to it having permanent long-term tenure at the site.

The application indicates that the direct sale would enable Blue Gum to continue to invest in upgrading the existing buildings. It will also increase its enrolments from 160 to about 300 students and as part of that expansion, offer additional year 11 and 12 educative services.

Current Development Proposal

At this stage the proponent has no plans to undertake significant redevelopment or construction of additional buildings. **Attachment A** identifies investment in refurbishments and replacement of fixtures and fittings. In the future any proposed additional buildings labelled as “external labs” for Sustainability Science, Technology and Music will need to be approved through the usual statutory development approvals.

Blue Gum has advised that it would continue to accommodate other community groups until the existing tenancy agreements expire.

LRAC Consultation

The request for a direct sale was circulated to the Land Request Advisory Committee (LRAC) on 30 July 2021. Relevant comments are summarised as follows:-

- The Education Directorate does not support the direct sale of land/facilities adjacent to Blue Gum school at this time. Education is considering a range of long-term responses to meet forecast and future public school enrolment demand in the inner north. Future requirements for public education are not yet confirmed.
- EPSDD’s Housing Strategy and Unit Title Reform/Housing Policy raised the potential methods of land release and the possible routes for approval to be sought including the following: -

- Community Concessional Lease (CCL) competitive two-stage tender – land with existing facilities scheduled for release (under s253F of the P&D Act)
 - Executive CCL process – direct grant with NI statement of reasons (s240(3) of P&D Act) that sets out the required use); or
 - Commercial direct sale – being a full market value direct sale.
- EPSDD’s Leasing Administration Section confirmed the existing Executive lease to the Territory C/- ACT Property Group and noted that any Executive lease would need to be surrendered prior to any direct sale progressing.
 - EPSDD’s Territory Plan Section confirmed the site as being zoned as a CFZ: Community Facility Zone, noting that the proposed use as an “Educational Establishment” would be a permitted use of the land. It also noted that the Hackett Precinct Map and Code specifically prohibited the use of Blocks 12 for “*Retirement Village*” and “*Supportive Housing*” uses.
 - TCCS Licensing also noted that there is an existing licence (over part Block 12, currently in favour of Blue Gum) that would need to be revoked prior to any sale of the land.
 - EPSDD’s ACT Heritage Council noted that the block concerned did not contain any nominated, registered or recorded heritage places or objects. It did however, indicate that the row of trees that run parallel with Madigan Street date from 1930 and have been nominated for the ACT Tree register on the basis of their heritage values. However, this application does not seek to purchase these trees and instead seeks to have them excised from Block 12 and retained by the Territory.
 - CMTEDD’s ACT Property Group provided advice in relation to the current operation of the buildings on the site, specifically noting that there were a significant number of additional tenants (other than Blue Gum) that operated out of the site, and also noted that it would be difficult to re-locate these organisations to other Territory owned properties due to a lack of vacant spaces in the facilities it controls.

Further consideration by ACT Property Group has identified that it could potentially re-house two or three of the tenants in alternative accommodation. A number of those organisations provide services to Inner North Canberra and relocation may affect their service provision capabilities.

- CMTEDD’s Sport and Recreation noted that several local sporting associations are tenants of Maitland House and that alternative accommodation may be difficult to identify.

Existing Tenants

Prior to lodging its application Blue Gum advised the other tenants of its intention to seek a direct sale over the whole site including the current buildings. Since the lodgement EPSDD’s Development and Implementation, Strategic Projects (as well as other areas of the

Government) have been contacted by representatives of those organisations and by the Hackett Community Association, raising concerns around the proposal.

It is likely that further consultation with these organisations will be required prior to a submission to Government being prepared. After the Panel has made its recommendation, Strategic Projects intends to work with both EPSDD's Communications section and ACT Property Group to consult with organisations about the the impacts the direct sale would have on the operations of existing tenants.

Tenants include a range of sporting, health and education community groups such as Swimming ACT, Health Care Community Association, ACT Schools Sports Council and ACT Council of Parents & Citizens.

Direct Sale Eligibility Criteria

Blue Gum is seeking to be granted a concessional Crown lease, similar to that which other schools have received.

Due to the recent changes in the way in which the grant of Crown leases to community organisations are administered, the option of seeking Cabinet approval to grant a Concessional Crown lease under s. 108 of the Planning and Development Regulation 2008 (*Direct Sales Criteria for non-Government Educational Establishments*) is no longer an available method of land release for Crown leases that are sold at less than market value.

Currently, the applicable method of land release that deals with the grant of a Concessional Crown lease (now known as a "Community Concessional Lease" or CCL) to eligible community organisations is either via a two-stage expression of interest (EOI) and tender process as outlined in Part 5.2A of the Planning and Development Regulation 2008 or a direct sale under s. 253 (C) of the Planning and Development Act 2007.

Blue Gum isn't seeking the land through an EOI/tender process as it could be unsuccessful through that process and result in the closure of its existing operations.

If the Government does not agree to the direct sale of a CCL, Blue Gum's next preference would be to remain on the site under the current arrangements; or seek to amend its application and re-apply for another direct sale.

S.253 (C) of the Act states

Section 240 (2) of the Planning and Development Act 2007 states that: -

"The Executive may approve the grant by direct sale of a lease other than in accordance with criteria prescribed if it is satisfied that –

(a) The grant meets-

...(ii) for a community concessional lease – the objective mentioned in subsection (6), definition of grant objective, paragraph (f) (the community concessional lease objective); and

(b) a grant by a means other than direct sale –

(i) is not likely to meet any of the grant objectives; or

(ii) may meet 1 or more of the grant objectives but-

(A) is unlikely to meet the objective to the same extent as the grant by direct sale of the lease; or

(B) for a community concessional lease – is unlikely to meet the community concessional lease objective to the same extent as the grant by direct sale of the lease.

Nb: Section 240 (6) (f) of the Act identifies the Community Concessional Lease Objective as-
“... to deliver a service that provides ongoing benefits to the Territory...”.

Blue Gum contends that its continued use of the land and proposed increased educational services offers ongoing benefits to the residents of the Territory by providing a choice of educational philosophy to parents and students. It is likely that Blue Gum would be able to meet the required objective to be found eligible to receive a direct sale.

Development and Implementation’s reading of the Act is that there is no other criteria that is required to be satisfied.

If the Government chose to support the direct sale of a CCL, the following reasons need to be included in a Notifiable Instrument and tabled as per the reporting requirements of the legislation: -

S.240 (3) of the Act states that:

If the Executive approves the grant of a community concessional lease under the subsection (2), the approval must-

- (a) state the reasons why the grant is not to be made by tender under section 253F (Grant of community concessional lease by tender); and
- (b) identify the community concessional lease use for which the land must be used.

Under the new process the CCL’s proposed purpose clause will also need to be articulated and agreed by Government as part of the approval. This would most likely be listed in the proposed Crown lease as “*Education establishment*” and “*ancillary use*”.

In addition to these uses there are other additions to the CCL that require regular reporting by the lessee around the additional use of the land by other community groups.

Financial Capacity

Blue Gum has provided financial information as to its capacity to acquire the land at nil cost and to continue to operate the school with the proposed renovations.

Historically, sales of this type and specifically a previous sale (through the previous charging policy for non-government schools) to this organisation have been at nil value (a 100% concession) and the existing improvements (the buildings on the land) sold at an assessed market value.

CMTEDD - Treasury has been provided with a copy of the financial information and has indicated the following:

- *Based on the information provided, it is likely that Blue Gum Community School would have financial capacity to maintain the site and buildings if it were provided with a 100 per cent concession on the land and buildings. At this point in time, it is not clear whether Blue Gum Community School would have financial capacity to*

purchase the buildings from the Government at the fair value estimate advised by Property Group. We consider that should they take ownership of the assets, their profitability would drop to negligible levels.

It is suggested that further assessment of the proponent's financial capacity be recommended as a condition of approval (if Government decides to sell the land) that will need to be met before a lease is granted, as has been done in the past with a number of other direct sales. This would require written agreement from Treasury at that stage.

Survey

Should the direct sale be supported, the site will need to be surveyed to subdivide Block 12 to keep the significant stand of trees under Territory ownership and control. This would create a new block.

It would also be a condition of the direct sale that all blocks (Block 6, 11 and the successor of part Block 12) would need to be consolidated into a single Crown lease after the completion of the direct sale.

Recommendation

That the Direct Sale Panel (Panel) **agrees** to the proposed recommendation, being that: -

1. That Blue Gum, in meeting the community concessional lease objective could be found eligible to receive a direct sale; noting however,
2. That the direct sale of the land is not supported due to:
 - a. the Education Directorate request to reserve the site for a possible government school; and
 - b. the foreseen (and currently unresolvable) impact on the other existing tenants.

Agreed / Not Agreed

Ben Green, Chair

Action Officer: Chris Sparke
Extension: 6205 2404



CONSIDERATION FOR DIRECT SALE

Block 6, 11 & part Block 12 Section 12
Hackett

June 2021



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Attachments

Attachment A	Site Photos and Improvements
Attachment B:	Letter of Support from Hackett Community Association
Attachment C:	Letter of Support from Families and Friends of Blue Gum Association
Attachment D:	Letter of Support from Association of Independent Schools of the ACT
Attachment E:	Letter of Support from Association of Parents & Friends of ACT Schools

1.0 Introduction and Purpose

1.1 Purpose

Purdon Planning act on behalf of Best-Practice Education Group Ltd, operating as Blue Gum Community School (Blue Gum) in this Direct Sale application to EPSDD Urban Renewal (which we understand are now known as the Land Release Advisory Committee) for Blocks 6, 11 and part Block 12 Section 12 Hackett.

Blue Gum request this Direct Sale as part of steps to provide certainty and permanency for the school. The school has occupied the site since 2005 and has progressively grown in student numbers and teaching capacity over its history. Over this period the school has invested over \$3 million into the facility to continue to provide excellence in education for the community and an educational option not available elsewhere in the ACT and region.

Blocks 6 and 11 are under an Executive Lease and the land is managed by ACT Property Group. Blue Gum occupies the majority of the site (approximately 2/3) and share the facilities with several other community groups and businesses. The custodian of Block 12 is Transport Canberra and City Services.

Blue Gum relies heavily on capital works grants and tax-deductible building donations to improve the school facilities. However Blue Gum has been at a disadvantage in several capital grant applications given the lack of permanency and ownership of the site.

Purdon Planning and Blue Gum have been involved in discussions with the EPSDD Urban Renewal team about the purchase of this site, as well as ACT Property Group and TCCS.

1.2 Background

Blue Gum is a low-fee not-for-profit independent school providing educational programs such as playgroups, preschool, primary school, secondary school, after-school care and school holiday care. The school has had school registration through the ACT Education Directorate since 2001. Blue Gum has sub-let space at the site from the ACT Government since 2005 and has continued to expand over the past 16 years, increasing tenancy space as the school grows.

As a not-for-profit independent school, Blue Gum has relied on donations and capital grants to improve the school buildings and grounds, and to maintain them to a high standard. Over the past 16 years, more than \$3 million has been invested into the grounds through Blue Gum.

On 7 September 2020, Purdon Planning had a preliminary discussion with TCCS representatives regarding Block 12 of the direct sale proposal. The proposal was well received and generally supported; however, it was understood that further discussions with Urban Renewal were required.

A follow up discussion with Urban Renewal was held on 25 September 2020. Representatives from Urban Renewal were generally supportive of the proposal and recommended that an initial Direct Sale could be submitted for Blocks 6 and 11, prior to a further direct sale for Block 12. Given the exceptional speed of the school's growth, and the land required to facilitate the facilities required by the secondary schools curriculum, the school has decided that proceeding with a direct sale for the entirety of the site is the most appropriate way forward.

A further discussion was held with Purdon Planning, Blue Gum, ACT Property Group, and facilitated by Urban Renewal, which sought to understand if ACT Property have capacity and

means to release the sites from their management, and what impact this would have on the availability of ACT owned leasable assets.

1.3 Eligibility

This application is submitted as a Community Sale (non-government school). Details of school registration, financial statements and bank statements are provided as part of the application.

2.0 The Site

Cadastral Description	The site is located at Blocks 6, 11 and part Block 12 Section 12 Hackett (refer Figure 1).
Zoning	CFZ – Community Facility Zone
Location	The site is located within Hackett, in Inner North Canberra, along Maitland Street.
Site Area & Dimensions	The total area of all three blocks is 37,182m ² . The area subject to direct sale is approximately 27,402m ² (refer Figure 2).
Current Use	Currently, the site is under the management of the ACT Property Group. There are 3 buildings on the site; one building (Block 11) fully-occupied by Blue Gum Community School; a second building (Block 11) which Blue Gum occupies and shares with short-term community groups and businesses; and Maitland House (block 6) which Blue Gum occupies and shares with short-term community groups.
Adjacent Land Use	Adjacent land uses are predominately low density residential. To the north of the site is the Hackett Shops which includes an IGA, small businesses, personal services, and cafes. Immediately north of the site is the Hackett Preschool, immediately. Adjoining the site to the west is the Hackett Sports Oval.
Existing Access	Vehicle access is available to Block 6 and Block 11 via Maitland Street.
Public Transport	There is a bus stop along Madigan Street, located immediately east of the site. An additional bus stop on Madigan Street is located south of Block 12. School bus services also provide daily services to Blue Gum, as part of their regular routes.
Pedestrian Connections	Pedestrian access to the site is via Maitland Street.
Topography and Drainage	The site has a gradual fall from east to west of 4m across 236m. The site drains to the existing street network.
Vegetation & Habitat	Block 12 contains a number of mature trees along the southern edge facing Madigan Street, as does Block 6 along the western

boundary. Block 11 is predominately landscaped to suit the needs of Blue Gum.

Heritage There are no known places or items of heritage significance on the site.

Easements There are sewer, stormwater and electricity easements within the front building zone of Block 11. There is an electricity easement along the western edge of Block 6.

Figure 1: Site Air Photo Blue Gum Community School



Source: NearMap 2021

3.0 Rationale for Direct Sale

Blue Gum is a low-fee independent not-for-profit school providing a range of educational services, including primary and secondary school from Kindergarten to Year 10. Blue Gum has had school registration since 2001 and has been established at the Hackett site since 2005.

Families often seek out Blue Gum's educational approach for their children who learn/behave differently, after finding them at a serious educational disadvantage in a traditional school setting. Additionally, Blue Gum sees many referrals from other school settings due to their targeted individual approach to learning. Consequently, Blue Gum attracts increasing demand from students who need additional adjustments and learning support. A very high percentage of Blue Gum's student population (36%) have been identified as needing adjustments under the Nationally Consistent Collection of Data (NCCD) dataset for determining additional need. This high proportion necessitates at least one additional educator in each classroom.

Students come from across Canberra and the wider region to attend Blue Gum, given the school's personalised approach to learning and education.

Because of increased demand for Blue Gum's education style, the primary school has now opened a second stream which continues to grow. This second stream will eventually extend into secondary school. As student numbers grow through the school, there is increasing pressure to add Years 11 and 12.

Given the growth of the school and the increased interest, Blue Gum are looking to expand their campus to facilitate their growth.

The school has worked to make significant improvements to the site, cementing their commitment to the location, the facilities and the community. Over the past 16 years, Blue Gum has invested more than \$3 million in physical improvements, with intentions to make a further \$2 million worth of improvements in the coming year. As a low-fee not-for-profit independent school, Blue Gum relies on tax-deductible building fund donations and capital works grants to secure funding for improvements.

Table 1 below summarises the investments made since 2010 on the site. Please refer to Attachment A for a collection of site photos, demonstrating the improvements made on-site. Several rooms within the existing buildings remain dilapidated and updated and require investment to meet contemporary standards.

Unfortunately given the sub-lease arrangement Blue Gum has over the site, the school has previously been at a disadvantage in capital grant applications predominantly due to the uncertainty of their land tenure arrangement, which significantly inhibits its growth and further investment.

Ownership of the land would provide Blue Gum certainty in upgrading their facilities to increase their opportunity for grants and funding. With upgraded facilities and having more rights to the land, Blue Gum would be able to increase their enrolment offering and support secondary school students through their learning, providing for a total of 150 primary school students and 150 secondary school students (refer Table 2 below for enrolment numbers).

The entirety of the site is zoned CFZ as the site was purpose-built for a school. Given Blue Gum's established relationship with the local community, they seek to take advantage of the site and its zoning and continue to offer a unique learning experience, servicing Canberra and the region.

Sale of the land to Blue Gum will provide certainty to the school, and will enable the school to continue to serve the community, providing a unique learning experience to its growing student base.

Table 1: School Improvements and Investments

Improvement Project	Year Completed	Total Investment
Playground Establishment		
Classroom Refurbishments	2010	
Building Refurbishments and Playground Upgrades	2012	
Preschool Refurbishments and Renovation	2018	
Playground Makeover and Expansion	2020	
Internal Labs - Science and Photography (in-progress)	Proposed mid-2021	
External Labs – Sustainability Science, Technology & Music (proposed)	Proposed for 2022	
Total Investments:		

Table 2: Student Enrolment

Year	Number of Students Enrolled
2017	112
2018	115
2019	131
2020	143
2021	160

4.0 Direct Sale Considerations

Direct Sale Area

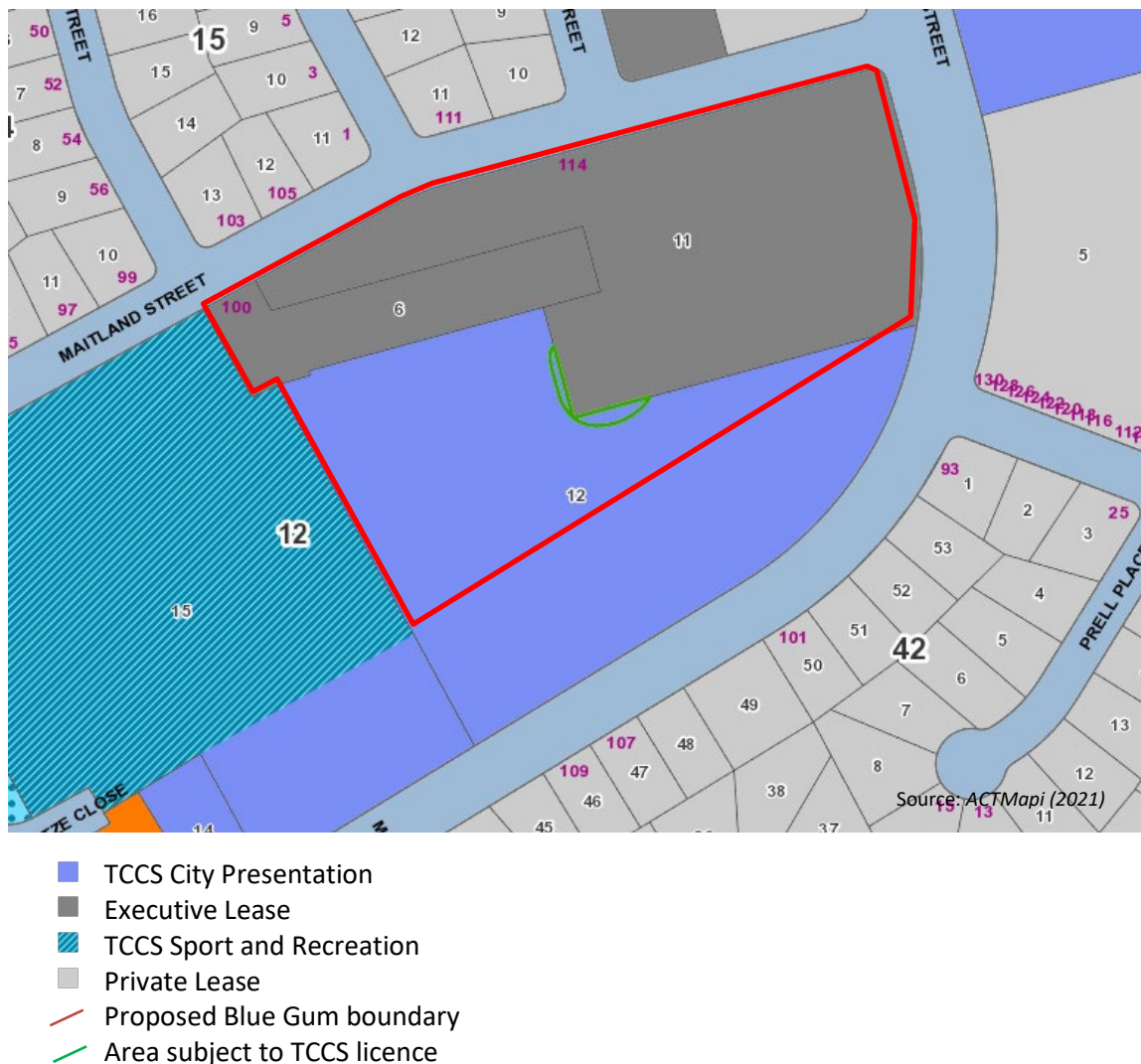
Blue Gum seek to acquire Block 6 and 11 Section 12, and part Block 12 Section 12 Hackett. Block 12 Section 12 is under the custodianship of TCCS City Presentation. The most northern part of the block (abutting Blocks 6 and 11) is used by the school for play space. There is currently a licence over part of Block 12 for Blue Gum’s garden which encroaches TCCS land.

The southern part of Block 12 is tree lined with established natives, used as a buffer between the site, Madigan Street and residents. Blue Gum would prefer this area of land to remain under the custodianship of City Presentation for management purposes. This preference is shared by TCCS City Presentation.

Whilst TCCS has agreed to Blue Gum’s use of the land, Blue Gum have been at a disadvantage in grant applications to upgrade the site, given the temporary nature of their land tenure.

Figure 2 below shows the indicative area of land Blue Gum is seeking to acquire as part of this Direct Sale application. If Blue Gum were successful in their Direct Sale application, they would seek consolidation of all three blocks.

Figure 2: Proposed School Boundary



Existing Tenants

Currently, there are several community groups/small businesses renting rooms primarily for office space through ACT Property Group; the exception being the school hall which is rented by Folk Dance Canberra. All of these tenants are on short-term leases, up to 5 years. Blue Gum has opening communicated with other tenants about their proposed direct sale, and stated their willingness to honour the balance of these current lease terms should tenants wish to see out their leases on-site.

Alternative Options

The school does not consider that there are any other suitable locations for the campus. Blue Gum does not have the financial capacity to move elsewhere, or to build a school facility on a vacant site, therefore the existing purpose built Hackett site is Blue Gum's only viable option.

The school has made significant investments and improvements to the Hackett site over the past 16 years' tenancy (refer Table 1). These investments/improvements total in excess of \$3 million, which includes an additional state-of-the-art preschool building, extensive renovations refurbishment to the existing school building; and major landscaping and upgrade of its outdoor spaces. A further \$2 million for capital works is planned for the next 2 years as part of a visionary Master Plan for the whole site.

The school is now firmly embedded in its Hackett location, with families relocating to the area to be close to the school. Given that other local schools in Inner North Canberra are also reaching enrolment capacity, Blue Gum families would not have any alternative school if Blue Gum couldn't continue at Hackett.

Projections

There is a growing need to provide schools in Inner North Canberra, given enrolments in local schools are increasing. This is due to population growth in the Inner North due to new urban growth in Watson's north, suburban infill and increased density along the Northbourne Avenue corridor.

Published in the *ACT Population Projections 2018-2058* (Chief Minister, Treasury and Economic Development Directorate, 2019) there is an anticipated projected surge in population within North Canberra. Table 3 below demonstrates the projected population across Canberra in 2058. Given North Canberra is an existing area, this growth is projected to increase due to infill developments, predominantly along Northbourne Avenue and the Light Rail Corridor.

Figure 3: Canberra Population Projections

District	Actual 2017	Projection 2058	Change (people)
Belconnen	98,592	152,452	53,860
Canberra East	1,544	1,229	-315
Gungahlin	76,088	87,507	11,419
North Canberra	55,810	91,597	35,787
South Canberra	28,788	38,530	9,742
Tuggeranong	85,490	90,178	4,688
Weston Creek	23,226	26,268	3,042
Woden	35,813	56,363	20,550
Molonglo	5,710	62,033	56,323
Urriarra-Namadgi	606	604	-2
Unallocated	0	96,660	96,660
Total	411,667	703,422	291,755

Source: Chief Minister, Treasury and Economic Development Directorate, 2019

Given the high population projections for North Canberra in the coming decades, school enrolment projections reflect this trend. The established schools within North Canberra are reaching their capacity, many already being built to their maximum development potential.

Blue Gum's ability to increase its enrolment streams is dependent on accessing increased space to do so, thereby accommodating the needs of Blue Gum families, but also relieving pressure on the school system.

Community Benefit

Blue Gum has strong established relationships with the local community, in particular the Hackett Community Association of which regularly approaches the school to undertake collaborative community projects with them. The establishment of the Blue Gum Community School on the site has been warmly welcomed by the local Hackett community; letters of support for the Direct Sale have been included as Attachments of this report.

Letters of support for the Direct Sale have been provided by:

- Hackett Community Association
- Families and Friends of Blue Gum Association
- Association of Independent Schools of the ACT
- Association of Parents & Friends of ACT Schools

Educational Benefit

The school offers a unique package of educational services, not provided elsewhere in the ACT. Blue Gum is regularly approached by other schools and educators, both locally and interstate, keen to gain a greater understanding of its modus operandi. Likewise, the school is often

invited to sit on a wide variety of committees, government and non-government, as its experience and expertise are highly regarded. In 2016, the work of its founding Principal, Maureen Hartung, was recognised in the Australia Day Honours List with an Order of Australia Medal (OAM).

Blue Gum's personalised approach to learning, and its success in working with students who learn or behave differently, or who struggle in traditional school settings, is sought after by many families, and is often recommended to families by other schools.

The ACT Government can nurture this educational benefit to the whole community by granting the school security of tenure, so that it can plan for the future with certainty; access capital works grants to upgrade the ageing infrastructure at the Hackett site; and refocus its energies from negotiating tenure issues to focusing on its providing best-practice models of education.

5.0 Consistency with ACT Government Strategies

Statement of Strategic Direction (2010)

The Statement of Strategic Direction sets objectives and principles to ensure sustainable development is delivered across Canberra. Some of the key objectives applicable to this site are:

- Achieve economic vitality, environmental sustainability and community wellbeing.
- Promote new investment and a more diversified economy, to underpin employment growth and respond to changing economic opportunities.
- Put emphasis on cost-effective provision and management of existing and new infrastructure and services.
- Put emphasis on strengthening and enhancing existing and new centres, including improved urban design and encouragement of more mixed-use development.

The direct sale will facilitate community wellbeing by formally establishing Blue Gum into the Hackett community, and through continued provision of a unique education offering to students within Canberra and the wider region.

Blue Gum's schooling model employs a much higher teacher:student ratio than traditional schooling – offering a positive employment model for other schools that would grow ACT employment opportunities.

The school continues to make significant investment in the site, and has made efforts to maintain and improve the infrastructure and services on the site as tenants.

The site is zoned Community Facility, and is a purpose-built school site. Blue Gum's intent is to continue to provide a much-needed and highly-valued community service by further committing the school to the site and the community.

ACT Planning Strategy (2018)

The purpose of the *ACT Planning Strategy* is to set the direction for future development of Canberra towards 2030. Some of the key strategies applicable to this site are:

- Create a more compact, efficient city by focusing urban intensification in town centres, around group centres and along the major public transport routes, and balancing where greenfield expansion occurs.

- Invest in design that will ensure urban change creates amenity, diversity and a more sustainable built form, and adds to Canberra's landscape setting.
- Facilitate the development of a more prosperous region and a diverse economy by enhancing our travel and information networks and creating opportunities for a range of new enterprises.

The school is seeking to support suburban infill in Inner North Canberra by using, upgrading and adding to the existing buildings on the site, as they were purpose-built for a school. The alternative suggestion of building on a greenfields site is not a viable option for the school. Blue Gum has commissioned an award-winning firm of architects, Paul Barnett Design Group, to develop its Master Plan for the site as well as detailed plans for building work. The school utilises and improves upon the landscape setting by providing and continuing to provide nature-inspired outdoor play areas, that are shared with and enjoyed by local residents. Sustainability measures such as water-harvesting are incorporated into any building work undertaken. Blue Gum is a unique Australian-derived schooling enterprise which is acting as a model and reference point for other small school initiatives.

Statement of Planning Intent (2015)

The Statement of Planning Intent by the Minister of Planning sets out the main principles that govern planning and land development in the ACT. The document establishes key planning priorities, and associated actions, that reflect the key messages heard from the community and stakeholders. The Statement of Planning Intent aims to:

- Locate infill development and affordable housing close to public transport routes and adjacent to parks, open space and other areas of high amenity.
- Encourage mixed-use developments at major centres and along public transport corridors to ensure active, vibrant community spaces and places.
- Ensure the quality of public spaces and streets is a primary consideration in urban renewal projects.
- Review the role and function of precincts to deliver flexible and innovative planning to create liveable and sustainable communities.
- Foster the development of prosperous economic and employment hubs in the city's centres to support transport infrastructure, including light rail.

The Statement of Planning Intent builds on the strategic framework set out in the *ACT Planning Strategy, Transport for Canberra* and the ACT Government's climate change strategy and action plan.

The proposal is consistent with the Statement of Planning Intent.

The permanent establishment of the school on the Hackett site will secure the site for this invaluable Community Facility within the North Canberra district. Re-opening a school on the site has revitalised the local community and shops, and has the strong support of the Hackett Community Association which sees a school as being the essential heart of a community. Schools in Inner North Canberra are finding it difficult to accommodate the increasing demand from families; Blue Gum's location in Hackett (and the preschool site in Dickson) is helping to service this demand.

Statement of Ambition (2016)

The Chief Minister's Statement of Ambition seeks a more compact and competitive city, one that goes beyond the spatial requirements of urban infill to a community based and economic approach for compact city development.

The Statement of Ambition balances short term delivery with genuinely integrated long term progress and establishes five approaches:

1. Attract and retain the talented people that can help make our city great
2. Continue to open and diversify our local economy building on the strong position we have as one of Australia's longest serving knowledge based cities
3. Deliver better metropolitan infrastructure that helps to renew our inner precincts, strengthening our suburbs and providing new opportunities for all.
4. Embrace the digital mindset and deliver integrated smart city initiatives

With regard to the second approach the Statement of Ambition states:

"Canberra is competing with, and exceeding the offer of other Australian cities. With its economy coming from a knowledge base, Canberra is well positioned to lead and attract the talent that is needed. Research and development already adds more than \$2.7 billion per annum to our local economy through our higher education and research institutions, and we are ahead of the pack positioning ourselves in key 21st century industries such as the space economy and cyber security sectors. While our aim is the urban renewal and economic diversification of Canberra, at the core of our vision is a Canberra that is an inclusive, welcoming society, open to diverse talents and determined to help everyone reach their fullest potential"

The proposal is consistent with the Statement of Ambition. The school is playing an important role in ensuring that all students have access to a schooling model that caters for their diverse needs and talents, so that they can be successful learners and positive contributors to their community, and thereby reach their fullest potential.

6.0 Conclusion + Recommendation

It is considered that a direct sale of Block 6, Block 11, part Block 12 Section 12 Hackett to Best-Practice Education Group Ltd, operating as Blue Gum Community School, is consistent with Government eligibility criteria for community sale.

It is considered that the acquisition will provide certainty and facilitate growth of the school, to be able to provide for more students in Canberra and the region, whilst enabling the school to access capital works funding more readily.

Purdon Planning are seeking support from Urban Renewal to progress this application.

Purdon Planning

June 2021



Attachment A

Site Photos (Improvements)



Front Garden



Back Garden



Front of Building



New Additions



Hive (Preschool)

Before Preschool Renovation



After Preschool Renovation



Nature Studio

Nature Studio Before



Nature Studio After

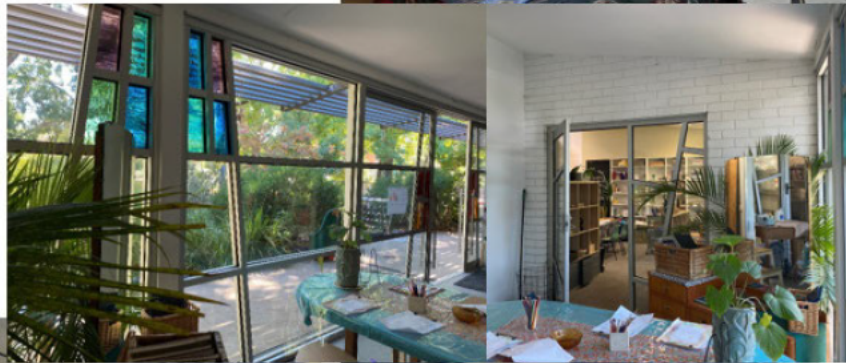


Verandah

Before Verandah Renovation



After Verandah Renovation





Attachment B

**Letter of Support from Hackett
Community Association**





To whom it may concern

Blue Gum Community School – an integral part of the Hackett community

Since Blue Gum Community School opened in Hackett in 2005, it has become a very valuable contributor to the environment and lifestyle of Hackett. Blue Gum has partnered with the Hackett Community Association (HCA) on a number of projects over the last 15 years (described below) which have improved amenity in the suburb and contributed to building community spirit and identity. We have very much appreciated Blue Gum's joint work with us in the past and look forward to continuing our partnership into the future.

Before Blue Gum

The first blocks of land in Hackett were auctioned in December 1962 and by mid 1963, the population was 156. By 1964 the population had increased to 2,067 and the Hackett Primary School opened in May that year with 168 students. By 1974 there were 573 students but this dropped to 304 by 1980, and then to 148 in 1990 when the school was closed.

In 1991, the former Hackett Residents Association lobbied the ACT Labor Government, which had replaced the Alliance Government, to reopen the school as a public/private early childhood/junior primary centre. It distributed 1200 surveys across Hackett residents and received 209 responses, with 178 favouring the re-opening of the school in some form and 86 supporting a public-private junior school. The lobbying was not successful.

The closure of the school particularly impacted the Hackett shops who had noticed a decline in trade. But activity soon picked up when Blue Gum opened in 2005.

Party at the shops

In 2003, the HCA held a *Party at the Shops* to celebrate the 40th birthday of Hackett. Five years later in 2008, the HCA organised another party to celebrate the 45th birthday. The HCA welcomed the participation of Blue Gum who provided a variety of children's activities. Blue Gum again participated in the 50th birthday celebration in 2013 and then parties held in 2016, 2017, 2018 and 2019.

Mural at the Hackett oval change rooms

The change rooms at the southern end of the Hackett oval have been very attractive for graffitiing over the years, particularly in 2018-19. The HCA was aware that the ACT Government had an active program painting public areas subject to graffiti. In May 2019 the HCA contacted the Graffiti Management Coordinator, in the Transport Canberra and City Services Directorate. A few months earlier the HCA had been in discussion with Mikki Trail, Art Director at Blue Gum Community School, in relation to the students doing some artwork to decorate the Hackett shops.

Mikki, the graffiti coordinator and the HCA, met at the change rooms, and we agreed that having senior students from the school developing concepts and working with an artist to paint murals would be a great educational activity. The artist, Dai Cameron, workshopped ideas with the students and then came back with mock-ups for further discussions. Once these were agreed, the students met Dai at the change rooms over several Fridays in June 2019 to transform the concepts into reality. Dai mentored them on how to safely use spray paint and

roller brushes and the various techniques for achieving certain finishes. They were also helped by several members of Silver Sprayers, older people who have previously done murals.

By the end of June 2019, the murals had been painted on four walls and contract painters came in and painted the non-mural areas and the eaves of the roof. So, what was looking a tired and run down building, now looked almost new and is appreciated by all users of the Hackett oval.

Mosaic mural at the Hackett shops

At the Hackett shops there is a large metal frame which used as a notice board for community use. It had a cork backing and a perspex cover, but over the years the cover was damaged and removed and the cork deteriorated. It began to rust and notices placed by people were often glued on but these soon fell off, leaving scattered pieces of paper. In 2019, the HCA discussed with Blue Gum the provision of some form of artwork to go in this frame as a means to brightening up the frame and making the shop precinct more presentable.

In 2020, the HCA painted the frame black and then received approval from the ACT Government for Blue Gum to install an artwork in this frame. In late February 2021, Blue Gum installed a very colourful tile mosaic which depicts images of the plants and animals and other features the students have seen during their visits to neighbouring Mt Majura. The response from Hackett residents has been very positive.

Mural At former Wilbur's café

In 2011 the school designed and painted a mural on the southern wall of Wilbur's café (now Rusty Mals). This mural added colour and vitality to what was a dreary brick wall.

Floriade reimaged

With Covid-19 in 2020, the annual Floriade event at Commonwealth Park was cancelled. School and community groups were invited to apply for plants and bulbs to create their own miniature Floriade displays in local parks, school grounds and other open spaces across Canberra. Hackett participated through the HCA planting a variety of bulbs at the Hackett shops, while the Gilruth Park group created small gardens in their park at the corner of Maitland and Gilruth Streets. It was great to see Blue Gum also participating, through the creation of displays at the front of the school on Maitland St, and at the back of the school near the nature play areas.

Landscaping around the school

The HCA has noticed the new landscaping that has recently been done at the front of the school along Maitland Street. This has certainly enhanced the appearance of this area.

Recreation and nature play areas

Provision of natural areas where children can explore and play are increasingly being recognised as valuable features of suburban communities. Blue Gum has developed such an area for the older children which has no fencing around it, so it is open for all members of the Hackett community to use out of school hours. HCA members have noticed on most weekends children playing in this area or using the basketball court.

Bringing excitement to the suburb

The school often take groups of children to explore Mt Majura. Residents welcome the excited chatter and laughter as the children make their way up and back, or as they see and hear the children enjoying their school grounds during morning recess and lunch. At the end of the school day there is often a line of children and parents heading to the Hackett IGA,

where they get some house supplies, or more importantly, an ice-cream – the latter is often consumed while they seat or play in the gardens around the shops. A suburb without such excitement and energy would be a very dull place.

Summing up

In summary, since Blue Gum opened in 2005, it has become a very valuable contributor to the environment and life style of Hackett. The HCA, on behalf of all Hackett residents and businesses, looks forward to working in partnership with the school to help continue to improve our great suburb through the years ahead.



Chris Mobbs
Chair
Hackett Community Association
10 March 2021

PO Box 644 DICKSON ACT 2602

Website <https://hackett.asn.au>
Facebook <https://www.facebook.com/HackettCommunity/>



Attachment C

**Letter of Support from Families and
Friends of Blue Gum Association**





Dear Madam or Sir

Letter of Support for Direct Sale Application by Blue Gum Community School

I am writing on behalf of the Friends and Families of Blue Gum Association to support Blue Gum Community School's application for the direct sale of the school site on Maitland St, Hackett ('Hackett site').

After being established in the inner north in 1998, Blue Gum has been based at the Hackett site since 2005. Over the years, Blue Gum has continuously expanded to meet growing demand in the area and, despite opening up a second stream in the primary school in 2019, is currently operating at full capacity with a waiting list. This reflects both the popularity of Blue Gum's approach to education, as well as the increasing demand for school spaces in the Inner North of Canberra – evidenced by the significant number of demountable classrooms being located on school grounds and the fact that all other school sites in the area being fully utilized for their original purpose *as schools*.

Over the past 16 years, Blue Gum has invested more than \$3 million into the Hackett site, and has a further \$2 million planned for the next 2 years. These investments and additional voluntary labour from our school community have contributed significantly to re-imagining, renovating and upgrading the ageing run-down infrastructure and outdoor spaces, as acknowledged by the Hackett Community Association. Blue Gum's significant investment into the Hackett site, including by creating gardens and play spaces that stimulate children's imagination and creativity, are enjoyed and appreciated by all locals outside of school hours. It has become a highly valued community asset.

Nonetheless, despite these significant investments into the site over 16 years, our school lacks permanency, which hampers its ability to plan with certainty for the future. Blue Gum is now the only school in Canberra without a permanent home.

The ACT Government has been clear that the ageing infrastructure of this purpose-built school site is beyond its available budget. By contrast, Blue Gum has the desire and vision to transform the site into a centre of educational excellence by investing the necessary time and money. But the school needs certainty so that it can plan for the future. Please support Blue Gum to continue to contribute so much to the local community by approving its application for a Direct Sale of the site as soon as possible.

Yours Sincerely,

Rebecca Bobroff

President

Families and Friends of Blue Gum Association

Monday 12th April 2021



Attachment D

**Letter of Support from Association of
Independent Schools of the ACT**





THE ASSOCIATION OF
INDEPENDENT SCHOOLS
OF THE ACT

Ref: AISACT/2021/03/04

I write in support Blue Gum Community Schools application to gain a Direct Sale of the Hackett site at 114 Maitland Street Hackett.

Blue Gum Community has provided quality educational opportunities for those seeking a personalised, strengths-based approach to education where *every* student can be successful, and students' individual interests and passions contribute to their learning. Blue Gum Community School draws students from all regions in the ACT.


Blue Gum Community School has been an active member of the Association of Independent Schools ACT since it began operating in 1998 and is recognised as integral to the education landscape in the ACT offering choice and diversity for families. It is important that for any school community, there is stability of where the school is and the environment that is created for learning. This is particularly important at Blue Gum Community School who prides themselves on the thoughtful and intentional organisation of the learning environment to support the implementation of the curriculum. Inspiring, functional, aesthetically pleasing environments empower students to explore, be curious, investigate, strengthen relationships and make meaning of their world.

To ensure that that the school can continue to build on its success in providing choice and diversity in educational offerings in the ACT, that it has its own permanent site. Blue Gum Community School is currently the only Independent school in the ACT which does not have the certainty of a permanent site, although it has been operating on the Hackett site since its inception in 2005. I therefore offer the AISACT support to this application for a Direct Sale of the Hackett site to Blue Gum Community School.

I am enthusiastic about the opportunity for Blue Gum Community School to continue serve the Canberra community by gaining direct sale of the Hackett Site.

I look forward to hearing of the success of the school's application. If I can be of further assistance, please do not hesitate to contact me.

Yours Sincerely



Andrew Wrigley
Executive Director

11 March 2021



Attachment E

**Letter of Support from Association of
Parents & Friends of ACT Schools**





ASSOCIATION OF PARENTS AND FRIENDS OF ACT SCHOOLS

NON-GOVERNMENT PARENT VOICE

Monday 22nd March 2021

To Whom it may concern,

APFACTS would like to voice its support for Blue Gum Community School to purchase its current site.

APFACTS is the peak body and advocate for parents and carers whose children attend non-government schools in the ACT.

APFACTS advances the interests of the broader non-government parent community through engagement with government, key stakeholder groups, as well as keeping its membership informed on latest and emerging education issues.

As a non-denominational and a-political organisation, APFACTS aims to:

- support parents and parent associations
- promote and facilitate parent school partnerships and parent engagement
- promote the interests of parents from non-government schools in all aspects of education
- promote the views of parents to education stakeholders, government and key stakeholders in the education arena
- advocate fairness, equity and improvement in education for all children in the ACT
- respect and represent the right of parents to choose the best schooling fit for their child without unreasonable financial disadvantage

APFACTS believes in the fundamental human right of parents to choose the best schooling fit for their children, this belief is endorsed by the Declaration of Human Rights (article 26).

ACT parents value choice and diversity in education providers to partner in the education journey of their children. The ACT education landscape shows enrolments of over 38% of children in the non-government sector, the highest in the country. Enrolment growth of Independent school has the fastest rate of all three sectors (ABS 2020 census figures) which is also an indicator that there is community demand for diverse schooling in the Territory.

Blue Gum Community school is the only non-government school in the ACT without a permanent site. The parents and community of the inner northern suburbs of Canberra deserve to have security and assurance that their education options are stable for the duration of their child's schooling career. And for that reason, we unreservedly support Blue Gum Community School in its endeavours.

Kind regards,



Jennifer Rickard
Executive Officer
APFACTS

Proudly built by parents for parents

Unit 6 Cooyong Centre
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Braddon ACT 2612

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E purdons@purdon.com.au

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Direct Sales Panel Meeting

MICROSOFT TEAMS MEETING – ONLINE 10am – 10:45am

Minutes of Meeting – 24 November 2021

Attendees	Rod Baxter (Chair – DI - EPSDD); Tim Wyatt (TCCS); Kathy Goth (CMTEDD); Clint Peters (CRA); Vanessa Attridge (EDU); Nicholas Holt (SLA); Clint Peters (CRA); Tim Wyatt (TCCS); Geri Zeiler (CMTEDD); Dean Davies (CMTEDD); Aarathi Ayyar-Biddle (EDU); Jennifer Finlay (EPSDD – Land Strategy)
Apologies	Jason Hart (CSD) Hugh Maclachlan (CMTEDD); David Clapham (CMTEDD); Daniel Landon (Health)
Secretariat	Katherine Hicks (DI -EPSDD); Chris Sparke (DI- EPSDD)

ITEM	DESCRIPTION	DISCUSSION/DECISION	ACTIONS
1.	Presentations by applicants:		
1.1.		<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> None
2.	Acceptance of minutes:		
2.1.	Minutes of previous meeting	<ul style="list-style-type: none"> Minutes of 20 October 2021 – accepted. 	<ul style="list-style-type: none"> None
3.	Confirmation of Members Probity	<ul style="list-style-type: none"> No probity issues were identified by members. 	<ul style="list-style-type: none"> None
4.	Applications for Consideration		
4.1.	Best Practice Education Group Ltd (Blue Gum School Hackett)	<ul style="list-style-type: none"> The Panel considered the application and Education, Health and EPSDD – Land Strategy concurred that the land should not be released for direct sale at this stage. The matter may be reconsidered when those directorates have completed necessary planning studies into the provision of education and health services in Inner North Canberra. 	<ul style="list-style-type: none"> EPSDD – D&I to write/meet with Best Practice Education Group to advise of the outcome.
4.2.			

5.	New applications received	<ul style="list-style-type: none"> For information purposes new applications received are noted in the Agenda. 	NIL
6.	Other business:		Comments due 14 December 2021
7.	Next meeting:	<ul style="list-style-type: none"> February 2022 	

DI = Development and Implementation