



TECHNICAL
REAL ESTATE

Level 12, 301 George Street
Sydney NSW 2000 Australia
T +61 (0) 2 9272 8888
F +61 (0) 2 9272 8771
technicalrealestate.com.au

Authorised for publication
30.9.09

7 September 2009

Ms Caroline Le Conteur MLA
Legislative Assembly for the Australian Capital Territory
Standing Committee on Public Amounts
GPO Box 1020
Canberra ACT 2601



Dear Ms Le Conteur,

Adverse Reflection

I refer to your letter of 28 August 2009 addressed to Mr Andrew Campbell regarding the committee's inquiry into the Auditor-General's Report No.7 of 2008, and the extracts from a submission received from the CPR group.

I attach our comments in response to the statements made in this submission, but we feel the CPR group have grossly misrepresented the facts and their accusations are both false and misleading.

We treat these claims very seriously and we strongly recommend the committee seeks substantiation and considers the facts before taking this process any further.

We look forward to this matter being resolved once and for all.

Yours sincerely,

Stephen Ellis
Director

Page 3	The consortium has provided the appropriate documentation to support the business case for this project
Page 4	It is not up to TRE to define a data centre. It is ACTPLA responsibility to determine whether the use falls within the planning code.
Page 5	The directors of TRE were not employed by CB Richards Ellis at the time the consortium was formed. At all times we engaged professional consultants to carry out detailed site studies.
Page 6	The consortium acted strictly within the legal framework of ACT planning process.
Page 6	The numerous studies and reports show the significant benefits to the ACT economy and the project complies with Australian standards.
Page 6	Extensive communication was carried out with the community.
Page 7	The consortium did not have unlimited access to Government and the land has been acquired under the standard terms and conditions of a land grant.
Page 8	The proponents consulted the community and provided regular feed back.
Page 10	The planning system has not been abused.
Page 12	In the interests of the community numerous studies were commissioned including Health Impact Assessment Environmental Impact Statement, Economic Impact Report, Flora & Fauna Report, Acoustic Assessment, Traffic Study, and Geotechnical Appraisal.
Page 14	Extensive consultation was undertaken with the community.
Page 14	The land has been handled under the strict terms of a land grant.
Page 15	The proponents extended considerable patience and understanding to the community to ensure the best interests of all Territory citizens.
Page 16	The proponents have made themselves available to the members of the community and have addressed their legitimate concerns.
Page 17	The proponents commissioned all the necessary reports required by ACTPLA to ensure the project is in the best interests of all Territory citizens, and any unwarranted claims expressed by a small section of the local neighbourhood did not mislead the broader community.
Page 18	The proponents met with all parties including the CPR to address their concerns.
Page 22	The proponents have followed due process at all times
Page 22	The proponents undertook all the required investigations and studies as stipulated by the planning process
Page 26	The proponents undertook all the required investigations and studies as stipulated by the planning process

Page 26	The proponents have followed the planning process and have not sought special favouritism from anyone in the Government
Page 27	The proponents worked within the planning perimeters set down by ACTPLA.
Page 29	The proponents worked within the planning perimeters set down by ACTPLA.
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Page 34	The Government did not favour an elite business group over the needs and wellbeing of a large portion of Canberrans.
Page 34	The proponents spent a considerable amount of time consulting the community.
Page 36	The overall plan of Canberra is not for the proponents to comment.
Page 36	The proponents did not lie to the community but demonstrated considerable understanding of the community's issues and addressed their legitimate concerns.

