

# Review into the transfer of the lease for Paddington Bowling Club

16 June 2014

In April 2014 the NSW Government ordered a review into the transfer of the lease for Paddington Bowling Club (PBC), which commenced in 2009 under the former Labor Government.

NSW Trade & Investment has engaged an external law firm to conduct the review into matters associated with the transfer of the Crown lease held by PBC and the response to the report of the 2007 Office of Liquor, Gaming and Racing Inquiry in relation to PBC.

The review is being conducted independently of both the Crown Lands Division and the Office of Liquor, Gaming and Racing.

Material provided to Government by parties with an interest in the matter has been made available to the review.

## Terms of Reference

The Terms of Reference for the Review are as follows:

1. Did the Department of Lands (and its subsequent iterations including the Department of Primary Industries and the Department of Trade & Investment) and/or the Minister/Minister's delegate:
  - a) comply with the relevant legislation, government policies and Department of Lands procedures in place at the time, or
  - b) engage in any corrupt behaviour, in relation to the decisions to:
    - i. Change the use of the Land to "Community and Sporting Club Facilities, Tourist Facilities and Services" and reserve Lot 3 in DP1156846 for the additional purpose of access?
    - ii. Convert the Perpetual Lease to a 50 year commercial lease (the Lease)?
    - iii. Consent to the transfer of the Lease from Paddington Bowling Club ("PBC") to CSKS Holdings Pty Ltd ("CSKS")?
    - iv. Consent to the sub lease from CSKS to PBC?
    - v. Consent to CSKS to mortgage the Lease?
    - vi. Consent to the submission of a Development Application by CSKS?
    - vii. Request the removal of notifications from the registers for Lot 3 and Lot 5 of DP1156846?
2. In relation to the consents that were granted (as set out in TOR 1, above) were there any direct negotiations between the Department of Lands (or its iterations) and PBC, or between Department of Lands (or its iterations) and CSKS?
3. If so, were those direct negotiations appropriate, with reference to the ICAC Guidelines on Direct Negotiations and the NSW procurement policy framework in place at the time?
4. With regard to the legislation, government policies and Department of Gaming and Racing procedure in place at the time of the Report of the 2007 Inquiry, and the findings of fact set out in the Report, what actions, referrals and further investigations into the PBC:
  - a. should the Department of Gaming and Racing or the Director of Liquor and Gaming have undertaken?
  - b. did the Director of Gaming and Racing or the Director of Liquor and Gaming undertake?