



## INQUIRY INTO THE CENTENARY HOUSE LEASE NOTICE OF PRELIMINARY HEARING

By Letters Patent dated 24 June 2004, the Honourable David Anthony Hunt AO QC has been appointed to be a Commissioner to inquire into and report on the circumstances surrounding the leasing by the Commonwealth of accommodation for the Australian National Audit Office in Centenary House at Barton in the Australian Capital Territory (the Centenary House lease), and in particular to inquire into:

- (a) whether movements and trends in commercial rates and leasing arrangements since the Royal Commission of Inquiry conducted by the Honourable Trevor Rees Morling QC in 1994 (the 1994 Inquiry), or any other matters, cast new light on the findings of that Inquiry;
- (b) whether the Centenary House lease is in line with leasing arrangements, whenever made, of a comparable kind;
- (c) whether the terms of reference of the 1994 Inquiry could have been better designed to enable information relevant to the Centenary House lease to be elicited;
- (d) whether the resources provided to the 1994 Inquiry, the absence of counsel assisting, or the particular processes adopted, adversely affected the 1994 Inquiry;
- (e) whether Commonwealth agencies gave or received appropriate advice in relation to the Centenary House lease before it was entered into, including in relation to:
  - (i) the term of the lease;
  - (ii) the effect of the rent escalation provisions in the lease;
  - (iii) whether there was an adequate market review mechanism in the lease;
  - (iv) market conditions; and
  - (v) other relevant matters;
- (f) whether, in light of any new information that is elicited, there were payments or inducements offered in relation to the Centenary House lease which raise issues of impropriety, and whether further examination of witnesses or documents by the 1994 inquiry may have identified such issues;
- (g) whether, in light of any new information that is elicited, any person involved made a misleading statement in relation to the Centenary House lease or any proposal since 1994 to renegotiate or vary the lease;
- (h) whether the government leases referred to in submissions to the 1994 Inquiry, or in the Report of the 1994 Inquiry, for the purposes of comparison with the Centenary House lease provided a reasonable basis of comparison, and whether other leases, including non-government leases, would have provided a more appropriate basis of comparison; and
- (i) whether there exist any other issues of concern in relation to the Centenary House lease.

A copy of the full terms of reference may be obtained from the Inquiry website [www.centenaryhouseinquiry.gov.au](http://www.centenaryhouseinquiry.gov.au) or on written application to:

**The Executive Officer**  
**Inquiry into the Centenary House Lease**  
**PO Box Q151**  
**QVB Post Office**  
**NSW 1230**

Facsimile: (02) 9261 3520.

The Commissioner is to furnish his final report to the Governor-General of the Commonwealth of Australia not later than 15 October 2004.

Any person who considers that he or she has information which may assist the Inquiry may forward any such information in writing to the Executive Officer of the Inquiry, using either the above post office box address or facsimile number.

Applications for leave to appear before the Commission by persons claiming to have a legitimate interest in the subject matters in the terms of reference will be heard at: **10.00 am on Tuesday 13 July 2004 at:**

**The Family Court of Australia**  
**Level 7**  
**97-99 Goulburn St**  
**Sydney NSW**

All persons intending to seek leave to appear must lodge written notice of that intention by no later than Monday 12 July 2004 by facsimile or at the above post office box address, together with a brief outline of no more than 2 pages identifying:

- (i) the particular interest claimed;
- (ii) the basis upon which such claim is made; and
- (iii) the precise nature of the evidence which they can give or adduce.

The written notice must identify a particular means by which the person giving it can be contacted by the Inquiry.

Present planning is to commence the hearing into the terms of reference on Monday 26 July 2004, at 55 Market Street Sydney (Level 5).

Inquiries: Phone 1800 604 604.

**Sheila Butler**  
**Executive Officer**