

Our reference: ACTHDF0122-23.54



Dear

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by ACT Health Directorate (ACTHD) on **Tuesday 13 June 2023**.

This application requested access to:

'I would like: all documents and communications held by the Northside Hospital Project Team pertaining to negotiations between Calvary Health Care and the ACT Government over the future operation/ownership of Calvary Public Hospital/future northside hospital in Bruce. Date range of the current financial year – June 2022 to present day.'

I am an Information Officer appointed by the Director-General of ACT Health Directorate (ACTHD) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. ACTHD was required to provide a decision on your access application by **Tuesday 15 August 2023.** A two-week extension was agreed upon changing the date to **Tuesday 29 August 2023**.

I have identified 111 documents holding the information within scope of your access application. These are outlined in the schedule of documents included at <u>Attachment A</u> to this decision letter.

Decisions

I have decided to:

- grant full access to 9 documents;
- refuse access to 15 documents; and
- grant partial access to 87 documents.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as <u>Attachment B</u> to this letter.

In reaching my access decision, I have taken the following into account:

- The FOI Act;
- The contents of the documents that fall within the scope of your request;
- The views of relevant third parties; and
- The Human Rights Act 2004.

Full Access

I have decided to grant full access to 9 documents at references 2-4, 38, 53, 69, 92, 96 and 111.

Refuse Access

I have decided to refuse access to 15 documents.

Documents at references 10, 15, 21, 60 and 62-63 are wholly comprised of information classified as Cabinet information, and under Schedule 1.6 (1) Cabinet Information, it is taken to be contrary to the public interest to release. Schedule 1.6 (1)(d) the disclosure of which would reveal any deliberation of Cabinet (other than through the official publication of a Cabinet decision).

Documents at references 45, 47, 79, 82, 87, 93 and 104 are wholly comprised of information classified as information subject to legal professional privilege information, and under Schedule 1.2, it is taken to be contrary to the public interest to release. Schedule 1.2 information that would be privileged from production or admission into evidence in a legal proceeding on the ground of legal professional privilege.

Document at reference 86 is wholly comprised of information classified as legal professional privilege information and cabinet information under Schedules 1.2 and also competitive commercial activities under Schedule 2, 2.2 (a)(xiii). This document contains information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act.

Documents at reference 102 is wholly comprised of information classified as legal professional privilege information and cabinet information under Schedules 1.2 and 1.6

Public Interest Factors Favouring Disclosure

The following factors were considered relevant in favour of the disclosure of the documents:

- Schedule 2, 2.1 (a)(i) promote open discussion of public affairs and enhance the government's accountability;
- Schedule 2, 2.1 (a)(ii) contribute to positive and informed debate on important issues or matters of public interest;
- Schedule 2, 2.1 (a)(iv) ensure effective oversight of expenditure of public funds; and
- Schedule 2, 2.1 (a)(viii) reveal the reason for a government decision and any background or contextual information that informed the decision.

Public Interest Factors Favouring Non-Disclosure

The following factors were considered relevant in favour of the non-disclosure of the documents:

Schedule 2, 2.2 (a)(xiii) prejudice the competitive commercial activities of an agency.

Partial Access

I have decided to grant partial access to 87 documents.

Documents at references 1, 32-33, 35-37, 39-40, 44, 46, 49-52, 54-59, 61, 64, 66-68, 70-72, 74-78, 81, 83-84, 91, 100-101, 103 and 109 are partially comprised of personal information such as email addresses and phone numbers of non-government employees and mobile numbers of ACT-Government employees in accordance with Schedule 2, 2.2 (a)(ii) prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*.

Documents at references 5, 34, 41, 43, 73, 85 and 88-90 are partially comprised of information classified as information subject to legal professional privilege information, and under Schedule 1.2, it is taken to be contrary to the public interest to release. Schedule 1.2 information that would be privileged from production or admission into evidence in a legal proceeding on the ground of legal professional privilege. These documents are also comprised of personal information under Schedule

2, 2.2 (a)(ii) privacy and information that would be contrary to the public interest in accordance with Schedule 2, 2.2 (a)(xiii) prejudice the competitive commercial activities of an agency.

Documents at references 6, 9, 14, 25-26, 30, 48, 98-99 and 105-108 are partially comprised of information classified as Cabinet information, and under Schedule 1.6 (1) Cabinet Information, it is taken to be contrary to the public interest to release. Schedule 1.6 (1)(d) the disclosure of which would reveal any deliberation of Cabinet (other than through the official publication of a Cabinet decision). These documents are also comprised of personal information under Schedule 2, 2.2 (a)(ii) privacy.

Documents at references 7-8, 16, 27, 29 and 97 are partially comprised of information classified as Cabinet information under Schedules 1.6, personal information under Schedule 2, 2.2 (a)(ii) privacy and competitive commercial activities under Schedule 2, 2.2 (a)(xiii).

Documents at references 17-20, 22-24 and 31 are partially comprised of information classified as legal professional privilege information and cabinet information under Schedules 1.2 and 1.6. These documents also contain redactions to personal information under Schedule 2, 2.2 (a)(ii) privacy and competitive commercial activities under Schedule 2, 2.2 (a)(xiii).

Documents at references 11 and 28 are partially comprised of information classified as legal professional privilege information, cabinet information under Schedules 1.2 and 1.6 and personal information under Schedule 2, 2.2 (a)(ii) privacy.

Documents at references 12-13 and 80 are partially comprised of information classified as Cabinet information under Schedules 1.6 and competitive commercial activities under Schedule 2, 2.2 (a)(xiii).

Document at reference 42 is partially comprised of information classified as personal information under Schedule 2, 2.2 (a)(ii) privacy and also competitive commercial activities under Schedule 2, 2.2 (a)(xiii).

privacy and commercial

Documents at references 65 and 94-95 are partially comprised of information classified as Cabinet information under Schedules 1.6.

Document at reference 110 is partially comprised of information classified as legal professional privilege information under Schedules 1.2 and personal information under Schedule 2, 2.2 (a)(ii) privacy.

The above documents all contain partial information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act.

<u>Public Interest Factors Favouring Disclosure</u>

The following factors were considered relevant in favour of the disclosure of the documents:

- Schedule 2, 2.1 (a)(i) promote open discussion of public affairs and enhance the government's accountability;
- Schedule 2, 2.1 (a)(ii) contribute to positive and informed debate on important issues or matters of public interest;
- Schedule 2, 2.1 (a)(iv) ensure effective oversight of expenditure of public funds; and
- Schedule 2, 2.1 (a)(viii) reveal the reason for a government decision and any background or contextual information that informed the decision.

Public Interest Factors Favouring Non-Disclosure

The following factors were considered relevant in favour of the non-disclosure of the documents:

- Schedule 2, 2.2 (a)(ii) prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*; and
- Schedule 2, 2.2 (a)(xiii) prejudice the competitive commercial activities of an agency.

I have given significant consideration to the factors favouring disclosure and have determined the factors favouring non-disclosure outweighed these as the information requested would not provide any government information pertinent to your request regarding the personal information. The release of the competitive commercial activities of an agency would have the detrimental effect of reducing the competitive ability of non-government organisations. Therefore, I have determined the information identified is contrary to the public interest and would not advantage the public in disclosing this information.

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, ACTHD maintains an online record of access applications called a disclosure log. The scope of your access application, my decision and documents released to you will be published in the disclosure log not less than three days but not more than 10 days after the date of this decision. Your personal contact details will not be published.

https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in ACT Health's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman GPO Box 442 CANBERRA ACT 2601

Via email: <u>ACTFOI@ombudsman.gov.au</u> Website: ombudsman.act.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal Level 4, 1 Moore St GPO Box 370 Canberra City ACT 2601 Telephone: (02) 6207 1740

http://www.acat.act.gov.au/

Further assistance

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9831 or email HealthFOI@act.gov.au.

Yours sincerely

Liz Lopa

Deputy Director-General Infrastructure and Engagement ACT Health Directorate

29 August 2023



FREEDOM OF INFORMATION SCHEDULE OF DOCUMENTS

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: http://www.health.act.gov.au/public-information/consumers/freedom-information

| APPLICANT NAME | WHAT ARE THE PARAMETERS OF THE REQUEST | FILE NUMBER |
|----------------|--|------------------|
| | 'I would like: all documents and communications held by the Northside Hospital Project Team pertaining to negotiations between Calvary Health Care and the ACT Government over the future operation/ownership of Calvary Public Hospital/future northside hospital in Bruce. Date range of the current financial year – June 2022 to present day.' | ACTHDFOI22-23.54 |

| Ref Number | Page Number | Description | Date | Status Decision | Factor | Open Access release status | | |
|---------------|----------------|---|--------------|-----------------|------------------------------------|-------------------------------------|--|--|
| | DOCUMENTATION | | | | | | | |
| 1. | 1-2 | Meeting 1 – Negotiation Committee | 03 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES | | |
| 2. | 3 – 4 | Meeting 2 – Negotiation Committee | 06 June 2022 | Full Release | | YES | | |
| 3. | 5 | Agenda – Presentation | 07 June 2022 | Full Release | | YES | | |
| 4. | 6 – 9 | Meeting 3 – Negotiation Committee | 08 June 2022 | Full Release | | YES | | |
| 5. | 10 – 18 | MIN22/872 Caveat Brief and attachments – Northside Hospital update June 2022 | 07 July 2022 | Partial Release | Schedule 1.2 Legal, | YES | | |

| | | | | | Schedule 2, 2.2 (a)(ii) | |
|-----|-------------------------------------|--|-------------------|---------------------|--------------------------|------|
| | | | | | Privacy and Schedule 2, | |
| | | | | | 2.2 (a)(xiii) Commercial | |
| | | AMAIN 22/4077 Course Brief Blood at the | | | Schedule 1.6 Cabinet | |
| 6. | 19 – 20 | MIN22/1077 Caveat Brief – Northside | 29 July 2022 | Partial Release | and Schedule 2, 2.2 | YES |
| | | Hospital update July 2022 | | | (a)(ii) Privacy | |
| | | | | | Schedule 1.6 Cabinet, | |
| 7. | 21 – 91 | GBC22/232 (CAB22/319) Cabinet | 16 August 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) | YES |
| /. | 21-91 | Submission and attachments | 10 August 2022 | Faitial Nelease | Privacy and Schedule 2, | 163 |
| | | | | | 2.2 (a)(xiii) Commercial | |
| | | | | | Schedule 1.6 Cabinet, | |
| 8. | 92 – 150 | GBC22/541 (CAB22/319) Cabinet Submission and attachments | 18 August 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) | YES |
| 0. | 92 – 130 | | 10 August 2022 | Faitial Nelease | Privacy and Schedule 2, | |
| | | | | | 2.2 (a)(xiii) Commercial | |
| | | MIN22/1228 Caveat Brief – Northside | | | Schedule 1.6 Cabinet | |
| 9. | 151 – 152 | Hospital update August 2022 | 29 August 2022 | Partial Release | and Schedule 2, 2.2 | YES |
| | | Hospital update August 2022 | | | (a)(ii) Privacy | |
| 10. | 153 – 155 | GBC22/428 (CAB22/496) Cabinet | 23 September 2022 | Refuse Release | Schedule 1.6 Cabinet | NO |
| | | Submission and attachments | | | | |
| | | | | | Schedule 1.2 Legal, | |
| 11. | 156 – 163 | MIN22/1461 Ministerial Brief | 06 November 2022 | Partial Release | Schedule 1.6 Cabinet | YES |
| | 130 100 | William Stellar Brief | 00110101110012022 | T di tidi i tercuse | and Schedule 2, 2.2 | . 23 |
| | | | | | (a)(ii) Privacy | |
| | | | | | Schedule 1.6 Cabinet | |
| 12. | 164 – 168 | MIN22/1482 Ministerial Brief | 15 November 2022 | Partial Release | and Schedule 2, 2.2 | YES |
| | | | | | (a)(xiii) Commercial | |
| | | MIN22/1654 Ministerial Brief and | | | Schedule 1.6 Cabinet | |
| 13. | attachments (Attachment D @ ref 12) | 21 November 2022 | Partial Release | and Schedule 2, 2.2 | YES | |
| | | accasimismos (riccasimismos & 101 12) | | | (a)(xiii) Commercial | |

| 14. | 198 – 241 | GBC22/648 (CAB22/773) Cabinet Submission and attachments | 28 November 2022 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
|-----|-----------|--|------------------|-----------------|--|-----|
| 15. | 242 – 246 | MIN22/1820 Letter and response | 28 November 2022 | Refuse Release | Schedule 1.6 Cabinet | NO |
| 16. | 247 – 252 | MIN23/11 Ministerial Brief | 27 January 2023 | Partial Release | Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 17. | 253 – 260 | MIN23/13 Ministerial Brief | 11 February 2023 | Partial Release | Schedule 1.2 Legal, Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 18. | 261 – 266 | MIN23/69 Ministerial Brief | 28 February 2023 | Partial Release | Schedule 1.2 Legal, Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 19. | 267 – 439 | GBC22/762 (CAB22/798) Cabinet Submission and attachments | 07 March 2023 | Partial Release | Schedule 1.2 Legal, Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 20. | 540 – 545 | MIN23/17 Ministerial Brief | 14 March 2023 | Partial Release | Schedule 1.2 Legal, Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 21. | 546 – 560 | 2023/24 Budget – Business Case – Northside Hospital – Transition Business Case | 15 March 2023 | Refuse Release | Schedule 1.6 Cabinet | NO |

| 22. | 561 – 565 | MIN23/14 Ministerial Brief | 09 April 2023 | Partial Release | Schedule 1.2 Legal, Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
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| 23. | 566 – 570 | MIN23/16 Ministerial Brief | 11 April 2023 | Partial Release | Schedule 1.2 Legal, Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 24. | 571 – 582 | MIN23/367 Ministerial Brief and attachments | 14 April 2023 | Partial Release | Schedule 1.2 Legal, Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 25. | 583 – 584 | Caveat Brief – Northside Briefing Note | 18 April 2023 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 26. | 585 – 587 | Caveat Brief – Northside Briefing Note | 24 April 2023 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 27. | 588 – 591 | MIN23/391 Caveat Brief – Northside Briefing Note | 01 May 2023 | Partial Release | Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 28. | 592 – 693 | GBC23/157 (CAB23/364) Cabinet Submission and attachments | 03 May 2023 | Partial Release | Schedule 1.2 Legal, Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 29. | 694 – 711 | GBC23/178 (CAB23/316) Cabinet Submission and attachments | 03 May 2023 | Partial Release | Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) | YES |

| 30. 712 - 715 MiN23/392 Caveat Brief - Northside Briefing Note 05 May 2023 Partial Release Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(iii) Privacy YES | | 1 | | | Ţ | T | |
|--|-----|-----------|--|------------------------------|--------------------|--------------------------|------|
| 30. 712 - 715 MIN23/392 Caveat Brief - Northside Briefing Note 05 May 2023 Partial Release Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy Schedule 1.1 Cabinet, Schedule 1.2 Legal, Schedule 1.6 Cabinet, Schedule 1.2 Legal, Schedule 2, 2.2 (a)(iii) Privacy and Schedule 2, 2.2 (a)(iii) Privacy YES Privacy | | | | | | | |
| 30. 712 - 715 Briefing Note | | | | | | ` ' ' ' | |
| 30. 712 - 715 Briefing Note US May 2023 Partial Release Caj (a) (ii) Privacy Schedule 1,2 L2 (a) (ii) Privacy YES | | | MIN23/392 Caveat Brief – Northside | | | Schedule 1.6 Cabinet | |
| 31. 716 - 744 MIN23/404 Ministerial Brief and attachments 08 May 2023 Partial Release Schedule 1.2 Legal, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(iii) Privacy YES | 30. | 712 – 715 | · · | 05 May 2023 | Partial Release | and Schedule 2, 2.2 | YES |
| 31. 716 - 744 MIN23/404 Ministerial Brief and attachments 08 May 2023 Partial Release Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(iii) Privacy and Schedule 2, 2.2 (a)(iii) Privacy and Schedule 2, 2.2 (a)(iii) Privacy Partial Release Schedule 2, 2.2 (a)(iii) Partial Release Schedule 2, 2.2 (a)(iii) Partial Release Schedule 2, 2.2 (a)(iii) Partial Re | | | Briefing Note | | | (a)(ii) Privacy | |
| 31. 716 - 744 MIN23/404 Ministerial Brief and attachments 08 May 2023 Partial Release Schedule 2, 2.2 (a)(iii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial 2.2 (a) | | | | | | Schedule 1.2 Legal, | |
| Attachments Correspondence Corresp | | | MINI22/404 Ministerial Brief and | | | Schedule 1.6 Cabinet, | |
| CORRESPONDENCE 2.2 (a)(xiii) Commercial 2. | 31. | 716 – 744 | · · | 08 May 2023 | Partial Release | Schedule 2, 2.2 (a)(ii) | YES |
| 32. 745 - 746 Email - RE: Debrief - Northside negotiations 01 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES | | | attachments | | | Privacy and Schedule 2, | |
| 32. 745 - 746 Email - RE: Debrief - Northside negotiations 01 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES | | | | | | 2.2 (a)(xiii) Commercial | |
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| 34. 751 – 760 Email with attachment – FW: FOR FINAL APPROVAL – NORTHSIDE 35. 761 – 763 Email – Re: Northside Protocol 36. 764 – 766 Email – RE: FOR FINAL APPROVAL – NORTHSIDE 37. 767 – 768 Email – RE: Northside/Calvary Meeting 38. 769 – 770 Email – RE: FOR REVIEW – Negotiations Schedule 39. 771 – 772 Email – RE: Calvary preparation 20. June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 21. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 22. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 23. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 24. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 25. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 26. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 27. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 28. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 29. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 20. June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 29. Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 20. June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES | | | 1 = 760 | | | Schedule 1.2 Legal, | |
| APPROVAL – NORTHSIDE APPROVAL – NORTHSIDE Description of the privacy and Schedule 2, 2.2 (a)(xiii) Commercial 35. Finall – Re: Northside Protocol 36. Finall – Re: FOR FINAL APPROVAL – NORTHSIDE 37. Finall – Re: Northside/Calvary Meeting 38. Finall – Re: Northside/Calvary Meeting 39. Finall – Re: FOR REVIEW – Negotiations Schedule 39. Finall – Re: Calvary preparation 30. Finall – Re: Calvary preparation 30. Finall – Re: Calvary preparation 30. Finall – Re: Calvary preparation 31. Finall – Re: Calvary preparation 32. Finall – Re: Calvary preparation 33. Finall – Re: Calvary preparation 34. Finall – Re: Calvary preparation 35. Finall – Reicase 40. Finall – Reicase 40. Finall – Reicase 40. Finall – Reicase 40. Finall – Reicase 41. Finall – Reicase 42. Finall Release 43. Finall Release 44. Finall – Reicase 45. Finall Release 46. Finall – Reicase 47. Finall Release 47. Finall Release 48. Finall Release 49. Finall Release 49. Finall Release 40. Finall Release 41. Finall Release 42. Finall Release 43. Finall Release 44. Finall Release 44. Finall Release 45. Finall Release 46. Finall Release 47. Finall Release 47. Finall Release 48. Finall Release 49. Finall Release 49. Finall Release 40. | | | | 02 June 2022 | Partial Release | _ | YES |
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| 35. 761 – 763 Email – Re: Northside Protocol 36. 764 – 766 Email – RE: FOR FINAL APPROVAL – NORTHSIDE 37. 767 – 768 Email – RE: Northside/Calvary Meeting 38. 769 – 770 Email – RE: FOR REVIEW - Negotiations Schedule 39. 771 – 772 Email – RE: Calvary preparation 39. 773 – 774 Email – RE: Calvary preparation 30. 02 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 773 – 774 Email – RE: Calvary preparation 31. 02 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 773 – 774 Email – RE: Calvary preparation 31. 02 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 773 – 774 Email – RE: Calvary preparation 32. 03 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 773 – 774 Email – RE: Calvary preparation 33. 04 – 775 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 773 – 774 Email – RE: Calvary preparation 40. 773 – 774 Email – RE: Calvary preparation 40. 773 – 774 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 775 – 776 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 777 – 778 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 778 – 778 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 778 – 778 Partial Release Schedule 2, 2.2 (a)(ii) Privacy 40. 778 – 778 Partial Release Schedule 2, 2.2 (a)(ii) Privacy | | | | | | I - | |
| 36. 764 – 766 Email – RE: FOR FINAL APPROVAL - NORTHSIDE O2 June 2022 Partial Release Privacy YES 37. 767 – 768 Email – RE: Northside/Calvary Meeting O2 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 38. 769 – 770 Email – RE: FOR REVIEW - Negotiations Schedule 39. 771 – 772 Email – RE: Calvary preparation O2 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 39. 773 – 774 Email – RE: Calvary preparation O2 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 39. 773 – 774 Email – RE: Calvary preparation O3 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) YES | 25 | 764 760 | 5 11 5 11 11 11 5 11 1 | 02.1 2022 | 5 .: 15 1 | | \/FC |
| 36. 764 – 766 NORTHSIDE 02 June 2022 Partial Release Privacy YES 37. 767 – 768 Email – RE: Northside/Calvary Meeting 02 June 2022 Partial Release Privacy YES 38. 769 – 770 Email – RE: FOR REVIEW - Negotiations Schedule 2022 Full Release YES 39. 771 – 772 Email – RE: Calvary preparation 02 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 40. 773 – 774 Email – RE: Calvary preparation 03 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) YES | 35. | /61 – /63 | Email – Re: Northside Protocol | 02 June 2022 | Partial Release | | YES |
| 36. 764 – 766 NORTHSIDE 02 June 2022 Partial Release Privacy YES 37. 767 – 768 Email – RE: Northside/Calvary Meeting 02 June 2022 Partial Release Privacy YES 38. 769 – 770 Email – RE: FOR REVIEW - Negotiations Schedule 2022 Full Release YES 39. 771 – 772 Email – RE: Calvary preparation 02 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 40. 773 – 774 Email – RE: Calvary preparation 03 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) YES | 2.6 | 764 766 | Email – RE: FOR FINAL APPROVAL - | 02.1 2022 | 5 .: 15 1 | Schedule 2, 2.2 (a)(ii) | \/FC |
| 37. 767 – 768 Email – RE: Northside/Calvary Meeting 02 June 2022 Partial Release Privacy YES 38. 769 – 770 Email – RE: FOR REVIEW - Negotiations Schedule 02 June 2022 Full Release YES 39. 771 – 772 Email – RE: Calvary preparation 02 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 40. 773 – 774 Email – RE: Calvary preparation 03 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) YES | 36. | /64 – /66 | NORTHSIDE | 02 June 2022 | Partial Release | | YES |
| 37. 767 – 768 Email – RE: Northside/Calvary Meeting 02 June 2022 Partial Release Privacy YES 38. 769 – 770 Email – RE: FOR REVIEW - Negotiations Schedule 02 June 2022 Full Release YES 39. 771 – 772 Email – RE: Calvary preparation 02 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) Privacy YES 40. 773 – 774 Email – RE: Calvary preparation 03 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) YES | | | - 11 11 11 12 1 | | | - | |
| 38. 769 – 770 Schedule 39. 771 – 772 Email – RE: Calvary preparation 02 June 2022 Full Release 92 June 2022 Full Release 93 Schedule 2, 2.2 (a)(ii) Privacy 940 773 – 774 Fmail – RE: Calvary preparation 93 June 2022 Partial Release 95 Schedule 2, 2.2 (a)(ii) 96 Schedule 2, 2.2 (a)(ii) 97 Schedule 2, 2.2 (a)(ii) 98 June 2022 Partial Release | 37. | /6/ – /68 | Email – RE: Northside/Calvary Meeting | 02 June 2022 | Partial Release | | YES |
| 39. 771 – 772 Email – RE: Calvary preparation 02 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) YES 40. 773 – 774 Email – RE: Calvary preparation 03 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) YES | 20 | 760 770 | Email – RE: FOR REVIEW - Negotiations | 02 lune 2022 | Full Delegas | - | VEC |
| 39. 7/1 – 7/2 Email – RE: Calvary preparation 02 June 2022 Partial Release Privacy 40. 773 – 774 Email – RE: Calvary preparation 03 June 2022 Partial Release Schedule 2, 2.2 (a)(ii) YES | 38. | /69 – //0 | Schedule | 02 June 2022 | ruii Keiease | | YES |
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| 40 + 7/3 = 7/4 + Email = Re (alvary preparation) 03 lune $20/2 + 1$ Partial Release 1 1 1 1 1 1 1 1 1 | 39. | //1-//2 | Email – RE. Calvary preparation | UZ JUHE ZUZZ | raitiai Kelease | Privacy | 153 |
| 40. 773 - 774 Linaii - N.L. Calvary preparation 03 June 2022 Partial Release Privacy | 40 | 772 _ 774 | Email - PE: Calvany proparation | 02 June 2022 | Partial Poloaco | Schedule 2, 2.2 (a)(ii) | VEC |
| | 40. | 773-774 | Email – NE. Calvary preparation | US JUITE ZUZZ | r ai tiai ivelease | Privacy | ILJ |

| 41. | 775 – 784 | Email and attachment – FOR FINAL APPROVAL – NORTHSIDE | 03 June 2022 | Partial Release | Schedule 1.2 Legal, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
|-----|-----------|--|--------------|-----------------|---|-----|
| 42. | 785 – 795 | Email and attachment – 20220603 Negotiation Strategy | 03 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 43. | 796 – 807 | Email and attachments – Outcomes and actions arising | 03 June 2022 | Partial Release | Schedule 1.2 Legal, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 44. | 808 – 813 | Email and attachments – Actions arising and meeting papers | 06 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 45. | 814 – 817 | Email and attachment – RE: land dealing options - 6 June 2022 | 07 June 2022 | Refuse Release | Schedule 1.2 Legal | NO |
| 46. | 818 – 821 | Email and attachment – RE: Northside Hospital -Agenda Item - Land Tenure and Transfer options and attachment | 07 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 47. | 822 – 828 | Email and attachment – RE: Agenda paper for meeting with Calvary 8/6/22 for EGM clearance | 07 June 2022 | Refuse Release | Schedule 1.2 Legal | NO |
| 48. | 829 – 830 | Email and attachment – FW: Diagram of Land Tenure Options | 07 June 2022 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 49. | 831 – 833 | Email and attachments – Agenda and Actions arising - Meeting 3. | 08 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 50. | 834 | Email – Re: Diagram of Land Tenure Options | 08 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 51. | 835 – 836 | Email – RE: Diagram of land tenure options. | 15 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |

| 52. | 837 – 838 | Email – Re: FW: Northside/ Calvary | 15 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
|-----|-----------|--|--------------|-----------------|------------------------------------|-----|
| 53. | 839 – 840 | Email – RE: Negotiations - 5. 17 June | 15 June 2022 | Full Release | | YES |
| 54. | 841 – 844 | Email and attachments - Agenda, outcomes and actions | 15 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 55. | 845 – 848 | Email and attachments – Meeting Papers - 17.06.22 | 16 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 56. | 849 – 850 | Meeting Invite and attachment – Northside/Calvary | 17 June 2023 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 57. | 851 – 854 | Email and attachments – FW: Critical Date - 22.6.22 COR22/19436: Caveat Brief - Northside Hospital - update June 2022 - FINAL | 17 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 58. | 855 – 859 | Email and attachments – Meeting Papers - Monday 20 June 2020 | 17 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 59. | 860 | Email – RE: Land Tenure Diagrams | 17 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 60. | 861 – 862 | Email – Northside Hospital - Cabinet plan | 20 June 2022 | Refuse Release | Schedule 1.6 Cabinet | NO |
| 61. | 863 – 867 | Email and attachments – Actions Register, Agenda and Forward Schedule | 20 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 62. | 868 – 869 | Email and attachment – Northside Hospital - ERC and Cabinet dates | 21 June 2022 | Refuse Release | Schedule 1.6 Cabinet | NO |
| 63. | 870 – 871 | Email – RE: Cancelled ERC Meeting - 11 August 2022 | 21 June 2022 | Refuse Release | Schedule 1.6 Cabinet | NO |
| 64. | 872 – 873 | Email – RE: Meeting Regarding Employment Conditions with ACTH | 22 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 65. | 874 – 878 | Email – FW: Reschedule 22/319 - RESTRICTED - Northside Hospital Project: Update and next steps | 24 June 2022 | Partial Release | Schedule 1.6 Cabinet | YES |
| 66. | 879 – 884 | Email and attachments – FW: Actions Register, Agenda and Forward Schedule | 24 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |

| | | | | | 0 1 1 1 0 0 0 () ()) | |
|-----|-----------|--|----------------|-----------------|--------------------------|-----|
| 67. | 885 – 886 | Email – RE: Actions Register, Agenda and | 24 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) | YES |
| | | Forward Schedule | | | Privacy | |
| 68. | 887 – 888 | Email – RE: Actions Register, Agenda and | 24 June 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) | YES |
| 00. | 007 000 | Forward Schedule | 24 Julic 2022 | Tartial Nelease | Privacy | 113 |
| 69. | 889 – 890 | Email – RE: Calvary Agendas next week | 25 June 2022 | Full Release | | YES |
| 70. | 891 – 894 | Email and attachment – RE: Northside | 27 June 2022 F | Partial Release | Schedule 2, 2.2 (a)(ii) | YES |
| 70. | 891 – 894 | release | | Partial Release | Privacy | YES |
| 74 | 005 000 | Email – RE: Calvary/ACTHD - public and | 27.1 2022 | Destini Delever | Schedule 2, 2.2 (a)(ii) | VEC |
| 71. | 895 – 898 | private connections | 27 June 2022 | Partial Release | Privacy | YES |
| | 000 001 | Email and attachments – Agenda, actions | 22.1 | | Schedule 2, 2.2 (a)(ii) | -0 |
| 72. | 899 – 901 | arising 29 June 2022 | 29 June 2022 | Partial Release | Privacy | YES |
| | | | | | Schedule 1.2 Legal, | |
| | | Email and attachments – Land Tenure | | | Schedule 2, 2.2 (a)(ii) | YES |
| 73. | 902 – 909 | Options Table and CNA Review Table | 29 June 2022 | Partial Release | Privacy and Schedule 2, | |
| | | | | | 2.2 (a)(xiii) Commercial | |
| | | Email – RE: Availability for conversations | | | Schedule 2, 2.2 (a)(ii) | |
| 74. | 910 – 911 | next week - for action | 01 July 2023 | Partial Release | Privacy | YES |
| | | Email – RE: Request for current (and future) | | | Schedule 2, 2.2 (a)(ii) | |
| 75. | 912 – 914 | staff numbers | 01 July 2023 | Partial Release | Privacy | YES |
| | | Email and attachments – Agenda, Action | | | , | |
| 76. | 915 – 919 | Register and Forward meeting schedule for | 01 July 2023 | Partial Release | Schedule 2, 2.2 (a)(ii) | YES |
| 70. | 313 313 | meeting Monday 4 July | 01 July 2023 | Tartial Nelease | Privacy | 123 |
| | | Email and attachments – Agenda and | | | Schedule 2, 2.2 (a)(ii) | |
| 77. | 920 – 922 | papers for meeting 6 July | 04 July 2022 | Partial Release | Privacy | YES |
| | | Email – RE: Monday meeting - proposed | | | Schedule 2, 2.2 (a)(ii) | |
| 78. | 923 – 924 | cancellation | 06 July 2023 | Partial Release | ' ', ', ' | YES |
| 70 | 925 – 932 | | 11 1 2022 | Define Delegee | Privacy | NO |
| 79. | 925 – 932 | Email and attachments – CNA Review Table | 11 July 2023 | Refuse Release | Schedule 1.2 Legal | NO |
| 0.0 | 022 026 | Email and attachment – Actions arising and | 44 2022 | D. W. I D. I. | Schedule 1.6 Cabinet | YES |
| 80. | 933 – 936 | formal checkpoint documentation | 11 July 2023 | Partial Release | and Schedule 2, 2.2 | |
| | | ' | | | (a)(xiii) Commercial | |

| 81. | 937 – 939 | Email and attachments – Agenda and actions arising | 11 July 2023 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
|-----|-----------|--|--------------|-----------------|---|-----|
| 82. | 940 – 942 | Email – RE: CNA Review Table | 12 July 2023 | Refuse Release | Schedule 1.2 Legal | NO |
| 83. | 943 | Email – Declined: Northside/Calvary | 12 July 2023 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 84. | 944 | Email – Declined: Northside/Calvary | 13 July 2023 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 85. | 945 – 955 | Email and attachments – Papers, Agenda and Action Items | 13 July 2023 | Partial Release | Schedule 1.2 Legal, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 86. | 956 – 964 | Email and attachments – RE: Papers, Agenda and Action Items | 15 July 2023 | Refuse Release | Schedule 1.2 Legal and Schedule 2, 2.2 (a)(xiii) Commercial | NO |
| 87. | 965 – 967 | Email – RE: Papers, Agenda and Action Items | 15 July 2023 | Refuse Release | Schedule 1.2 Legal | NO |
| 88. | 968 – 976 | Email and attachments – Formal Checkpoint Documents | 18 July 2023 | Partial Release | Schedule 1.2 Legal, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | NO |
| 89. | 977 – 985 | Email and attachments – Re: Formal Checkpoint Documents | 18 July 2023 | Partial Release | Schedule 1.2 Legal, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | NO |
| 90. | 986 – 995 | Email and attachments – FW: Formal Checkpoint Documents | 18 July 2023 | Partial Release | Schedule 1.2 Legal, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | NO |
| 91. | 996 – 997 | Email – RE: Formal Checkpoint Documents | 18 July 2023 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |

| 92. | 998 – 999 | Email – FW: FOR CLEARANCE - ongoing operations of Calvary/ACTHD Working Group | 21 July 2023 | Full Release | | YES |
|------|-------------|--|----------------|-----------------|---|-----|
| 93. | 1000 – 1008 | Email and attachment – Scenario Options Table | 21 July 2023 | Refuse Release | Schedule 1.2 Legal | NO |
| 94. | 1009 – 1012 | Email – FW: FOR URGENT ACTION Input request: MIN22/1073: Meeting - Minister for Health - Calvary Monthly Catch up - 28 July 2022 at 3.00pm-4.00pm | 26 July 2023 | Partial Release | Schedule 1.6 Cabinet | YES |
| 95. | 1013 – 1017 | Email – RE: FOR URGENT ACTION Input request: MIN22/1073: Meeting - Minister for Health - Calvary Monthly Catch up - 28 July 2022 at 3.00pm-4.00pm | 26 July 2023 | Partial Release | Schedule 1.6 Cabinet | YES |
| 96. | 1018 – 1019 | Email – RE: FOR CLEARANCE - ongoing operations of Calvary/ACTHD Working Group | 28 July 2023 | Full Release | | YES |
| 97. | 1020 – 1045 | Email and attachments – RFA - A/g DG Comments - Critical Date 29/7 - GBC22/232: Cabinet Submission - Minister for Health - CAB22/319 - Northside Hospital Project: Update and next Steps | 29 July 2023 | Partial Release | Schedule 1.6 Cabinet, Schedule 2, 2.2 (a)(ii) Privacy and Schedule 2, 2.2 (a)(xiii) Commercial | YES |
| 98. | 1046 – 1050 | Email and attachment – FW: FOR ACTION DUE: 10:00 AM 03/08 DGC22/491 - Request for Input - DG x Ross Hawkins Meeting Monday, 8 August 2022 | 02 August 2022 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 99. | 1051 – 1058 | Email – FW: CONFIRMED ERC DATE and bypass exposure: Reschedule 22/319 – RESTRICTED - Northside Hospital Project: Update and next steps | 08 August 2022 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 100. | 1059 – 1063 | Email – For review - Caveat Brief - Northside Update August 2022 | 18 August 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |

| | | (Attachment out of scope) | | | Out of scope information | |
|------|-------------|--|-------------------|-----------------|--|-----|
| 101. | 1064 – 1066 | Email and attachment – For urgent GSO review - Letter to Calvary - Northside Hospital project | 19 August 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 102. | 1067 – 1070 | Email and attachment – RE: For urgent GSO review - Letter to Calvary - Northside Hospital project | 19 August 2022 | Refuse Release | Schedule 1.2 Legal and Schedule 1.6 Cabinet | NO |
| 103. | 1071 – 1073 | Email and attachment – Signed letter to Chair LCM | 15 September 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 104. | 1074 | Email – Request for advice - project | 20 September 2022 | Refuse Release | Schedule 1.2 Legal | NO |
| 105. | 1075 – 1081 | Email and attachment – Fwd: FOR DG CLEARANCE (CRITICAL DATE 21/10/22) - Initiated brief - Minister for Health - Northside Hospital Project - commercial pathway for a northside hospital | 13 October 2022 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 106. | 1082 – 1088 | Email and attachments – FW: MIN22/1482: Initiated Brief - Minister for Health - Commercial pathway for Northside Hospital | 15 November 2022 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 107. | 1089 – 1094 | Email and attachment – Min Brief for meeting with Martin Bowles | 17 November 2022 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 108. | 1095 – 1100 | Email and attachment – FW: Correspondence from Martin Bowles, National CEO, Calvary | 28 November 2022 | Partial Release | Schedule 1.6 Cabinet and Schedule 2, 2.2 (a)(ii) Privacy | YES |
| 109. | 1101 | Email – Cabinet Number Request - Northside Hospital Project - commercial negotiation outcomes and next steps - February 2023 | 28 November 2022 | Partial Release | Schedule 2, 2.2 (a)(ii) Privacy | YES |

| 110. | 1102 – 1105 | Email – FW: Correspondence from Martin Bowles, National CEO, Calvary | 05 December 2022 | Partial Release | Schedule 1.2 Legal and Schedule 2, 2.2 (a)(ii) Privacy | YES | | | |
|------|---------------------------|---|------------------|-----------------|--|-----|--|--|--|
| 111. | 1106 – 1107 | Email – RE: Negotiations meeting summary | 12 December 2022 | Full Release | | YES | | | |
| | Total Number of Documents | | | | | | | | |
| | 111 | | | | | | | | |



Agenda

Meeting number: 1 Date: 3 June 2022 Time: 12:00-15:30

Location: 480 Northbourne Avenue, Dickson, ACT 2602

| | | Speaker | Time |
|--------|--|------------|---------|
| | Acknowledgement of Country, welcome, introductions and apologies | ACT Health | 5 mins |
| Item 2 | Record of the previous meeting | ACT Health | 5 mins |
| 2.1 | Actions from previous meeting (for next meeting) | ACT Health | |
| 2.2 | Copies of executed Negotiation Protocol distributed | ACT Health | |
| Item 3 | Items for Discussion and Decision | ALL | 45 mins |
| 3.1 | Government Priority – new Northside Public Hospital | Liz Lopa | |
| 3.2 | Scene setting | | |
| 3.3 | Forward agendas/structure of negotiations | | |
| Item 4 | Other Business | | 5 mins |
| | Next Meeting: Monday 6 June 12:00noon | | |

Northside Meeting

Tuesday, 7 June 2022 2:12 PM

Meeting Date: 03/06/2022 12:30 PM

Location: 480NBA 00.025 (Capacity 16, Seats 11 COVIDsafe, TV, Video Conf)

Link to Outlook Item: click here

Invitation Message

Content



Participants

Lopa, Liz (Health) (Meeting Organizer)

Schedule 2.2(a)(ii)

Bladin, Caitlin (Health) (Accepted in Outlook)

James Kemp (Tentative in Outlook)

Philip Maloney (Accepted in Outlook)

Smith, Lucinda (Accepted in Outlook)

ACT Health, Northside Hospital Project

Clery, Chris (Accepted in Outlook)

Notes



Agenda

Meeting number: 2 Date: 6 June 2022

Time: 10:00 am - 12:00 noon

Location: 480 Northbourne Avenue, Dickson, ACT 2602

| | | Speaker | Time |
|--------|--|------------|---------|
| | Acknowledgement of Country, welcome, introductions and apologies | ACT Health | 5 mins |
| | Record of the previous meeting and forward agendas | ACT Health | 5 mins |
| | Actions from previous meeting | ACT Health | |
| | Agree forward meeting schedule | | |
| | Meeting 3 Agenda | | |
| Item 3 | Items for Discussion and Decision | ALL | 45 mins |
| 3.1 | Land Tenure and Options | | |
| Item 4 | Other Business | | 5 mins |
| | Next Meeting: Wednesday8June9:00am | | |

ACT Health / Calvary - Negotiations Actions Register



| No. | Meeting Date | Title | Agenda Item | Action | Responsible | Date Due | Status |
|-----|---------------------|---------------------|-------------|--|-------------|------------|-------------|
| 1 | 03/06/2022 | Negotiation Protcol | 2.2 | Distribute electronic copy | ACTHD | 03/06/2022 | In Progress |
| 2 | 03/06/2022 | Meeting Structure | 3.3 | Provide draft meeting structure for comment and allocation of personell | ACTHD | 03/06/2022 | In Progress |
| 3 | 03/06/2022 | Agenda meeting 2 | 4 | Provide agenda for Monday's meeting | ACTHD | 03/06/2022 | In Progress |
| 4 | 03/06/2022 | Modelling | 4 | Reissue papers from Calvary Working Group meeting where data was distributed | ACTHD | 06/06/2022 | In Progress |
| | | | | | | | |
| | | | | | | | |
| | | | | | | -1 | |



Agenda

Master Planning with BVN

Date: 7 June 2022

Time: 11:00 am - 12:00 noon

Location: Ainslie Meeting Room and Webex

| | | Speaker | Time |
|--------|--|------------|---------|
| Item 1 | Acknowledgement of Country, welcome, introductions and apologies | ACT Health | 5 mins |
| Item 2 | Items for Discussion and Decision | ALL | 45 mins |
| 2.1 | Master Plan Framework | | |
| 2.2 | Concept development | | |
| 2.3 | Master Plan development Working with Calvary | | |
| Item 3 | Other Business | | 5 mins |
| | Next Meeting: TBC | | |



Agenda

Meeting number: 3
Date: 8 June 2022
Time: 9:00 – 11:00 am
Location: ONLINE

| | | Speaker | Time |
|--------|--|------------|---------|
| ltem 1 | Acknowledgement of Country, welcome, introductions and apologies | ACT Health | 5 mins |
| Item 2 | Record of the previous meeting | ACT Health | 5 mins |
| 2.1 | Actions from previous meeting | ACT Health | |
| 2.2 | Meeting 4 - Agenda | | |
| Item 3 | Items for Discussion and Decision | ALL | 45 mins |
| 3.1 | Follow up from master plan session | | |
| 3.2 | Land Tenure and Options | | |
| | Calvary Processes for land ownership and transfer | | |
| | Territory processes for land ownership and transfer | | |
| 3.3 | Review of forward schedule of meetings | | |
| Item 4 | Other Business | | 5 mins |
| | Next Meeting: Wednesday 15 June 2022, 11:00 – 1:00 pm | | |

SENSITIVE

ACT Health / Calvary - Negotiations Actions Register



| No. | Meeting Date | Title | Agenda Item | Action | Responsible | Date Due | Status |
|-----|--------------|------------------------------|-------------|--|-------------|------------|-----------------------|
| 1 | 03/06/2022 | Negotiation Protcol | 2.2 | Distribute electronic copy | ACTHD | 03/06/2022 | Closed - Completed |
| 2 | 03/06/2022 | Meeting Structure | 3.3 | Provide draft meeting structure for comment and allocation of personell | ACTHD | 03/06/2022 | Closed - Completed |
| 3 | 03/06/2022 | Agenda meeting 2 | 4 | Provide agenda for Monday's meeting | ACTHD | 03/06/2022 | Closed - Completed |
| 4 | 03/06/2022 | Modelling | 4 | Reissue papers from Calvary Working Group meeting where data was distributed | ACTHD | 06/06/2022 | In Progress |
| 5 | 06/06/2022 | Land Ownership and Tenure | 3.1 | Calvary to prepare presentation on governance structure | Calvary | 08-Jun-22 | |
| 6 | 06/06/2022 | Land Ownership and Tenure | 3.1 | ACTHD to present on possible land transfer options | ACTHD | 08-Jun-22 | |
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| Meeting | Daner |
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| Meeting | rapei |

| Agenda Item: | 3.2 |
|-----------------|--|
| Topic: | ACT Government land tenure and transfer arrangements summary |
| Meeting Date: | 8 June 2022 |
| Action Required | For discussion |
| Cleared by: | Liz Lopa, Executive Group Manager, Strategic Infrastructure Division |
| Presenter: | Liz Lopa Executive Group Manager, Strategic Infrastructure Division |
| | |

Purpose

To outline the land tenure and transfer options associated with a new northside hospital.

Background

The Territory and Calvary have undertaken to develop a negotiated position for a new northside hospital at Calvary's current site in Bruce. These negotiations are guided by the Negotiation Protocol executed between Calvary and the ACT Government.

Issues

Calvary and the ACT Government currently have divergent preferred positions in relation to land tenure.

The ACT Government's preferred position is to hold the title for the land on which the new hospital will be built. This is the 'Territory owned' option below.

Calvary's preferred position is to sublease a site to the Territory for the new hospital. This is the 'Territory leased' option below.

A third option is contemplated in the table – which is the 'Greenfield option'. This would see the Territory deliver a new Northside Hospital on a Territory owned greenfield site.

This paper will outline the mechanisms and transfer options open to the parties to effect either option for land title.

| Name | Mechanisms |
|-------------------------------|--|
| Sublease of new hospital land | Calvary would grant a sublease to the Territory over the New Hospital Land |
| | The term of the sublease would be the term of the crown lease (less one day) |

| Name | Mechanisms |
|--|--|
| Subdivision of the current site and partial crown lease surrender: | Surrender crown lease Subdivide the precinct into 2 parcels – new hospital and ancillary land ("New Hospital Land") and land for Private hospital [and ancillary buildings] ("Residual Land"). A new crown lease would issue to Calvary for the Residual Land |
| Acquisition of the Crown lease/New Hospital Land under Land Acquisition Act ("LAA") by agreement: | The Territory would acquire the Crown lease/New Hospital Land under the LAA with the agreement of Calvary |
| Compulsory acquisition of the New Hospital Land under LAA | The Territory would acquire the Crown lease/New Hospital Land on just terms in accordance with the LAA without the agreement of Calvary. |
| Acquisition of the Crown Lease/New Hospital Land under special purpose legislation by agreement | The Territory would pass special legislation to deal with the acquisition of the Crown lease/New Hospital Land and existing services agreement ("New Law"), including the payment of compensation. The Territory would acquire the New Hospital Land under the New Law with the agreement of Calvary, with a grant of a new Crown lease for the Residual Land |
| Acquisition of the Crown lease/New Hospital Land under New Law without agreement: | The Territory would acquire the New Hospital Land on just terms under the New Law without the agreement of Calvary |
| Greenfield Option | |
| Name | Mechanism |
| The Territory would establish the new hospital on a green field site with Calvary as the operator | The Territory would establish the new hospital on a site elsewhere that it owned Calvary would be appointed as the operator of the new hospital |
| The Territory would establish the new hospital on a green field site with Calvary not as the operator. | The Territory would establish the new hospital on a site elsewhere that it owned Calvary would not be appointed as the operator of the new hospital |

Recommendation

- Discuss the options outlined above; and
- Outline any other options on the table for consideration.



CAVEAT BRIFF

UNCLASSIFIED

To: Rachel Stephen-Smith MLA, Minister for Health

Cc: Rebecca Cross, Director-General

Subject: Northside Hospital update June 2022

- You have a Quarterly Minister for Health and Calvary catch up on Thursday,
 23 June 2022, 3pm 4pm (MIN22/350) with Calvary Regional CEO, Ross Hawkins where you may be asked about the northside hospital project.
- ACT Health is progressing the Calvary Option for a northside hospital to replace the Calvary Public Hospital Bruce in line with ERC and Cabinet's decisions this year (CAB21/804). This option will be explored exclusively until 31 July 2022.
- Following your meeting with Martin Bowles AO and Ross Hawkins on 16 May 2022 the negotiation protocol (<u>Attachment A</u>) was executed and negotiations commenced on Friday 3 June.
- The negotiation protocol outlines agreed approaches to government, confidentiality and resolution process in which you, as the Minister for Health, are the escalation point for ACT Health. Outside of escalations, all matters related to the negotiations should be raised in the negotiation forum.
- The negotiations have been progressing well and Calvary and ACT Health have a very productive working relationship on these matters, there has been no need for escalation to date.
- Since commencement, negotiations have focussed on land tenure over the block on which the new hospital will sit and the services agreement.
- Calvary have provided clarity on their governance relating to any land transaction and have reiterated their strong support of the option for the Territory to sublease a portion of Calvary's site.
- All options relating to the Government acquiring a portion of the site are not preferred by Calvary but they have stated they have an 'open mind' and are willing to continue negotiating on all areas for agreement and to present options to their Board.
- Government acquisition of the site by any other means (other than by agreement) is not supported by Calvary (including the drafting of enabling legislation).
- There is a complex interrelationship between the Crown Lease and the Calvary Network Agreement (CNA) with both expiring together in 2098. If a negotiated outcome cannot be agreed either during negotiations or by Calvary's broader

canonical approvals (including the Vatican), we are still progressing the drafting of special legislation. This will provide the Territory with a single step process to manage the land ownership and services agreement to enable the northside hospital. A brief is being prepared for your agreement to add the proposed enabling legislation (GBC22/256) to the Spring 2022 Legislation Program.

- ACTHD are preparing a raft of options for consideration by Cabinet in August.
- In addition to negotiations, ACTHD are working with Calvary on master planning the Bruce site in the context of a new northside hospital and as a requirement under the Calvary Network Agreement.
- We ask that, as there is no current need to escalate these items, should Mr Hawkins raise any issues you refer him back to the negotiation protocol at this time; should any matters arise, we will brief you.

Contact Officer: Liz Lopa, Executive Group Manager

Strategic Infrastructure, ACT Health

Contact Number: Schedule 2.2(a)(ii)

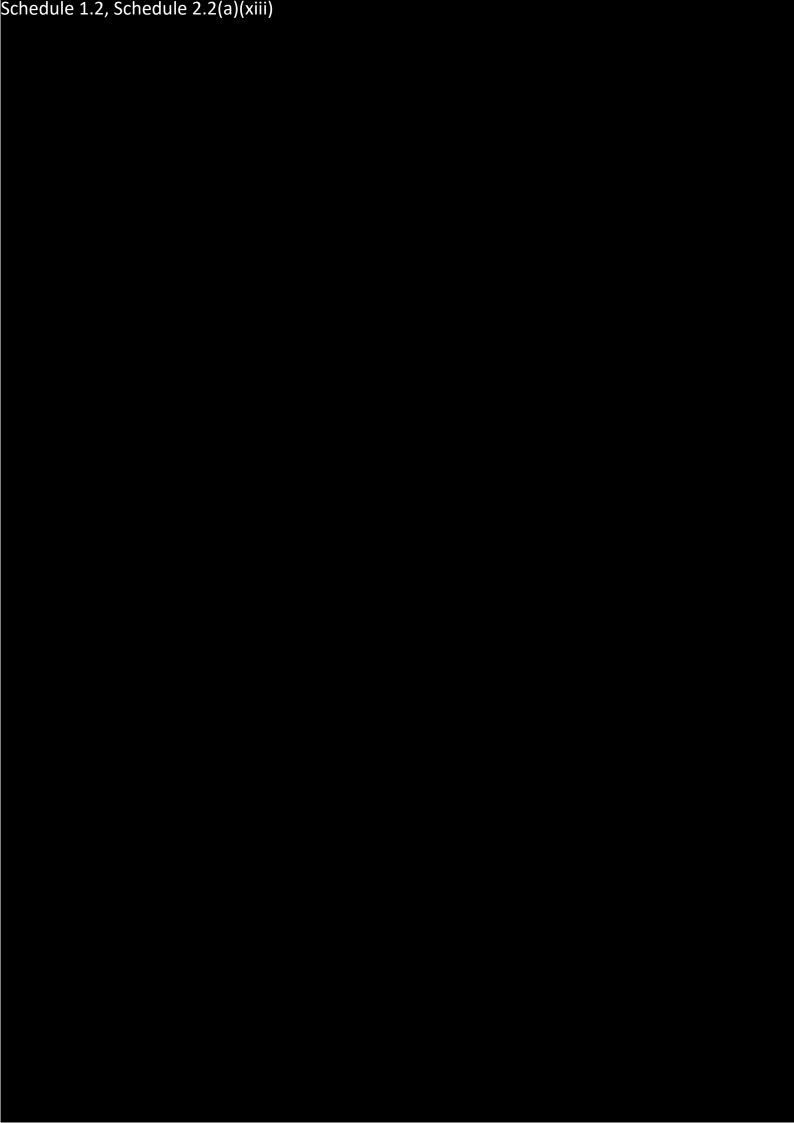
Date: 17 June 2022

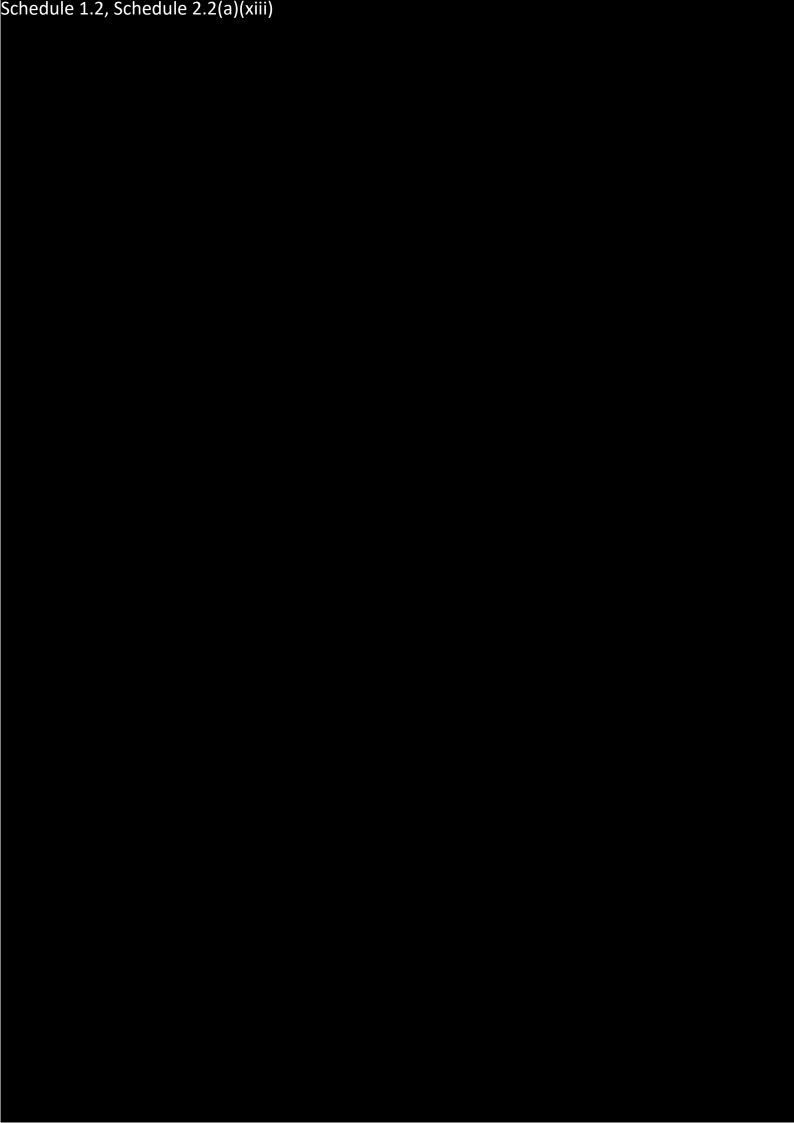
Apologies for delayed formal sign-off but thank you for advice

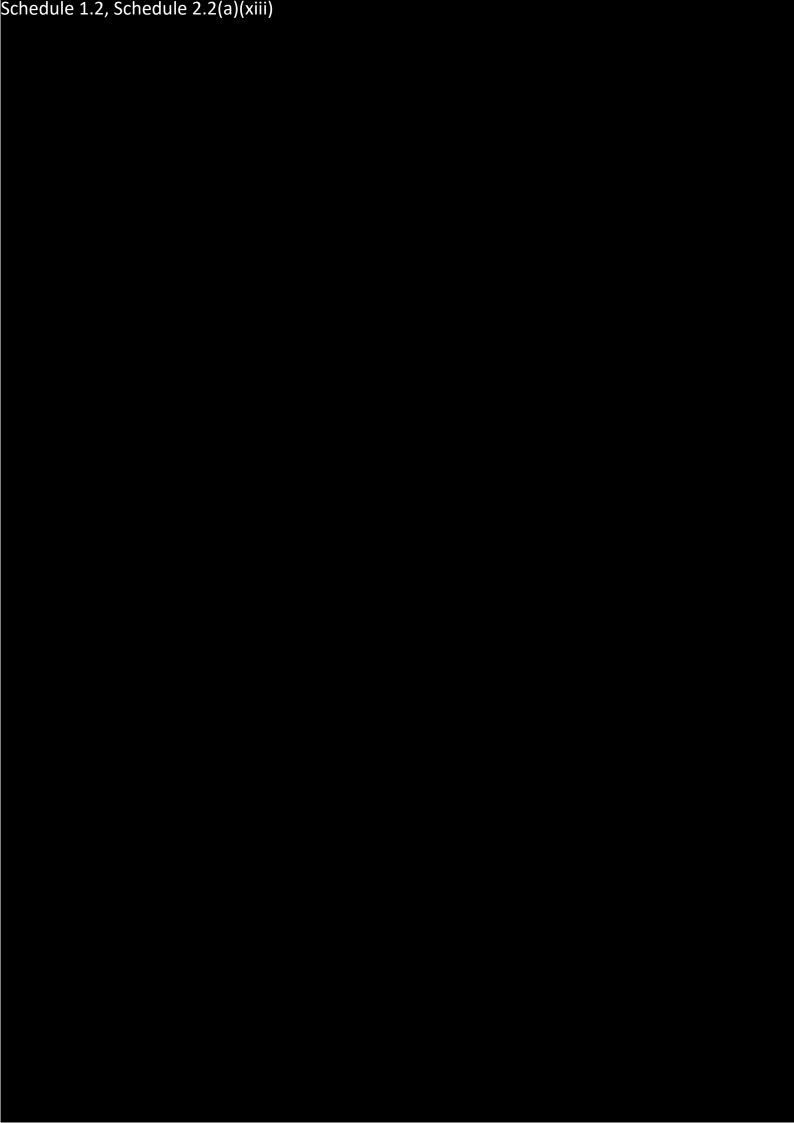
Noted/Please Discuss

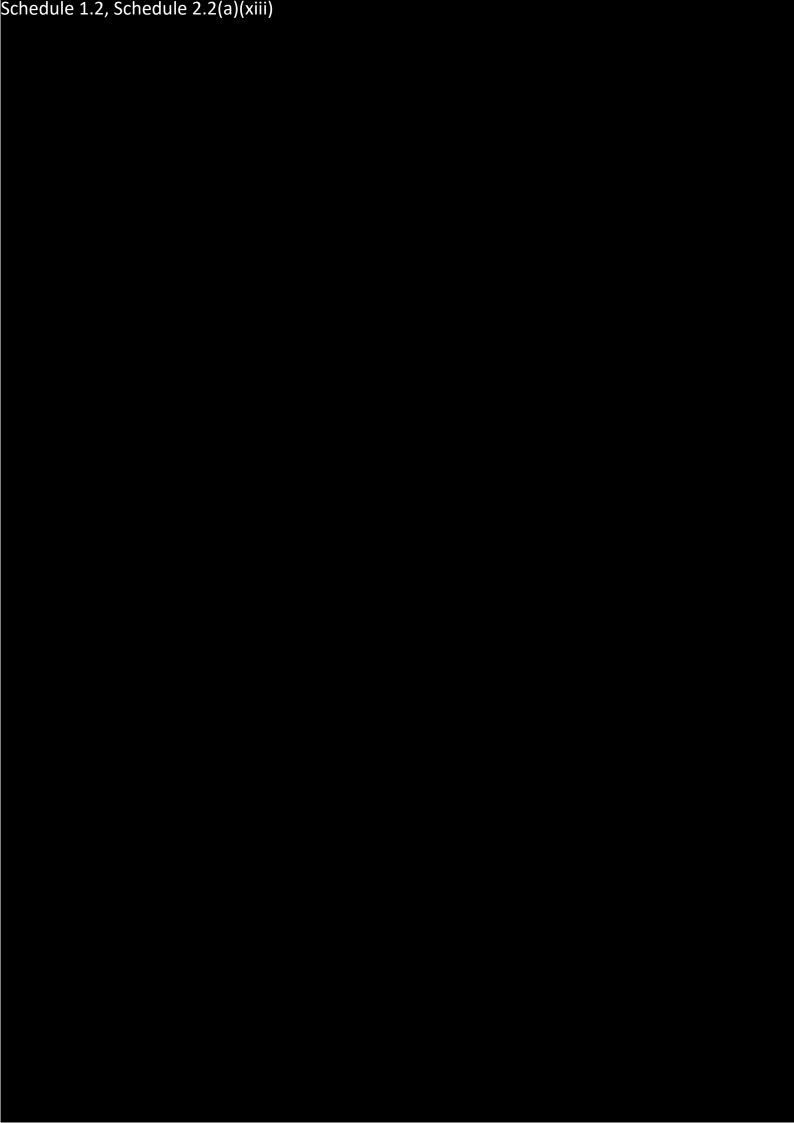
Rachel Stephen-Smith MLA Minister for Health

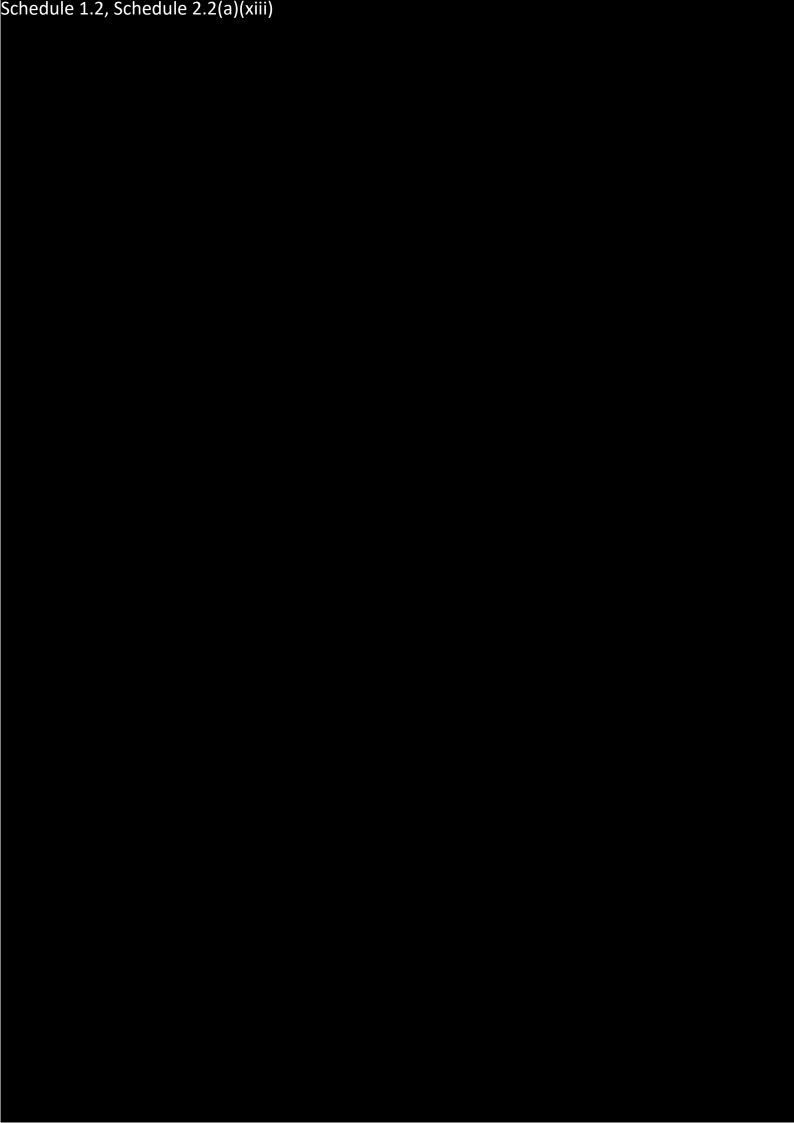
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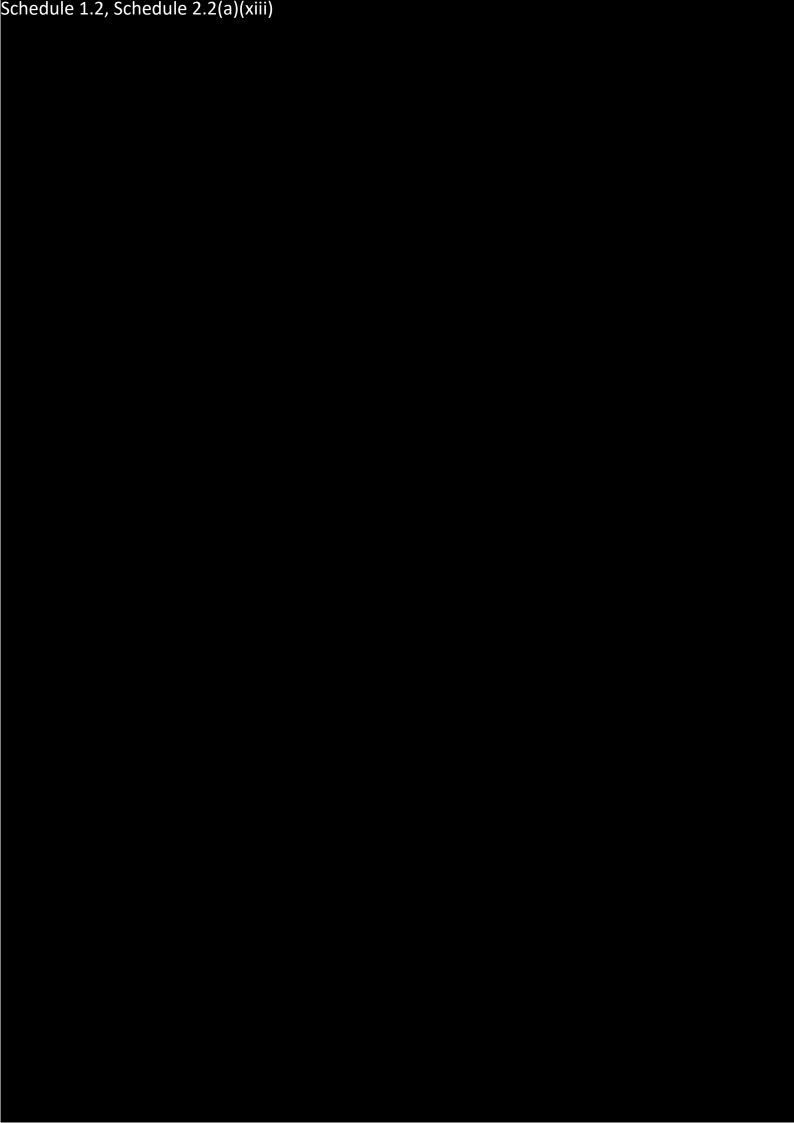
















CAVEAT BRIEF

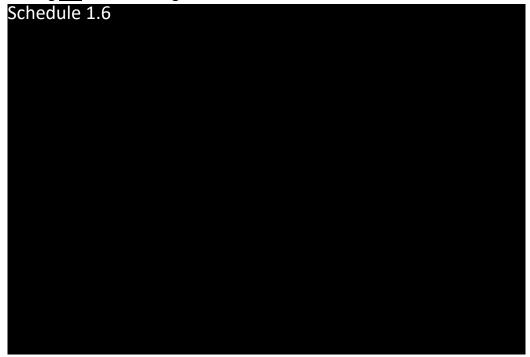
SENSITIVE: CABINET

To: Minister for Health

CC: A/g Director-General

Subject: Northside Hospital update July 2022

- You have a Quarterly Minister for Health and Calvary catch up on Thursday,
 28 July 2022, 3pm 4pm with Calvary Regional CEO, Ross Hawkins where you may be asked about the northside hospital project.
- The below update follows the previously provided Caveat Brief on Northside updates to the Minister's Office in June 2022.
- The Negotiations with Calvary were held in accordance with the agreed Negotiation Protocol.
- 14 Negotiation sessions were held between ACT Government and Calvary, with the following key themes emerged:



- The ACT Health Directorate (ACTHD) are finalising a brief with options, including noting the above, for Expenditure Review Committee consideration on 18 August 2022.
- ACTHD have involved Calvary in Masterplanning and Concept Design sessions for the preferred site, Calvary Public Hospital Bruce.

- ACTHD is appreciative of the input from Calvary in relation to site access and the provision of structural drawings that are informing the hospital design.
- ACTHD will continue to include Calvary in the next Concept Design workshops scheduled in August 2022 and September 2022.
- We ask that you note concerns raised by Calvary and that it will be a decision for Government to consider the next steps.

Contact Officer: Liz Lopa, Executive Group Manager

Infrastructure, Communications and Engagement Division,

ACT Health Directorate

Contact Number: Schedule 2.2(a)(ii)

Thank you for notes and prior discussion. Issue not discussed with Mr Hawkins at our meeting. Noted/Please Discuss

Rachel Stephen-Smith MLA Minister for Health

29/7/22



ACT Health Directorate

| То: | Minister for Health | Tracking No.: GBC22/232 |
|------------------|--|-------------------------|
| Date: | 28/07/2022 | |
| CC: | Deborah Anton, A/g Director-General | |
| From: | Liz Lopa, Executive Group Manager, Infrastructure, Communication and Engagement Division | |
| Subject: | Final lodgement of Submission for Expenditure Review Committee of Cabinet (ERC) - CAB22/319 – Northside Hospital project update and next steps | |
| Critical Date: | 10/08/2022 | |
| Critical Reason: | The Cabinet submission is due for final lodgement by this date to enable Expenditure Review Committee consideration on 18 August 2022 and Cabinet consideration on 31 August 2022. | |

Recommendations

That you:

1. Agree to lodge the final Cabinet submission at Attachment 1; and

Agreed / Not Agreed / Please Discuss

2. Sign the submission at Attachment 1.

Signed / Not Signed / Please Discuss

Rachel Stephen-Smith MLA

Minister's Office Feedback

Background

- 1. Canberra's population is growing and ageing and, in order to meet demand and combat ageing infrastructure, the Government has committed to start construction of a new Northside Hospital (NH) by mid-decade.
- In March 2022 the Expenditure Review Committee (ERC) of Cabinet agreed for the ACT Health Directorate (ACTHD) to explore the current location of Calvary Public Hospital Bruce (CPHB) as the preferred location for NH, with exclusive negotiations to be held with Calvary until 31 July 2022. This decision was agreed by Cabinet in May 2022.
- 3. This submission (CAB22/319) provides an update on the NH project including the outcomes of negotiations to be presented for consideration by the ERC on 18 August 2022 and Cabinet on 31 August 2022.

Issues

- 4. The submission at <u>Attachment 1</u> seeks Government agreement to the next steps for the Northside Hospital project, including the recommendation to:
 - a. further develop the Bruce option for the NH and final negotiations with Calvary; and
 - b. commencing due diligence on a greenfield site to identify a final preferred site that will act as a risk mitigant and a comparator as part of the business case.
- 5. The submission summarises the negotiations undertaken to date, including a discussion of the Government's and Calvary's preferred options in regards to land ownership and length of the Calvary Network Agreement (CNA).
- 6. An outcomes matrix was prepared at the conclusion of negotiations and outlines progress made on the matters raised in your letter to Martin Bowles (<u>Attachment A</u> to the submission).



Tracking No.: GBC22/232

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| Schedule 1.6, Schedule 2.2(a)(xiii) | | | |
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Financial Implications

- 17. This submission has no financial impact. However, the NH will be a significant investment from the Territory and its health system in the ACT to provide a modern facility.
- 18. A Business Case will be developed based on the suitable site options and presented to Cabinet for consideration as part of the 2023-24 Budget Process.
- 19. The funding provided in 2021-22 Budget is funding the current work.

Consultation

Internal

20. Health Service Planning and Evaluation is working with the project team on the health services planning, however, was not consulted for the development of this submission in keeping with a restricted circulation approach.

Cross Directorate

- 21. ACT Government Solicitors Office and Major Projects Canberra (MPC) are involved in the project and the development of the negotiation parameters.
- 22. Other Directorates have been involved in developing the master planning strategies including, MPC, Environment, Planning and Sustainable Development Directorate, Transport Canberra and City Services, Chief Minister, Treasury and Economic Development Directorate and Justice and Community Safety (including Emergency Services Agency).
- 23. ACT Treasury are assisting ACTHD with the development of valuation methodology to inform any compensation package.

<u>External</u>

24. This submission contains commercially sensitive information and has not been circulated externally. The submission will be on restricted circulation ahead of the 18 August meeting.

Work Health and Safety

25. Nil.

Benefits/Sensitivities

- The development of a new NH will be of significant interest to the community, stakeholders and Calvary.
- 27. There will be sensitivities associated with the outcome negotiations and next steps, these have all been outlined in the submission for Government consideration.

CABINET

Communications, media and engagement implications

28. A communications and engagement plan for the broader project has been developed and provided to your office.

29. Community engagement on a range of health planning and infrastructure projects, including the northside hospital will commence in August 2022.

Signatory Name: Liz Lopa, Executive Group Manager Phone: Schedule 2.2(a)(ii)

Action Officer: Caitlin Bladin, Senior Director, Phone: Schedule 2.2(a)(ii)

Northside Hospital Project

Attachments



Tracking No.: GBC22/232 5

















ACT Health Directorate

CABINET-IN-CONFIDENCE

| То: | Minister for Health | Tracking No.: GBC22/541 |
|------------------|--|-------------------------|
| Date: | 31/08/2022 | |
| CC: | Rebecca Cross, Director-General, ACT Health | |
| From: | Liz Lopa, Executive Group Manager, Infrastructure, Communication and Engagement Division, ACT Health | |
| Subject: | Final lodgement of Submission for Cabinet - CAB22/319 – Northside Hospital project update and next steps | |
| Critical Date: | 31/08/2022 | |
| Critical Reason: | The Cabinet submission is due for final lodgement to enable consideration at Cabinet on Tuesday, 6 September 2022. | |
| • DG/ | | |

Recommendations

That you:

1. Agree to lodge the final Cabinet submission at <u>Attachment 1</u> submission for consideration at Cabinet on 6 September 2022; and

Agreed / Not Agreed / Please Discuss

2. Sign the submission at Attachment 1.

Signed / Not Signed / Please Discuss

Rachel Stephen-Smith MLA

Minister's Office Feedback

2

Background

- This submission (CAB22/319) provides an update on the Northside Hospital (NH) project, including the outcomes of negotiations. This was discussed at ERC on 18
 August 2022 and is now due for consideration at Cabinet on 6 September 2022.
- 2. You approved the submission for lodgement and consideration at ERC under GBC22/232.

Issues

3. The submission at <u>Attachment 1</u> seeks Government agreement to the next steps for the NH project,



- 4. Following ERC consideration on 18 August, a letter to Mr Bowles (<u>Attachment G</u>) has been prepared to communicate the Government's position and next steps regarding Calvary's role in the Northside project. The submission recommendations highlight that the letter may be changed following Cabinet by negotiation between you and the Chief Minister.
- 5. Changes have been made to the submission and recommendations following ERC, in consultation with the Chief Minister's Office.
- 6. The Business Case for the continued planning, design and construction of a new hospital for the northside of Canberra will be prepared for consideration in the 2023-24 Budget.

Financial Implications

- 7. This submission has no financial impact. However, the northside hospital will be a significant investment from the Territory and its health system in the ACT to provide a modern facility.
- 8. A Business Case will be developed based on the suitable site options and presented to Cabinet for consideration as part of the 2023-24 Budget Process.
- 9. The funding provided in 2021-22 Budget is funding the current work.

Consultation

Internal

10. Health Service Planning and Evaluation is working with the project team on the health services planning, and have been briefed on this Submission.

Cross Directorate

- 11. ACTGSO and MPC are involved in the project and the development of the negotiation parameters.
- 12. Other Directorates have been involved in developing the master planning strategies including, MPC, EPSDD, TCCS, CMTEDD and JACS (including ESA).
- 13. ACT Treasury are assisting ACTHD with the development of valuation methodology to inform any compensation package.

External

14. This submission contains commercially sensitive information and has not been circulated externally. The submission will remain on restricted circulation ahead of the 6 September Cabinet meeting.

Work Health and Safety

15. Nil.

Benefits/Sensitivities

- The development of a new NH will be of significant interest to the community, stakeholders and Calvary.
- 17. There will be sensitivities associated with the outcome negotiations and next steps, these have all been outlined in the submission for Government consideration.

Communications, media and engagement implications

- 18. A communications and engagement plan for the broader project has been developed and provided to your office.
- 19. Community engagement on a range of health planning and infrastructure projects, including the northside hospital commenced in August 2022.

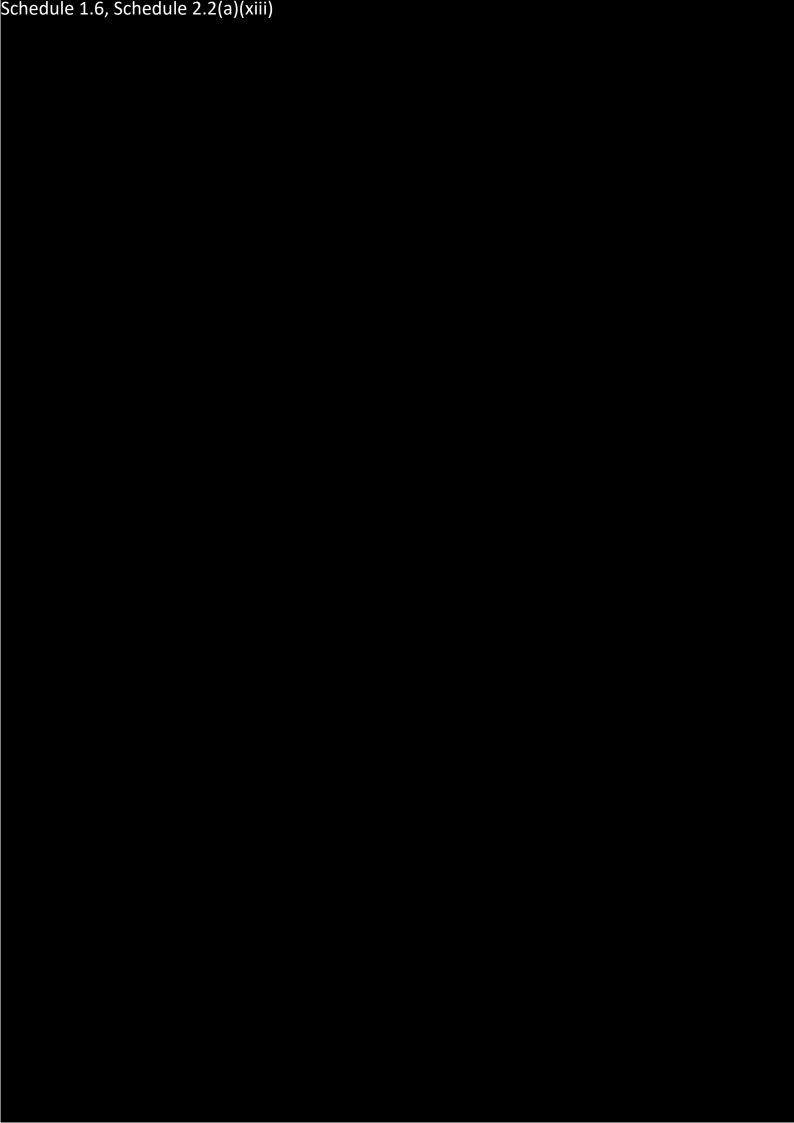
Signatory Name: Liz Lopa Phone: Schedule 2.2(a)(ii)

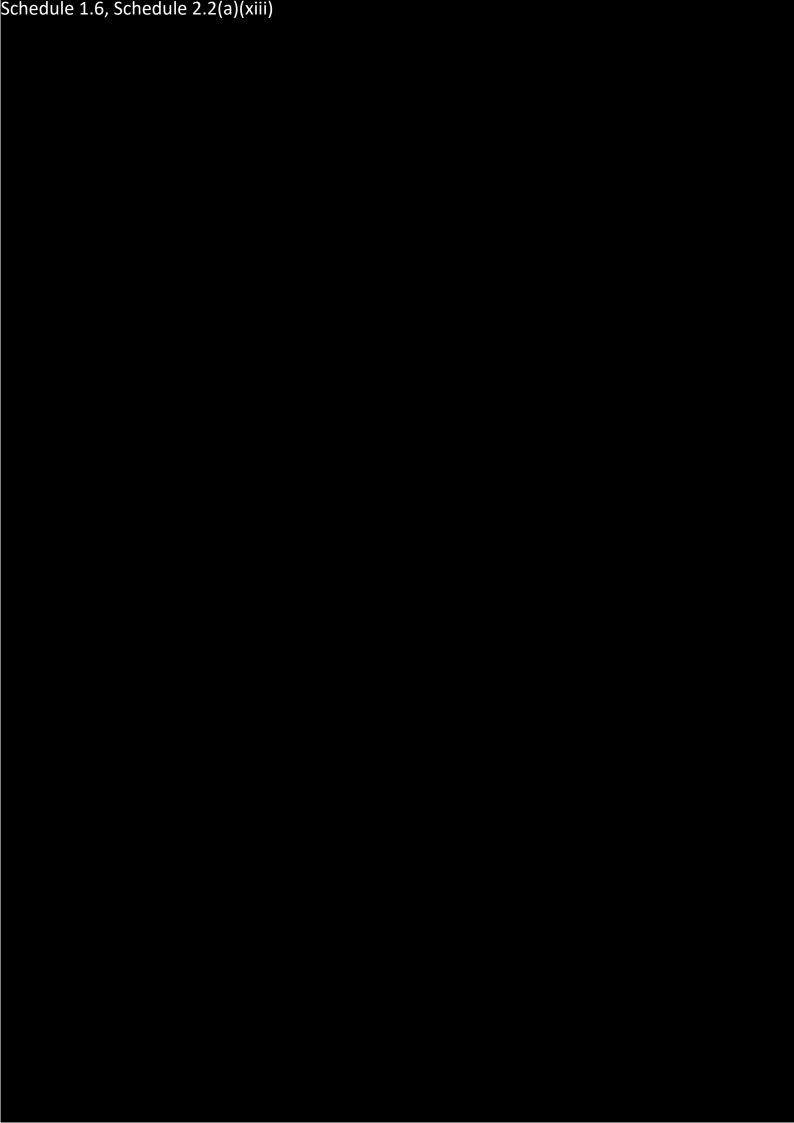
Action Officer: Caitlin Bladin Phone: Schedule 2.2(a)(ii)

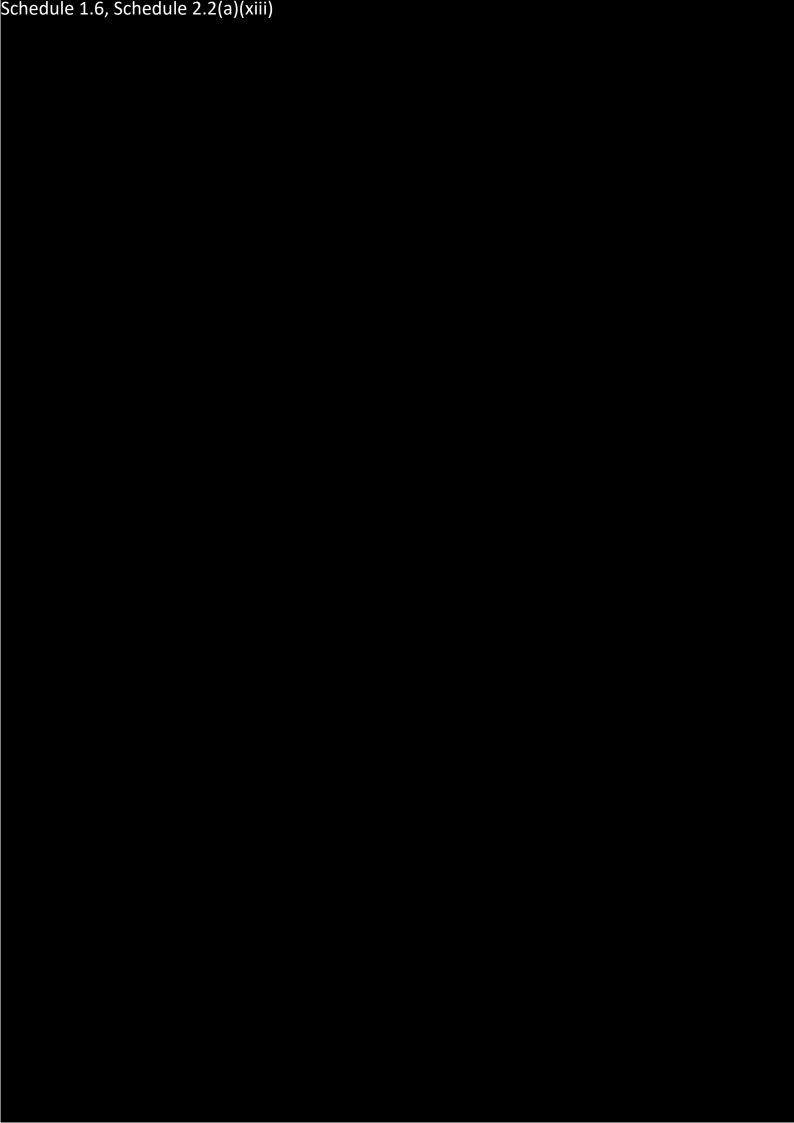
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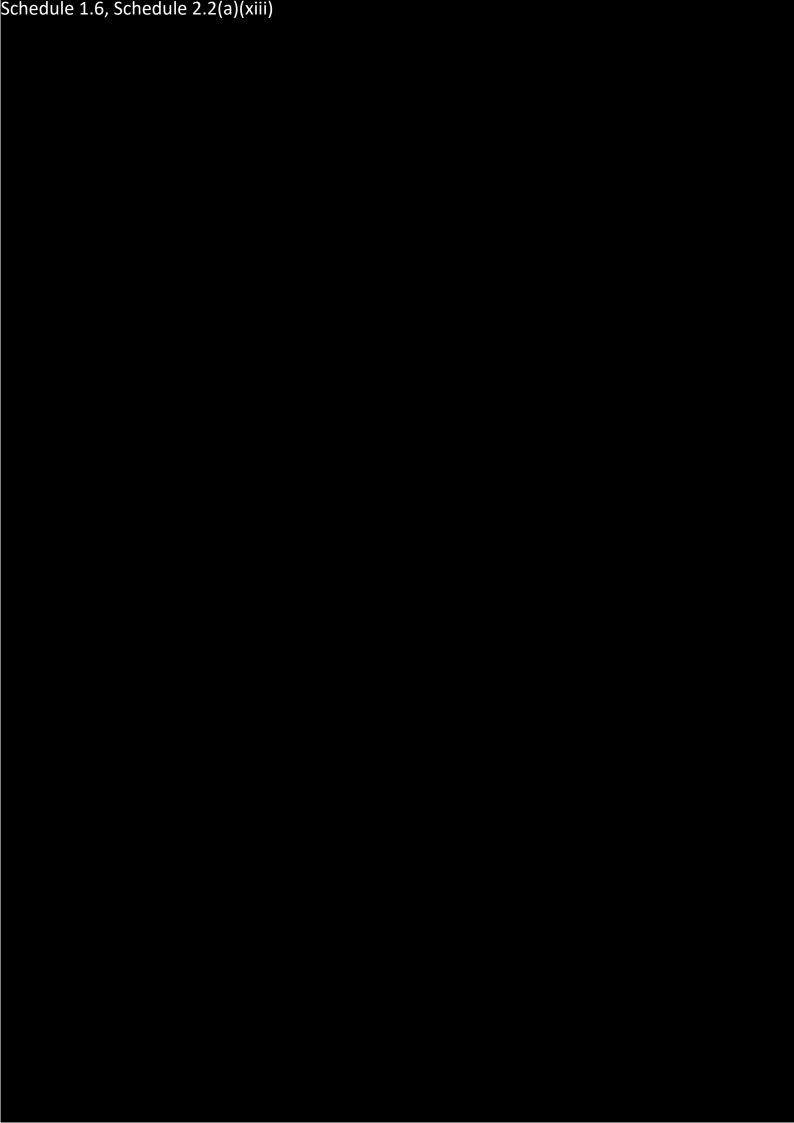


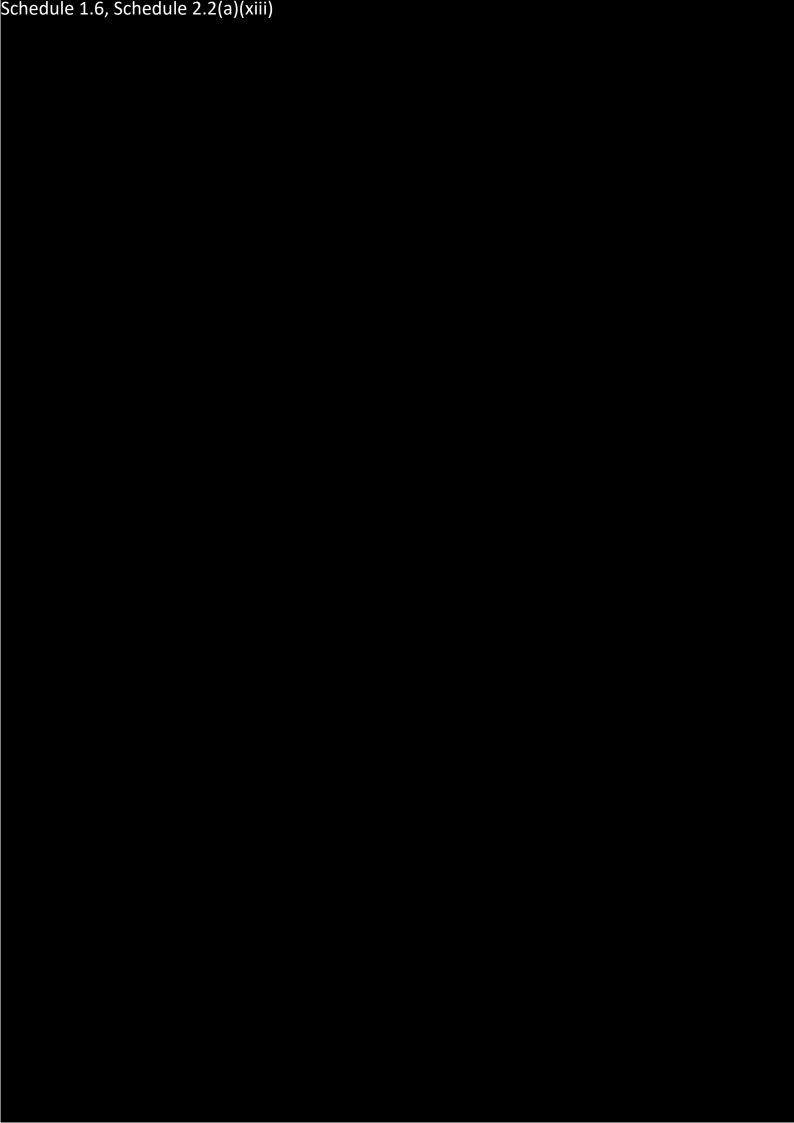


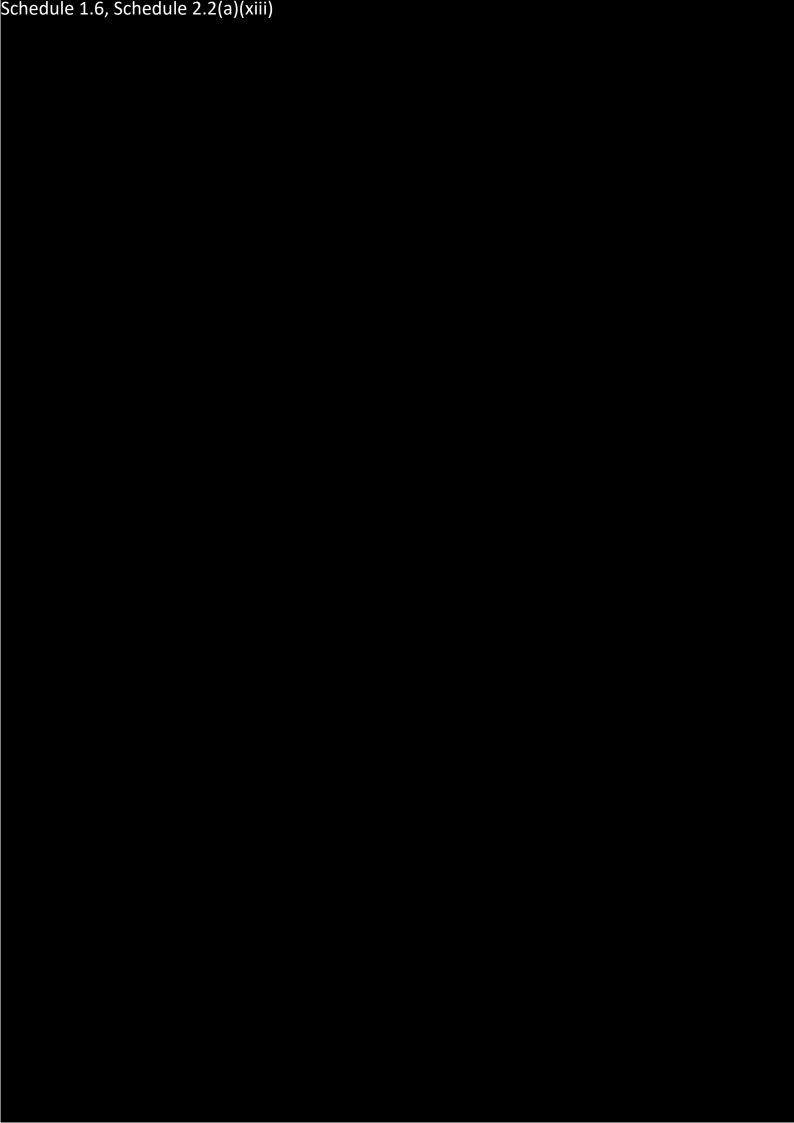


































































CAVEAT BRIEF

SENSITIVE: CABINET

To: Rachel Stephen-Smith MLA, Minister for Health

Through: Rebecca Cross, Director-General

Subject: Northside Hospital update August 2022

- You have a Quarterly Minister for Health and Calvary catch up on Tuesday,
 30 August 2022, 3pm 4pm with Calvary ACT Regional CEO, Ross Hawkins where you may be asked about the northside hospital project.
- The below update follows the previously provided Caveat Briefs on Northside updates which were forwarded to your Office in June and July 2022.
- The Negotiations with Calvary commenced on 3 June 2022 and ceased on 31 July 2022 and were held in accordance with the agreed Negotiation Protocol.
- 14 Negotiation sessions were held between ACT Government and Calvary, with the following key themes emerged:



- The ACT Health Directorate (ACTHD) prepared a brief with options, including noting the above, for ERC consideration on 18 August 2022. Decisions from Cabinet are expected in early September 2022 which will guide the next steps for ACTHD's discussions with Calvary.
- ACTHD have involved Calvary in master planning and concept design sessions for the preferred site, Calvary Public Hospital Bruce.

- The masterplan continues to be revised as required as site investigations and clinical planning work advances.
- ACTHD is appreciative of the input from Calvary in relation to site access and the provision of structural drawings that are informing the hospital design.
- ACTHD will continue to include Calvary in the next Concept Design workshops to be scheduled for September/October 2022.
- Discussions are occurring about the commencement of clinical consultation to inform the concept design, by way of an Executive User Group (EUG). It is expected the EUG will meet in September/October 2022.
- We ask that you note concerns raised by Calvary and that it will be a decision for Government to consider the next steps.

Contact Officer: Liz Lopa, Executive Group Manager

Infrastructure, Communications and Engagement Division,

ACT Health Directorate

Contact Number: Schedule 2.2(a)(ii)

Noted/Please Discuss
......
Rachel Stephen-Smith MLA
Minister for Health







Tracking No.: MIN22/1461



ACT Health Directorate

To: Minister for Health CC: Rebecca Cross, Director-General Liz Lopa, Executive Group Manager, Infrastructure, Communication and From: Engagement Subject: Northside Hospital project update – October 2022

Critical Date: 20/10/2022

Critical Reason: To provide you a progress update on the Northside Hospital project, ahead of

the first monthly meeting on 24 October 2022.

Recommendations

That you:

1. Note the information contained in this brief and attachments;

Noted / Please Discuss

2. Note the Bruce campus master plan concept at Attachment A; and

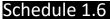
Noted / Please Discuss

3. Note the Northside Hospital concept design images at Attachment B.

Noted / Please Discuss

Rachel Stephen-Smith MLA

6/11/22



Background

- 1. The ACT Government has committed to the delivery of a new public hospital on Canberra's northside, with \$13.491 million in funding provided in the 2021-22 Budget towards planning and early concept design for the new hospital.
- 2. The Government has committed to commencing construction by mid-decade.
- 3. In early 2022, a Northside Hospital Project Team (NHPT) was established, and key procurement activities completed to engage a Commercial Advisor, Legal Advisor and Technical Advisor.
- 4. Project governance was also established in line with the current Capital Framework.

Issues

- 5. The Northside Hospital project has been progressing well throughout 2022, with the key work streams underway to inform the development of the tier 1 infrastructure business case for consideration in the 2023-24 Budget Process.
- 6. Workstreams include:
 - a. Commercial and legal;
 - b. Bruce campus master plan;
 - c. Clinical service planning;
 - d. Early concept design; and
 - e. Communication and engagement.
- 7. The current program has the first draft of the Business Case ready for your review in early March 2023.
- 8. The business case will outline options for Governments consideration, including a base case, a costed Bruce option and a costed greenfield option.



Tracking No.: MIN22/1461

| Schedule 1.6 | | | |
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Commercial and legal work stream

- 13. This work stream is comprised of the:
 - a. negotiations with Calvary about land ownership and operation of the new northside hospital; and
 - b. development of the tier one business case.

| Schedule 1.6 | |
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Tracking No.: MIN22/1461 3



A Bruce Campus Master Plan

- 27. The NHPT has worked with Calvary and the TA on developing a master plan for the Bruce site.
- 28. The Master Plan is not yet endorsed by the northside hospital project governance, but is provided at <u>Attachment A</u> for your information. The development of an agreed master plan for the Bruce campus is a requirement of the Bruce Precinct Deed (under the CNA).
- 29. Currently there is no agreed master plan with Calvary.

Early Concept Design

- 30. The early concept design has been developed with the intent to be agnostic of the site on which the Northside hospital is to be built, however the preferred site at Bruce has unique site constraints, including elevation and the aim to minimise disruption to the clinical operation of the existing hospital. This has meant that the design for the northside hospital on the Bruce site is relatively site specific, and a Greenfield site will likely see a different design would be more appropriate.
- 31. In addition, the clinical scope of the hospital has raised some design challenges, and opportunities. Specifically, a significant mental health inpatient unit (currently 83

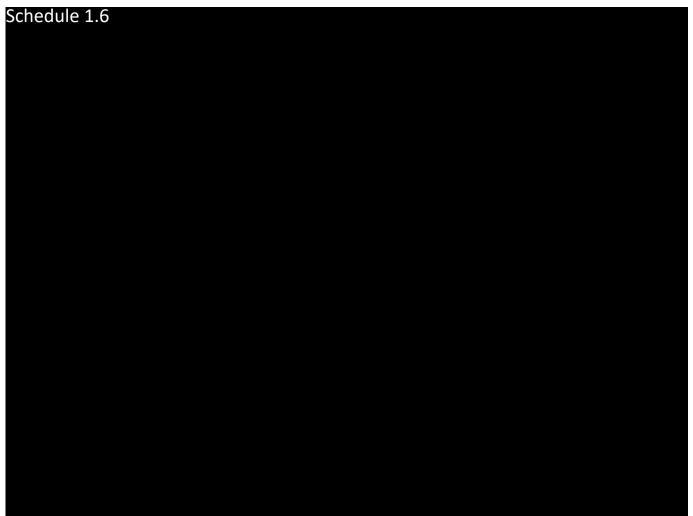
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- beds) has raised questions about the suitability of delivering this in a high-density setting (i.e. starting on level five as part of an inpatient unit).
- 32. Liz Lopa, Executive Group Manager, Infrastructure, Communication and Engagement will discuss the options for consideration in the business case with you and your office at the briefing on 24 October 2022.
- 33. Clinical and consumer consultation is occurring on the issue of whether to build a separate mental health unit, possibly on the Canberra health Services sites across Mary Potter Circuit.
- 34. Early concept images are provided at Attachment B for your information.

Clinical service and facility planning

Northside Clinical Services Plan

- 35. The NHPT has used the draft NCSP received from Health System Planning and Evaluation (HSPE) to inform the bed profile and scope of services.
- 36. On 18 October 2022, the NHPT received the opening day bed profile and a revised NCSP draft. This information is being considered at the NCSP Steering Committee on 20 October 2022.



Tracking No.: MIN22/1461



Communications and Engagement

Clinical Engagement

- 41. Clinical engagement formally commenced on 29 September with the first Executive User Group meeting held with executives and clinical leads from Calvary and Canberra Health Services.
- 42. The EUG will meet two more times in coming months. It was originally planned that they would meet on 18 October 2022 and 8 November 2022, but these will be rescheduled until after the Digital Health Record launch, at the request of CEO, CHS.
- 43. In the interim, the NHPT will leverage existing forums (division meetings etc) to engage with clinicians about the project.
- 44. The first such meeting was the Calvary Medical Advisory Committee on 11 October 2022. An agreed outcome from this meeting is that a full workshop with Calvary clinicians will be held on 1 December 2022.

Community and stakeholder engagement

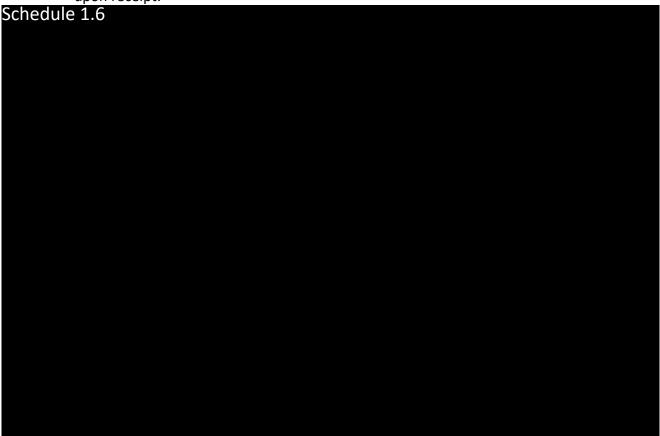
- 45. You were most recently briefed on the approach for consultation and engagement with the community and stakeholders for this project in early October 2022 (MIN22/1422 refers).
- 46. Phase 2 engagement on the northside hospital project commenced on 12 October 2022 with a presentation to the Gungahlin Community Council. The go live date for the YourSay campaign has been deferred to the week of 17 October 2022 to allow for discussions with Calvary around the language and images used for the public facing materials.
- 47. The Phase 2 engagement process will run to late November 2022 and:
 - a. aims to collect feedback to inform development of new hospital
 - b. will be centred on the "Your Say" platform with presentations to community councils; pop-up sessions at local shopping centres and drop-ins at public health centres.
 - will comprise stakeholder workshops and one-on-one briefings, which will be held by invitation and include peak bodies and key stakeholder groups.
 Unions will be provided information about the project and offered an opportunity to discuss via a direct briefing either through a set meeting or

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CABINET

utilising existing mechanisms such at the ACT Health Directorate Consultative Committee and similar forums in CHS and Calvary.

- 48. Engagement activities will not seek feedback on potential sites or commercial issues relating to the new Northside Hospital.
- 49. Feedback will be used to inform the early concept design, with a final report due to be delivered in December 2022. A copy of the final report will be shared with you upon receipt.



Financial Implications

53. Nil.

Consultation

Internal

54. Input regarding the Northside Clinical Services Plan was provided by Health System Planning and Evaluation Division.

Cross Directorate

55. Input regarding the special legislation was provided by ACT Government Solicitor's Office.

<u>External</u>

56. Not applicable.

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Work Health and Safety

57. Not applicable.

Benefits/Sensitivities

- 58. The development of a new northside hospital will be of significant interest to the community, stakeholders and Calvary.
- 59. There will be sensitivities associated with the outcome of Calvary negotiations and next steps, these have all been outlined in the submission for Government consideration.

Communications, media and engagement implications

- 60. A communications and engagement plan for the broader project has been developed and provided to your office.
- 61. Community engagement on a range of health planning and infrastructure projects, including the northside hospital commenced in August 2022.
- 62. You were recently briefed on Phase 2 of the community engagement process. (MIN22/1422).

Signatory Name: Liz Lopa Phone: Schedule 2.2(a)(ii)

Action Officer: Caitlin Bladin Phone: MS Teams

Attachments

| Attachment | Title |
|--------------|--|
| Attachment A | Bruce campus masterplan concept |
| Attachment B | Early concept designs for a new Northside Hospital |

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ACT Health Directorate

| То: | Minister for Health | Tracking No.: MIN22/1482 | |
|------------------|--|--------------------------|--|
| Through: | Rebecca Cross, Director-General | | |
| From: | Liz Lopa, Executive Group Manager, Infrastructure, Communication and Engagement | | |
| Subject: | Commercial pathway for northside hospital | | |
| Critical Date: | 21/10/2022 | | |
| Critical Reason: | To advise you of options while awaiting Calvary's response to your letter of 14 September 2022, and in advance of the Northside Hospital project briefing with you on 24 October 2022. | | |

Recommendation

That you note the information in this brief.

Noted / Please Discuss

Background

- 1. In September 2022, Cabinet considered and agreed to the Northside Hospital update and next steps. Following this decision you wrote to Mr Martin Bowles on 14 September 2022 outlining the Government's preferred position for the delivery of a northside hospital on the current site of Calvary Public Hospital Bruce (CPHB).
- 2. Calvary has advised that Mr Bowles will likely provide an initial yes/no response to Government's position following its Board meeting in October 2022.

CABINET

Issues

3. Calvary is currently considering the Government position on the Northside Hospital development and proposal. This includes the Government request to hold title to the land and have Calvary operate the hospital under a new services agreement for a maximum period of 25 years.

| Schedule 1.6, Schedule 2.2(a)(xiii) | | |
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Financial Implications

 ACTHD is working with Treasury and commercial advisors to finalise a financial appraisal that could inform consideration of a compensation package for Calvary if required.

Consultation

<u>Internal</u>

15. Nil in the development of this brief.

Cross Directorate

16. ACT Government Solicitors Office, Major Projects Canberra and Treasury participated at a recent planning day to explore next steps.

External

17. Not applicable.

Work Health and Safety

18. Not applicable.

Benefits/Sensitivities

19. As outlined above.

Communications, media and engagement implications

20. You recently considered a separate brief on the engagement activities related to the Northside Hospital more broadly, including issues around clinical engagement with Calvary.

CABINET

Signatory Name: Liz Lopa Phone: MSTeams

Action Officer: Caitlin Bladin Phone: MSTeams



ACT Health Directorate

To: Minister for Health

CC: Rebecca Cross, Director-General

From: Liz Lopa, Executive Group Manager, Infrastructure, Communication and

Engagement

Subject: Meeting with Martin Bowles, National Chief Executive Officer, Little Company

of Mary Health Care Ltd

Critical Date: 21/11/2022

Critical Reason: The meeting is scheduled for this date

Recommendation

That you:

 Note Liz Lopa, Executive Group Manager, Infrastructure, Communication and Engagement Division will be the ACT Health Directorate representative attending this meeting; and



2. Note the information contained in this brief.



Rachel Stephen-Smith MLA

21/11/22

Minister's Office Feedback

For further discussion following the meeting - please schedule a specific meeting in the next week or so to consider further options. Thank you I note the Precinct Deed doesn't cover the area of MH facilities run by CHS.

2

CABINET

Background

- 1. As part of the ACT Government's commitment to commence construction of a new northside hospital by mid-decade, the ACT Health Directorate (ACTHD) has been in negotiations with Calvary over the location and operating model for the new hospital.
- 2. An initial phase of negotiations concluded on 31 July 2022. On 6 September 2022, Cabinet considered the outcomes of these negotiations and agreed the next steps. This included agreeing the ACT Government position on the land and contract for the new northside hospital.

| Schedule 1.6, Schedule 2.2(a)(xiii) | | | |
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Issues

- 6. Since September 2022, there has been no further discussion between Calvary and ACTHD of the terms of the ACT Government's offer. The project team communication with Calvary has been focused on clinical and community engagement, site access for geotechnical work, and clinical services planning (though this has been led by the Health System Planning and Evaluation Division).
- 7. A brief was prepared at your request on the commercial pathways depending on either a yes or no answer from Calvary (Attachment D).

| Schedule 1.6, Schedule 2.2(a)(xiii | | |
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Schedule 1.6, Schedule 2.2(a)(xiii)

Financial Implications

22. Nil for this brief.

Consultation

<u>Internal</u>

23. Nil.

Cross Directorate

24. The Government Solicitors Office has been involved in all the negotiations to date.

External

25. ACTHD has commercial, legal and technical advisors engaged on the Northside Hospital Project. They have advised on the commercial pathways (refer to <u>Attachment D</u>).

Work Health and Safety

26. Nil.



5

CABINET

Signatory Name: Liz Lopa, Executive Group Manager, Phone: 5124 9805

Infrastructure, Communication and

Engagement

Action Officer: Caitlin Bladin, Senior Director, Phone: MS Teams

Northside Hospital Project

Attachments

| Attachment | Title |
|--------------|---|
| Attachment A | Letter to Martin Bowles AO PSM dated 14 September 2022 |
| Attachment B | Mr Bowles AO PSM interim response |
| Attachment C | Bruce Precinct Deed |
| Attachment D | Ministerial Brief - Commercial pathway for Northside Hospital |
| | (MIN22/1482 refers) |







Bruce Health Care Precinct Deed

between

Australian Capital Territory (Territory)

and

Calvary Health Care ACT Limited ACN 105 304 989 (Calvary)

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2011

BETWEEN AUSTRALIAN CAPITAL TERRITORY the body politic established by section 7

of the Australian Capital Territory (Self-Government) Act 1988 (Cth) represented

by ACT Health Directorate (Territory)

AND CALVARY HEALTH CARE ACT LIMITED ACN 105 304 989 of Level 18, 68 Pitt

Street, Sydney, New South Wales (Calvary)

BACKGROUND

- (A) Calvary operates a Public Hospital and Private Hospital on the Land in accordance with the mission, vision and values of the Calvary Ministries.
- (B) Calvary and certain of its related entities also operate Calvary John James, Clare Holland House Hospice, Calvary Retirement Community, and Calvary Silver Circle in the Canberra region. Calvary and Little Company of Mary Health Care Limited remain committed to the long term growth and development of services in the region.
- (C) The Territory acknowledges the historical and ongoing contribution made by Calvary and the Sisters of the Little Company of Mary in the provision of health care services in the Australian Capital Territory. That ongoing contribution will continue under the Network Agreement and through the operation of each of the services referred to in recital B.
- (D) The Territory wishes to embark upon a redevelopment of the health care system to streamline the operation of public hospital and health care services in the Australian Capital Territory.
- (E) For this purpose, the Territory and Calvary have agreed to the terms of this Deed.

1. DEFINITIONS AND INTERPRETATION

1.1 **Definitions**

- "Acquired Land" has the meaning attributed to it in clause 4.2.
- "Approvals" includes any consent, authorisation, registration, filing, agreement, notification, certificate, permission, licence, approval, permit, authority or exemption issued by, from or with any Relevant Authority.
- "Business Day" means a weekday other than a day on which a public holiday is declared in Canberra.
- "Commencement Date" means the date the Network Agreement commences.
- "Crown Lease" means the Crown lease of 'Block 1 Section 1 Division of Bruce' granted on 16 November 1999 by the Commonwealth to Calvary and registered as Volume 1577 Folio 94 at the ACT Registrar-General's Office.
- "Development" means a development the subject of a Development Proposal endorsed by the Precinct Committee.

- "Development Proposal" means a proposal for a development or redevelopment within the Precinct.
- "Network Agreement" means the "Calvary Network Agreement" dated on or about the date of this Deed between the Territory and Calvary.
- "Objectives" means the objectives set out in clause 6.2.
- "Outline Plan" means the plan attached to this Deed at Schedule 1.
- "Practical Completion" means the issue of a certificate of occupancy for a building that is part of a Development.
- "Precinct" means the precinct described under clause 4.1 and includes any Acquired Land.
- "Precinct Committee" means the committee established under clause 5.1.
- "Precinct Master Plan" means the master plan for the Precinct developed in accordance with clause 6.1.
- "Project Control Group" means the group established under clause 8.
- "Relevant Authority" means the Territory, any Minister, the Executive, any administrative unit, section or department of the Territory, statutory authority, Territory owned developer, utility provider, or any other body, which has statutory and/or administrative responsibilities in respect of the Precinct, the infrastructure works or any development within the Precinct.
- "Sublease Commencement Date" means the date of Practical Completion.

1.2 Interpretation

In this Deed, unless a contrary intention is expressed:

- terms which are capitalised but not defined in this Deed have the meaning given to them in the Network Agreement;
- (b) references to a party includes any assignees, successors, employees, agents or subcontractors of that party;
- references to legislation or to provisions in legislation include references to amendments or re-enactments of them and to all regulations and instruments issued under the legislation;
- (d) words importing a gender include the others; words in the singular number include the plural and vice versa; and where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings;
- (e) 'include' is not to be construed as a word of limitation;
- (f) headings have no effect on the interpretation of the provisions; and
- (g) an obligation imposed by this Deed on more than one person binds them jointly and severally.

2. PURPOSE OF DEED AND GUIDING PRINCIPLES

2.1 Purpose

This Deed covers the relationship between the Territory and Calvary in relation to the Precinct and describes the processes for that relationship to create and progress the development of the Precinct.

2.2 Guiding principles

The parties agree and acknowledge that the following principles will govern the operation of and the rights and obligations of each of the parties to this Deed:

- the parties are committed to developing the Precinct into a prominent acute health care facility in the Australian Capital Territory;
- (b) the Precinct is to be operated in a manner which is consistent with the mission, vision and values of Calvary and LCMHC from time to time;
- to ensure sustainability of high quality effective health care at the Public Hospital, including continuance of the mission, vision and values of Calvary;
- (d) the parties will conduct themselves in a manner compatible with the principles of the Network Agreement; and
- (e) the importance of the concepts envisaged by this Deed in ensuring the long term viability of Calvary's operation of the Public Hospital under the Network Agreement.

3. TERM

- (a) This Deed commences on the Commencement Date and continues in force unless and until the date on which the Network Agreement terminates.
- (b) Should the Network Agreement terminate, this Deed will automatically terminate without either party being required to give notice to the other.

4. PRECINCT

4.1 **Definition**

The Precinct is the "Bruce Health Care Precinct" which as at the Commencement Date is as shown on the Outline Plan. The parties acknowledge that Calvary operates the Public Hospital and the Private Hospital in and from the Precinct.

4.2 Acquired Land

Should either party acquire any land immediately adjacent to the Land (**Acquired Land**), and the permitted use of the Acquired Land is for purposes related to providing health services consistent with Calvary's Role Delineation under the Network Agreement, then the parties agree that such Acquired Land will also become part of the Precinct and be subject to the requirements of this Deed.

5. PRECINCT COMMITTEE

5.1 Formation of Committee

As soon as practicable following the Commencement Date, the Territory and Calvary agree to form a precinct committee that will comprise three representatives of the Territory and three representatives of Calvary.

5.2 Members

Each party may appoint their representatives as members of the Precinct Committee and remove those members and appoint replacements, by written notice delivered to the other party at any time.

5.3 Functions of the Precinct Committee

The functions of the Precinct Committee are to:

- (a) agree on the development priorities for health care services in the Precinct;
- (b) incorporate guidelines on the total planned capacity of particular diagnostic groups or clinical services for the Precinct or other services conducted in the Precinct;
- (c) consider all Development Proposals;
- (d) monitor the progress of the parties in complying with their obligations under this Deed as required;
- (e) review the plan for the Precinct;
- (f) provide advice and guidance in relation to conduct of the development of the Precinct and any Development and any associated matters if and when requested to do so by a party or by the parties;
- (g) provide a forum for the discussion of any matters connected with the Precinct and any Development as Calvary or the Territory may from time to time determine as being appropriate for the Precinct, including ensuring dissemination of information and consideration of the views of all the stakeholders connected with the Precinct and any Development;
- (h) to consider issues relating to:
 - (i) the timing of each stage of each Development, which the parties acknowledge is intended to be consistent with each Development's proposed timeline;
 - (ii) proposals which may be put forward by the Calvary Network Committee for development opportunities of the Precinct;
- work collaboratively with the Calvary Network Committee and ensure that this Deed is administered consistently with the provisions of the Network Agreement;
- (j) review, and where possible resolve, any matters of concern between the parties; and
- (k) administer this Deed including any variations to it.

5.4 Precinct Committee meetings

The Precinct Committee must meet:

- (a) at least once every month until the Precinct Master Plan has been agreed;
- (b) and thereafter:
 - (i) at least once every 3 months, or
 - (ii) at times reasonably requested by a party, provided that at least 5 Business Days prior notice has been provided (except in an emergency).

5.5 Conduct of Precinct Committee meetings

- (a) A representative of each party will, in rotation, convene and chair meetings of the Precinct Committee, prepare the agenda and must prepare and distribute to all members of the Precinct Committee minutes of each meeting promptly after each meeting.
- (b) A draft of the agenda must be provided to the other members at least 3 Business Days prior to the relevant meeting (except in the case of an emergency).
- (c) The chair of the Precinct Committee must incorporate any items in the agenda requested by any other Precinct Committee members.

5.6 Quorum for Precinct Committee meetings

A quorum for a Precinct Committee meeting will be constituted by the attendance at the meeting of at least two representatives of Calvary and two representatives of the Territory.

5.7 Majority vote

Decisions of the Precinct Committee are to be made by majority vote. Subject to clause 5.10, at any meeting of the Precinct Committee, each representative of a party is entitled to exercise one vote.

5.8 Chairperson

The chairperson will not have a casting vote at any meeting of the Precinct Committee.

5.9 Invitees to meetings

The Precinct Committee meetings may also be attended by other persons, if the attendance of those persons has been approved by the other Precinct Committee members prior to the meeting.

5.10 **Proxy**

(a) A Precinct Committee member (**appointor**) may appoint another Precinct Committee member (**appointee**) to vote in place of the appointor and on its behalf if the appointor does not attend a Precinct Committee meeting.

(b) An appointee is entitled to a separate vote for each appointor the appointee represents in addition to any vote that appointee may have as a member of the Precinct Committee meeting.

5.11 Practices and procedures

Subject to this clause 5, the members of the Precinct Committee may adopt such practices and procedures for the conduct of the activities of the Precinct Committee as they consider appropriate, from time to time.

6. PRECINCT MASTER PLAN

6.1 Preparation of plan

By no later than 30 June 2012 the Territory and Calvary must jointly prepare and agree on the Precinct Master Plan for development of the Precinct in accordance with the Objectives.

6.2 Objectives

The objectives of the development of the Precinct are:

- (a) to develop a plan for the renovation, replacement or rebuilding of the Public Hospital;
- (b) to ensure the long term ability of Calvary to operate the Public Hospital in accordance with the Network Agreement, and particularly in accordance with the Role Delineation;
- (c) to deliver quality patient care and outcomes;
- (d) to provide for the development of a new multi-storey car park in the Precinct;
- (e) to allocate an area of the Precinct which may be used by Calvary at some future and undetermined date for the purposes of developing a private hospital and/or related services:
- (f) to best and, where possible, fully utilise the resources available to Calvary and the Territory in the delivery of health care, including sharing resources and infrastructure where appropriate (recognising that some resources are already shared);
- (g) to respond effectively to the needs of the north Canberra community and the ACT health system generally; and
- (h) to advance the strategic and operational development of the Precinct.

6.3 **Obligation on Territory**

Subject to parliamentary appropriation and the Territory's health policy and budgeting priorities, the Territory will use all reasonable endeavours and support all applications to commit to provide funding sufficient to achieve the Objectives and the outcome envisaged in the Precinct Master Plan. For the avoidance of doubt, nothing in the clause will require the Territory to commit funding towards the development of a private hospital in the Precinct.

6.4 Content

A Precinct Master Plan will stipulate the development to be carried out in the Precinct, including:

- (a) the party required to undertake and fund the development;
- (b) any necessary rights of access to that part of the Precinct to be developed to enable the Development to be undertaken:
- (c) any necessary rights of access to or through the Precinct which will be required following the development to enable the Development to be utilised as intended;
- (d) a written statement of the proposed type and density of the development;
- (e) a written statement of planning and design principles relating to the Precinct and its interaction with adjacent land uses; and
- (f) a coloured plan showing the broad pattern of land uses throughout the Precinct.

6.5 Calvary's development plan

In developing the Precinct and finalising the Precinct Master Plan, the Territory must take into account Calvary's views and any future development plan Calvary may have for the Precinct.

7. DEVELOPMENT IN THE PRECINCT

7.1 Submission of Development Proposal

A party may submit a Development Proposal to the Precinct Committee for endorsement.

7.2 Contents

A Development Proposal must contain a detailed description of a development that the party proposes to undertake within the Precinct.

7.3 Planning and design

The planning and design for a Development under this clause will be undertaken by the parties jointly through the Precinct Committee or otherwise as agreed by the parties.

7.4 Requirements

Any Development Proposal must:

- (a) be consistent with the Precinct Master Plan;
- (b) reflect the Precinct design objectives to ensure the quality of built form outcomes and the contribution to the quality of the public domain;
- (c) describe the impact of the proposed development;

- specify mechanisms for addressing the needs for any community facilities within the proposed development, including the relocation of any existing facility;
- (e) set out details regarding the developing party's access to that part of the Precinct being developed, including any documents (such as easements, rights of access and subleases) which need to be prepared and signed to give legal effect to such rights of access during and after development;
- (f) identify who will operate any facility that is part of the Development Proposal:
- (g) identify necessary infrastructure works that may be required for completion;
- (h) address any environmental impact requirements; and
- (i) address any other matter required by the Precinct Committee.

7.5 Endorsement

The Precinct Committee may endorse its approval of any Development Proposal submitted under clause 7.1 either:

- (a) in the form submitted; or
- (b) imposing such conditions as it may resolve are appropriate but only in respect of Developments which have a role in the provision of public healthcare services.

7.6 Development in accordance with Approvals

Each Development must be undertaken in accordance with any Approvals and the Precinct Master Plan.

7.7 Consultation

The parties will consult regularly regarding the progress of the Precinct and its development and any matters associated with the Precinct or any Development through the Precinct Committee in accordance with clause 5.3 during the course of the development of the Precinct.

7.8 No development except in accordance with endorsed Development Proposal

No development may occur within the Precinct except in accordance with an endorsed Development Proposal.

8. PROJECT CONTROL GROUP

8.1 Establishment

On or before the date of commencement of any Development, a project control group will be established comprising 3 representatives nominated by Calvary and 3 representatives nominated by the Territory.

8.2 Chairperson

The chairperson of the Project Control Group will be nominated by Calvary.

8.3 Functions of the project control group

The Project Control Group will:

- (a) monitor, receive and review the timetable and reports for each Development during the development phase;
- (b) report to each of the parties on the progress of each Development and any issues which require resolution or further input from the Precinct Committee;
- (c) resolve any issues relating to access to any parts of the Land the subject of a Development;
- (d) provide a forum for consultation between the parties on the design documentation for each Development;
- (e) be responsible for overseeing and advising on:
 - (i) any governmental issues and Approvals:
 - (ii) issues regarding construction quality;
 - (iii) commissioning matters;
 - (iv) finance matters;
 - (v) design documentation of the relevant Development;
- (f) liaise with the Chief Executive Officer of the Public Hospital to ensure minimal disruption to the Public Hospital and other services offered at the Precinct;
- (g) provide a forum for consultation between the parties in relation to the effect of any proposed Development and its effect on Calvary's operation of the Public Hospital; and
- (h) provide a forum for consultation between the parties in relation to any other matter arising out of the Development, in its development stage, and as agreed between the parties.

9. OPERATION AND MANAGEMENT BY CALVARY

The operation and management of any facility developed under this Deed, will be in accordance with the Network Agreement and for the purposes of that agreement is part of the Public Hospital, unless otherwise agreed.

10. MISSION

The Territory agrees that it will not provide, nor will it permit any third party with which it may have entered into any arrangement to occupy or access any part of the Land to provide services which are inconsistent with the mission, vision and values of Calvary and LCMHC from time to time.

11. CLARE HOLLAND HOUSE HOSPICE

The Territory acknowledges and agrees that at no time during the term of this Deed will it transfer any of the palliative care services provided by Calvary at Clare Holland House Hospice to any sub-acute facility operated or developed by or for the Territory.

12. ENDORSEMENTS AND APPROVALS

Calvary acknowledges that any endorsement or approval given by the Territory or the Precinct Committee does not mean that any required Approval will be given by any Relevant Authority.

13. ACCESS TO LAND

Each party (**Owning Party**) will permit the other party (**Requesting Party**) at the times reasonably requested by the Requesting Party, and on the provision of reasonable notice, adequate access to the Precinct so that the Requesting Party may carry out investigations as to the nature and condition of the Precinct, and its surroundings, and its suitability for any Development Proposal (including the conditions below the surface of the Precinct land), on such terms and conditions as the Owning Party reasonably requires.

14. CROWN LEASE

The parties agree to do all things reasonably necessary to ensure that the Crown Lease is varied as follows, and in respect of the Territory, such assistance will include supporting any application by Calvary to the ACT Planning and Land Authority:

- (a) to enable the Developments (including any easements, subleases and rights of access) endorsed by the Precinct Committee in accordance with this Deed and the use of the land under the Crown Lease in a manner not inconsistent with the Developments; and
- (b) to remove the requirement of Calvary to obtain the Territory's approval for any matters undertaken in accordance with this Deed

15. PRECINCT REVIEW

The parties agree to review the relationship and obligations under this Deed and negotiate to address any issues in the relationship or under this Deed which at least one party has identified as requiring review:

- (a) once every 10 years, with the first review to take place in the tenth year of this Deed: and
- (b) simultaneously with any review under clause 23 of the Network Agreement.

16. DISPUTE RESOLUTION

16.1 Disputes

Any dispute arising in relation to any aspect of this Deed (**Dispute**) will be resolved in accordance with this clause.

16.2 Negotiation of Dispute

Except as otherwise provided in this Deed, if a Dispute arises in relation to this Deed then either party may give written notice to the other that a Dispute exists, which specifies details of the Dispute. The parties agree that, following the issue of that notice, they will meet and consult in good faith in an attempt to resolve the Dispute by negotiations, including by referring the Dispute to persons who have authority to intervene and direct some form of resolution.

16.3 **Mediation of Dispute**

- (a) If the Dispute has not been resolved pursuant to clause 16.2 within 28 days of the notice of the Dispute, then the parties agree that they will undertake a mediation process.
- (b) The mediator will be an independent mediator agreed by the parties or, failing agreement within 14 days of the time period referred to in clause 16.3(a) nominated by the chairperson of the Institute of Arbitrators and Mediators Australia, ACT Chapter.
- (c) Unless otherwise agreed, the parties will equally share the costs of the engagement of the mediator. Each party will otherwise bear its own costs of the mediation.
- (d) The mediator will assist the parties in dispute to explore options for and, if possible, achieve the expeditious resolution of the Dispute by agreement between them.
- (e) The mediator will not make decisions for a party or impose a solution on the parties.

16.4 Expert determination

- (a) The procedure outlined in this clause 16.4 will apply only to:
 - that part of any Dispute which does not relate directly to a dispute regarding the preparation and finalisation of the Precinct Master Plan under clause 6; and
 - (ii) Disputes which do not directly relate to the preparation and finalisation of the Precinct Master Plan.

(ED Dispute)

(b) If the ED Dispute has not been resolved pursuant to clause 16.3 within 14 days of the date of mediation (or final date of mediation, should the mediation be conducted over more than one day), then the parties agree that they will refer the ED Dispute to an independent expert for determination.

- (c) The expert will be an independent expert agreed by the parties or, failing agreement within 14 days of the time period referred to in clause 16.4(a) nominated by the chairperson of the Australian Property Institute.
- (d) Unless otherwise agreed, the parties will equally share the costs of the engagement of the independent expert. Each party will otherwise bear their own costs of the expert determination.
- (e) The expert determination will be conducted as follows:
 - (i) the place of expert determination will be in Canberra, Australian Capital Territory;
 - (ii) the rules of evidence will apply;
 - (iii) the parties to the expert determination will each be entitled to legal representation;
 - (iv) the independent expert will have no power to settle disputes other than by expert determination; and
 - (v) the decision of the independent expert will be final and binding on the parties to the Dispute.

16.5 No prejudice

Nothing in this clause 16 will prejudice the rights of either party to institute other forms of agreed dispute resolution procedures or proceedings to enforce the Deed or to seek injunctive or urgent declaratory relief in respect of any Dispute.

16.6 Survival

This clause will survive the termination or completion of this Deed.

17. GOOD FAITH

The parties acknowledge and agree that in exercising any right, obligation or function or in giving any approval or consent or deciding whether or not to agree to any proposed course of action set out in this Deed, each party will:

- (a) act reasonably in good faith towards the other in relation to carrying out their obligations under this Deed; and
- (b) provide all assistance reasonably required to promptly expedite the development of the Precinct and any Approvals.

18. GENERAL

18.1 Entire agreement

This Deed and the Network Agreement comprise the entire agreement between the parties and supersede any prior representations, negotiations, writings, memoranda and agreements in respect of the Deed's and Network Agreement's subject matter except as otherwise required by its context.

18.2 No employment, partnership or agency relationship

Other than as specifically provided in this Deed or the Network Agreement:

- (a) nothing in this Deed constitutes Calvary, or its employees, agents or subcontractors as employees, partners or agents of the Territory or creates any employment, partnership or agency for any purpose; and
- (b) Calvary must not represent itself, and must ensure its employees, agents and subcontractors do not represent themselves, as being employees, partners or agents of the Territory.

18.3 **Costs**

In relation to costs and expenses the parties agree that:

- (a) with respect to negotiation and drafting of this Deed and any other agreements prepared to give effect to this Deed, each party will bear its own legal costs and expenses; and
- (b) with respect to the engagement of surveyors regarding surveys, outline and deposited plans and as otherwise required to give effect to this Deed, the parties will equally share the costs of surveyors and other relevant advisers agreed between them.

18.4 Severability

Any provision of this Deed that is illegal, void or unenforceable will not form part of this Deed to the extent of that illegality, voidness or unenforceability. The remaining provisions of this Deed will not be invalidated by an illegal, void or unenforceable provision.

18.5 Variations

This Deed may only be amended, varied, supplemented, replaced or novated by a document executed by all the parties.

18.6 Stamp duty

Any stamp duty payable as a result of this Deed will be paid or arranged to be waived by the Territory.

18.7 Consent

Where a party's consent must be sought under this Deed, that party must not unreasonably withhold its consent.

18.8 Governing law

This Deed is governed by and construed in accordance with the law for the time being in force in the Territory and the parties submit to the jurisdiction of the courts of the Territory.

18.9 **Authority**

Each person who signs this document on behalf of a party declares that that person has no notice of the revocation or suspension of the power under the authority by which the person signs this document.

18.10 Further steps

Each party must do everything reasonably necessary to give effect to this Deed and the transactions contemplated by it, including the execution of documents.

18.11 Counterparts

This Deed may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same document.

18.12 No waiver

Unless specifically stated to the contrary in this Deed, a party's:

- (a) failure to enforce or a delay in enforcing any of its rights under this Deed does not constitute a waiver of those rights; and
- (b) partial exercise of a right does not preclude any further exercise of that or any other right.

18.13 Joint and several

Where two or more parties have an obligation or liability under this Deed, the obligation or liability is joint and several.

18.14 Assignment

- (a) Subject to clause 18.14(b), a party may only assign any of its rights under this Deed with the prior written consent of all other parties.
- (b) Calvary may assign the whole or part of this Deed to a Related Body Corporate of Calvary or LCMHC, in which case Calvary must give 14 days written notice to the Territory.

18.15 Notices

Any notice, including any other communication, required to be given or sent to either party under this Deed must be in writing and given to the person set out below, or as otherwise notified by a party to the other from time to time. A notice will be deemed to have been given:

- (a) if delivered by hand, on delivery;
- (b) if sent by prepaid mail, on the expiration of two Business Days after the date on which it was sent;
- (c) if sent by facsimile, on the sender's facsimile machine recording that the facsimile has been successfully and properly transmitted to the recipient's address; or
- (d) if sent by electronic mail, on the other party's acknowledgment of receipt by any means.

The details for purposes of this clause 18.15 are:

For the Territory: Deputy Director-General

ACT Health Directorate Level 3, 11 Moore St CANBERRA CITY ACT Facsimile: 02-6205 0830

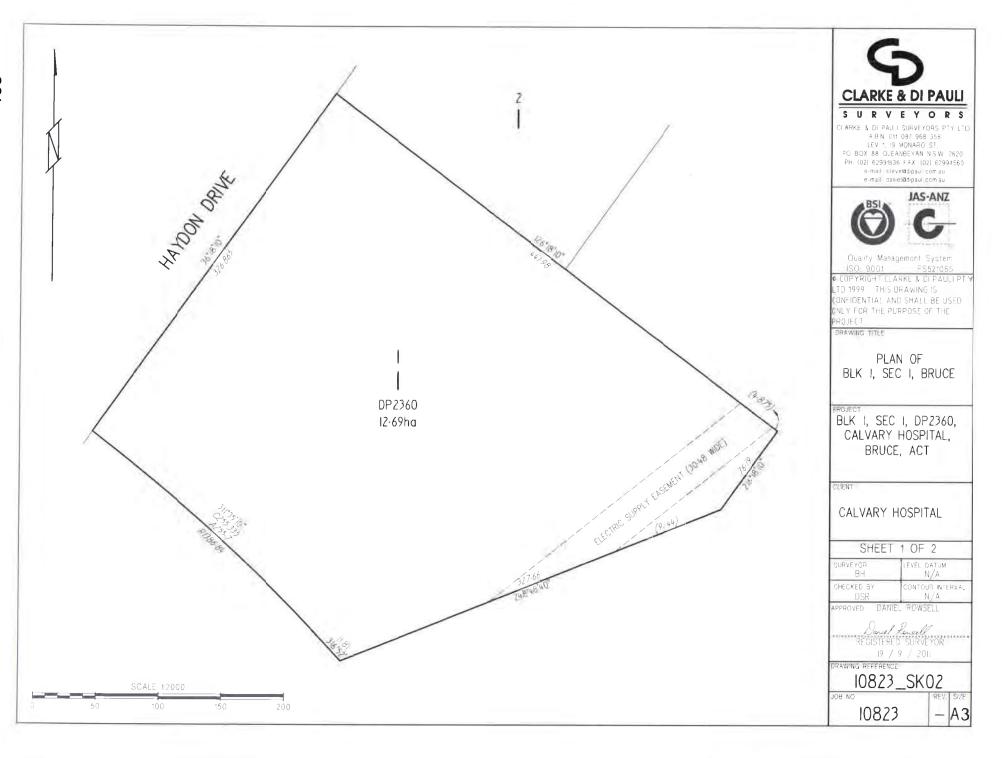
For Calvary: National Chief Executive Officer

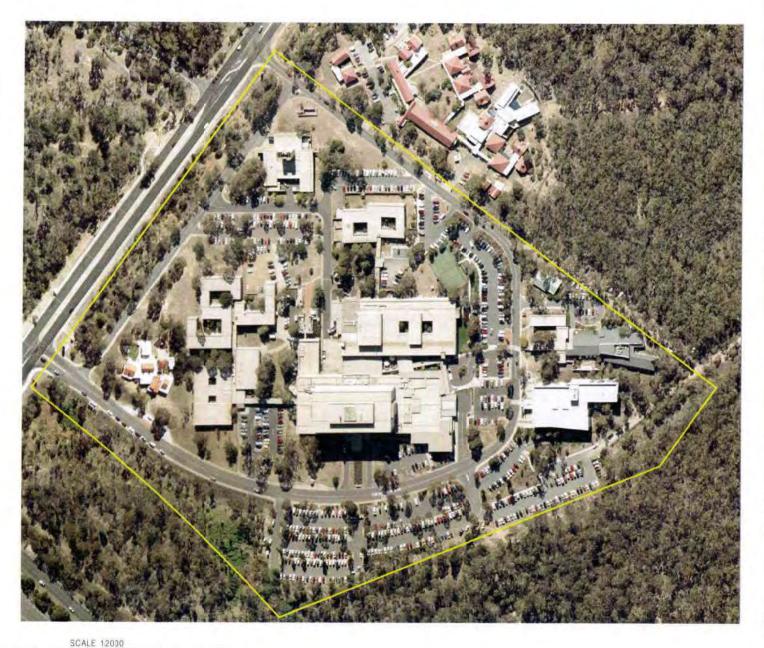
Little Company of Mary Health Care Limited

Level 18, 68 Pitt Street Sydney NSW 2000 Facsimile: 02- 9258 1701

18.16 Survival of clauses

Clauses 16, 17 and 18 will survive the expiration or earlier termination of this Deed.







SURVEYORS

ELARKE & DI FAULI SURVEYORS RIV LED AAM, OH 08" 988 358 LEV 1, 19 MONARO ST PO BOX 86 OUEANBS VAN N.S.W 2620 PH 1021 6399336 PAX 1021 6294450 e-mail: stevoddpaulicomau e-mail: dankiiddgaulicomau





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DRAWING TITLE

PLAN OF BLK I, SEC I, BRUCE (IMAGE OVERLAY)

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BLK I, SEC I, DP2360, CALVARY HOSPITAL, BRUCE, ACT

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CALVARY HOSPITAL

SHEET 2 OF 2

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REGISTERED SURVEYOR

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EXECUTED as a Deed

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| Witness | _ |
| EXECUTED by CALVARY HEALTH CA ACN 105 304 989 in accordance with se 127 of the <i>Corporations Act</i> , 2001 | |
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| Signature of Director | Signature of Director |
| JOHN MACKAY | JOHN WATKINS |
| Name of Director | Name of Director |



ACT Health Directorate

To: Minister for Health

From: Rebecca Cross, Director-General, ACT Health

Subject: Final lodgement of Discussion Paper for Expenditure Review Committee of

Cabinet - CAB22/773 – Northside Hospital project update and next steps

Critical Date: 28/11/2022

Critical Reason: The discussion paper is due for final lodgement to enable consideration at

Expenditure Review Committee on Tuesday, 6 December 2022.

Recommendations

That you sign the final discussion paper, at <u>Attachment 1</u>, for lodgement with Cabinet Office.

Signed / Not Signed / Please Discuss

Rachel Stephen-Smith MLA

4/12/22

Minister's Office Feedback

Apologies for delayed sign-off. Discussion paper updated following receipt of this brief to reflect formal response from Mr Bowles received on 28/11.

Background

- 1. The discussion paper (CAB22/773) provides an update to the Expenditure Review Committee of Cabinet (ERC) on the Northside Hospital (NH) project at the meeting scheduled for 6 December 2022.
- 2. The NH project was last discussed at ERC on 18 August 2022 and Cabinet on 6 September 2022 (CAB22/319 refers).

2

Issues

- 3. Following Cabinet consideration on 6 September 2022, a letter to Mr Bowles (Attachment 2) was sent to communicate the Government's position and next steps regarding Calvary's role in the Northside project.
- 4. You met with Mr Bowles on Monday, 21 November 2022 to discuss Calvary's response to the Government's position. A formal written response is yet to be received but is understood to be imminent.



Financial Implications

- 8. This discussion paper has no financial impact. However, the northside hospital will be a significant investment from the Territory to provide a modern facility.
- 9. A Business Case will be developed based on the suitable site options and presented to Cabinet for consideration as part of the 2023-24 Budget Process.
- 10. The funding provided in 2021-22 Budget is funding the current work.

Consultation

Internal

11. Not applicable.

Cross Directorate

- 12. ACT Government Solicitors' Office and Major Projects Canberra (MPC) are involved in the project and the development of the negotiation parameters.
- 13. Other Directorates have been involved in developing the master planning strategies and greenfield site identification processes including:

3

- MPC
- Environment, Planning and Sustainable Development Directorate
- Transport Canberra and City Services
- Chief Minister, Treasury Economic Development Directorate
- Justice and Community Safety Directorate (including ESA)
- 14. ACT Treasury is assisting the ACT Health Directorate with the development of a valuation methodology to inform any compensation package.

External

15. This discussion paper contains commercially sensitive information and has not been circulated externally. The discussion paper will remain on restricted circulation for briefing purposes only ahead of the 6 December 2022 ERC meeting.

Work Health and Safety

16. Nil.

Benefits/Sensitivities

- 17. The development of a new NH will be of significant interest to the community, stakeholders and Calvary.
- 18. There will be sensitivities associated with the outcome of negotiations and next steps. These have all been outlined in the discussion paper for ERC consideration.

Communications, media and engagement implications

- A communications and engagement plan for the broader project has been developed and provided to your office.
- 20. Community engagement on a range of health planning and infrastructure projects, including the NH commenced in August 2022 and is due to be completed on 30 November 2022.

Signatory Name: Rebecca Cross, Director-General, ACT Phone: 6205 5335

Health

Action Officer: Liz Lopa, EGM, Infrastructure, Phone: Schedule 2.2(a)(ii)

Communication and Engagement

Division

Tracking No.: GBC22/648

CABINET

Attachments

| Attachment | Title |
|--------------|---|
| Attachment 1 | CAB22/773 – Discussion Paper – NH project update 6 December |
| | 2022 |
| Attachment A | Wellbeing Impact Assessment |
| Attachment B | Open Access Assessment |
| Attachment 2 | Letter to Martin Bowles – Northside Hospital |

Tracking No.: GBC22/648 4

















ACT Health Directorate

To: Minister for Health

CC: Rebecca Cross, Director-General

From: Liz Lopa, Executive Group Manager, Infrastructure, Communication and

Engagement

Subject: Northside Hospital project update – January 2023

Critical Date: 23/01/2023

Critical Reason: To provide you a progress update on the Northside Hospital project, ahead of

the regular monthly meeting on 23 January 2023.

Recommendations

That you note the information contained in this brief.



- 27/1/23

Rachel Stephen-Smith MLA

Minister's Office Feedback
Schedule 2.2(a)(xiii)

Background

- 1. The ACT Government has committed to the delivery of a new public hospital on Canberra's northside, with \$13.491 million in funding provided in the 2021-22 Budget towards planning and early concept design for the new hospital.
- 2. The Government has committed to commencing construction by mid-decade.

- 3. In early 2022, a Northside Hospital Project Team (NHPT) was established, and key procurement activities completed to engage a Commercial Advisor, Legal Advisor and Technical Advisor.
- 4. Project governance was established in line with the current Capital Framework.

Issues

Project update and overview

- 5. Since the last project update in November 2022, the following have been completed:
 - a. An update to Expenditure Review Committee (ERC) on the Northside Hospital project and Calvary Public Hospital Bruce (Calvary)'s response to the Government's final offer regarding the Northside Hospital;



- d. Ongoing engagement with clinicians regarding the clinical scope and design of the building; and
- e. Establishment of the Transition Advisory Group.

Key Next Decision Points – Commercial pathway

6. The ACT Health Directorate (ACTHD) is now preparing for the next key decision point in the Northside Hospital Project, ERC on 28 February 2023 with Cabinet to follow. The Submission being prepared will seek a final decision from Government on either:

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Clinical and Community engagement

- 28. Phase two of community engagement has concluded. A draft report has been provided to ACTHD for initial review. In addition to feedback collated through all the engagement channels written submission were received from:
 - a. Health Care Consumers' Association (HCCA);
 - b. Belconnen Community Council; and
 - c. Weston Creek Community Council.
- 29. Unions engagement will commence this year using the formal channels via the Directorate Consultative Committee.
- 30. Clinical engagement is ongoing with ACTHD meeting with individual departments as well as conducting an Executive User Group (EUG). The EUG will meet again on 31 January 2023.
- 31. To date, there has been no widespread engagement with Calvary clinicians following cancellations by the Regional Chief Executive Officer (CEO) and Hospital General Manager. Some clinicians have attended the EUG meetings. There has been no engagement with nursing or allied health staff. A pop-up session was undertaken at Calvary on 17 November 2022 where 47 participants provided feedback.

Northside Clinical Services Plan

- 32. A brief has been provided to your Office to seek your approval to use the current draft of the Northside Clinical Services Plan as the basis for engagement through to March 2023.
- 33. The Northside Project Team continue to work closely with Health System, Planning and Evaluation on the delivery of this document, as well as the range of health planning inputs to the project, including the scope of services below

Financial Implications

34. Nil.

Consultation

<u>Internal</u>

35. Nil.

Cross Directorate

36. Nil.

External

37. A holding response to Calvary was prepared late in 2022. A fuller response will be prepared and considered by Cabinet as part of their February/March deliberations.

/

Work Health and Safety

38. Not applicable.

Benefits/Sensitivities

- 39. The development of a new northside hospital will be of significant interest to the community, stakeholders and Calvary.
- 40. There will be sensitivities associated with the outcome of Calvary negotiations and next steps. These will continue to form the basis of deliberations by Cabinet.

Communications, media and engagement implications

- 41. A communications and engagement plan for the broader project has been developed and provided to your office.
- 42. Community engagement on a range of health planning and infrastructure projects, including the northside hospital commenced in August 2022.
- 43. A listening report for phase 1 is being finalised, and a listening report for phase 2 has been prepared for ACTHD review.

Signatory Name: Liz Lopa, Executive Group Manager, Phone: Schedule 2.2(a)(ii)

Infrastructure, Communication and

Engagement Division

Action Officer: Caitlin Bladin, Senior Director, Phone: MS Teams

Northside Hospital Project



ACT Health Directorate

To: Minister for Health Tracking No.: MIN23/13

cc: Rebecca Cross, Director-General

From: Liz Lopa, Executive Group Manager, Infrastructure, Communication and

Engagement

Subject: Northside Hospital project update – Regular briefing scheduled for

13 February 2023

Critical Date: 10/02/2023

Critical Reason: To provide you a progress update on the Northside Hospital project, ahead of

the regular fortnightly meeting on 13 February 2023.

Recommendations

That you note the information contained in this brief.

Rachel Stephen-Smith MLA

Please Discuss

11/.2/.23

Minister's Office Feedback

Thank you. Will the Acil Allen contract be released in full on the contracts register or redacted due to consideration of commercial matters and providing information to Cabinet? Please discuss possible escalation of conversation with Calvary re clinical engagement. If I were to have a conversation with Mr Hawkins, I would need clear documentation, as history suggests there is often a significant difference in view about what has happened!

Background

Please discuss par 26. This doesn't appear to be consistent with discussions with Calvary on master planning of the site.

- 1. The ACT Government has committed to the delivery of a new public hospital on Canberra's northside, with \$13.491 million in funding provided in the 2021-22 Budget towards planning and early concept design for the new hospital.
- 2. The Government has committed to commencing construction by mid-decade.

- 3. In early 2022, a Northside Hospital Project Team (NHPT) was established, and key procurement activities completed to engage a Commercial Advisor, Legal Advisor and Technical Advisor.
- 4. Project governance was established in line with the current Capital Framework.



Issues

- 6. A standing agenda for these fortnightly briefings on the Northside Hospital Project has been developed to guide discussions. The standing agenda is provided at Attachment A.
- 7. Updates for each agenda item is below.

<u>Development of the Business Case</u>

- 8. The finalisation of the Business Case will be dependent on the decisions before Expenditure Review Committee (ERC) and Cabinet in February/March 2023.
- 9. Capital costs for each infrastructure option have been developed, and these have been provided to your office, and will be included in the February/March Submissions.
- 10. The ACT Health Directorate (ACTHD) is still working with cost planners and Major Projects Canberra (MPC) to determine the funding request for the next two years and the nature and make up of the associated project teams and advisory teams. Additionally, ACTHD and MPC are developing an advisor plan which will outline what advisory teams will be required through the next stage of the project, ACTHD will ensure that this includes scope for legal advisory and potential representation.



11. In addition to seeking funding for the next two years of the project (both infrastructure and commercial/legal), the business case will seek agreement to a construction amount in provision.

- 12. At this stage, the Business Case will be finalised, and a draft provided to you, after the 28 February Cabinet meeting, in March 2023.
- 13. In terms of deadlines for the Budget process, ACTHD has advised Treasury of the late submission of the business case, noting Treasury are briefed on the program status as part of the project governance each month, and ACTHD has commenced direct briefings with Treasury officials.



Project Designation

- 16. MPC and ACTHD are still in discussion around when the project would transfer from ACTHD to MPC.
- 17. Decisions around the operator are likely to impact the timing of this for example if Calvary will be the operator it is assumed that ACTHD would have a larger role than if Canberra Health Services (CHS) will be the operator.



- 18. MPC consider there are four options for timing of project designation:
 - a. 1 July 2023 (not preferred);
 - b. End of calendar year 2023;
 - c. 1 July 2024; or
 - d. 1 July 2025 (in line with construction business case).
- 19. MPC have stated that before it would recommend designation, it would require certainty on:
 - a. Operator; and
 - b. Scope of clinical services.
- 20. These two matters are likely linked, with the potential for more services to be moved over to the Northside under a CHS operator model (ie: while Canberra Hospital infrastructure works are underway or for efficiency of service delivery).



21. ACTHD consider that while the operator decision is outstanding and any transition implementation is ongoing the project should continue to be led by ACTHD with support from MPC.



| Schedule 1.2, Schedule 2.2(a)(xiii) | |
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Greenfield options

29. The Technical Advisory (TA) team have prepared a program of onsite due diligence and a scope of works. ACTHD is reviewing this scope of work in line with the current contract and determining the best timing for this.

- 30. The most significant site risks on Diddams Close are in relation to potential ecological values and potential Aboriginal heritage significance, all other desk due diligence did not identify any high-risk items.
- 31. For this reason, ACTHD are proposing to postpone any further activity or expenditure on Diddams Close until after the business case has been considered.



32. The community would likely have significant questions about drilling rigs and geotechnical studies being undertaken in this area, and if required we can commence these in April 2023 once we are clearer on the Government's preferred site for the new Northside Hospital.



33. Some of the studies are seasonally driven and therefore, should the Greenfield site be preferred, will likely need to be undertaken this financial year, and can be funded from within the existing budget.



Northside Hospital Transition Advisory Group

- 39. The Northside Hospital Transition Advisory Group (TAG) first met on 17 January 2023.
- 40. The TAG has been established to develop a project plan, identify stages, risks and workstreams and provide advice to prepare for either:
 - a. the transition of services and employment from the Calvary Network
 Agreement (CNA) to a new, modern services agreement that may commence in October 2023; or
 - b. should negotiations with Calvary not conclude successfully:
 - the transition of services and employment at Calvary Public Hospital Bruce (CPHB) to Canberra Health Services (CHS) that may commence in October 2023; or

- ii. The transition of services to new public hospital on a Greenfield site.
- 41. The first meeting discussed the terms of reference, and highlighted that in any scenario, ensuring the continuity of care and patient services is the highest priority.
- 42. The cabinet submission being developed for consideration in February 2023 will seek agreement to the establishment of a transition team and supporting consultants, which would be funded from the existing Northside Hospital Project budget.



Clinical and Community engagement

- 43. Phases one and two of community engagement has concluded. A draft listening report for both phases of consultation has been provided to ACTHD for review. Final versions of these listening reports will be provided to your Office in February 2023 and will be available on YourSay once finalised with your Office.
- 44. Northside Hospital engagement with Ministerial Advisory Councils has commenced this month. A presentation was given at the Ministerial Advisory Council for Veterans and Families on 1 February 2023, and another presentation will be delivered at the Ministerial Advisory Council for Ageing on 14 February 2023.
- 45. Union engagement will also commence; a Northside Hospital presentation will be delivered at the ACT Health Directorate Consultative Committee in March 2023.
- 46. Clinical engagement is ongoing with ACTHD meeting with individual departments as well as conducting an Executive User Group (EUG). The third and final EUG for this phase of the project met on 31 January 2023.
- 47. The EUG reviewed the staging options and updated concept design and reviewed the updated external functional relationships and assumptions underpinning the schedule of accommodation.
- 48. The key themes arising from discussions at the EUG included:
 - a. the need to plan for services in a system-wide way. This was specifically regarding mental health and older persons mental health, but could be themed more broadly;
 - b. workforce planning needs to be considered alongside planning for the build; and
 - c. ongoing clinical engagement is crucial.
- 49. To date, there has been no widespread engagement with Calvary clinicians following cancellations by the Regional CEO and Hospital General Manager. While some clinicians have attended the EUG meetings, though the majority of Calvary representatives were from the CPHB Executive (corporate), and national office. There has been no engagement with nursing or allied health staff.

- 50. Calvary commented at a recent meeting with the Executive Group Manager (EGM), Infrastructure Communication and Engagement Division (ICE) that clinicians are becoming concerned they've not participated in any engagement on the planning for the new Northside Hospital. EGM ICE has written to Mr Hawkins to reiterate our willingness to meet with Calvary clinicians on this project.
- 51. The Northside Hospital Project Team continue to work closely with the Health System Planning and Evaluation Division on the development of models of services that refine our understanding of the clinical services to be provided.
- 52. The Northside Hospital Project Team is continuing clinical engagement with speciality areas.

Financial Implications

53. Nil.

Consultation

Internal

54. Nil.

Cross Directorate

55. Nil.

External

56. Nil.

Work Health and Safety

57. Not applicable.

Benefits/Sensitivities

- 58. The development of a new Northside Hospital will be of significant interest to the community, stakeholders and Calvary.
- 59. There will be sensitivities associated with the outcome of Calvary negotiations and next steps. These will continue to form the basis of deliberations by Cabinet.

Communications, media and engagement implications

- 60. A communications and engagement plan for the broader project has been developed and provided to your office.
- 61. Community engagement on a range of health planning and infrastructure projects, including the Northside Hospital commenced in August 2022 and was completed in November 2023.

Signatory Name: Liz Lopa, Executive Group Manager, Pl

Phone:

Schedule 2.2(a)(ii)

Infrastructure Communication and Engagement Division

_..8.8.....

Caitlin Bladin, Senior Director,

Phone:

MS Teams

Northside Hospital Project

Attachments

Action Officer:

| Attachment A | Standing Agenda for fortnightly Northside Hospital project |
|--------------|--|
| | briefings with Minister for Health |



ACT Health Directorate

To: Minister for Health

CC: Rebecca Cross, Director-General

From: Liz Lopa, Executive Group Manager, Infrastructure, Communication and

Engagement

Subject: Northside Hospital project update – Regular briefing

Critical Date: 27/02/2023

Critical Reason: To provide you a progress update on the Northside Hospital project, ahead of

the regular fortnightly meeting on 27 February 2023.

Recommendation

That you note the standing agenda for fortnightly Northside Hospital project briefing at <u>Attachment A</u>.

Noted Please Discuss

Rachel Stephen-Smith MLA

28/2/23

Minister's Office Feedback

Thank you - a useful meeting yesterday and subsequent ERC discussion.

Background

- 1. Fortnightly meetings are scheduled between you and the Director-General, ACT Health Directorate (ACTHD) and Executive Group Manger, Infrastructure, Communication and Engagement to discuss progress of the northside hospital project.
- 2. This briefing has been prepared in advance of the meeting scheduled for Monday, 27 February 2023 at 9.30am.

Issues

- 3. A standing agenda for these fortnightly briefings on the Northside Hospital Project has been developed to guide discussions. The standing agenda is provided at Attachment A.
- 4. Updates for each agenda item is below.

| Schedule 1.6, Schedule 2.2(a)(xiii) | |
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Northside Hospital Transition Advisory Group

- 32. The Northside Hospital Transition Advisory Group (TAG) met on 21 February 2023.
- 33. The Cabinet submission being developed for consideration in February/March 2023 will seek agreement to the establishment of a transition team and supporting consultants, which would initially be funded from the existing Northside Hospital Project budget.
- 34. The structure of a transition team was discussed with the TAG on 21 February 2023. Liz Lopa, Executive Group Manager, Infrastructure, Communication and Engagement can provide a verbal update regarding the outcomes of this discussion at the Northside briefing on 27 February 2023.



Clinical and Community engagement

35. Northside Hospital engagement with Ministerial Advisory Councils has commenced this month. Presentations were given at the Ministerial Advisory Council for Veterans and Families on 1 February 2023, and the Ministerial Advisory Council for Ageing on 14 February 2023.



36. Union engagement will also commence; a Northside Hospital presentation will be delivered at the ACTHD Consultative Committee in March 2023.



- 37. As previously updated the Executive User Group meetings have concluded and the outputs are informing the Functional Design Brief for inclusion in the Business Case.
- 38. You previously queried the concerns raised by ACTHD regarding difficulties in engaging with CPHB clinicians on the project.
- 39. A separate briefing relating to consultation and engagement with CPHB, and the provision of an engagement and meeting register is being prepared for you.
- 40. The Northside Hospital Project Team continue to work closely with Health System, Planning and Evaluation division on the development of models of services that refine our understanding of the clinical services to be provided.
- 41. The Northside Hospital Project Team is continuing clinical engagement with speciality areas.

Financial Implications

42. Nil.

Consultation

Internal

43. Nil.

Cross Directorate

44. Nil.

External

45. Nil.

Work Health and Safety

46. Not applicable.

Benefits/Sensitivities

47. The development of a new Northside Hospital will be of significant interest to the community, stakeholders and Calvary.

48. There will be sensitivities associated with the outcome of Calvary negotiations and next steps. These will continue to form the basis of deliberations by Cabinet.

Communications, media and engagement implications

- 49. A communications and engagement plan for the broader project has been developed and provided to your office.
- 50. Community engagement on a range of health planning and infrastructure projects, including the Northside Hospital commenced in August 2022 and was completed in November 2022.

Signatory Name: Liz Lopa, Executive Group Manager, Phone: Schedule 2.2(a)(ii)

Infrastructure Communication and

Engagement Division

Action Officer: Caitlin Bladin, Project Director, Phone: MS Teams

Northside Hospital Project

Attachment

| Attachment A | Standing Agenda for fortnightly Northside Hospital project |
|--------------|--|
| | briefings with Minister for Health |



ACT Health Directorate

CABINET-IN-CONFIDENCE

To: Minister for Health Tracking No.: GBC22/762

CC: Rebecca Cross, Director-General

From: Liz Lopa, Executive Group Manager, Infrastructure, Communication and

Engagement Division

Subject: Final Lodgement of CAB22/798 – Northside Hospital project – commercial

negotiation outcomes and next steps

Critical Date: 07/03/2023

Critical Reason: The cabinet submission is due for final lodgement on this date to enable

consideration at Cabinet on 15 March 2023.

Recommendations

That you:

1. Agree to lodge the Cabinet Submission at Attachment 1 for consideration at Cabinet on 15 March 2023; and



2. Sign the Cabinet Submission at Attachment 1.

igned / Not Signed / Please Discuss

Rachel Stephen-Smith MLA

688.

<u>7 /3 /23</u>

Minister's Office Feedback

Submission signed with minor edits. Please withhold Attachment H from lodgement at this time and discuss. The timelines presented are not what has been discussed. This will not be a standard Assembly process - the Government will need to make some specific decisions to provide certainty to all, particularly staff.

Schedule 1.6

2

CABINET

Background

- 1. This Cabinet Submission follows the northside hospital project update to the Expenditure Review Committee (ERC) of Cabinet on 6 December 2022 (CAB22/773).
- 2. This submission was considered by ERC on 27 February 2023 and is scheduled for consideration by Cabinet on 15 March 2023.

Issues

- 3. Following Cabinet consideration on 6 September 2022, a letter to Mr Bowles (Attachment D) was sent to communicate the Government's position and next steps regarding Calvary's role in the northside hospital project.
- 4. You met with Mr Bowles on 21 November 2022 to discuss Calvary's response to the Government's position. A formal written response was received on 28 November 2022 (Attachment A). Calvary's response to the Territory's letter of offer was 'no'. The submission outlines the pathways open to Government at this point in the project.

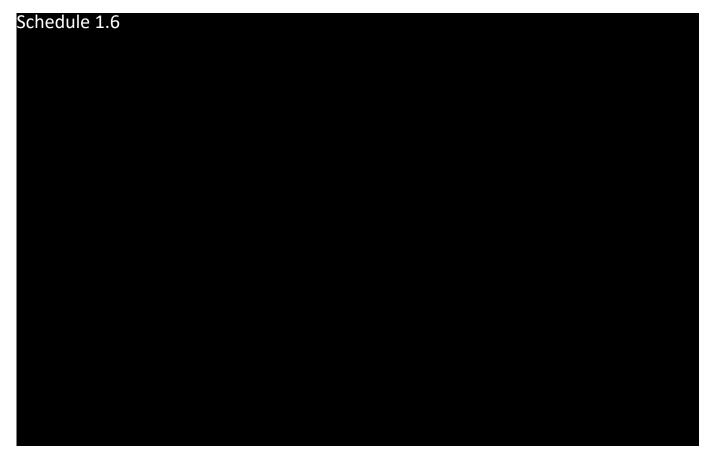


Tracking No.: GBC22/762



Financial Implications

13. This Cabinet submission does not explicitly seek funding, however the decisions taken from Cabinet are related to the Business Case being prepared for the 2023-24 Budget.



Tracking No.: GBC22/762 3

- 18. The northside hospital will be a significant investment from the Territory and its health system in the ACT to provide a modern facility. Capital cost estimates for all the infrastructure options are included in the Submission.
- 19. A business case will be developed based on the suitable site options and presented to Cabinet for consideration as part of the 2023-24 Budget Process.
- 20. The funding provided in 2021-22 Budget is funding the current work.
- 21. A transition team is proposed to be funded through the existing northside hospital project budget.

Consultation

<u>Internal</u>

22. Not applicable.

Cross Directorate

- 23. ACTGSO and MPC are working closely with ACTHD on the project.
- 24. MPC, EPSDD, TCCS, CMTEDD and JACS (including ESA) are involved in the site, planning and design considerations associated with the Northside Hospital Project.
- 25. ACT Treasury are assisting ACTHD with the development of valuation methodology and compensation matrix to inform any compensation package.
- 26. ACTGSO, MPC, CMTEDD and CHS were consulted prior to ERC on the contents of the submission.

External

- 27. This Cabinet submission contains commercially sensitive information and has not been circulated externally. The submission remained on restricted circulation ahead of ERC on 27 February 2023.
- 28. ACTHD has a range of external advisors that have provided advice on the submission from a commercial and legal perspective.

Work Health and Safety

29. Nil.

Benefits/Sensitivities

30. The development of a new northside hospital will be of significant interest to the community, stakeholders, and Calvary.

Tracking No.: GBC22/762

Schedule 2.2(a)(ii)

31. There will be sensitivities associated with the outcome negotiations and next steps, these have all been outlined in the cabinet submission.

Communications, media and engagement implications

- 32. Media interest is not expected regarding this submission as it remains Cabinet-in-Confidence.
- 33. However, there is media and community interest in the site and operator of the new northside hospital so there will be future opportunities for announcements through the Budget process, pending approval of the business case.
- 34. A communications and engagement plan for the broader project has been developed and provided to your Office.
- 35. Community engagement on a range of health planning and infrastructure projects, including the northside hospital commenced in August 2022 and were completed on 30 November 2022.
- 36. Clinical engagement has occurred through executive user group meetings, and direct engagement with divisions where possible.

Signatory Name: Liz Lopa, Executive Group Manager, Phone:

Infrastructure, Communication and

Engagement Division

Action Officer: Caitlin Bladin Phone: Schedule 2.2(a)(ii)

Schedule 1.6

Tracking No.: GBC22/762 5

Schedule 1.6

Tracking No.: GBC22/762





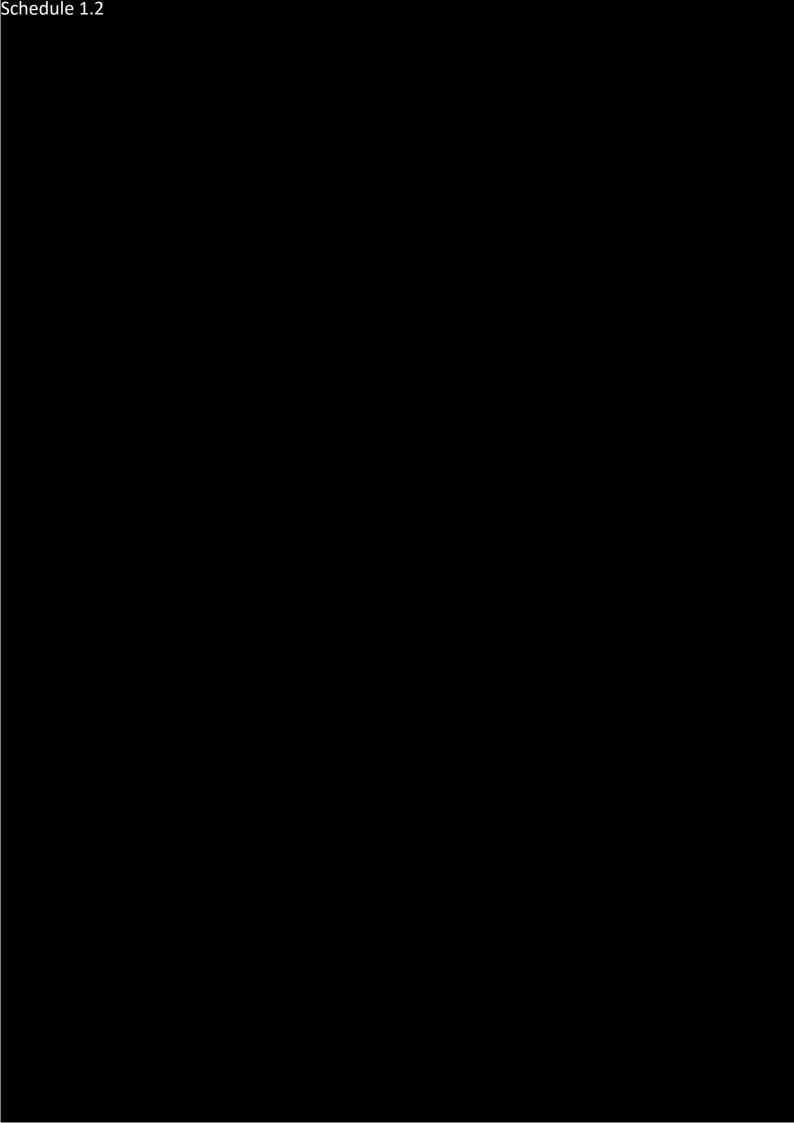


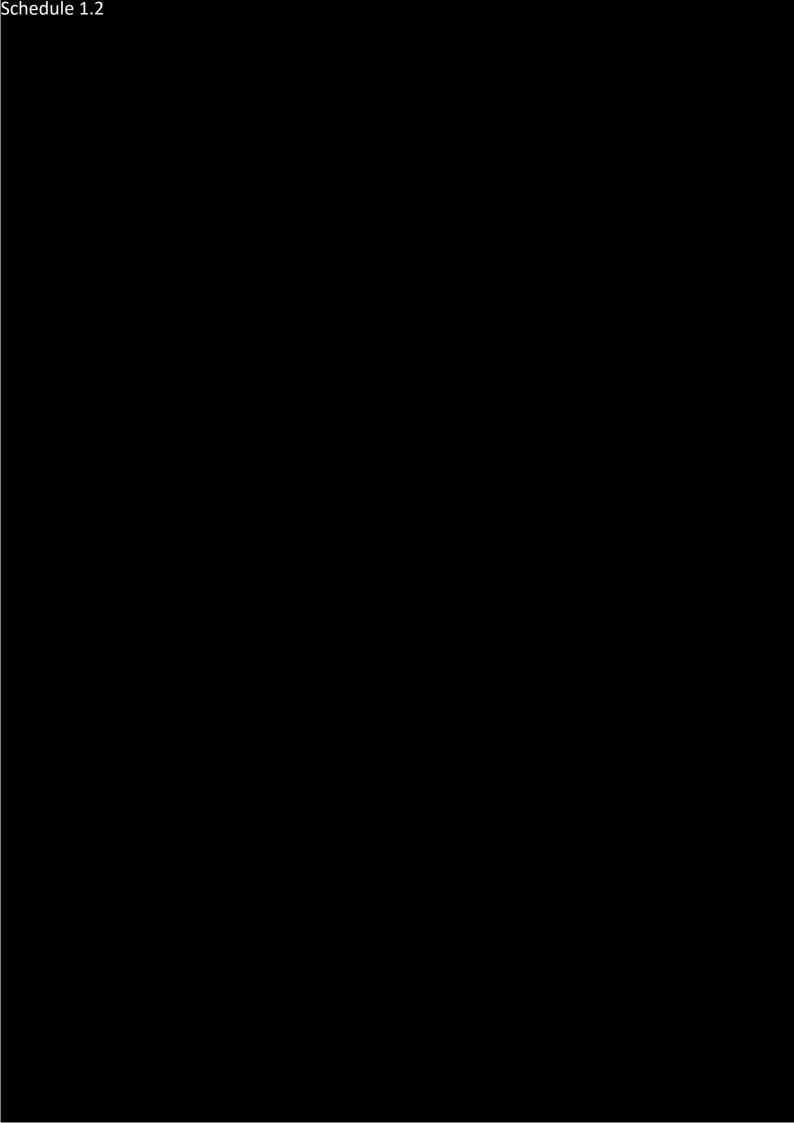


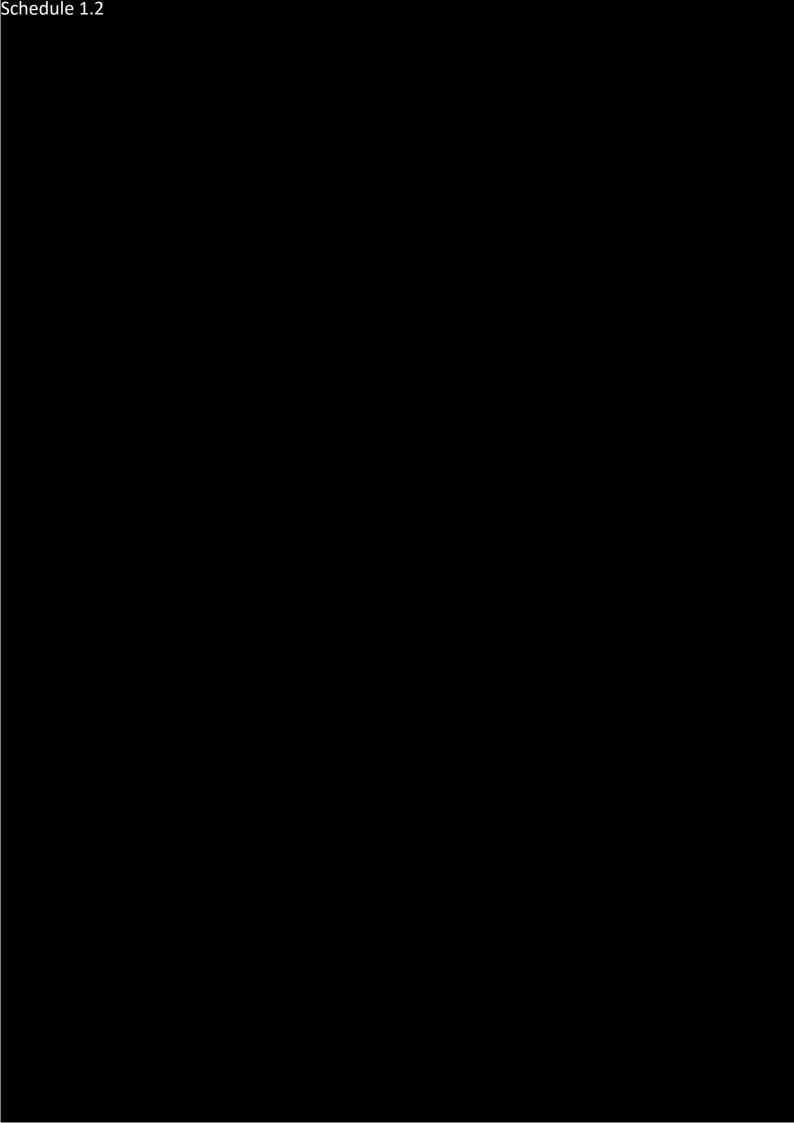


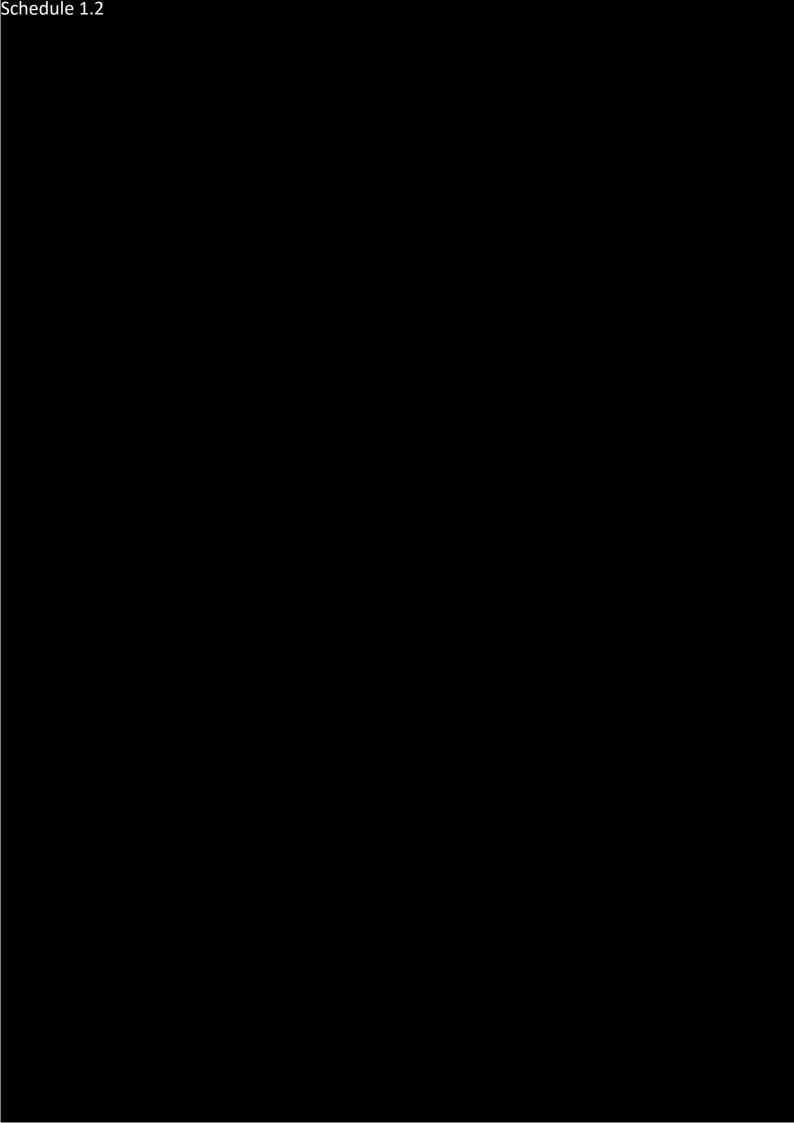


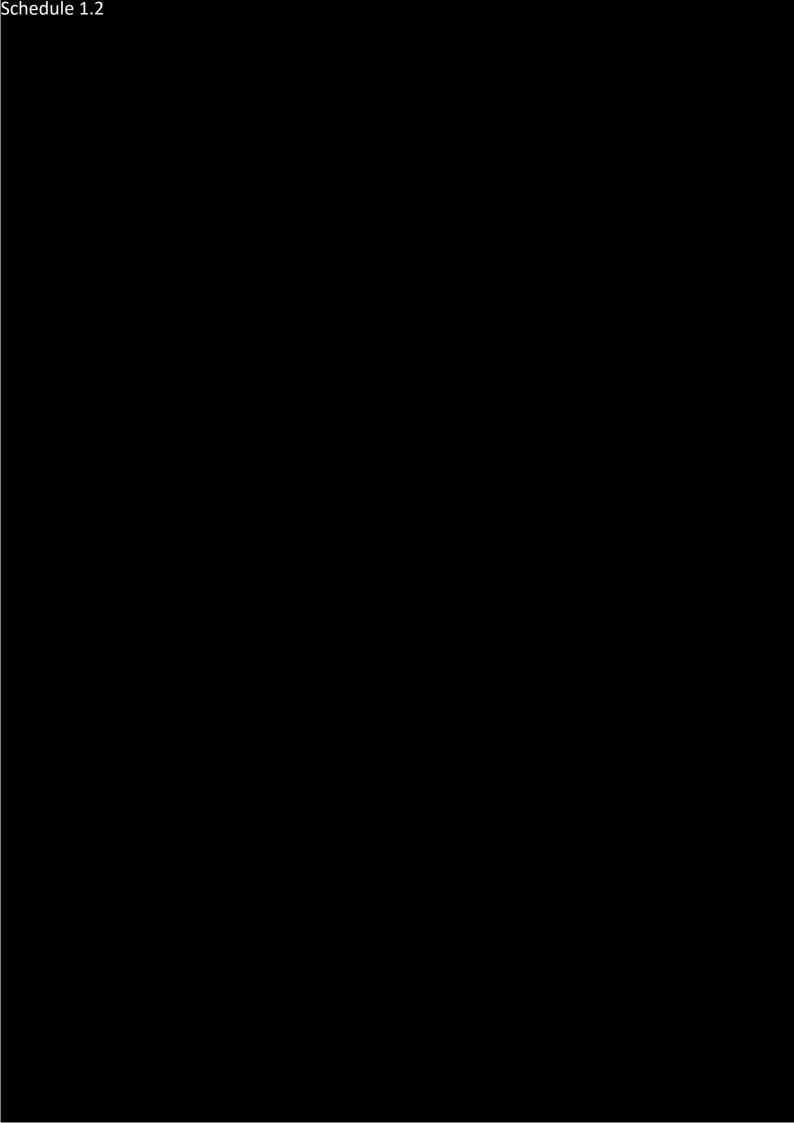


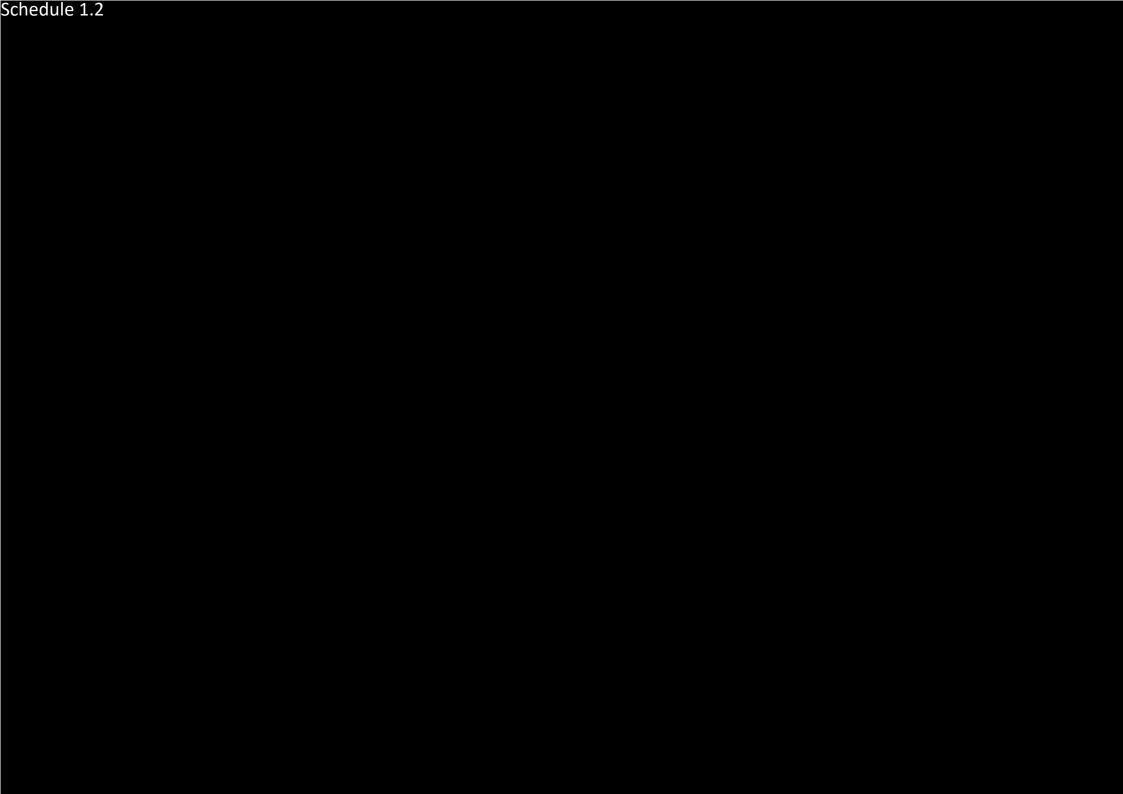


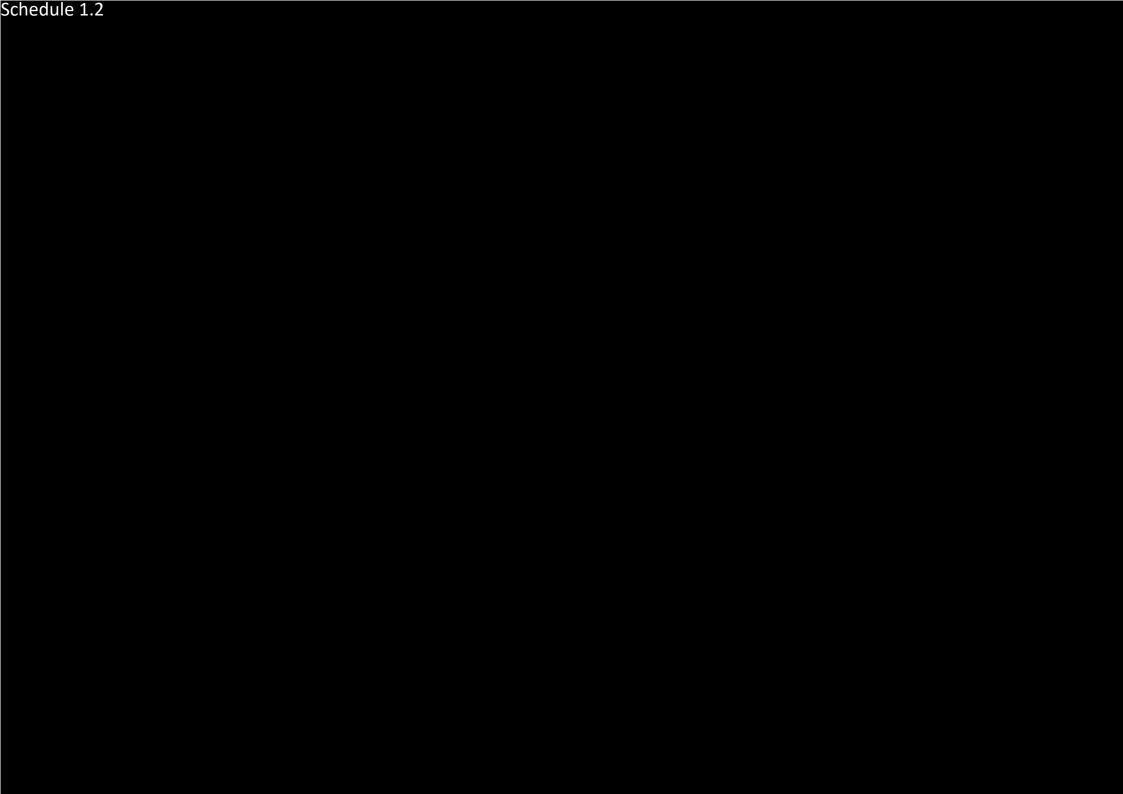


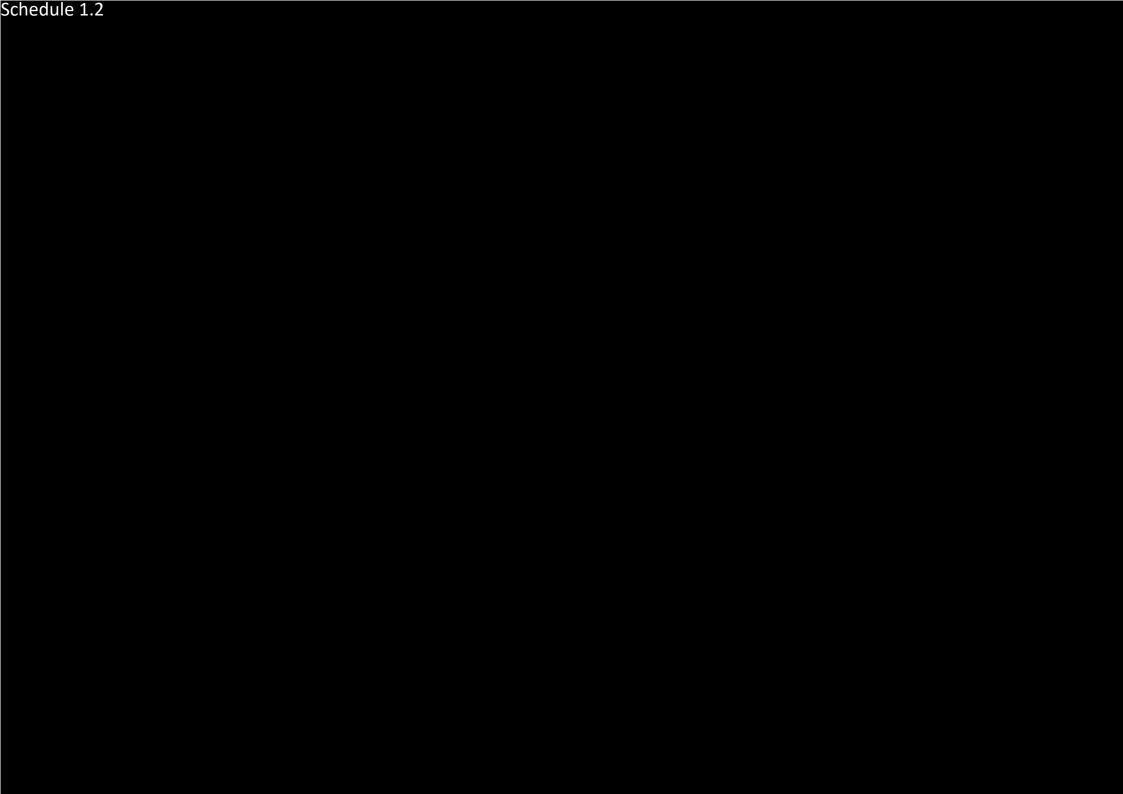


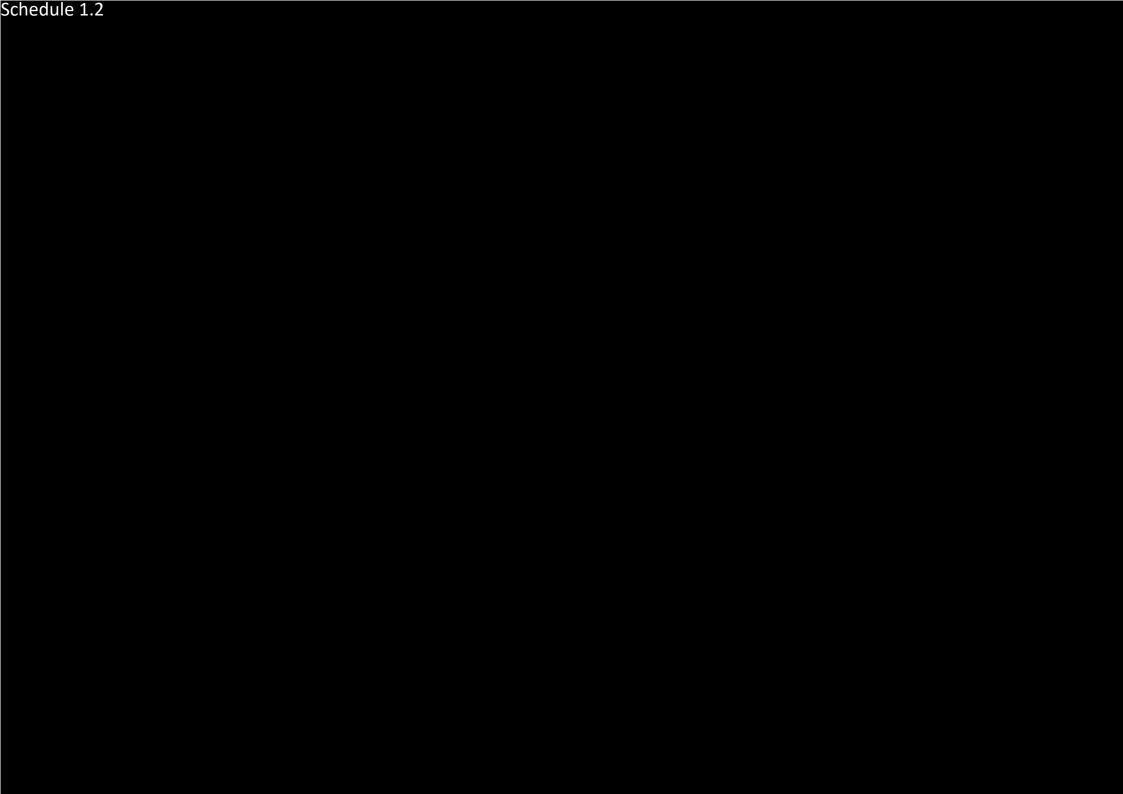


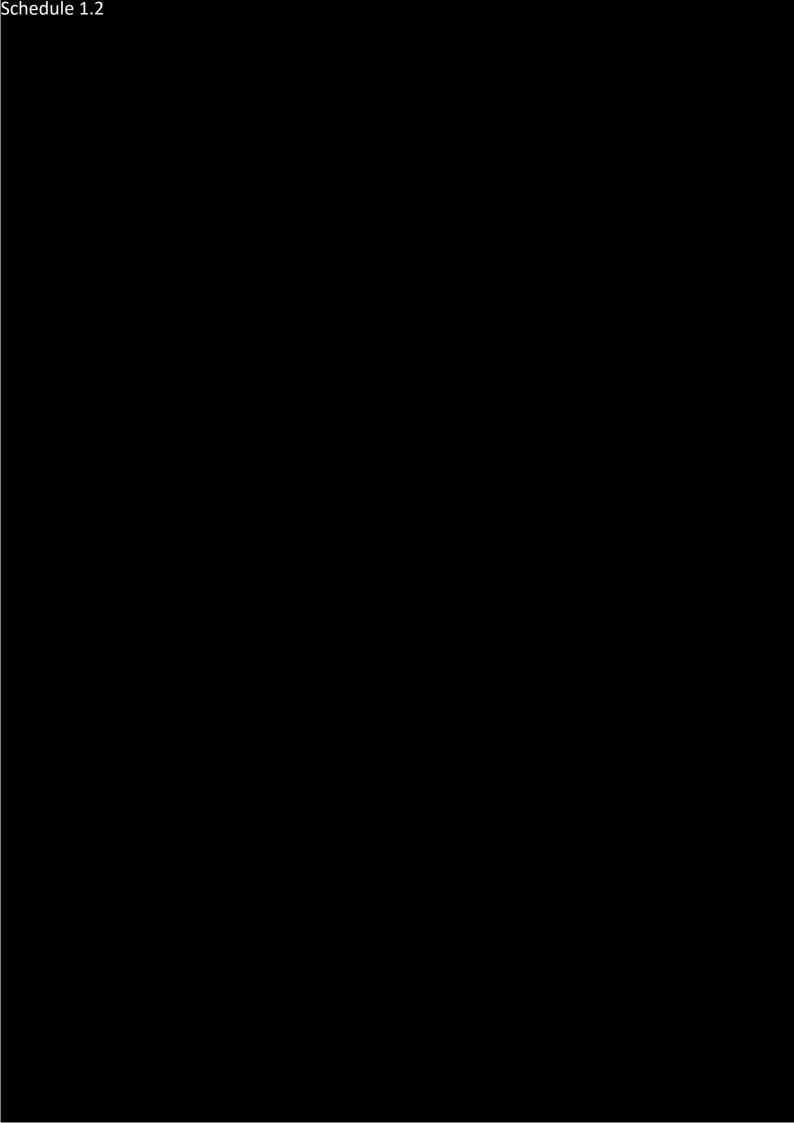


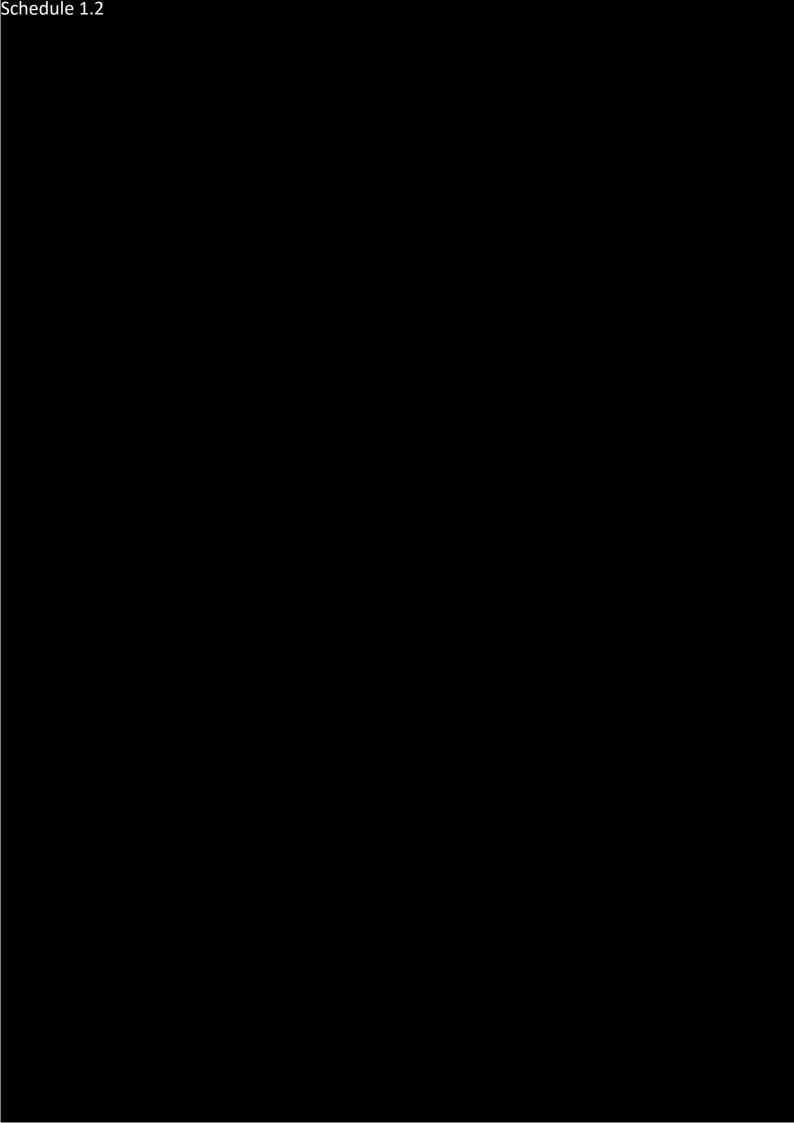












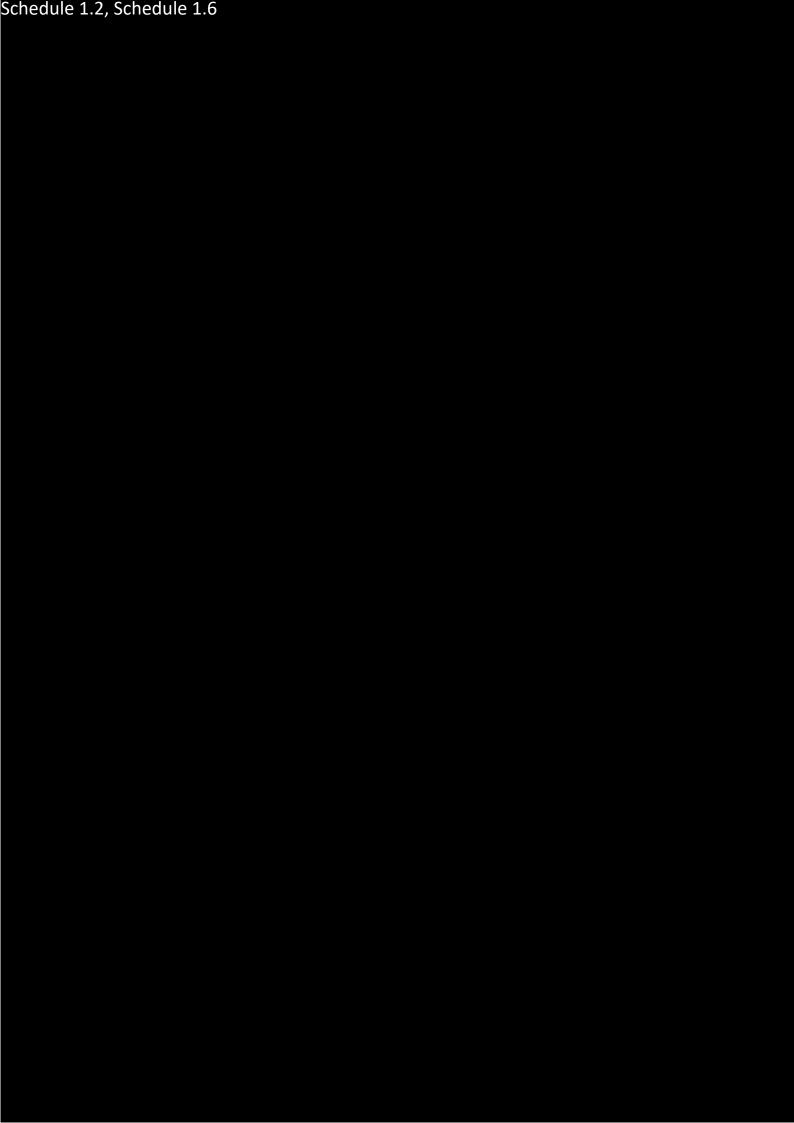


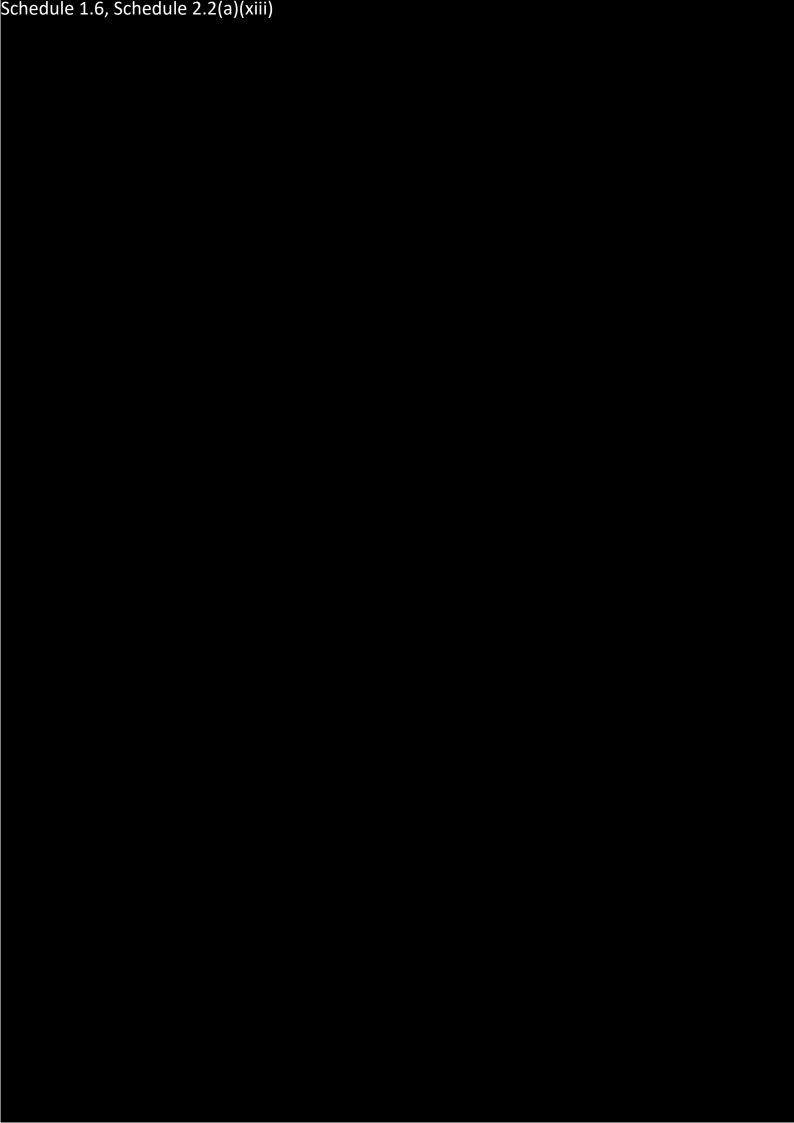




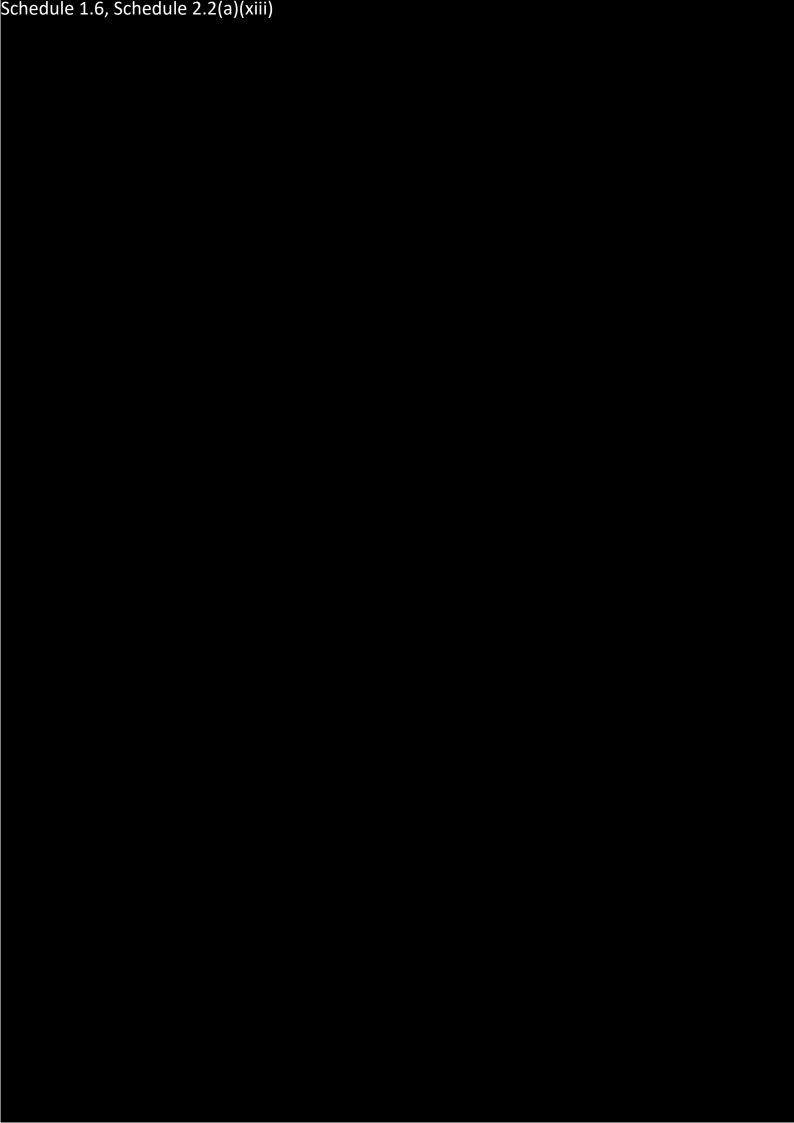
















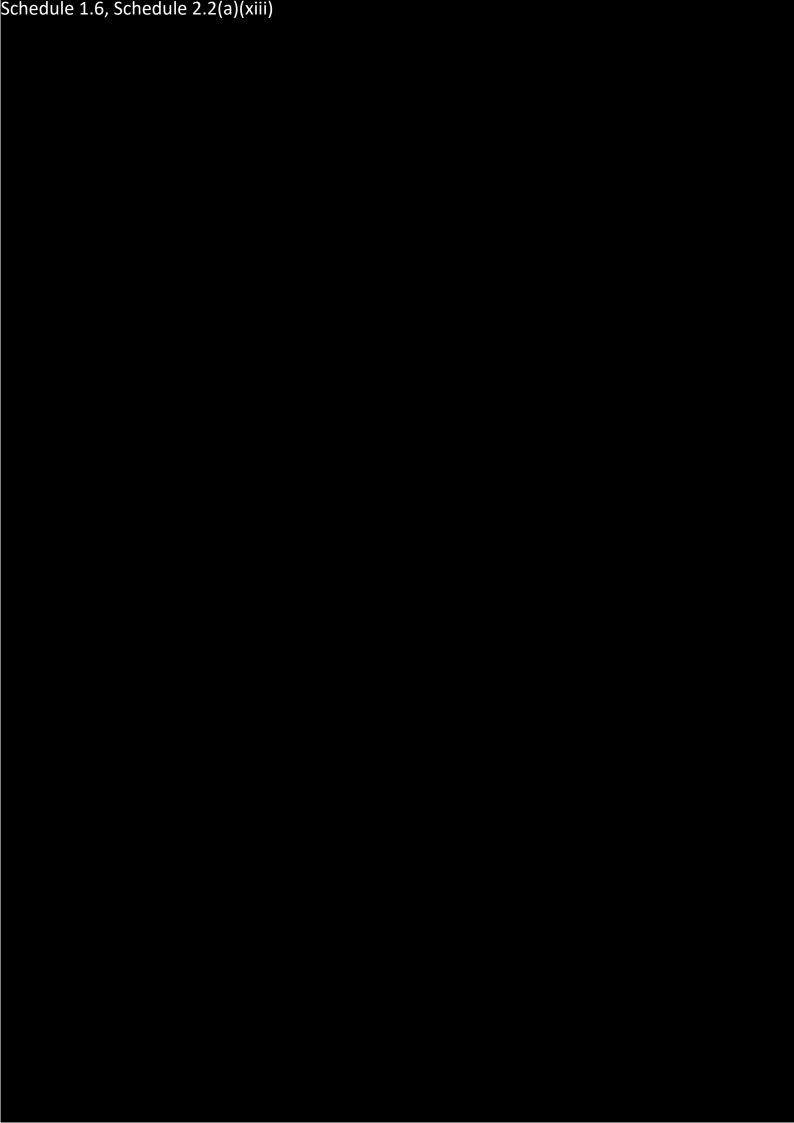










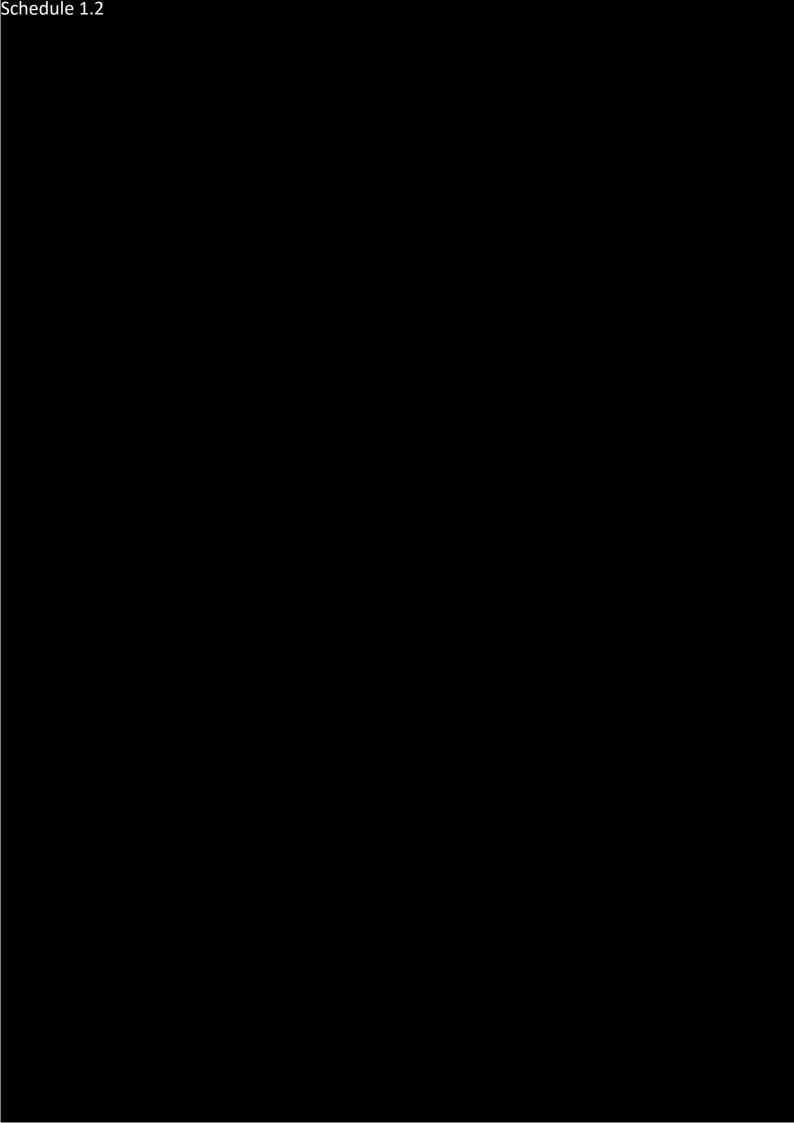


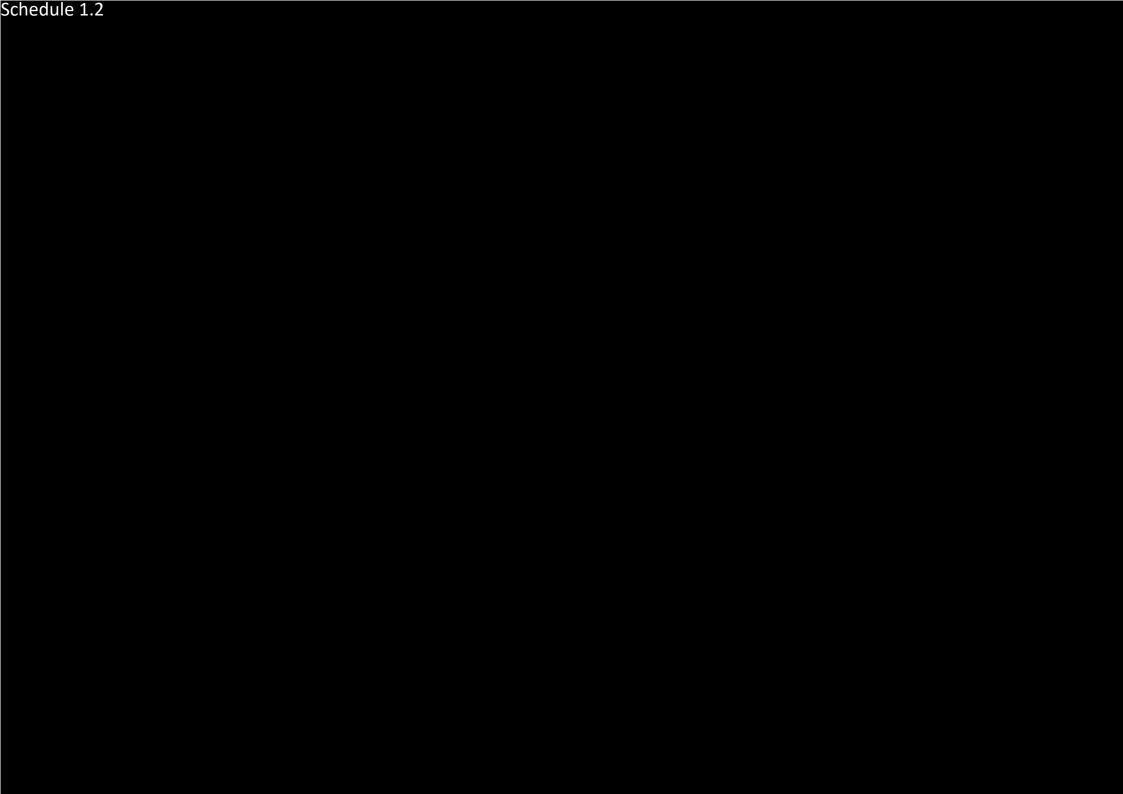




























ACT Health Directorate

| То: | Minister for Health | Tracking No.: MIN23/17 |
|------------------|--|------------------------|
| Cc: | Rebecca Cross, Director-General | |
| From: | Liz Lopa, Executive Group Manager, Infrastructure, Communication and Engagement | |
| Subject: | Northside Hospital project update – Regular briefing | |
| Critical Date: | 14/03/2023 | |
| Critical Reason: | To provide you a progress update on the Northside Hospital project, ahead of the regular fortnightly meeting on 14 March 2023. | |

Recommendations

That you:

1. Note the Standing Agenda at Attachment A;



2. Note the Information on the modelling that underpins the Mental Health bed requirements at Attachment B; and



3. Note the Architectural renders for Bruce and the Greenfield site at Attachment C.



| Rachel Stephen-Smith MLA | 14/3/23 |
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| Minister's Office Feedback | |
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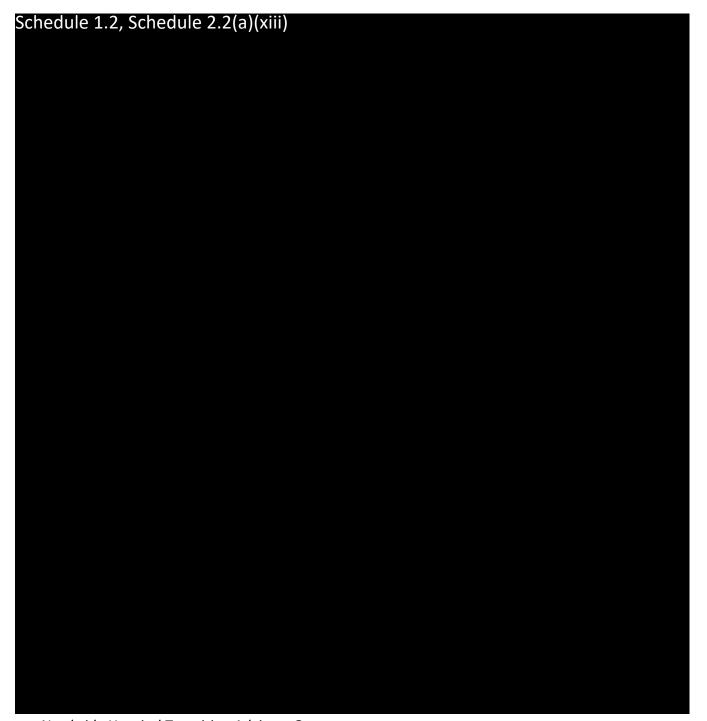
Background

- 1. Fortnightly meetings are scheduled between you and the Director-General, ACT Health Directorate and Executive Group Manger, Infrastructure, Communication and Engagement (EGM ICE) to discuss progress of the northside hospital project.
- 2. This briefing has been prepared in advance of the meeting scheduled for Tuesday, 14 March 2023 at 11.30am.

Issues

- 3. A standing agenda for these fortnightly briefings on the Northside Hospital Project has been developed to guide discussions. The standing agenda is provided at Attachment A.
- 4. Updates for each agenda item is below.





Northside Hospital Transition Advisory Group

- 19. The Northside Hospital Transition Advisory Group (TAG) met on Tuesday, 21 February 2023.
- 20. Agreement has been reached for the establishment of a transition team and supporting consultants. This would initially be funded from the existing Northside Hospital Project budget ahead of ongoing planning and submissions for funding.
- 21. The structure of a transition team is being considered out of session, with TAG members to provide advice on resourcing requirements for the various workstreams encompassed in the draft transition team structure.

- 22. The TAG has agreed to expand its membership to include the following positions from across ACT Government:
 - a. Chief Finance Officer, ACTHD;
 - b. EGM, Communications and Engagement, Chief Minister, Treasury and Economic Development Directorate (CMTEDD); and
 - c. Chief Digital Officer, CMTEDD.
- 23. The TAG is next scheduled to meet on Tuesday, 21 March 2023.

Clinical and Community engagement

- 24. Union engagement has commenced with a Northside Hospital presentation delivered at the ACTHD Consultative Committee on 9 March 2023.
- 25. On 3 March 2023, the EGM ICE and EGM Health System Planning and Evaluation (HSPE) were approached by the Regional Chief Executive Officer, Calvary ACT, to meet with Calvary Public Hospital Bruce (CPHB) clinicians on 14 March 2023 about northside clinical services planning and northside hospital project planning.
- 26. This session will provide clinicians opportunity to review the points of care and functional relationships proposed. The NHPT will brief you on the outcomes of this session as part of your fortnightly northside project briefing on 27 March 2023.

Clinical Services Planning

- 27. A draft of the Functional Design Brief has been received and is being reviewed by the project team.
- 28. You have previously requested information on the modelling that underpins the Mental Health bed requirements.
- 29. HSPE contracted Health Policy Analysis who have provided long term activity forecasting. This forecasting indicates that demand for acute inpatient mental health services is expected to roughly double over the next 20 years if the current service delivery options and presentation trends continue.
- 30. HPSE further advise that they are working with the Office of Mental Health and Wellbeing, Chief Psychiatrist and Mental Health, Justice Health, Alcohol and Drug Services to explore more community-based options for mental health services and to test future bed demand projections against the more system focussed National Mental Health Service Planning Framework, in the ACT context.
- 31. Key variables for ongoing modelling include the extent to which demand will shift from the public sector, including on the northside, to the Deakin facility (and the impacts between Canberra Hospital and the northside hospital); and the extent to which increased investment in the community sector as well as improved case management of frequent presenters could reduce acute admissions.

/

CABINET

- 32. In 2021 -22 bed occupancy at Canberra Health Service Acute Mental Health Unit was 82 per cent (close to the 85 per cent benchmark full occupancy rate for a unit with high dependency beds). In the same period CPHB bed occupancy was over 90 per cent (above the benchmark occupancy rate of 90 per cent for an acute adult mental health unit).
- 33. The full advice from HPSE is provided for your office at Attachment B.
- 34. The NHPT continue to work closely with HSPE division on the development of models of services that refine our understanding of the clinical services to be provided.
- 35. The NHPT is continuing clinical engagement with speciality areas.

Financial Implications

36. Nil.

Consultation

Internal

37. HSPE were consulted and provided input into this briefing.

Cross Directorate

38. Nil.

External

39. Nil.

Work Health and Safety

40. Not applicable.

Benefits/Sensitivities

- 41. The development of a new Northside Hospital will be of significant interest to the community, stakeholders and Calvary.
- 42. There will be sensitivities associated with the outcome of Calvary negotiations and next steps. These will continue to form the basis of deliberations by Cabinet.

Communications, media and engagement implications

- 43. A communication and engagement plan for the broader project has been developed and provided to your Office.
- 44. Community engagement on a range of health planning and infrastructure projects, including the Northside Hospital commenced in August 2022 and was completed in November 2023.

CABINET

Signatory Name: Liz Lopa, Executive Group Manager,

Phone: Sch

Schedule 2.2(a)(ii)

Infrastructure Communication and Engagement Division

Action Officer: Rebecca Sweetman, Director,

Phone: MS Teams

Northside Hospital Project

Attachments

| Attachment A | Standing Agenda for fortnightly Northside Hospital project briefings with Minister for Health |
|--------------|---|
| Attachment B | Information on the modelling that underpins the Mental Health bed requirements |
| Attachment C | Architectural renders for Bruce and the Greenfield site |

































ACT Health Directorate

To: Minister for Health

Cc: Rebecca Cross, Director-General

From: Liz Lopa, Executive Group Manager, Infrastructure, Communication and

Engagement

Subject: Northside Hospital project update – Regular briefing

Critical Date: 27/03/2023

Critical Reason: To provide you a progress update on the Northside Hospital project, ahead of

the regular fortnightly meeting on 27 March 2023.

Recommendations

That you:

1. Note the Standing Agenda at Attachment A; and



2. Note the Draft Transition team structure at Attachment B.



Rachel Stephen-Smith MLA



Minister's Office Feedback

Apologies for delayed sign-off. We didn't discuss Att B in any detail - please discuss the CPHB + CHH/pall care reference re operating model. I assume this is about how to separate the two but just need to have clarity about what is being considered here. Thank you

Background

- 1. Fortnightly meetings are scheduled between you and the Director-General, ACT Health Directorate (ACTHD) and Deputy Director-General, ACT Health (Infrastructure, Communication and Engagement (Executive Group Manage, Infrastructure, Communication and Engagement EGM ICE) to discuss progress of the northside hospital project.
- 2. This briefing has been prepared in advance of the meeting scheduled for Monday, 27 March 2023 at 11.30am.

Issues

- 3. A standing agenda for these fortnightly briefings on the Northside Hospital Project has been developed to guide discussions. The standing agenda is provided at Attachment A.
- 4. Updates for each agenda item is below.



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| Schedule 1.6 | |
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| Schedule 1.6, Schedule 2.2(a)(xiii) | |
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Greenfield options

13. Cabinet endorsed Diddams Close as the preferred greenfield option on 15 March 2023. Any further activity or expenditure on Diddams Close has been paused until after the Business Case has been considered.

Northside Hospital Transition Advisory Group

- 14. Work has commenced on the establishment of a transition team and supporting consultants. This would initially be funded from the existing Northside Hospital Project budget ahead of ongoing planning and submissions for funding. A draft team structure is at Attachment B.
- 15. A Cabinet submission providing advice from the Transition Advisory Group (TAG) regarding timing of introduction and timing for transition of services, along with a communications strategy and a Business Case for transition funding, is being prepared.

| prepared. | | | |
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| Schedule 1.6 | | | |
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- 17. The TAG met on Tuesday, 21 March 2023. Key matters for discussion included:
 - a. transition team structure and resourcing requirements;
 - b. timing of key decision points; and
 - c. key messaging and considerations for inclusion in the communications strategy.
- 18. Further discussions regarding timing and workforce considerations are to be held out of session.
- 19. The next TAG meeting is scheduled for 18 April 2023.

Clinical and Community engagement

- 20. Union engagement commenced on 9 March 2023 with a northside hospital presentation delivered at the ACTHD Consultative Committee.
- 21. Questions raised during this consultation related to the operator for the hospital and if workforce can contribute to that decision-making process. Members were advised this is a matter before government and further engagement will occur once decisions have been made.
- 22. On Friday, 3 March 2023, the EGM ICE and EGM Health System Planning and Evaluation (HSPE) were approached by the Regional Chief Executive Officer, Calvary ACT, to meet with Calvary Public Hospital Bruce clinicians on 14 March 2023 about northside clinical services planning and northside hospital project planning.
- 23. This session provided an overview of the points of care and functional relationships proposed and the concept design of the Northside hospital. The session was attended by medical staff and did not include any nursing or allied health professionals.

Clinical Services Planning

- 24. The Strategic Functional Design Brief has been finalised as part of the Technical Advisory services and provided to Pricewaterhouse Coopers for inclusion in the Business Case.
- 25. The Northside Hospital Project Team (NHPT) continue to work closely with HSPE division on the development of models of services that refine our understanding of the clinical services to be provided.
- 26. The NHPT is continuing clinical engagement with speciality areas.

Financial Implications

27. Nil.

Consultation

<u>Internal</u>

28. Nil.

Cross Directorate

29. Nil.

External

30. Nil.

Work Health and Safety

31. Not applicable.

Benefits/Sensitivities

- 32. The development of a new Northside Hospital will be of significant interest to the community, stakeholders and Calvary.
- 33. There will be sensitivities associated with the outcome of Calvary negotiations and next steps. These will continue to form the basis of deliberations by Cabinet.

Communications, media and engagement implications

- 34. A communication and engagement plan for the broader project has been developed and provided to your Office.
- 35. Community engagement on a range of health planning and infrastructure projects, including the Northside Hospital commenced in August 2022 and was completed in November 2023.

Signatory Name: Liz Lopa, Executive Group Manager, Phone: Schedule 2.2(a)(ii)

Infrastructure Communication and

Engagement Division

Action Officer: Caitlin Bladin, Project Director, Phone: MS Teams

Northside Hospital Project

Attachments

| Attachment A | Standing Agenda for fortnightly Northside Hospital project briefings with Minister for Health |
|--------------|---|
| Attachment B | Draft Transition team structure |



ACT Health Directorate

To: Minister for Health Tracking No.: MIN23/16

CC: Rebecca Cross, Director-General

From: Liz Lopa, Deputy Director-General, Infrastructure and Engagement

Subject: Northside Hospital project update – Regular briefing on 11 April 2023

Critical Date: 11/04/2023

Critical Reason: To provide you a progress update on the Northside Hospital project, ahead of

the regular fortnightly meeting on 11 April 2023.

Recommendations

That you note the information at Attachment A and Attachment B.



Rachel Stephen-Smith MLA

11/4

Minister's Office Feedback

Please add land issues to agenda for next meeting - how the block is subdivided with immediate effect to ensure Calvary retains the lease on the land we don't need. Thank you

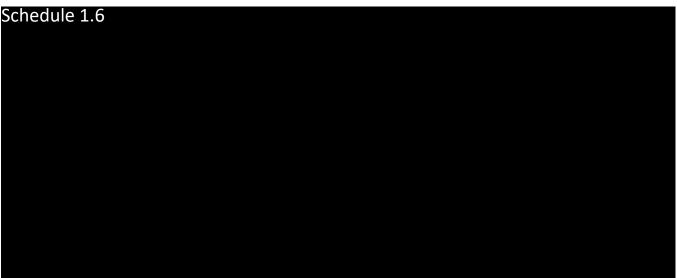
Will seek to release the Listening Report as soon as possible.

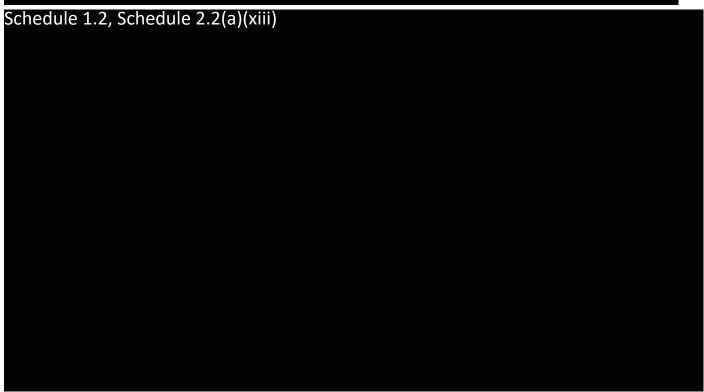
Background

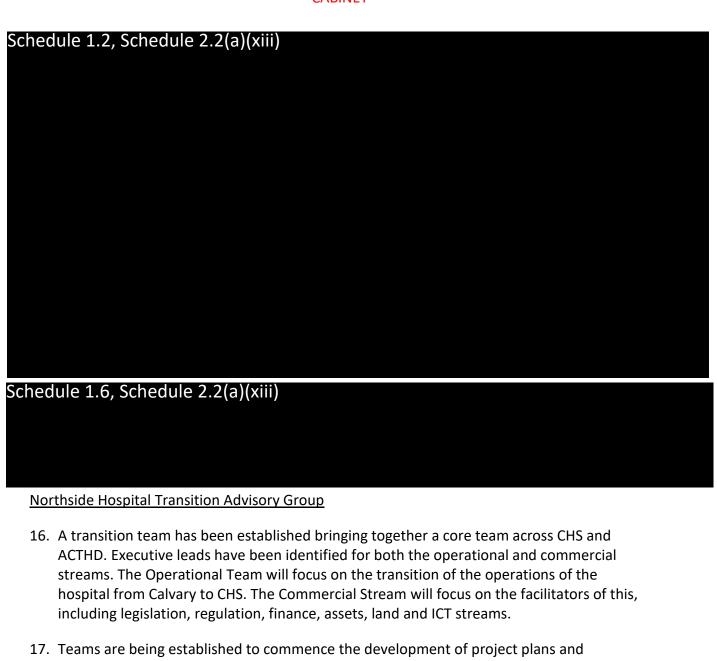
- 1. Fortnightly meetings are scheduled between you, the Director-General and the Deputy Director-General, ACT Health Directorate (ACTHD) to discuss progress of the northside hospital project.
- 2. This briefing has been prepared in advance of the meeting scheduled for Tuesday, 11 April 2023 at 12:30pm.

Issues

- 3. A standing agenda for these fortnightly briefings on the Northside Hospital Project has been developed to guide discussions. The standing agenda is provided at <u>Attachment A</u>.
- 4. Updates for each agenda item is below.







undertaken business continuity planning and risk mitigation planning.

20. The proposed transition team resourcing is at Attachment B.

18. A communications team is being established including stakeholder engagement and

19. A Business Case is being developed for the ongoing operations of the Transition Team.

workforce communications.



24. The next TAG meeting is scheduled for 18 April 2023.

Clare Holland House

- 25. Currently Clare Holland House is currently out of scope for the Northside Hospital Project. As we progress through transition it will need to form part of the discussions with Calvary because:
 - a. It is operated by CPHB staff; and
 - b. There is no current services agreement in place and annual funding is through the Calvary Public Hospital Performance Plan; and
- 26. ACTHD will provide preliminary advice to Government in the upcoming submission.

Financial Implications

- 27. The financial implications of transition are still being developed, but are likely to be significant over the first few months; decreasing as the transition to business as usual occurs.
- 28. Business cases for both the infrastructure project and transition will be considered at ERC on 27 April 2023.



Consultation

<u>Internal</u>

29. Nil.

Cross Directorate

30. Nil.

External

31. Nil.

Work Health and Safety

32. Not applicable.

CABINET

Benefits/Sensitivities

- 33. The development of a new Northside Hospital will be of significant interest to the community, stakeholders and Calvary.
- 34. There will be sensitivities associated with the outcome of Calvary negotiations and next steps. These will continue to form the basis of deliberations by Cabinet.

Communications, media and engagement implications

- 35. A communication and engagement plan for the broader project has been developed and provided to your Office. A communication and engagement plan for transition is being finalised and will be provided to your Office as part of the suite of Cabinet documents.
- 36. Community engagement on a range of health planning and infrastructure projects, including the Northside Hospital commenced in August 2022 and was completed in November 2023.
- 37. The Phase one listening report for this engagement work is with your Office (MIN23/280 refers) for review prior to public release on the YourSay website.

Signatory Name: Liz Lopa, Deputy Director-General, Phone: Schedule 2.2(a)(ii)

Infrastructure and Engagement

Action Officer: Caitlin Bladin, Project Director, Phone: MS Teams

Northside Hospital Project

Attachments

| Attachment A | Standing Agenda for fortnightly Northside Hospital project | |
|--------------|--|--|
| | briefings with Minister for Health | |
| Attachment B | Transition Team Structure | |



ACT Health Directorate

| То: | Minister for Health Tracking No.: MIN23/367 | | |
|----------------------|---|-------------------------|--|
| Through: | Rebecca Cross, Director-General | | |
| From: | Liz Lopa, Deputy Director-General, Infrastructure, Communication and Engagement | | |
| Subject: | Letter to Martin Bowles, Chief Executive Officer, Calvary National – in response to letter of 28 November 2022 – Northside Hospital | | |
| Critical Date: | 14/04/2023 | | |
| Critical Reason: | To issue a formal response to Calvary's letter of November 2022 as soon as possible following receipt of legal advice. | | |
| Recommendations | | | |
| That you: | | | |
| | e draft response at <u>Attachment B</u> to Martin Bowl vary National; and | es, Chief Executive | |
| | | Noted / Please Discuss | |
| 2. Sign and is: | sue the letter to Martin Bowles, once agreed. | | |
| | Agreed / Not | Agreed / Please Discuss | |
| | | | |
| Rache | l Stephen-Smith MLA | // | |
| Minister's Office Fe | edback | | |
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Tracking No.: MIN23/367 1

Background

- 1. Throughout 2022, the ACT Health Directorate (ACTHD), on behalf of the ACT Government, participated in negotiations with Calvary National regarding its role in the development of the northside hospital project, and future provision of services on Canberra's northside.
- An exclusive period of negotiations with Calvary ended on 31 July 2022, with a subsequent briefing regarding next steps to Cabinet on 6 September 2022 (CAB22/319).
- 3. On 14 September 2022, following Cabinet agreement, you wrote to Mr Martin Bowles OAM, Chief Executive Officer, Calvary National asking that further negotiations be undertaken regarding:
 - a. Title to the land for the new Northside Hospital and expansion space (Land) is transferred by an appropriate mechanism to the ACT Government this Land is the land on which all current and future public health services and support services are located but excludes the land currently used by Calvary for its Private Hospital, Hyson Green and associated facilities.
 - b. The Territory will build the new Northside Hospital on the Bruce site and offer Calvary a modern services agreement for the operation of the new hospital with a 25-year term. The Territory will also negotiate with Calvary compensation for the transfer of the Land.
- 4. You met with Mr Bowles on 21 November 2022, following which on 28 November 2022, Mr Bowles issued a formal response advising that the Calvary National Board had rejected the Territory's position and offer of a new, modern 25-year services agreement. A copy of the letter is provided at Attachment A.
- 5. A progress update by way of a discussion paper was provided to the Expenditure Review Committee on 6 December 2022 (CAB22/773).
- 6. A holding response was issued to Mr Bowles on 10 January 2023, advising a more fulsome response would be provided in due course.



Tracking No.: MIN23/367



Consultation

Internal

13. Not applicable.

Cross Directorate

14. ACT GSO provided advice and input to the draft response to Mr Bowles.

External

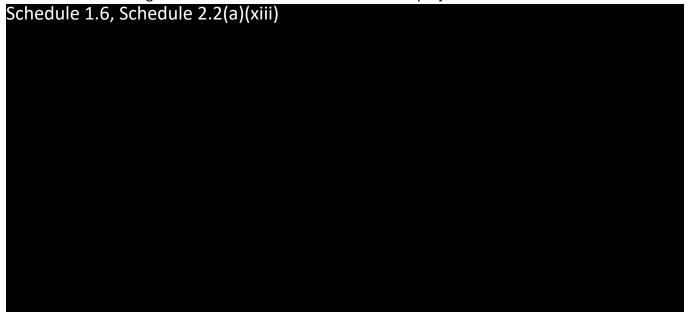
15. Legal advice from the northside hospital project legal advisory firm has informed the contents of the draft letter at <u>Attachment B</u>.

Work Health and Safety

16. Not applicable.

Benefits/Sensitivities

17. There are significant sensitivities associated with this project.



Tracking No.: MIN23/367 3

CABINET IN CONFIDENCE

Communications, media and engagement implications

23. A detailed communications strategy regarding the northside hospital project and related workstreams has been developed in consultation with your office and the Chief Minister's office.

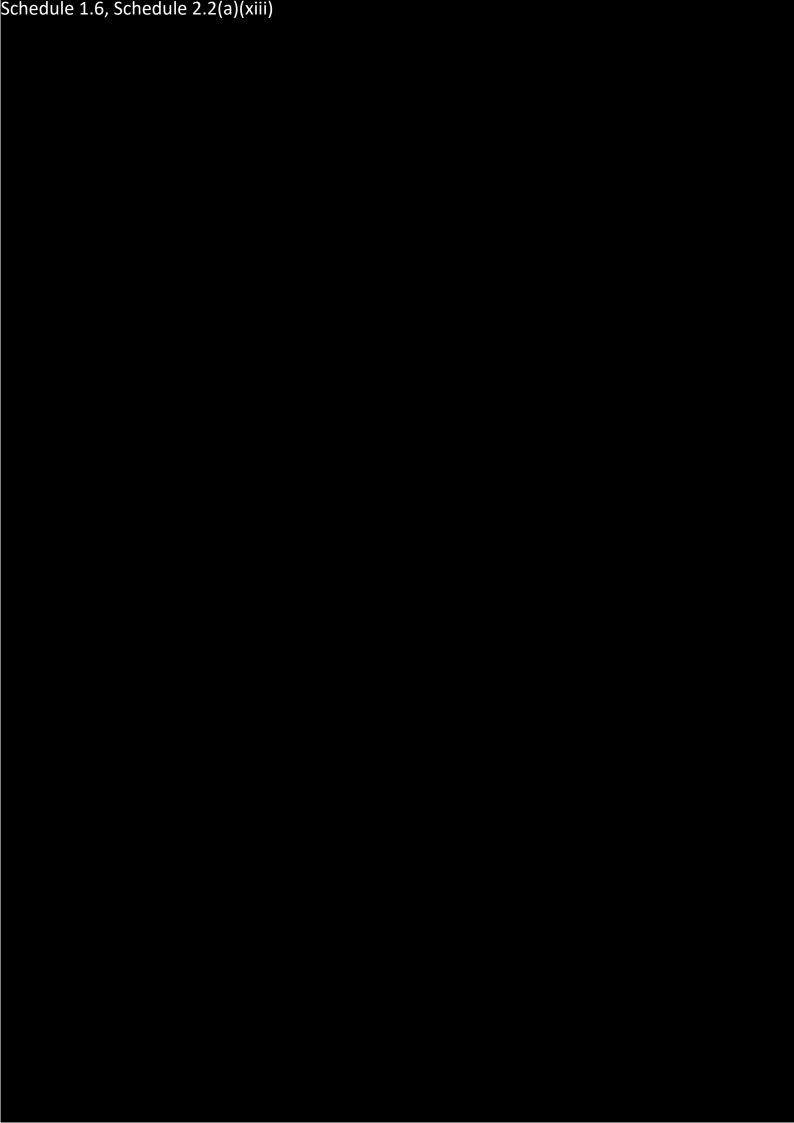
Signatory Name: Liz Lopa Phone: Schedule 2.2(a)(ii)

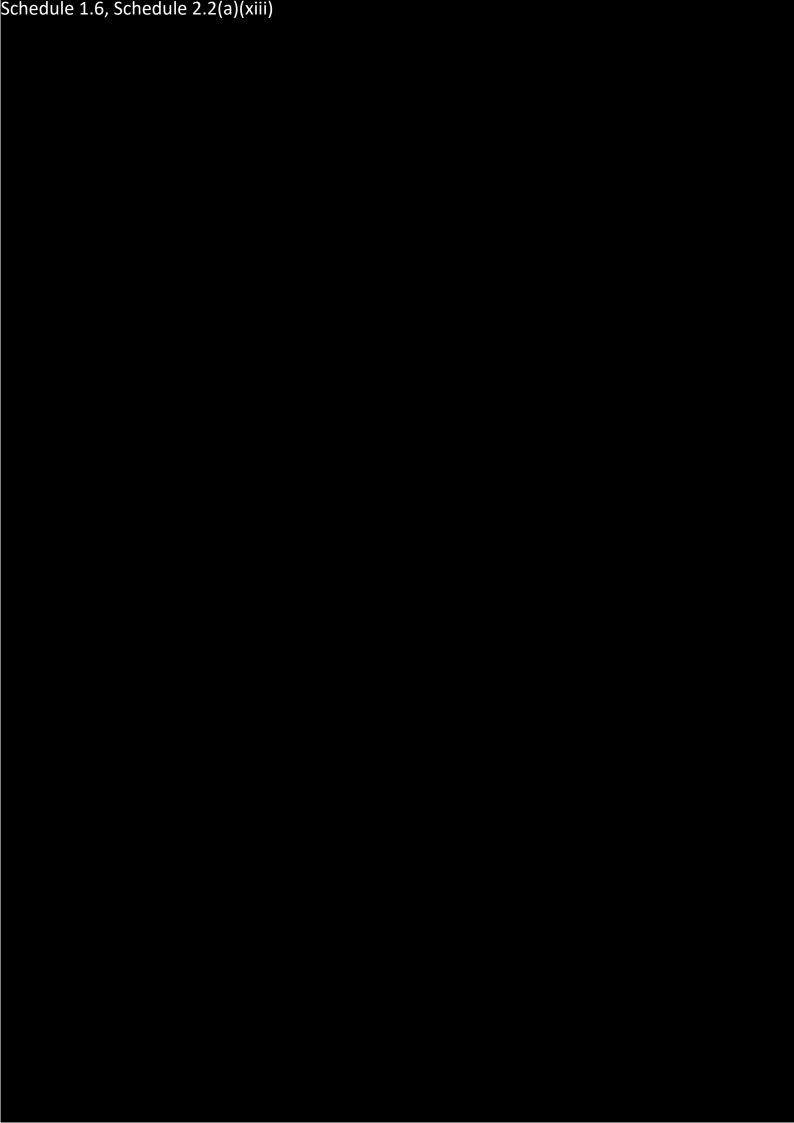
Action Officer: Alice West Phone: MS Teams

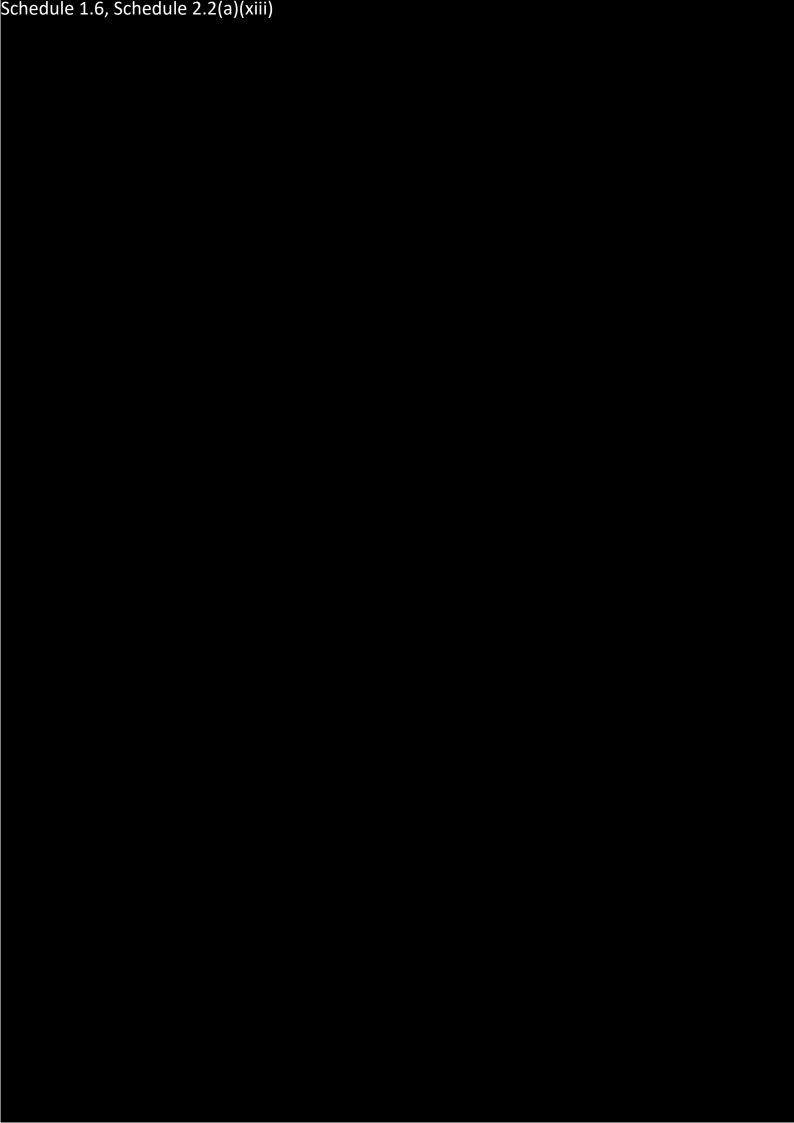
Attachments

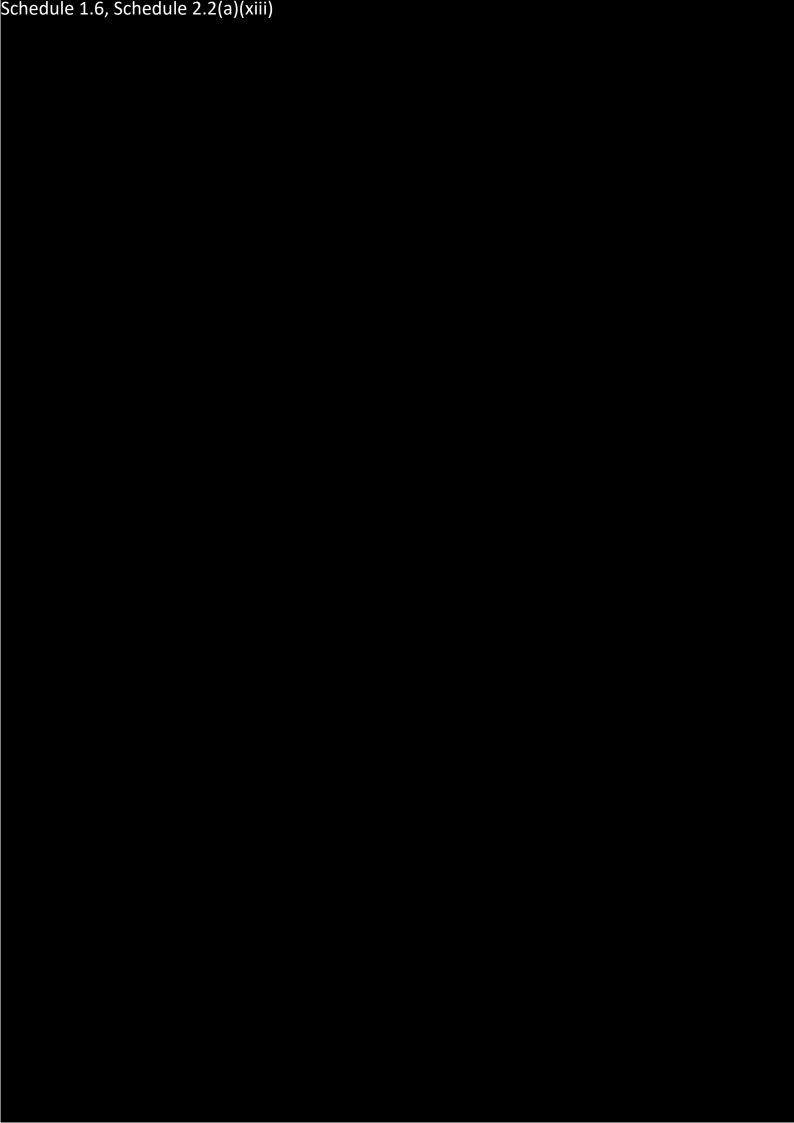
| Attachment | Title |
|--------------|--|
| Attachment A | Letter from Martin Bowles dated 28 November 2022 |
| Attachment B | Draft response to Martin Bowles |

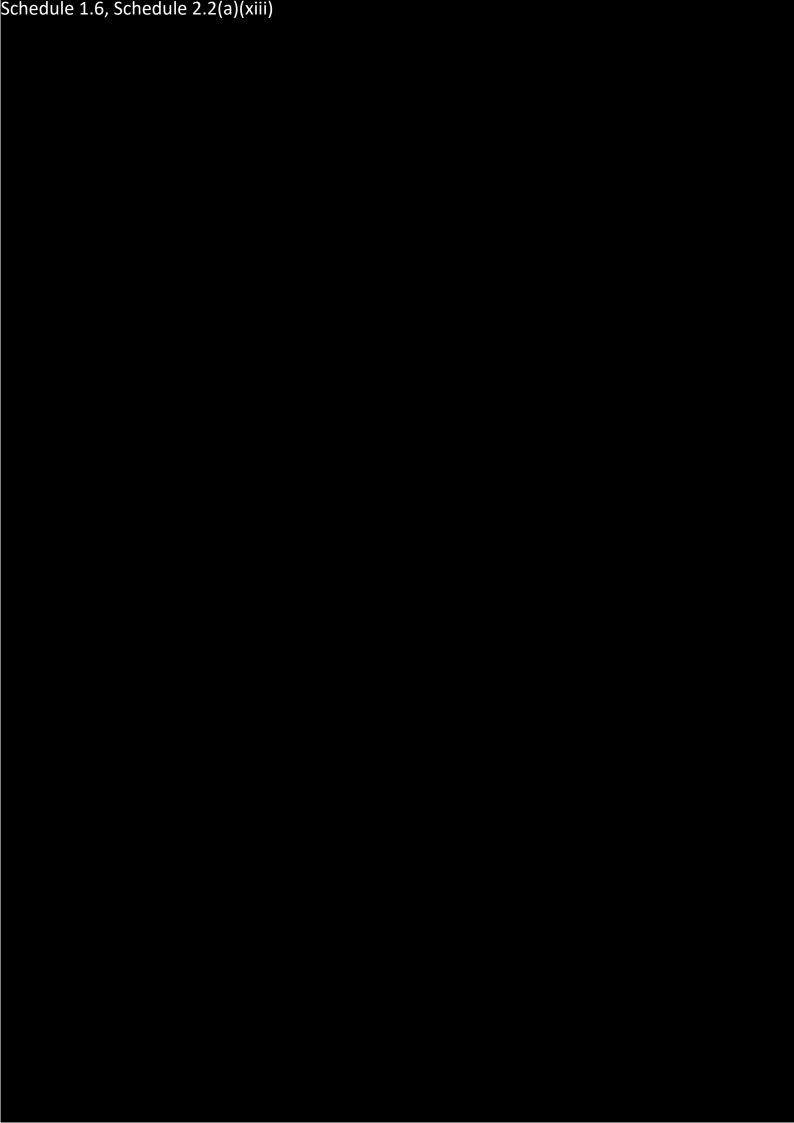
Tracking No.: MIN23/367 4

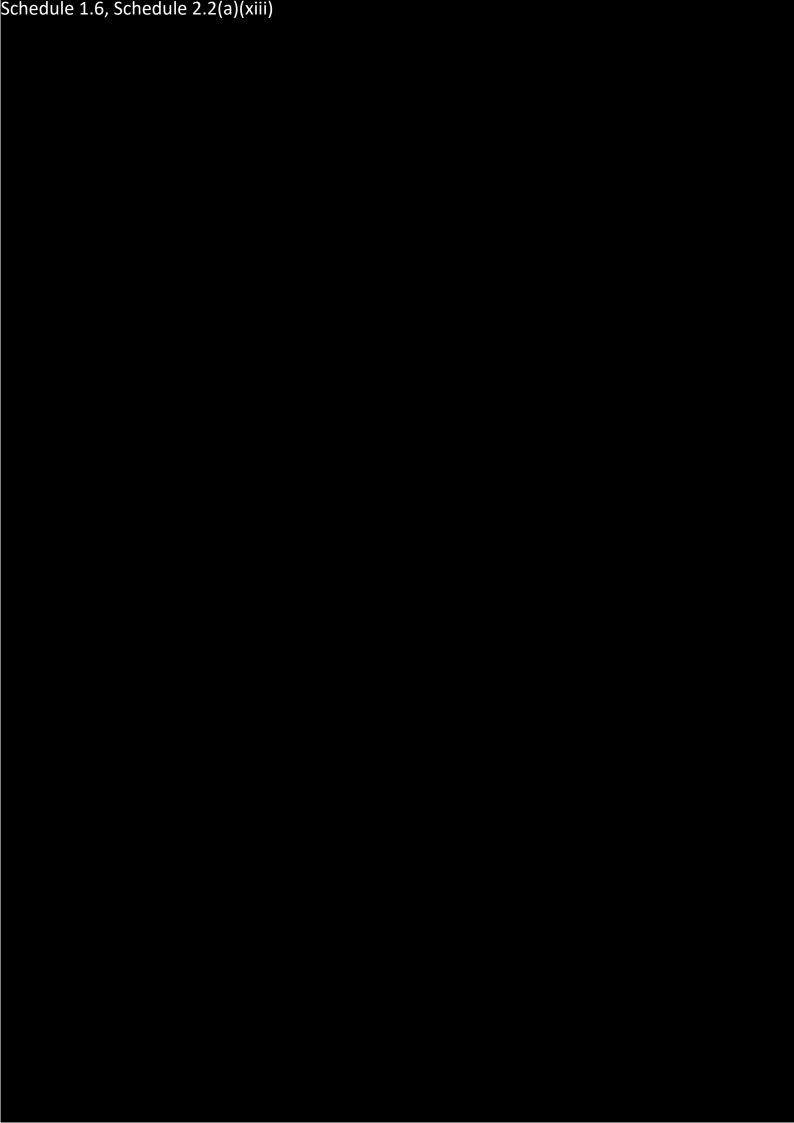


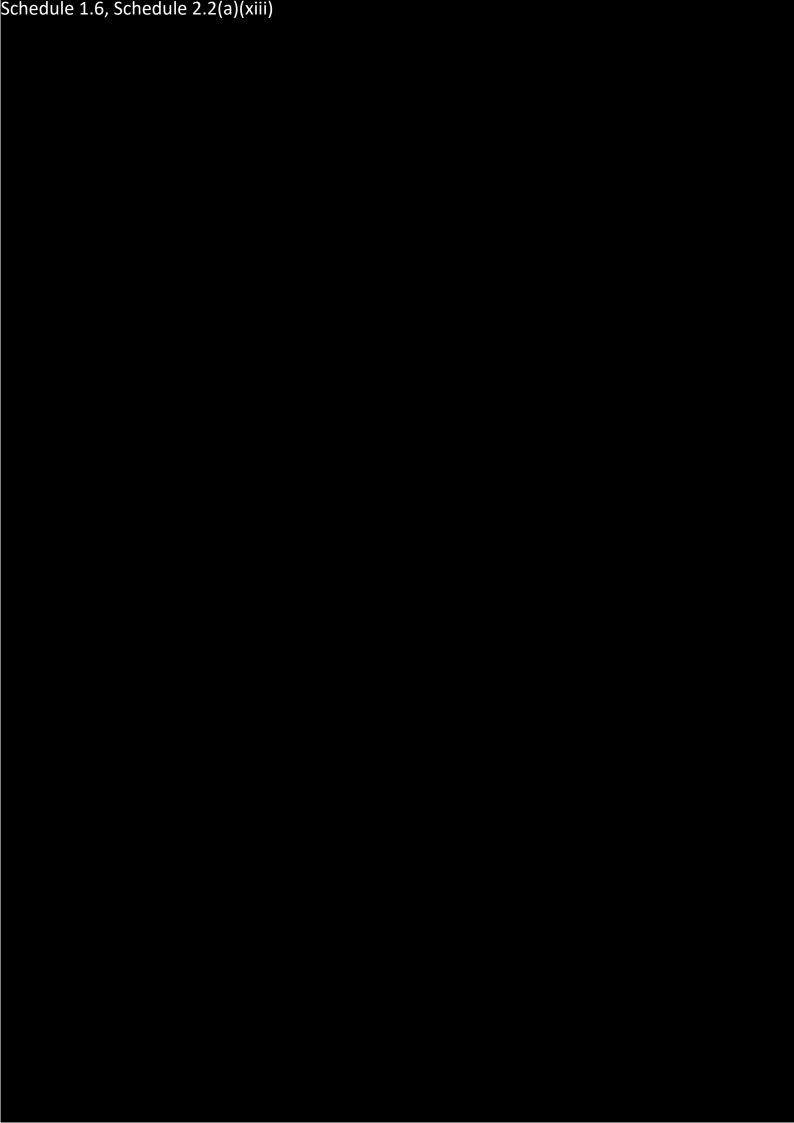


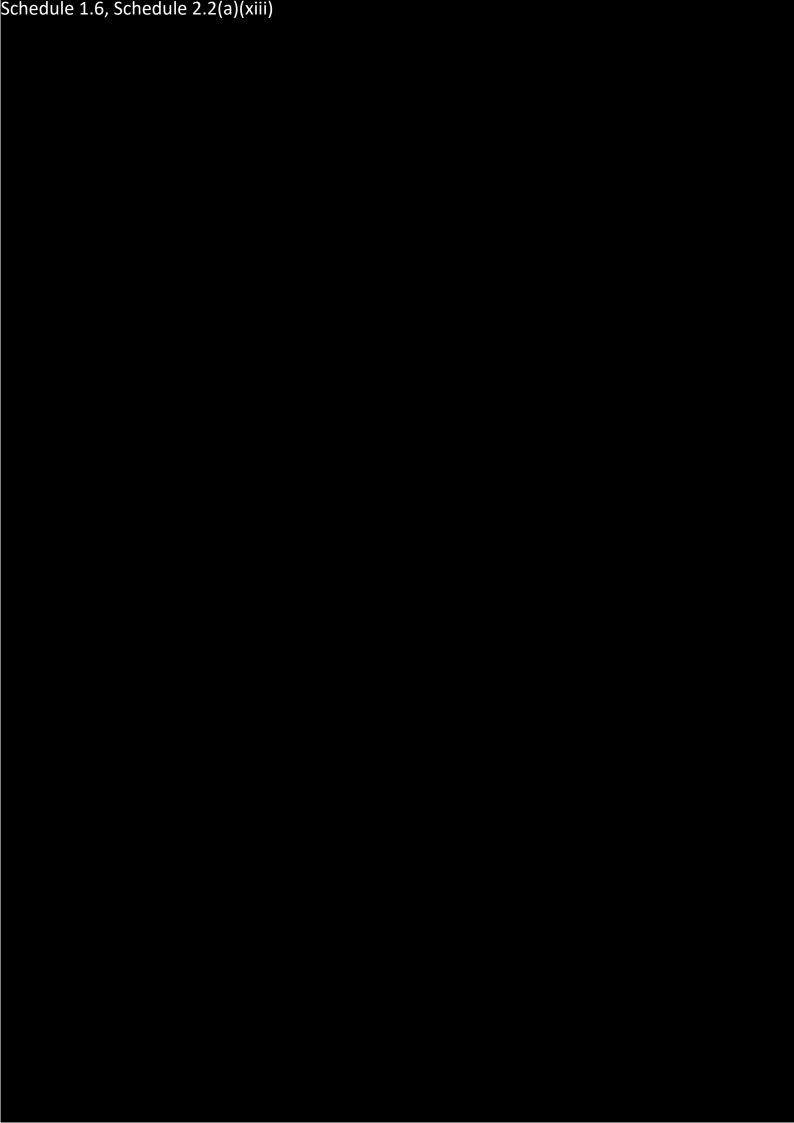














CAVEAT BRIEF

SENSITIVE: CABINET

To: Rachel Stephen-Smith MLA, Minister for Health

Through: Rebecca Cross, Director-General

Dave Peffer, CEO, CHS

Subject: Northside Briefing note

Northside infrastructure project

- The northside infrastructure business case has been provided to your office.
- Internal renders are being discussed with the architectural team to include in media announcements.



Contact Officer: Liz Lopa, Deputy Director-General Contact Number: Schedule 2.2(a)(ii)

Contact Number: Schedule 2.2(a)(ii)
Date: 14 April 2023

| Noted/Please Discuss |
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| |
| Rachel Stephen-Smith |
| Minister for Health |



CAVEAT BRIEF

SENSITIVE: CABINET

To: Rachel Stephen-Smith MLA, Minister for Health

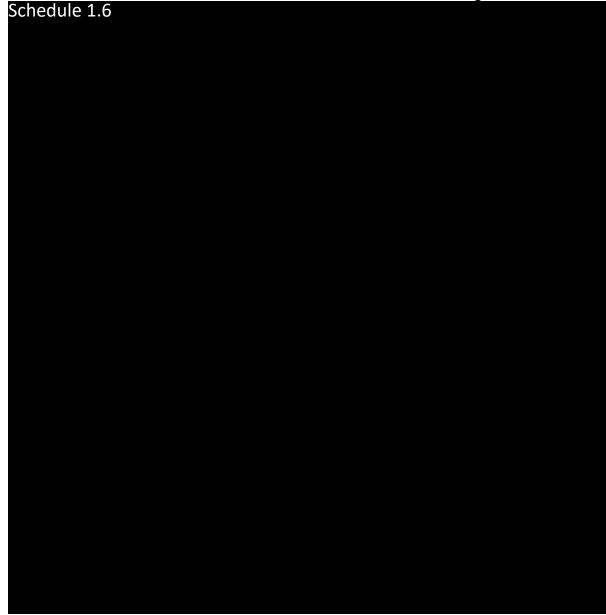
Through: Rebecca Cross, Director-General

Dave Peffer, CEO, CHS

Subject: Northside Briefing note

Northside Hospital Business Case

• The Northside Hospital Business Case will be before the ERC on 27 April. The two main decisions in the business case are location and funding.



| Schedule 1.6 | | |
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Contact Officer: Liz Lopa, Deputy Director-General Contact Number: Schedule 2.2(a)(ii)

Contact Number: Schedule 2.2(a)(ii)
Date: 21 April 2023

| Noted/Please Discuss |
|----------------------|
| |
| Rachel Stephen-Smith |
| Minister for Health |



CAVEAT BRIEF

SENSITIVE: CABINET

To: Rachel Stephen-Smith MLA, Minister for Health

Through: Rebecca Cross, Director-General

Dave Peffer, CEO, CHS

Subject: Northside Briefing note

Northside Hospital Business Case

• The Northside Hospital Business Case was before Expenditure Review Committee (ERC) on 27 April.

Schedule 1.6

- Funding for two years of detailed planning and provisional allocation for construction of the new hospital was approved.
- ACT Health Directorate (ACTHD) will undertake further work to determine scope of the new northside hospital with consideration of the Canberra Hospital Master Plan projects. The scope will be brought back to Cabinet for decision prior to any detailed design.

Schedule 1.6

Transition Business Case

• ERC endorsed the transition business case on 27 April 2023.

- As recommended by Treasury, expense funding of \$5 million will be absorbed by directorates as a cost pressure. The transition team will work closely with directorates to manage this cost pressure.
- On 14 April, you wrote to the Treasurer requesting a transfer funds from the Canberra Hospital Master Plan project to support the Transition Team. A letter from the A/g Treasurer to you providing formal notification of approval of a Treasurer's Advance of \$4 million was received 27 April. The letter requests that ACTHD continues to work with Treasury to identify excess capital funding that may be available to be offset Health cost pressures in 2022-23, including up to \$6.5 million allocated to the Canberra Hospital Master Plan but no longer required for that purpose. The transition team will work with ACTHD Strategic Finance and Treasury on this matter.

Assembly Business Paper (APB) and Legislation

- ERC endorsed the *Health Infrastructure Enabling Bill* and Regulations to be considered by Cabinet on 4 May.
- ACTHD is working across government and with GSO and PCO to provide you with final drafts of the Bill and Regulations by 2 May ahead of Cabinet.
- If further refinements to the Bill and supporting documentation are required, the Assembly Business Paper recommends these be settled between you and the Chief Minister.
- It is likely that amendments to the Regulations will be made between introduction and passage. Any amendments will made in conjunction with your office.
- The Commercial and legal stream is working closely with GSO and EPSDD to better understand servicing of the land, including the existing easements and any possible subleases (i.e Telecommunications companies).
- A brief will be provided to you by 2 May to provide property and land related information and outline the process required for the surrendering and granting of a new lease to Calvary to operate its private facilities.

Service continuity

- The Service Continuity stream is progressing well key leads have been appointed for each of the following workstreams:
 - Human Resources (payroll, employment, IR) David Robertson
 - Engagement (staff, contractors and key stakeholders) Tarryn Guinard
 - Operations Susan Frieberg
 - Clinical Governance Kath Wakefield
 - o Finance David Morgan
 - Digital Luke Cartwright
- Significant planning focusing on process, risks and contingency has occurred in each of the streams. These are progressing through workshops to confirm with key stakeholders from CHS, ACTHD, CMTEDD, DDTS and others as required.

- The Engagement Team are well progressed with workflows, scripting, FAQs, data capture for the Hotline and have commenced booking a number of engagement events such as pop-ups, town halls and webex into diaries and venues ahead of notification to stakeholders.
- From next Monday this report will include a range of project dashboard reports which will demonstrate progress in each workstream and other key project metrics.

Project Governance

- PWC is providing some independent support to work streams as required.
- Project management governance is well underway. A Transition Operations Manual will be provided to you next week.
- The first meeting of the Transition Executive Steering Committee is scheduled for 3 May chaired by Kathy Leigh.
- The existing Transition Advisory Group is proposed to meet more frequently going forward on a fortnightly basis.

Other Northside issues

- Provisions of services at Clare Holland House needs to be considered alongside the introduction of the Bill. The Bill does not mention CHH but termination of the CNA will impact on CHH.
- Clare Holland House is not included in the CNA but is included in the Calvary Performance Plan managed by ACTHD.

Schedule 2.2(a)(xiii)

• A brief about options pertaining to CHH has been prepared for your office.

Communications

- The Communications on a Page has been updated in line with your comments of 24 April 2023.
- A Workforce communication plan is being developed which reflects the different communications workforce may need from other community members or stakeholders.
- A timeline of meetings, briefings and announcements is being developed which will outline chronologically all of the key activities you, the Director-General ACTHD and Chief Executive Officer, CHS, will be undertaking in the week of 8 May 2023.
- As requested by your office, a final communications pack has been provided to you for your revisions.

ACTHD Workforce

- ACTHD People and Culture branch are supporting the transition team to identify staff affected by the cessation of the Calvary Network Agreement (CNA) within ACTHD, namely those responsible for governance and contract management of the CNA.
- Consultation with affected staff will be undertaken in accordance with the relevant enterprise agreement.
- The DG ACTHD has committed to meet with affected staff prior to public announcements, followed by communications to all ACTHD staff.

Contact Officer: Liz Lopa, Deputy Director-General

Contact Number: Schedule 2.2(a)(ii)
Date: 28 April 2023

| | Noted/Please Discuss | | |
|-------|----------------------|--|--|
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| ••••• | | | |
| | Rachel Stephen-Smith | | |
| | Minister for Health | | |



ACT Health Directorate

To: Minister for Health

Rebecca Cross, Director-General, ACT Health Directorate
Dave Peffer, Chief Executive Officer, Canberra Health Services

Subject: Final lodgement of Submission for Cabinet – CAB23/364 - Northside Hospital – transition of health services on Canberra's northside

Critical Date: 03/05/2023

Critical Reason: The Cabinet submission is due for final lodgement to enable consideration at Cabinet on 4 May 2023

Recommendation

That you:

1. Sign the final Cabinet submission at <u>Attachment 1</u> for lodgement with Cabinet Office ahead of consideration Cabinet on 4 May 2023.

signed / Not Signed / Please Discuss

Rachel Stephen-Smith MLA

Minister's Office Feedback

Background

- 1. This submission (CAB23/364) provides advice to Cabinet regarding the timing of introduction of special legislation, timing of notification and transition of health services on Canberra's northside to Canberra Health Services (CHS), as per decision 22/798/CAB of 15 March 2023.
- 2. This submission was endorsed by Expenditure Review Committee (ERC) on 27 April 2023 and is scheduled to be considered by Cabinet on 4 May 2023.

Issues

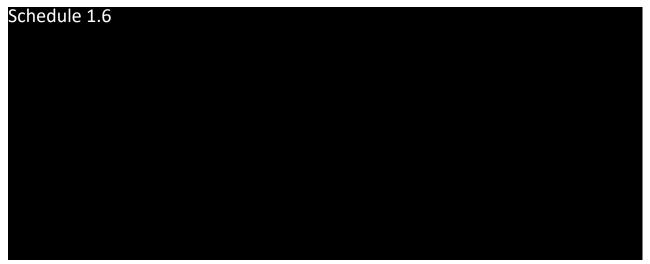
3. The submission at Attachment 1 seeks Government agreement to:
Schedule 1.6

4. The submission also includes two draft letters to Mr Martin Bowles AM, CEO Calvary National – one providing a response to Calvary's November letter where they rejected the Territory's proposal regarding land and contract, and a second draft letter outlining a process for transition and related negotiations. The letters are designed to be given concurrently.

Schedule 1.2

The Cabinet submission

recommends that any changes to the letter(s) be agreed with the Chief Minister.



Categorising the Bill as not a significant Bill

6. On 15 March, Cabinet was asked to agree to the Health Infrastructure Enabling Bill being categorised as a significant Bill. Since that meeting, as the Bill has been developed, the project team has received advice that the Bill does not meet the requirements of a Significant Bill. Your Cabinet Meeting Brief asks you to seek agreement from Cabinet that the Bill not be categorised as a significant Bill. This is supported by the human rights scrutiny office in JACS.

Transition project

- 7. The immediate priority for Government is the transition of operations at the Calvary Public Hospital Bruce (CPHB) to CHS. The most important consideration is continuity of quality services for patients at the hospital. This is closely related to workforce security and stability.
- 8. The transition project attempts to separate the land acquisition and contract termination from the delivery of public health services. The objective is that operational due diligence and preparation can focus on continuity of health services in the Territory.
- The commercial stream of transition can be more focused on the litigious matters
 associated with the acquisition and termination of the contract, including
 negotiations over just terms compensation and any associated legal actions brought
 by Calvary.



Financial Implications

- 14. Establishment of a transition team has been initially funded through the Northside Project, in line with agreement from Cabinet under 22/798. A Treasurer's Advance for an extra \$4 million for 2022-23 has been agreed.
- 15. A business case seeking funding for the transition project was endorsed by ERC on 27 April 2023.
- 16. Discussions with Treasury are ongoing regarding financial implications and accounting processes relating to the transition project and associated compensation matters.

Consultation

Internal

17. Not applicable.

Cross Directorate

- 18. ACTHD and CHS are working together on the planning and implementation of the transition plan and transfer of operations.
- 19. A Transition Advisory Group was established and is providing advice on the legal, commercial and operational elements of transition. Represented in this group are ACTHD; CHS; Government Solicitors Office and Chief Minister, Treasury and Economic Development Directorate.

External

20. The submission is informed by advice provided by the northside hospital project commercial and legal advisors.

Work Health and Safety

21. Nil.

Benefits/Sensitivities

- 22. The Transition of Services will be of significant interest to the community, stakeholders and Calvary.
- 23. There will be sensitivities associated and these have all been outlined in the submission for Government consideration.

Communications, media and engagement implications

24. A communications and engagement strategy has been developed and is included with this submission.

Signatory Name: Liz Lopa, DDG Infrastructure and Phone:

Engagement

Action Officer: Caitlin Bladin, Senior Director Phone: Schedule 2.2(a)(ii)

Schedule 1.6

CABINET



Tracking No.: GBC23/157





















Signed / Not Signed / Please Discuss



ACT Health Directorate

| То: | Minister for Health | Tracking No.: GBC23/1/8 | |
|------------------|--|-------------------------|--|
| CC: | Rebecca Cross, Director-General Dave Peffer, Chief Executive Officer, Canberra Health Services | | |
| From: | Liz Lopa, Deputy Director-General, Infrastructure and Engagement | | |
| Subject: | CAB23/316 Assembly Business Paper – Health Infrastructure Enabling Bill 2023 – Agreement to Introduce | | |
| Critical Date: | 21/04/2023 | | |
| Critical Reason: | This Assembly Business Paper is due to be lodged with Cabinet Office by this date ahead of Expenditure Review Committee on 27 April 2023, and Cabinet consideration on 4 May 2023. | | |

Recommendation

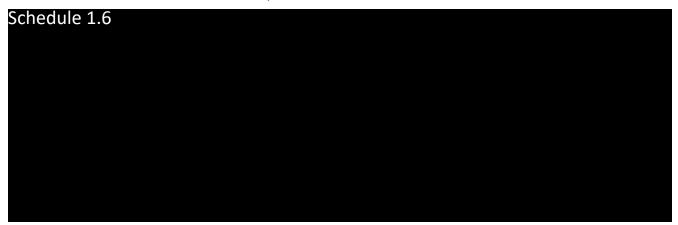
That you sign the Assembly Business Paper at <u>Attachment 1</u> for Expenditure Review Committee on 27 April 2023, and Cabinet consideration on 4 May 2023.



| | Rachel Stephen-Smith MLA | 2 |
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| I | Minister's Office Feedback | |
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Background

- On 31 May 2022 (CAB21/804), Cabinet agreed to commence negotiations with Calvary to develop a new northside hospital on the existing Bruce site and that the negotiations occur within the parameters set out in the Submission including introduction of a special legislation to terminate Calvary's Crown Lease over the Calvary Public Hospital Bruce (CPHB) site (part Block 1 Section 1 Bruce) and Calvary Network Agreement (CNA) (CAB21/804).
- 2. Exclusive negotiations with Calvary continued through to end July 2022 withing the parameter set out in the covering submission.
- 3. The aim of negotiations at this stage were to own the land on which a new hospital would be built and to establish a modern service agreement on a 25-year term ahead of the construction of the new hospital.



Issues

- 6. The draft Bill (<u>Attachment A</u>) and Explanatory Statement (<u>Attachment D</u>) are scheduled for Expenditure Review Committee (ERC) consideration on 27 April 2023, and Cabinet consideration on 4 May 2023 ahead of introduction in the ACT Legislative Assembly during the 9-11 May sitting period.
- 7. The Bill will give effect to these decisions by terminating Calvary's Crown Lease on Block 1 Section 1 Bruce in the ACT and, by extension, terminate the CNA. The acquisition of the crown lease and the termination of the CNA will be on just terms.
- 8. The purposes of the Bill are to:
 - a) enable the Territory to acquire the public hospital land for the construction of the new public hospital; and
 - b) provide for the orderly transition of the operation of the public hospital to the Territory;
 - c) ensure continuity of services, and maintenance of service delivery standards, at the public hospital during the transition; and

- d) ensure that Calvary is compensated for the acquisition on just terms.
- 9. The Bill has a subordinate regulation (draft provided at <u>Attachment B</u>). The regulation features greater details around access provisions, and the mechanisms to determine just terms for the acquisition. The separation of these items into Bill and regulation is designed to allow the regulation to be remade, if required (for example in line with any negotiated outcome) without requiring the assembly to repass the law.
- 10. There are key elements of the Bill that are still being settled with ACT Government Solicitor Office (ACTGSO), Parliamentary Counsel's Office (PCO), external legal advisors, Canberra Health Services and other ACT Government directorates (including Environment, Planning and Sustainable Development Directorate (EPSDD) for planning elements and Chief Minister, Treasury and Economic Development Directorate (CMTEDD) for industrial relations and Public Sector Management Act implications).
- 11. An updated draft is expected by 28 April 2023 and will be provided to your Office and lodged prior to consideration by Cabinet.
- 12. If further refinements to the Bill and supporting documentation are required, the Assembly Business Paper recommends these be settled between you and the Chief Minister.
- 13. A presentation pack has been prepared based on the current drafts, but will require updating as the Bill is refined. The draft pack includes:
 - a) Draft Bill (draft at Attachment A);
 - b) Draft Explanatory Statement (draft provided at <u>Attachment D</u>) and Compatibility Statement; and
 - c) Presentation Speech / Tabling statement (draft provided at <u>Attachment E</u>).

Financial Implications

14. This Bill will result in just terms compensation to Calvary Schedule 2.2(a)(xiii)

Consultation

Internal

15. No internal consultation has occurred on the draft bill.

Cross Directorate

16. The ACT Health Directorate (ACTHD) worked closely with the ACTGSO and the PCO in developing the Bill. CMTEDD (including Treasury) and EPSDD have also been consulted on relevant provisions.

<u>External</u>

17. ACTHD has received advice on the structure and contents of the Bill from KWM, the legal advisory firm supporting the northside hospital project.

Work Health and Safety

18. There are no work health and safety implications in relation to this brief.

Benefits/Sensitivities

- 19. A new northside hospital will benefit the Canberra community by:
 - a) Providing greater access to services on the northside of Canberra;
 - b) Providing more public hospital services; and
 - c) Providing fit for purpose facilities for patients, visitors and staff.

Communications, media and engagement implications

- 20. Significant media and public interest are expected following introduction of the Bill and throughout the transition period. A dedicated communications and media team has been established to support the communication, stakeholder and media needs of the Project and as transition progresses and occurs.
- 21. A detailed Communications Strategy has been developed in consultation with your Office and the Chief Minister's Office. Ongoing fit for purpose communications will be developed in consultation with your office.
- 22. A communication plan on a page has been provided as part of the package for consideration by Cabinet refer <u>Attachment I</u>.

Signatory Name: Liz Lopa, Deputy Director-General Phone: Schedule 2.2(a)(ii)

Action Officer: Caitlin Bladin, Senior Director Phone: MS Teams























ACT Health Directorate

| Minister for Health | Tracking No.: GBC23/178 | | |
|---|---|--|--|
| Rebecca Cross, Director-General ACT Health | | | |
| Dave Peffer, Chief Executive Officer, Canberra Health Services | | | |
| Liz Lopa, Deputy Director-General, Infrastructure and Engagement | | | |
| CAB23/316 Assembly Business Paper – Health Infrastructure Enabling Bill 2023 – Agreement to Introduce | | | |
| 03/05/2023 | | | |
| This Assembly Business Paper is due to be lodged with Cabinet Office by this date ahead of Cabinet consideration on 4 May 2023. | | | |
| | Rebecca Cross, Director-General ACT Health Dave Peffer, Chief Executive Officer, Canberra H Liz Lopa, Deputy Director-General, Infrastructur CAB23/316 Assembly Business Paper – Health I 2023 – Agreement to Introduce 03/05/2023 This Assembly Business Paper is due to be lodge | | |

Recommendation

That you sign the Assembly Business Paper (ABP) at <u>Attachment 1</u> for Cabinet consideration on 4 May 2023.



| Rachel Stephen-Smith MLA | 8 | 3/5/23 |
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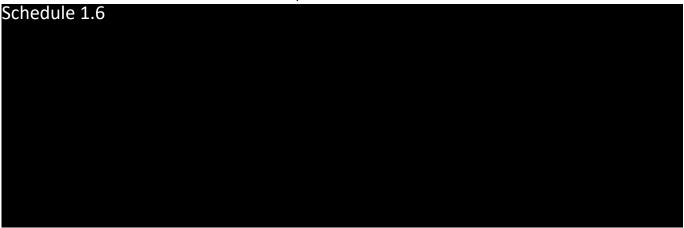
Minister's Office Feedback

Background

1. On 31 May 2022 (CAB21/804), Cabinet agreed to commence negotiations with Calvary to develop a new northside hospital on the existing Bruce site and that the negotiations occur within the parameters set out in the Submission including introduction of a special legislation to terminate Calvary's Crown Lease over the

2

- Calvary Public Hospital Bruce (CPHB) site (part Block 1 Section 1 Bruce) and Calvary Network Agreement refer CAB21/804.
- 2. Exclusive negotiations with Calvary continued through to end July 2022 withing the parameter set out in the covering submission.
- 3. The aim of negotiations at this stage were to own the land on which a new hospital would be built and to establish a modern service agreement on a 25-year term ahead of the construction of the new hospital.



Issues

- 6. The draft Bill (<u>Attachment A</u>) and Explanatory Statement (<u>Attachment D</u>) are scheduled for Cabinet consideration on 4 May 2023 ahead of introduction in the ACT Legislative Assembly during the 9-11 May sitting period.
- 7. The Bill will give effect to these decisions by enabling the Territory to acquire part of Block 1 Section 1 required for the delivery of the new public hospital and termination of the CNA. The acquisition of part of the crown lease and the termination of the CNA will be on just terms.
- 8. The purposes of the Bill are to:
 - a) enable the Territory to acquire the public hospital land for the construction of the new public hospital;
 - b) provide for the orderly transition of the operation of the public hospital to the Territory;
 - c) ensure continuity of services, and maintenance of service delivery standards, at the public hospital during the transition; and
 - d) ensure that Calvary is compensated for the acquisition on just terms.
- 9. The Bill has a subordinate regulation (draft provided at <u>Attachment B</u>). The regulation features greater details around access provisions, and the mechanisms to determine just terms for the acquisition. The separation of these items into Bill and regulation is designed to allow the regulation to be remade, if required (for example

- in line with any negotiated outcome) without requiring the assembly to repass the law.
- 10. There are key elements of the Bill that are still being settled with ACT Government Solicitor Office (ACTGSO), Parliamentary Counsel's Office (PCO), external legal advisors, Canberra Health Services and other ACT Government directorates (including EPSDD for planning elements and CMTEDD for industrial relations and Public Sector Management Act implications).
- 11. If further refinements to the Bill and supporting documentation are required, the Assembly Business Paper recommends these be settled between you and the Chief Minister prior to introduction.
- 12. A presentation pack has been prepared and includes:
 - a) Draft Bill (draft at Attachment A) and Regulation (draft at Attachment B)
 - b) Explanatory Statement (provided at Attachment D); and
 - c) Tabling statement (provided at Attachment E).
- 13. The Parliamentary Counsel's Office (PCO) Memorandum and Human rights (HR) Memorandum of Compatibility will be provided for introduction, once the Bill is finalised.

Financial Implications

14. This Bill will result in just terms compensation to Calvary Schedule 2.2(a)(xiii)

Consultation

Internal

15. No internal consultation has occurred on the draft bill.

Cross Directorate

16. The ACT Health Directorate (ACTHD) worked closely with the ACT GSO and the PCO in developing the Bill. CMTEDD (including Treasury) and EPSDD have also been consulted on relevant provisions.

<u>External</u>

17. ACTHD has received advice on the structure and contents of the Bill from KWM, the legal advisory firm supporting the northside hospital project.

Work Health and Safety

18. There are no work health and safety implications in relation to this brief.

Benefits/Sensitivities

19. A new northside hospital will benefit the Canberra community by:

CABINET

- a) Providing greater access to services on the northside of Canberra;
- b) Providing more public hospital services; and
- c) Providing fit for purpose facilities for patients, visitors and staff.

Communications, media and engagement implications

- 20. Significant media and public interest are expected following introduction of the Bill and throughout the transition period. A dedicated communications and media team has been established to support the communication, stakeholder and media needs of the Project and as transition progresses and occurs.
- 21. A detailed Communications Strategy has been developed in consultation with your office and the Chief Minister's office. Ongoing fit for purpose communications will be developed in consultation with your office.
- 22. A communication plan on a page has been provided as part of the package for consideration by Cabinet refer <u>Attachment I</u>.

Signatory Name: Liz Lopa, Deputy Director-General Phone: Schedule 2.2(a)(ii)

Action Officer: Stephanie Oliver, Senior Director Phone: MS Teams

Attachments





CAVEAT BRIEF

SENSITIVE: CABINET

To: Rachel Stephen-Smith MLA, Minister for Health

Through: Rebecca Cross, Director-General

Dave Peffer, CEO, CHS

Subject: Northside Hospital project - Briefing note

Northside Hospital Business Case
Schedule 1.6

Transition Business Case

- ERC approved the Transition Business case on 27 April 2023.
- Financial reporting frameworks for the project budget are being established and will be overseen through the project governance committees.

Assembly Business Paper (APB) and Legislation



Transition Hotline

- The Transition Hotline has been established and is on track for commencement from Wednesday 10 May, once public. It can be opened earlier if needed.
- Hotline workflows, scripting, FAQs and data capture processes have been agreed and will be tested for finalisation by COB Friday 5 May 2023.
- The schedule of engagement events has been finalised and booked from 11 May to 19 May 2023. Full details are included in the communications plans. These will be adjusted as a result of Cabinet feedback.
- Access Canberra has been engaged and fully briefed to manage community and patient enquiries.
- CHS Central Health Intake (CHI) are on standby to provide extra capacity for calls
 if we need to flex up. This will require a reduction in normal CHI services,
 however if this is required it is expected it will only be for a short time period
 during the first surge/peak.

Employee Transition Payment

- For many employees at CPHB this will a distressing and uncertain time. The time for individuals to manage the transition requirements is estimated to be around 3 hours including but not limited to:
 - Attending information sessions
 - Completing information to onboard
 - Discussing ongoing employment (if required)
 - Accessing new uniforms.
- As an act of good will, both for employees and for unions, it is recommended that a payment of \$120 per employee is paid by CHS in the first pay following acquisition to cover this requirement. \$120 has been predicated on 3 hours of an average salary of \$40 per hour. Based on an estimate of 2000 head count, this will amount to \$240,000. This amount will be funded through the transition business case funding contingency.
- It is proposed that the commitment for this payment be referenced in the regulations. The administrative arrangements to support the payment is currently being discussed with CMTEDD.

Uniforms

- CHS will provide uniforms to all CPHB staff of the team working at CHPB.
- Staff will be able to continue to wear their current 'bottoms' as these have little to no branding.
- We will make it as easy as possible for staff to obtain tops through an account set up with approved uniform providers in Canberra with whom CHS already has an account, for staff to collect themselves in their chosen sizes etc. Uniforms will be made available as soon as possible in the transition.

- Whilst initial intentions was to have uniforms available on site at Calvary this has proven to be logistically difficult.
- Based on 3 tops per staff member and around 1500 staff requiring uniforms the total cost will be \$300,000 which will be covered by the Transition Team funding.

Project Governance

- Significant work has occurred across teams to develop detailed project management schedules for each work stream. Examples of these will be available at the briefing.
- An interim dashboard will also be available at the meeting.
- Project management governance is established.
- The first meeting of the Transition Steering Committee was held on 2 May 2023, with weekly meetings scheduled. This is the peak advisory committee for the project which includes the Head of Service and Under Treasurer.
- The existing Transition Advisory Group is proposed to meet more frequently going forward on a fortnightly basis.
- The Leadership Control Group has been meeting weekly since the beginning of April 2023 and is a key decision-making body for the project (reporting to you as the Minister for Health).

Other Northside issues

Schedule 1.6

Communications

- Media materials have been produced and provided to your office. Changes will be made in line with comments received.
- Workforce and stakeholder communications are being reviewed by your advisors and will be with the Minister by COB Friday 5 May.
- A timeline of meetings, briefings and announcements has been developed which outlines chronologically all the key activities you, the Director-General ACTHD and Chief Executive Officer, CHS, will be undertaking in the week of 8 May 2023.
- As requested by your office, a final communications pack will be provided to the you by COB Friday 5 May.
- A small burst of paid advertising will launch on Friday, 12 May, to support the
 announcement. This activity is focused on the infrastructure announcement
 and utilises the 'Built for CBR' branding and hero tag lines. This work is being
 led by CMTEDD in collaboration with ACT Health.

| Contact Officer: Liz L | a, Deputy Director-General |
|------------------------|----------------------------|
|------------------------|----------------------------|

Contact Number: Schedule 2.2(a)(ii)

Date: 28 April 2023

| Noted/Please Discuss |
|----------------------|
| |
| |
| |
| Rachel Stephen-Smith |
| Minister for Health |





ACT Health Directorate

To: Minister for Health Tracking No.: MIN23/404

Date: 04/05/2023

CC: Rebecca Cross, Director-General, ACT Health Directorate

Dave Peffer, Chief Executive Officer, Canberra Health Services

From: Liz Lopa, Deputy Director-General, Infrastructure and Engagement

Subject: Meeting with Martin Bowles OAM – National Chief Executive Officer, Calvary

Health Care – Monday, 8 May 2023

Critical Date: 08/05/2023

Critical Reason: To provide you with information ahead of your meeting with Mr Bowles on

Monday, 8 May 2023

Recommendations

That you:

 Sign the letter to Martin Bowles at <u>Attachment A</u> and issue it at the meeting on Monday, 8 May;
 Signed on 7 May

Signed / Not Signed / Please Discuss

2. Note the guidance document at <u>Attachment C</u> for your meeting with Mr Bowles on Monday, 8 May; and



3. Note that Rebecca Cross, Director-General, ACT Health Directorate (ACTHD) and Liz Lopa, Deputy Director-General Infrastructure and Engagement ACTHD will be the directorate representatives at this meeting.



2

| Rachel Stephen-Smith MLA | 8/5/23 |
|----------------------------|--------|
| Minister's Office Feedback | |
| | |

Background

- 1. You are meeting with Martin Bowles OAM, National Chief Executive Officer, Calvary Health Care on Monday, 8 May 2023.
- 2. On 31 May 2022 (CAB21/804), Cabinet agreed to commence negotiations with Calvary to develop a new northside hospital on the existing Calvary Public Hospital site and introduction of a special legislation to terminate Calvary's Crown Lease over the Calvary Public Hospital Bruce (CPHB) site (part Block 1 Section 1 Bruce) and Calvary Network Agreement (CNA)—refer CAB21/804.
- 3. Exclusive negotiations with Calvary continued through to end July 2022. The ACT Government objectives of these were to own the land on which a new hospital would be built and to establish a modern service agreement on a 25-year term ahead of the construction of the new hospital.
- 4. Negotiations were ultimately not successful, and you reiterated the ACT Government position in a letter in September 2022. Calvary responded at the end of the November 2022 and unanimously rejected the ACT Government's offer.

Schedule 1.6

- 5. As part of the Northside Hospital Infrastructure 2023-24 Budget Business Case, Expenditure Review Committee Endorsed the preferred site of the new hospital, the current Calvary Public Hospital Bruce campus.
- 6. On 4 May 2023, to provide certainty over land tenure, Cabinet agreed (CAB23/316) to Calvary as the location for the new public hospital and to introduce the *Health Infrastructure Enabling Bill* 2023 which will enable the Territory to acquire the public hospital land for the construction of the new public hospital and terminate the Calvary Network Agreement.

Issues

- 7. The primary purpose of the meeting is to notify Mr Bowles that the Territory has:
 - a. Agreed to fund a new northside hospital;
 - b. Confirmed the Bruce option at the site for the new northside hospital;

Tracking No.: MIN23/404

SENSITIVE

- c. Confirmed Canberra Health Services will be the operator of the new northside hospital;
- d. As result of the above decisions, determined to introduce the *Health Infrastructure Enabling Bill* 2023 to the Legislative Assembly on 11 May 2023, which will transfer part of the Crown Lease of Block 1 Section 1 Bruce to the Territory; and
- e. Terminate the Calvary Network Agreement (CNA) from 3 July 2023 after a period of Transition, with operations of Calvary Public Hospital Bruce to transfer from Calvary to Canberra Health Services.



Clare Holland House

13. Clare Holland House is likely to be an immediate concern for Calvary, currently it is not explicitly referenced in the legislation or other documents, because it is not governed by the CNA.

| Schedule 1.6 | | | |
|--------------|--|--|--|
| | | | |
| | | | |

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Schedule 1.6

Financial Implications

- 16. There are significant financial implications to the Territory as a result of the decisions related to the northside hospital.
- 17. The Health Infrastructure Enabling Bill 2023 will result in just terms compensation to Calvary for both the acquisition of the land and the termination of the CNA.
- 18. Cabinet has been briefed on the financial implications since 2022.
- 19. ACT Health Directorate has undertaken significant consultation with Treasury regarding the financial aspects of this project and will continue to do so as negotiations and transition processes occur over the coming months.

Consultation

Internal

20. Nil.

Cross Directorate

21. The ACT Health Directorate (ACTHD) worked closely with the ACT GSO in the development of advice for Government on the transition project, and in the development of the letters to Calvary.

External

22. ACTHD has received advice from KWM, the legal advisory firm supporting the northside hospital project on the development of the letters.

Work Health and Safety

23. Nil.

Benefits/Sensitivities

Schedule 1.2

Communications, media and engagement implications

26. Significant media and public interest are expected following introduction of the Bill and throughout the transition period. A dedicated communications and media team has been established to support the communication, stakeholder and media needs of the Project and as transition progresses and occurs.

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SENSITIVE

27. A detailed Communications Strategy has been developed in consultation with your office and the Chief Minister's office. Ongoing fit for purpose communications will be developed in consultation with your office.

Signatory Name: Liz Lopa, DDG Infrastructure and

Phone:

Schedule 2.2(a)(ii)

Engagement ACTHD

Action Officer: Stephanie Oliver, Senior Director -

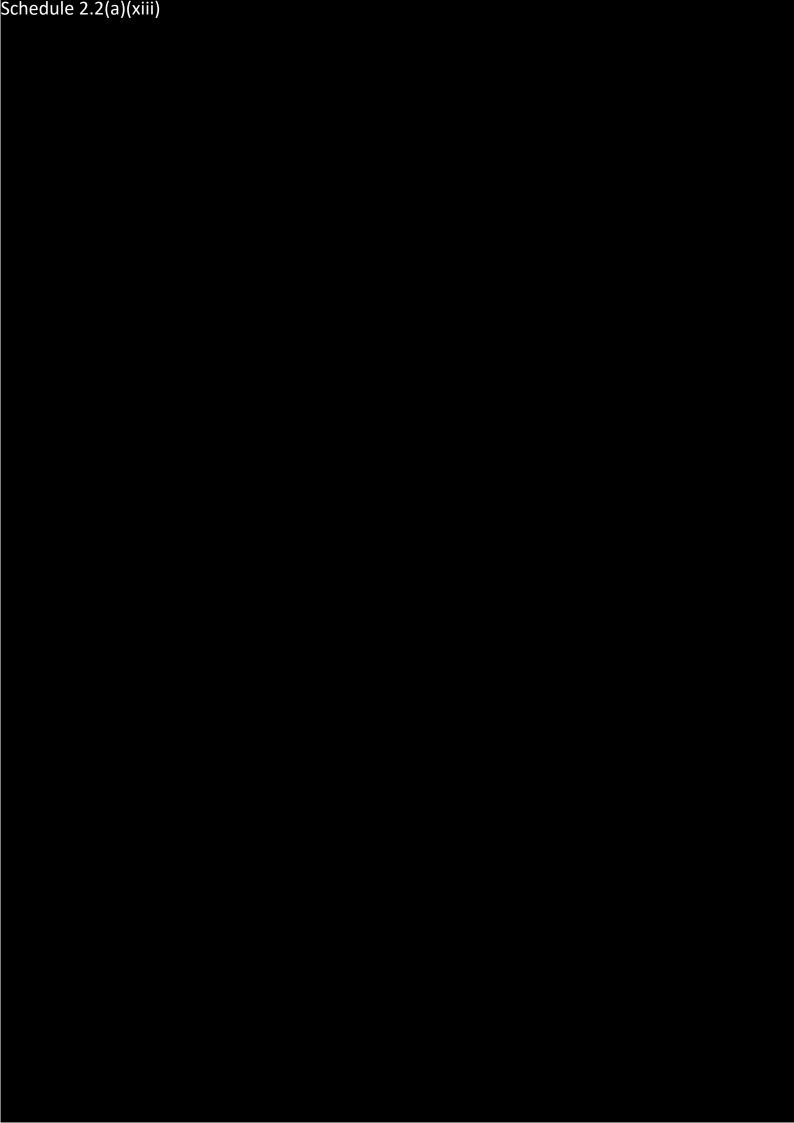
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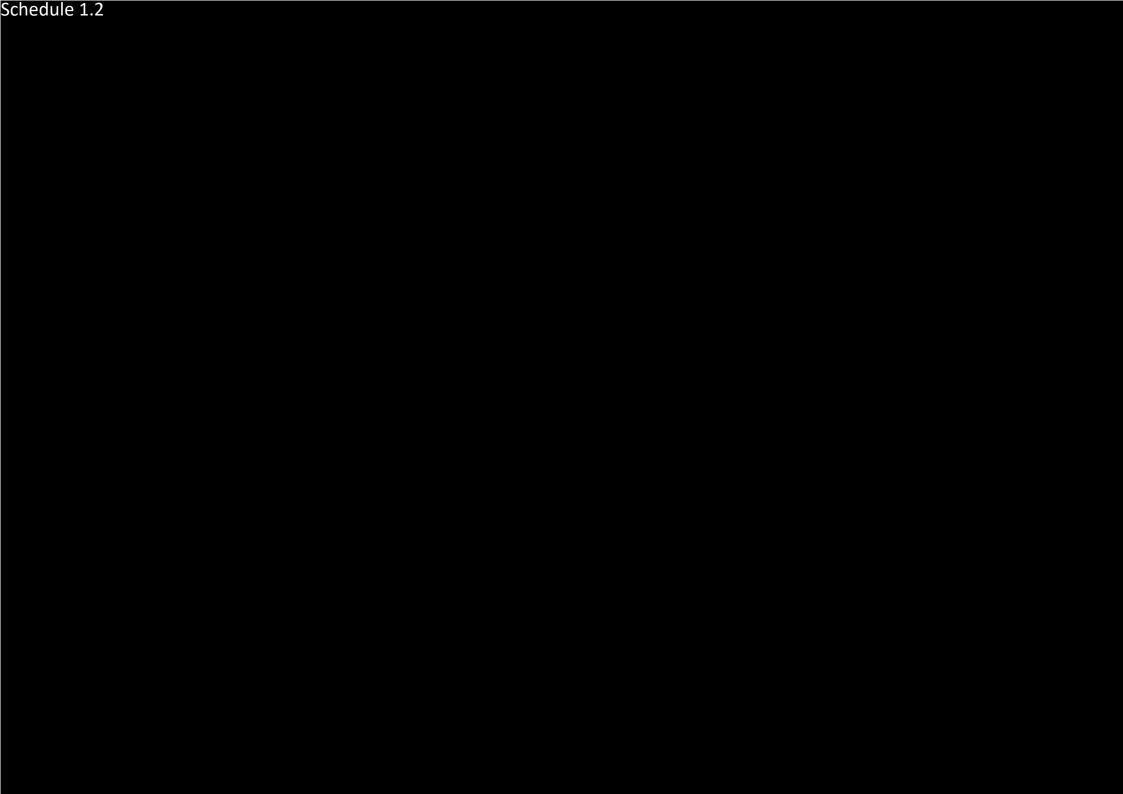
policy, Northside Hospital Project

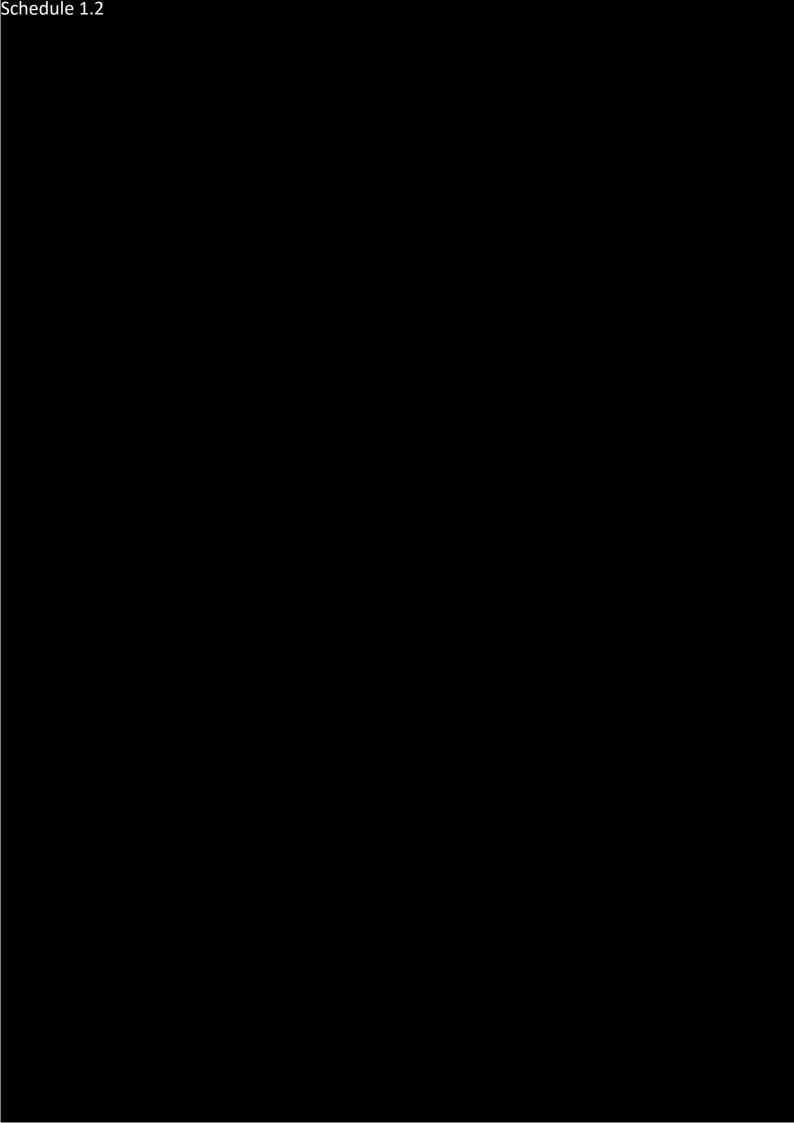
Attachments

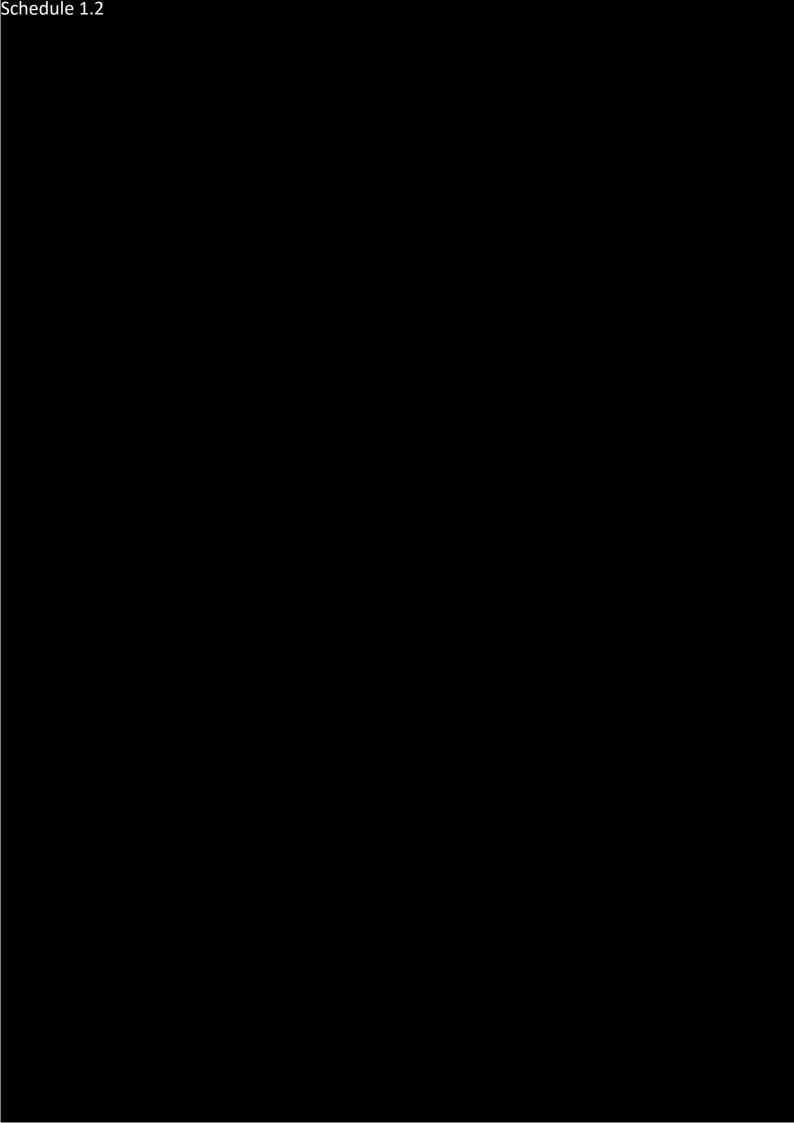
| Attachment | Title |
|--------------|---|
| Attachment A | Territory letter to Calvary - Response to November letter |
| Attachment B | Points for meeting with M Bowles |
| Attachment C | Draft Agenda |

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ACT Government and Calvary Meeting

Without prejudice discussion

Date: 08 May 2023 Time: 9:00 -9:45

Location: Minister for Health, Rachel Stephen-Smith MLA Office

| | | Speaker | Timing |
|--------|--|----------|------------|
| Item 1 | Acknowledgement of Country and welcome and introductions | Minister | 5 minutes |
| Item 2 | Update on Northside HospitalFunding decisionCalvary relationship | Minister | 10 minutes |
| Item 3 | Discussion | All | 15 minutes |
| Item 4 | Next Steps • Just terms | All | 15 minutes |
| | Meeting Close – 9:45 | | |