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22/06/2010 04:32 PM

cc

bcc

Subject: NSW Health agreement re Katungal [SEC=IN-CONFIDENCE]

IN-CONFIDENCE

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Although it is likely that the Department of Health and Ageing (DoHA) has the right to consent to the sale of 26 Princes Hwy, Narooma by Katungal, this is not a certainty until you receive confirmation to this effect from FaHCSIA.

Even if DoHA is the consenting authority, it is not certain that consent will be granted until DoHA obtains LAA Act approval from Department of Finance and Deregulation and the DoHA delegate has granted the consent.

It is also not certain that Katungal will seek the Commonwealth's consent to the sale of the Narooma property.

Therefore I have drafted the agreement to take into account the possibility that Katungal may not seek or receive consent to sell the Narooma property.

You should not deliver the Purposes Deed to the State for execution by the State and Katungal until after Katungal has requested and received consent to sell the Narooma property and given the proceeds of sale to NSW Health.

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