

PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

# **Report 3/2017**

## **Referrals made December 2016**

*Australian Chancery Project Paris, France ~ National  
Disability Insurance Agency and Department of Human  
Services Geelong Fit-out*

Parliamentary Standing Committee on Public Works

March 2017  
CANBERRA

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# Committee Membership

## *Chair*

Mr Scott Buchholz MP

## *Deputy Chair*

Mr Tony Zappia MP

## *Members*

Mr David Coleman MP

Senator Alex Gallacher

Mr Ian Goodenough MP

Ms Justine Keay MP

Ms Joanne Ryan MP

Senator Dean Smith

Senator John Williams

## **Committee Secretariat**

### ***Committee Secretary***

Dr Alison Clegg (to 20 February 2017)

Ms Pauline Cullen (from 20 February 2017)

### ***Inquiry Secretary***

Mr James Bunce

### ***Research Officer***

Mr Nathan Fewkes

### ***Office Manager***

Ms Fiona McCann

### ***Researcher***

Ms Belynda Zolotto

# List of Recommendations

## Recommendation 1

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- 2.33 The Committee recommends that the House of Representatives resolve, pursuant to Section 18(7) of the *Public Works Committee Act 1969*, that it is expedient to carry out the following proposed works: Base Building Refurbishment and International Energy Agency Tenancy Fit-out Australian Chancery Paris, France.

## Recommendation 2

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- 3.23 The Committee recommends that the House of Representatives resolve, pursuant to Section 18(7) of the *Public Works Committee Act 1969*, that it is expedient to carry out the following proposed works: National Disability Insurance Agency and Department of Human Services fit-out of new leased premises in Geelong, Victoria.





# 1. Introduction

- 1.1 Under the *Public Works Committee Act 1969* (the Act), the Parliamentary Standing Committee on Public Works is required to inquire into and report on public works referred to it through either house of Parliament. Referrals are generally made by the Assistant Minister for Productivity.
- 1.2 All public works that have an estimated cost exceeding \$15 million must be referred to the Committee and cannot be commenced until the Committee has made its report to Parliament and the House of Representatives receives that report and resolves that it is expedient to carry out the work.<sup>1</sup>
- 1.3 Under the Act, a public work is a work proposed to be undertaken by the Commonwealth, or on behalf of the Commonwealth concerning:
  - the construction, alteration, repair, refurbishment or fitting-out of buildings and other structures;
  - the installation, alteration or repair of plant and equipment designed to be used in, or in relation to, the provision of services for buildings and other structures;
  - the undertaking, construction, alteration or repair of landscaping and earthworks (whether or not in relation to buildings and other structures);
  - the demolition, destruction, dismantling or removal of buildings, plant and equipment, earthworks, and other structures;

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<sup>1</sup> The *Public Works Committee Act 1969* (The Act), Part III, Section 18(8). Exemptions from this requirement are provided for work of an urgent nature, defence work contrary to the public interest, repetitive work, and work by prescribed authorities listed in the Regulations.

- the clearing of land and the development of land for use as urban land or otherwise; and
- any other matter declared by the regulations to be a work.<sup>2</sup>

1.4 The Act requires that the Committee to consider and report on:

- the purpose of the work and its suitability for that purpose;
- the need for, or the advisability of, carrying out the work;
- whether the money to be expended on the work is being spent in the most cost effective manner;
- the amount of revenue the work will generate for the Commonwealth, if that is its purpose; and
- the present and prospective public value of the work.<sup>3</sup>

1.5 The Committee pays attention to these and any other relevant factors when considering the proposed work.

## **Structure of the Report**

1.6 The Minister for Small Business, The Hon Michael McCormack MP, referred the following projects to the Committee:

- Proposed base building refurbishment and International Energy Agency tenancy fit-out, Australian Chancery, Paris, France; and
- Proposed fit-out of new leased premises for the National Disability Insurance Agency and Department of Human Services, Geelong, Victoria.

1.7 In considering the works, the Committee analysed the evidence presented by the proponent agency, submissions and evidence received at public and in-camera hearings.

1.8 In consideration of the need to report expeditiously as required by Section 17(1) of the Act, the Committee has only reported on significant issues of interest or concern.

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<sup>2</sup> The Act, Section 5.

<sup>3</sup> The Act, Section 17.

- 1.9 The Committee appreciates, and fully considers, the input of the community to its inquiries. Those interested in the proposals considered in this report are encouraged to access the full inquiry proceedings available on the Committee's website.
- 1.10 Chapter 2 addresses the proposed base building refurbishment and International Energy Agency tenancy fit-out, Australian Chancery, Paris, France. The estimated cost of the project is \$27.73 million.
- 1.11 Chapter 3 addressed the proposed fit-out of new leased premises for the National Disability Insurance Agency and Department of Human Services, Geelong, Victoria. The estimated cost of the project is \$27 million, excluding GST.
- 1.12 Submissions are listed at Appendix A, and hearings and witnesses are listed at Appendix B.



## **2. Australian Chancery Project Paris, France**

- 2.1 The Department of Foreign Affairs and Trade (DFAT) seeks approval from the Committee to proceed with Base Building Refurbishment and International Energy Agency (IEA) Tenancy fit-out at the Australian Chancery, Paris, France.
- 2.2 The estimated cost of the project is \$27.73 million including 20 per cent French value added tax (VAT).
- 2.3 The project was referred to the Committee on 1 December 2016.

### **Conduct of the inquiry**

- 2.4 Following referral, the inquiry was publicised on the Committee's website and via media release.
- 2.5 The Committee received one submission and one confidential submission from DFAT. A list of submissions can be found at Appendix A.
- 2.6 On 17 February 2017, the Committee conducted public and in-camera hearings. A transcript of the public hearing is available on the Committee's website.

## Need for the works

2.7 In its submission, DFAT stated that ‘the Australian Chancery complex in Paris is located in a UNESCO heritage listed precinct at 4 Rue Jean Rey, in the 15<sup>th</sup> Arrondissement.’ The complex was designed by Australian architect Harry Seidler and French architect Marcel Breuer, was built in the 1970s, and is ‘considered one of the pre-eminent buildings in Australia’s overseas estate’.<sup>1</sup>

2.8 According to DFAT:

The Australian Government occupies office accommodation on the fourth, fifth, sixth and basement floors with 5,565 square metres of space, surplus to the Australian Government’s needs, leased to the International Energy Agency (IEA) since 1996.<sup>2</sup>

2.9 DFAT told the Committee that the IEA’s current lease was due to expire in April 2017. After seeking lease proposals for its future office accommodation, the IEA Board decided in June 2015 to ‘continue leasing the space within the Australian Chancery in Paris’.<sup>3</sup> DFAT noted that:

A pre-condition of the new IEA lease is for the tenant space to have all asbestos hazards abated or removed, with the relevant [hazardous materials] management plans and registers developed... In additional, the base building services will be upgraded to the IEA tenant space with an integrated fit-out provided as a lease incentive.<sup>4</sup>

2.10 In addition to the IEA lease pre-condition, DFAT stated:

The base building services in the area to be occupied by the IEA are in need of an upgrade as the services are over 35 years old and at the end of life. The renegotiated lease with the IEA allows the Overseas Property Office (OPO) the opportunity to upgrade and refurbish this area of the chancery, integrated

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<sup>1</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 1.

<sup>2</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 1.

<sup>3</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 2.

<sup>4</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 2.

with a tenant fit-out that meets the IEA's functional requirements and at the same time secure a compatible long term tenant.<sup>5</sup>

#### 2.11 According to DFAT:

On completion of the project, the new lease with the IEA will secure for the Australian Government a twelve year lease, with a tenant compatible with the operations of the Australian Embassy, whilst achieving a commercial return on investment.<sup>6</sup>

#### 2.12 DFAT submission further states:

The IEA has executed a Heads of Terms (HoT) in June 2016 for a new twelve year lease of approximately 6100 square metres space in the Chancery building commencing from July 2019. The proposed increase to the IEA's leased area of approximately 535 square metres will be realised through internal reconfiguration of existing accommodation which also addresses the Australian Government's current needs.<sup>7</sup>

#### 2.13 The HoT also sets out the scope of refurbishment works and the agreed conceptual design and specifications for the proposed fit-out.<sup>8</sup>

## Options considered

#### 2.14 In its submission, DFAT states that it considered three options for leasing the surplus space in the Paris Chancery.<sup>9</sup>

#### 2.15 Option 1 was to 'do nothing'. This option assumed the current IEA lease would expire in April 2017, that the IEA tenancy would be vacated, and the deferral of the base building upgrades and asbestos abatement to a future date. DFAT noted that:

This option still requires the maintenance of the vacant space, operation of the building services at an inefficient 50 per cent capacity resulting in increased

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<sup>5</sup> Department of Foreign Affairs and Trade, *Submission 1*, pp. 2-3.

<sup>6</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 3.

<sup>7</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 3.

<sup>8</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 3.

<sup>9</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 4.

energy costs, and [represents] a poor return on investment for the Commonwealth.<sup>10</sup>

2.16 According to DFAT's submission:

Option 2 considered the Commonwealth entering into a new commercial leasing arrangement with the IEA, reflecting market terms and conditions. This option included the delivery of an integrated base building services upgrade and IEA tenant fit-out project on a pre-leased basis.<sup>11</sup>

2.17 During the refurbishment works, DFAT states that IEA would 'relocate to alternative office accommodation', and that upon completion, 'the IEA and Commonwealth would commence a new twelve year commercial lease arrangement'.<sup>12</sup>

2.18 DFAT outlined Option 3 in its submission:

This option considered base building refurbishment works to the vacated tenant space with no pre-commitment lease and seeking a new compatible tenant/s to lease the refurbished space. This option requires the marketing of the refurbished space whilst being fully exposed to the vagaries of prevailing market conditions.<sup>13</sup>

2.19 Option 1 was discounted as it 'results in the inefficient operation of the building' and 'does not represent value for money' due to the requirement for maintenance and management of 50 per cent unoccupied space in the Chancery 'with no offset against revenue'. Similarly, Option 3 was not preferred as the requirement to find a new compatible tenant presented a greater risk than Option 2.<sup>14</sup>

2.20 DFAT told the Committee that Option 2 'provides the best value for money for the Commonwealth':

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<sup>10</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 4.

<sup>11</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 4.

<sup>12</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 4.

<sup>13</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 4.

<sup>14</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 4.



Option 2 is the preferred option as it secures a commercial lease with the IEA for a twelve year period with associated rental revenue for the Commonwealth. This option maximises the use of space with a known tenant; reduces operational and maintenance costs and provides capital value input to the property.<sup>15</sup>

## Scope of the works

2.21 The scope of work comprises an integrated fit-out and base building refurbishment of the current IEA leased area and the additional requested area to provide efficient, modern and functional accommodation that includes office facilities, an auditorium, conference rooms and improved amenities.

2.22 The IEA fit-out works will comprise the following:

- Office areas to accommodate 293 workstations, including hot desks;
- 34 Offices;
- 14 meeting rooms;
- One large conference room;
- Staff amenities (coffee breakout room, utilities area and storage);
- New lift and stair access, providing access from lower ground floor to upper ground floor;
- Relocation of server room; and
- Auditorium (170 seats including coffee and bar area) and associated AV services and translation booths.<sup>16</sup>

2.23 The base building refurbishment within the IEA tenancy floors comprises:

- Asbestos removal/abatement;
- Code compliance – upgrades to access and egress requirements;
- Building core wet area upgrade; and

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<sup>15</sup> Department of Foreign Affairs and Trade, *Submission 1*, pp. 4-5.

<sup>16</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 6.

- Upgrade building services including;
  - mechanical services;
  - electrical services;
  - hydraulic services; and
  - fire services in the IEA tenancy area.<sup>17</sup>

2.24 Subject to Parliamentary approval and final lease commitment by the IEA, tendering is expected to commence in mid-2017, with project completion expected in the first quarter of 2019 and the IEA's technical fit-out works completed prior to occupancy in the third quarter of 2019.<sup>18</sup>

2.25 The Committee finds that the proposed scope of works is suitable for the works to meet its purpose.

## **Cost of the works**

2.26 The estimated cost of the project is \$27.73 million, which includes charges from local authorities and French VAT of 20 per cent.<sup>19</sup>

2.27 DFAT provided further detail on the project costs in the confidential submission and during the in-camera hearing.

2.28 The Committee considers that the cost estimates for the project have been adequately assessed by DFAT and is satisfied that the proposed expenditure is cost effective.

2.29 The project is revenue generating. As mentioned above, DFAT told the Committee that the long term lease agreement with the IEA will provide the Commonwealth with a strong revenue stream from rental income.

2.30 Details of the revenue generated by the IEA lease were provided in DFAT's confidential submission, and in the in-camera hearing.

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<sup>17</sup> Department of Foreign Affairs and Trade, *Submission 1*, pp. 6-7.

<sup>18</sup> Department of Foreign Affairs and Trade, *Submission 1*, p. 12.

<sup>19</sup> Department of Foreign Affairs and Trade, *Submission 1*, pp. 12-13.

## Committee comment

- 2.31 The Committee did not identify any issues of concern with DFAT's proposal and is satisfied that the project has merit in terms of need, scope and cost.
- 2.32 Having regard to its role and responsibilities contained in the *Public Works Committee Act 1969*, the Committee is of the view that this project signifies value for money for the Commonwealth and constitutes a project which is fit for purpose, having regard to the established need.

### Recommendation 1

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- 2.33 **The Committee recommends that the House of Representatives resolve, pursuant to Section 18(7) of the *Public Works Committee Act 1969*, that it is expedient to carry out the following proposed works: Base Building Refurbishment and International Energy Agency Tenancy Fit-out Australian Chancery Paris, France.**
- 2.34 Proponent entities must notify the Committee of any changes to the project scope, time, cost, function or design. The Committee also requires that a post-implementation report be provided within three months of project completion. A report template can be found on the Committee's website.



### **3. National Disability Insurance Agency and the Department of Human Services Project, Geelong VIC**

- 3.1 The National Disability Insurance Agency (NDIA) and the Department of Human Services (DHS) seek approval from the Committee to proceed with proposed fit-out of new leased premises at 13-19 Malop Street in Geelong, Victoria.
- 3.2 The estimated cost of the project is \$27 million excluding GST.
- 3.3 The project was referred to the Committee on 1 December 2016.

#### **Conduct of the inquiry**

- 3.4 Following referral, the inquiry was publicised on the Committee's website and via media release.
- 3.5 The Committee received two submissions and two confidential submissions from the Department. A list of submissions can be found at Appendix A.
- 3.6 On 20 February 2017, the Committee conducted public and in-camera hearings. A transcript of the public hearing is available on the Committee's website.

## Need for the works

3.7 The NDIA currently leases 10,420 square metres of office accommodation in six temporary sites across Geelong. The leases for these premises expire between January 2017 and March 2018, and as a result NDIA is seeking to consolidate its leases while also combining its presence in Geelong with the DHS presence.<sup>1</sup>

3.8 At the public hearing, NDIA emphasised the importance of having their Geelong-based staff collocated:

This will really assist us to continue to build the scheme as thoroughly as it can and, while we can still do that from separate locations, you can readily appreciate the sort of collaboration and effort that is necessary in order to roll out the scheme in the most effective way that it can.<sup>2</sup>

3.9 NDIA elaborated on the concerns it has with its current accommodation in Geelong:

The lack of a single location has meant that the national office is somewhat restricted in its ability to support the full roll out of the scheme. The ability to work more collaboratively and efficiently as a department is compromised. It creates management difficulties with multiple teams being split across sites and with facilities not fit for purpose. For example, in our Market Square shopping centre offices, we are located close to the car park and the amount of foot traffic raises potential security issues while Christmas and other music together with lost children broadcasts provide a significant distraction.<sup>3</sup>

3.10 DHS currently leases space in two separate buildings in Geelong, with a total of 4,768 square metres of space being leased. At the public hearing, DHS told the Committee that consolidating their presence in Geelong would create 'operational efficiencies', and further that:

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<sup>1</sup> National Disability Insurance Agency and Department of Human Services, *Submission 1*, p. 4.

<sup>2</sup> Ms Louise Glanville, National Disability Insurance Agency, *Transcript of evidence*, 20 February 2017, p. 2.

<sup>3</sup> Mr Steve Jennaway, National Disability Insurance Agency, *Transcript of evidence*, 20 February 2017, p. 2.

This proposal would enable the Department to relinquish the existing leases at Brougham Street and Ryrie Street and replace them with a consolidated lease of 5,022 square metres, providing the Department with estimated savings of \$3.7 million over the initial ten year lease term. The modest space increase of 254 square metres provides an additional ten seats, which allows slightly more staff to be accommodated at Malop Street. The proposed fit-out works will accommodate the operational requirements of our smart-centre staff, incorporating an open plan, high density fit-out that provides good acoustics.<sup>4</sup>

## Options considered

3.11 NDIA and DHS told the Committee that three options were considered when it conducted the cost benefit analysis for the project:

- The option to approach the market [was conducted] for newly constructed or existing vacant premises for the required space with a view to consolidation into one building. A request for tender process was undertaken, which resulted in two viable proposals for consolidation into a single building. A financial and qualitative analysis indicates that the 13—19 Malop Street proposal is best value for money for the Commonwealth.
- The status quo option does not meet ongoing operational requirements and financial modelling indicates this option is more expensive over the initial 10 year lease compared with the proposed new lease at 13-19 Malop Street, Geelong. If the status quo was to be maintained and a 10 year lease with two further five year options renewals were implemented, full refurbishments would be necessary and would include significant base building works to improve the buildings to acceptable standards for a potential 20 year commitment. Temporary 12 month leases and fit-outs of additional floors would be necessary to provide staging space to facilitate the required base building and refurbishment works.
- The option to relocate to surplus leased government space in the Geelong central business district is not viable as no existing Commonwealth leased or owned accommodation in Geelong could accommodate the operational requirements of the NDIA and DHS.<sup>5</sup>

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<sup>4</sup> Mr Robert Higgins, Department of Human Services, *Transcript of evidence*, 20 February 2017, p. 3.

<sup>5</sup> National Disability Insurance Agency and Department of Human Services, *Submission 1*, pp. 6-7.

## Scope of the works

- 3.12 The NDIA component of the proposed works is ‘typical of a national office function, with workstations, meeting rooms and flexible workspaces appropriate for a national office and visiting staff’.<sup>6</sup>
- 3.13 In a submission, NDIA outlined the scope of the fit-out works for its national office:
- 564 workpoints, including 520 open plan workstations and 44 quiet rooms and booths;
  - 20 meeting rooms;
  - 2 multi-function rooms;
  - Six utility rooms;
  - Five break rooms; and
  - A conference centre.<sup>7</sup>
- 3.14 Access for people with disabilities was a major feature of the NDIA fit-out, given the makeup of the workforce, more than 20 percent of whom identify as disabled:
- The fit-out is designed to provide a comfortable, functional and inclusive environment for staff, regardless of their ability. This includes access to the building and office areas, door widths and heights, lift arrangements, parking, toilets, workstation flexibility and lighting for people with visual impairments.<sup>8</sup>
- 3.15 The DHS component of the works will provide a consolidated smart centre. At the public hearing, DHS described the role of its smart centres:

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<sup>6</sup> Ms Louise Glanville, National Disability Insurance Agency, *Transcript of evidence*, 20 February 2017, p. 2.

<sup>7</sup> National Disability Insurance Agency and Department of Human Services, *Submission 1.2*, p. 4.

<sup>8</sup> Mr Steve Jennaway, National Disability Insurance Agency, *Transcript of evidence*, 20 February 2017, p. 3.



The smart centres are virtual centres located within DHS that carry out telephone and processing work across DHS's programs, including Centrelink, Medicare and Child Support.<sup>9</sup>

- 3.16 In the submission, DHS explained the scope of works required for the smart centre:

The DHS proposed fit-out works provide 409 open plan workstations and a small number of built areas, including 12 collaborative spaces, three multi-function rooms, two first aid rooms, four utility rooms, three offices and two break rooms.<sup>10</sup>

- 3.17 For this project, according to NDIA and DHS, 'fit-out works are proposed to be undertaken concurrently with the base building construction'.<sup>11</sup>

## Cost of the works

- 3.18 The project has a budget of \$27 million. This includes design, fit-out, project management costs, and associated contingencies.
- 3.19 The NDIA and DHS provided further detail on project costings in its confidential submission and during an in-camera hearing.
- 3.20 The Committee is satisfied that the costings for the project provided to it have been adequately assessed by the proponent entity.

## Committee comment

- 3.21 The Committee did not identify any issues of concern with the proposal and is satisfied that the project has merit in terms of need, scope and cost.
- 3.22 Having regard to its role and responsibilities contained in the *Public Works Committee Act 1969*, the Committee is of the view that this project signifies value for money for the Commonwealth and constitutes a project which is fit for purpose, having regard to the established need.

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<sup>9</sup> Mr Robert Higgins, Department of Human Services, *Transcript of evidence*, 20 February 2017, p. 3.

<sup>10</sup> National Disability Insurance Agency and Department of Human Services, *Submission 1.2*, p. 4.

<sup>11</sup> National Disability Insurance Agency and Department of Human Services, *Submission 1*, p. 17.

## **Recommendation 2**

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- 3.23 The Committee recommends that the House of Representatives resolve, pursuant to Section 18(7) of the *Public Works Committee Act 1969*, that it is expedient to carry out the following proposed works: National Disability Insurance Agency and Department of Human Services fit-out of new leased premises in Geelong, Victoria.**
- 3.24 Proponent entities must notify the Committee of any changes to the project scope, time, cost, function or design. The Committee also requires that a post-implementation report be provided within three months of project completion. A report template can be found on the Committee's website.

**Mr Scott Buchholz MP**  
**Chair**

## **A. List of Submissions**

### **Australian Chancery Project, France - Base Building Refurbishment, International Energy Agency Tenancy fit-out**

- 1 Department of Foreign Affairs and Trade
  - 1.1 Confidential
  - 1.2 Confidential

### **National Disability Insurance Agency and the Department of Human Services Project, Geelong, Victoria**

- 1 National Disability Insurance Agency and Department of Human Services
  - 1.1 Confidential
  - 1.2 National Disability Insurance Agency and Department of Human Services
  - 1.3 Confidential



## **B. List of Public Hearings and Witnesses**

### **Australian Chancery Project, France - Base Building Refurbishment, International Energy Agency Tenancy fit-out**

**Friday, 17 February 2017 - Canberra**

**Department of Foreign Affairs and Trade**

Mr Kevin Nixon, Executive Director, Overseas Property Office

Mr Greg Hammond, Assistant Secretary, Project Management Branch, Overseas Property Office

Mr Peter English, Director, Financial Management Section, Overseas Property Office

Mr Mauro Kolobaric, Assistant Secretary, Operational Security Branch

# **National Disability Insurance Agency**

**Monday, 20 February 2017**

## **National Disability Insurance Agency**

Mr Steve Jennaway, Chief Financial Officer and General Manager, Enabling Services

Ms Lynnere Gray, Deputy Chief Financial Officer

Ms Louise Glanville, Deputy Chief Executive Officer, Governance and Stakeholder Relations

Mr Kelvin Zhu, Branch Manager, Property

Mrs Jennie Short, Director, Property and Fleet

## **Department of Human Services**

Mr Robert Higgins, General Manager, Corporate Operations Division

Ms Patricia Wells, Director, Property

Mr Robert Towner, National Manager, Property

Mr Glenn Symons, Director, Property

Mr Andrew Nef, Independent Business Consultant

Mr Vaughan Marsh, Assistant Director, Property

## **peckvonhartel Architects**

Dr Darragh O'Brien, Knowledge and Design Leader

## **Landell Corporation**

Mr Steve Schink, Procurement Specialist