



ACT
Government

Infrastructure Canberra

Our Ref: iCBRFOI2025/04

Schedule 2.2(a)(ii)

[REDACTED]

[REDACTED]

[REDACTED]

Schedule 2.2(a)(ii)

Dear Schedule 2.2(a)(ii)

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by Infrastructure Canberra (iCBR), formerly Major Projects Canberra on 13 February 2025.

In your information access request, you sought access to:

"I am writing to formally request information regarding the Project Management Agreement Work Order between the ACT Government and Project Coordination (Australia) Pty Ltd for the Gungahlin College Expansion Project (Project No. 81017).

To ensure transparency and compliance with procurement and contractual obligations, I kindly request clarification on the following aspects:

- 1. Date of Claim Submission – When was the most recent progress claim submitted by Project Coordination (Australia) Pty Ltd?*
- 2. Date of Claim Approval – When was this claim reviewed and formally approved by Major Projects Canberra?*
- 3. Verification Process – What due diligence was undertaken to verify the validity of the claim, including statutory declarations confirming payment to subcontractors and suppliers?*
- 4. Date of Payment – When was the payment processed, and to whom was it directed?*
- 5. Awareness of Potential Issues – At what stage did your department become aware of any potential irregularities, including incomplete or inaccurate statutory declarations?*
- 6. Action Taken – What steps, if any, were taken in response to concerns about the validity of the claim or subsequent financial issues with the contractor?*
- 7. Subcontractor Payments – Were any measures considered to ensure direct payment to subcontractors and suppliers who may have been impacted by the financial situation of Project Coordination (Australia) Pty Ltd?"*



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Authority

I am an Information Officer appointed by the Director General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Decision on access

Searches were completed for relevant information. My decision in relation to the information relevant to your request is as follows:

- Full release: this information is available as **Appendix A: Table 1** on the final page of this decision letter

My decision is detailed further in the following Statement of Reasons.

Statement of Reasons

In making my decision on disclosing government information, I must identify all relevant factors in Schedule 2 of the Act and determine, on balance, where the public interest lies.

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

Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- *Section 2.1(a)(i) – promote open discussion of public affairs and enhance the governments accountability,*
- *Section 2.1(a)(iii) – inform the community of government operations,*
- *Section 2.1(a)(iv) – oversight of expenditure of public funds, and*
- *Section 2.1(a)(viii) – reveal reason for government decision*

I am satisfied that these are relevant considerations favouring disclosure in this case, and in the interests of enhancing open discussion, I afford them significant weight.

Charges

I have decided to waive any charges in relation to this Freedom of Information application.

Online Publishing – Disclosure Log

Under section 28 of the Act, iCBR maintains an official online record of access applications called a Disclosure Log. Your original access application, my decision and documents released to you in response to your access application will be published on the iCBR Disclosure Log within three to ten working days after the date of the decision.

Your personal details will not be published.

You may view the iCBR Disclosure Log at: [Disclosure log - Infrastructure Canberra \(act.gov.au\)](https://www.act.gov.au/infrastructure-canberra/disclosure-log).



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Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the 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 on the iCBR 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: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under Section 82(2) on an Ombudsman review, you may apply to 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 Street
GPO Box 370
CANBERRA CITY ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au>

Should you have any queries in relation to your request, please contact me by telephone on (02) 6205 5288, or via email iCBR.FOI@act.gov.au.

Please ensure you quote your reference number: **iCBRFOI2025/04**

Yours sincerely,

Schedule 2.2(a)(ii)

Hayley Bell
Information Officer
Infrastructure Canberra
25/03/2025

Appendix A: Table 1

Topic	Query	Response
1. <i>Date of Claim Submission –</i>	<i>When was the most recent progress claim submitted by Project Coordination (Australia) Pty Ltd?</i>	Progress claim invoice dated 19 March 2024
2. <i>Date of Claim Approval –</i>	<i>When was this claim reviewed and formally approved by Major Projects Canberra?</i>	Approval sent 30 April 2024 Approval sent to Senior Director, Education (Finance and Infrastructure)
3. <i>Verification Process –</i>	<i>What due diligence was undertaken to verify the validity of the claim, including statutory declarations confirming payment to subcontractors and suppliers?</i>	A Certified Reimbursable Certificate (27 March 2024) was provided from Project Coordination to accompany the claim – no statutory declaration is required (see point 5)
4. <i>Date of Payment –</i>	<i>When was the payment processed, and to whom was it directed?</i>	2 May 2024 to RSM (the Administrator) as per the requirements specified by ASIC
5. <i>Awareness of Potential Issues –</i>	<i>At what stage did your department become aware of any potential irregularities, including incomplete or inaccurate statutory declarations?</i>	Infrastructure Canberra (iCBR) is not aware of any incomplete or inaccurate statutory declarations. The Gungahlin College Expansion Project (Project No. 81017) was executed via a Project Management Agreement (PMA). Clauses 11 and 12 of the PMA outline payment conditions, whereby the PMA requires a Reimbursable Certificate as the primary document for payment verification (referenced at point 3). On Tuesday 19 March 2024 iCBR were notified that Project Coordination has gone into voluntary administration. This notification was the first suggestion of any potential irregularities,
6. <i>Action Taken –</i>	<i>What steps, if any, were taken in response to concerns about the validity of the claim or subsequent financial issues with the contractor?</i>	Following the claims of some individuals regarding unpaid amounts for completed works iCBR undertook due diligence to confirm the ‘progress payments validity’. Confirmation received on 19 April 2024 that the validity remains per clauses 11 and 12 (referenced in point 5) and “Any payments made will be received by the Administrator and considered as part of the administration process”



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Topic	Query	Response
7. <i>Subcontractor Payments –</i>	<i>Were any measures considered to ensure direct payment to subcontractors and suppliers who may have been impacted by the financial situation of Project Coordination (Australia) Pty Ltd?</i>	Infrastructure Canberra is unable to influence the distribution of funds process once the Administrators take control