



Administrative
Appeals Tribunal

Public Works Committee Submission

Fitout of leased premises -15 William Street,
Melbourne

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Background

The Administrative Appeals Tribunal

1. The Administrative Appeals Tribunal (AAT) was established by the *Administrative Appeals Tribunal Act 1975* (Cth) and commenced operations on 1 July 1976. On 1 July 2015, the Migration Review Tribunal, Refugee Review Tribunal and Social Security Appeals Tribunal were amalgamated with the AAT in accordance with the *Tribunals Amalgamation Act 2015* (Cth).
2. The AAT conducts independent merits review of administrative decisions made under Commonwealth laws. The AAT reviews decisions made by Australian Government ministers, departments and agencies and, in limited circumstances, decisions made by state and territory government and non-government bodies. The AAT also reviews decisions made under Norfolk Island laws.
3. The AAT's functions, powers and procedures are set out primarily in the Administrative Appeals Tribunal Act, Parts 5 and 7 of the Migration Act 1958 (Cth) and in social services legislation that confers jurisdiction on the AAT.
4. The AAT can review decisions made under more than 400 Commonwealth Acts and legislative instruments. A person can only apply to the AAT for a review of a decision if a law states that the AAT can review the decision. The AAT does not have a general power to review decisions.
5. The types of decisions that the AAT most commonly reviews relate to:
 - child support;
 - Commonwealth workers' compensation;
 - family assistance and social security;
 - migration and refugee visas;
 - taxation; and
 - veterans' entitlements.
6. The AAT also reviews a wide range of other decisions, including decisions about Australian citizenship, bankruptcy, civil aviation, corporations and financial services regulation, customs, freedom of information (FOI), the National Disability Insurance Scheme (NDIS), paid parental leave, passports and security assessments by the Australian Security Intelligence Organisation (ASIO).
7. The AAT can review decisions made under 38 Norfolk Island laws including decisions about customs, planning and social services.
8. Merits review of an administrative decision involves taking a fresh look at the facts, law and policy relating to that decision. The AAT considers all the material before it, and decides what the legally correct decision is or, if there can be more than one correct decision, the preferable decision. The AAT can exercise all the powers and discretions available to the original decision-maker and has the power to:
 - affirm a decision;
 - vary a decision;

- set aside a decision and substitute a new decision; or
- remit a decision to the decision-maker for reconsideration.

Outcome, Programme and Purpose

9. The AAT's sole outcome in the 2016–17 Portfolio Budget Statements is to:

Provide correct or preferable decisions through a mechanism of independent review of administrative decisions that is accessible, fair, just, economical, informal, quick and proportionate.

10. The AAT is therefore a single programme agency.

The outcome and programme reflect the AAT's statutory objective in section 2A of the *Administrative Appeals Tribunal Act 1975* (Cth). In carrying out its functions, the AAT must pursue the objective of providing a mechanism of review that:

- is accessible;
- is fair, just, economical, informal and quick;
- is proportionate to the importance and complexity of the matter; and
- promotes public trust and confidence in the decision-making of the AAT.

11. The AAT provides administrative justice for individuals and organisations seeking to challenge decisions that affect their interests and, more broadly, contributes to improving the quality of government decision-making.

Organisational Structure

12. The AAT consists of the President and other members who may be appointed as deputy presidents, senior members or members. Their primary role is to hear and decide applications for review of decisions.

13. Applications made to the AAT are determined in one of eight divisions:

1. Freedom of Information Division;
2. General Division;
3. Migration & Refugee Division;
4. National Disability Insurance Scheme Division;
5. Security Division;
6. Social Services & Child Support Division¹;
7. Taxation & Commercial Division; and
8. Veterans' Appeals Division.

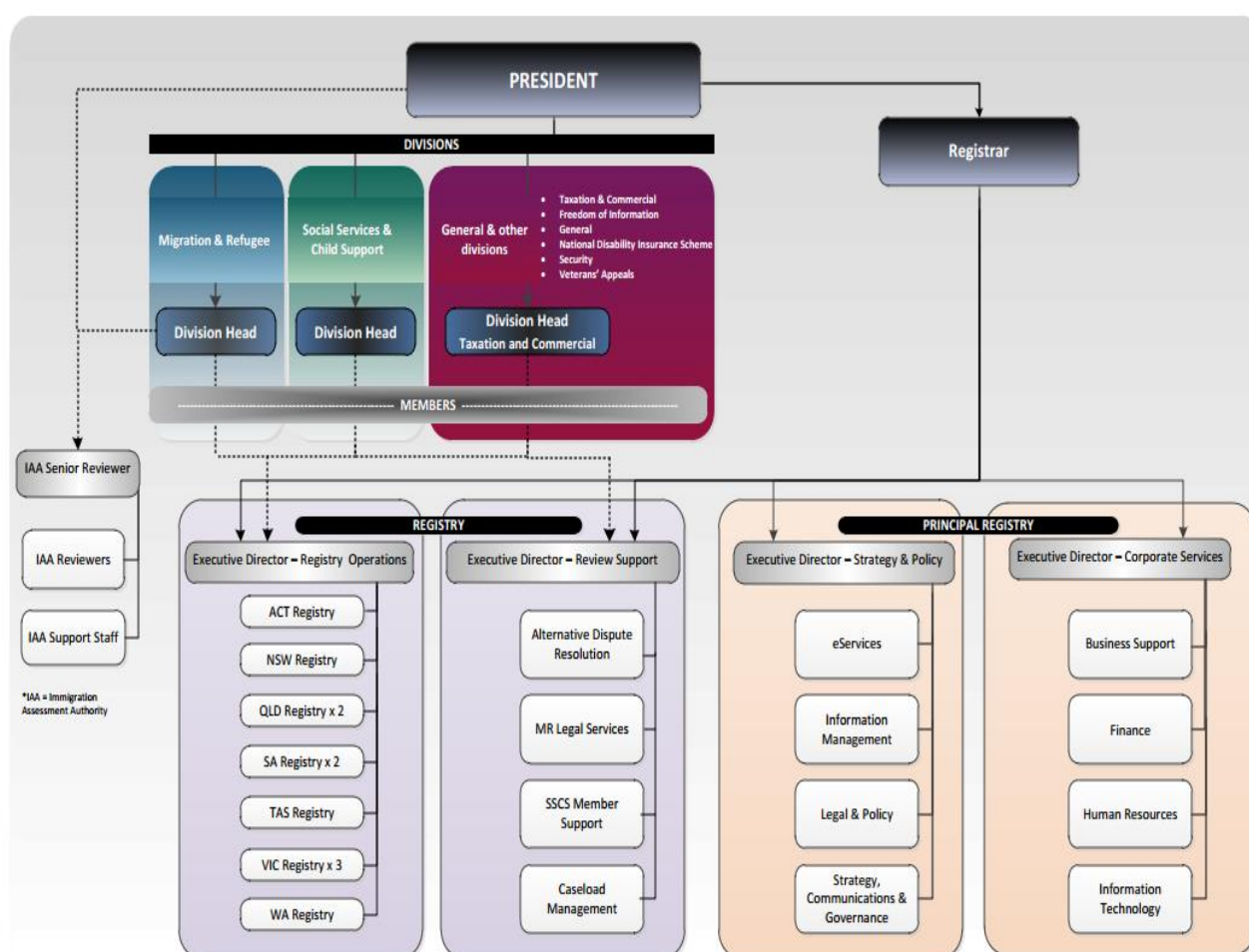
14. A deputy president may be assigned as the Head of one or more divisions. A deputy president or senior member may be assigned as the Deputy Head of one or more divisions.

¹ Certain decisions made by the Social Services & Child Support Division can be appealed in the General Division.

15. The President is responsible for the overall management of the AAT with the assistance of the Division Heads and the Registrar, and staff who assist the AAT to carry out its functions.
16. The President of the AAT must be a Judge of the Federal Court of Australia; the current president is the Honourable Justice Duncan Kerr Chev LH. The President is assisted in the management of the AAT by the Registrar, a statutory appointee who is the Agency Head for the purposes of the *Public Service Act 1999* (Cth), and the Accountable Authority for the purposes of the *Public Governance, Performance and Accountability Act 2013* (Cth); the current Registrar is Ms Sian Leathem.

Figure 1 below outlines the AAT's organisational structure:

Figure 1: The AAT organisational structure.



17. The staffing structure of the AAT is divided between District Registries, Review Support teams and the Principal Registry.

District Registries

18. The AAT operates District Registries in each state capital and the ACT. The AAT serves residents of Norfolk Island through arrangements with the Supreme Court of

Norfolk Island, and provides services to the Northern Territory through the Queensland and South Australian registries.

19. The District Registries are responsible for

- Processing applications and facilitating the listing and conduct of alternative dispute resolution processes and hearings;
- liaising with parties and representatives about their cases and give them information about the AAT's operation and procedures; and
- Providing administrative and other support services to conference registrars and members.

20. The Executive Director – Registry Operations is responsible for the national management of the AAT's District Registries, and is supported by one or more District Registrar(s) in each location.

Review Support Teams

21. The AAT's Review Support teams provide expert support and advice to tribunal members nationally, such as providing legal advice, caseload management and decision proof reading. The Review Support teams are primarily based in Sydney and Melbourne, but provide support to the AAT nationally.

22. The Review Support teams also include conference registrars who undertake alternative dispute resolution proceedings with tribunal applicants in some divisions, prior to a matter being constituted to a tribunal member for decision.

23. The Executive Director – Review Support is responsible for the national management of Review Support, and is supported by line managers in the individual teams.

Principal Registry

24. The Principal Registry advises and assists the President and the Registrar in managing the AAT's administrative affairs, and provides services to members and staff. The Principal Registry is responsible for business support (including property, security and procurement services), corporate legal and policy support, financial and human resource management, library and information services, strategy, communications and governance support, and technology services.

25. The Principal Registry is led by the Executive Director – Corporate Services, and the Executive Director – Policy and Strategy, who are supported by individual section Directors.

Membership and Staffing

Membership

26. As at 1 January 2017 the AAT had 313 members appointed nationally in the categories outlined in **Table 1** below:

Table 1: National membership as at 1 Jan 2017²

CATEGORY OF MEMBER	JUDGE	FULL-TIME	PART-TIME	TOTAL
President	1			1
<u>Deputy Presidents:</u>				
Federal Court judges	13			13
Family Court judges	6			6
Non-judicial		9	6	15
Senior Members		22	17	39
Members		56	183	239
TOTAL	20	87	206	313

Staffing

27. As at 1 January 2017 the AAT employed 578 APS staff nationally, AAT staff are employed under the terms of the *Public Service Act 1999* (Cth).

The Immigration Assessment Authority

28. The Immigration Assessment Authority (IAA) is an independent office within the Migration and Refugee Division of the AAT established by the *Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014*.

29. The role of the IAA is to provide a limited form of ‘fast tracked’ merits review to a limited cohort of protection visa applicants who meet the following criteria:

- entered Australia as an unauthorised maritime arrival on or after 13 August 2012 but before 1 January 2014;
- have not been taken to a regional processing country;
- have been allowed by the Minister to make a valid protection visa application; and
- have lodged a valid protection visa application with the Department of Immigration and Border Protection after 18 April 2015.

A person may also be a fast track applicant if they are in a class of persons specified by the Minister in a legislative instrument.

30. The President of the AAT and the head of the Migration & Refugee Division are responsible for the overall management of the IAA, and are supported by the Senior Reviewer of the IAA. The Principal Registry of the AAT provides corporate services support to the IAA.

² This table does not include appointments to the AAT announced by the Attorney-General on 17 December 2016 who had not commenced their appointments by 1 Jan 2017.

Commonwealth Tribunals Amalgamation

The Tribunals Amalgamation Act 2015

31. On 1 July 2015 the *Tribunals Amalgamation Act 2015* (Cth) commenced operation and amalgamated the former Migration Review Tribunal (MRT), Refugee Review Tribunal (RRT) and Social Security Appeals Tribunal (SSAT) into the AAT. From that date the AAT gained the jurisdiction and functions of the former tribunals.
32. The intention to amalgamate the tribunals was announced by the Government on 13 May 2014 as part of the 2014-15 Federal Budget. Amalgamation of the relevant tribunals had also been recommended by the National Commission of Audit in 2014.
33. One of the intentions of the amalgamation was to achieve savings through reduction in back office and property operating expenses, with \$7.2m in savings being identified over the forward estimates period³.

Amalgamation of Property Holdings

34. One of the key projects in the implementation of the tribunals amalgamation for the AAT is the consolidation of property holdings nationally, in order to achieve the expected reductions in property operating expenses over the medium to long term. On 1 July 2015 the AAT occupied space in 16 premises nationally as follows:
 - **Sydney:** 3 commercially leased premises;
 - **Melbourne:** 4 commercially leased premises;
 - **Brisbane:** 1 commercially leased premises and 1 premises occupied under a Memorandum of Understanding (in the Commonwealth Law Courts);
 - **Perth:** 2 commercially leased premises;
 - **Adelaide:** 3 commercially leased premises;
 - **Canberra:** 1 commercially leased premises; and
 - **Hobart:** 1 commercially leased premise and 1 premises occupied under a Memorandum of Understanding (in the Commonwealth Law Courts);
35. As at 3 February 2017 the AAT's property holdings have been reduced to 11 premises nationally as follows:
 - **Sydney:** 1 commercially leased premises;
 - **Melbourne:** 4 commercially leased premises;
 - **Brisbane:** 1 commercially leased premises and 1 premises occupied under a Memorandum of Understanding (in the Commonwealth Law Courts);
 - **Perth:** 1 commercially leased premises;
 - **Adelaide:** 1 commercially leased premises;
 - **Canberra:** 1 commercially leased premises; and
 - **Hobart:** 1 premises occupied under a Memorandum of Understanding (in the Commonwealth Law Courts);

³ Para 6, Explanatory Memorandum, Tribunals Amalgamation Bill 2014

36. The AAT has in place a program of leasing and fitouts which is intended to reduce property holdings to 10 premises nationally by the end of 2017, with further plans to sublease or surrender leases in a further three premises by the end of 2018.

Need and Purpose of the Proposed Works

Purpose of Works

Overview

37. The proposed works referred to the Committee for enquiry and report is the fitout of the AAT's newly leased space at 15 William Street, Melbourne. The AAT has leased 7,183sqm over three (3) full floors and one (1) half floor, being Levels 4, 5, 8 and 11 respectively, at 15 William Street, in the Melbourne CBD.
38. The purpose of these works is to allow for the consolidation of the AAT into single premises in the Melbourne CBD, reduced from the four (4) premises from which it currently operates. At the completion of these proposed works the AAT will remain in possession of two (2) of the four premises from which it currently operates, but is working to sublease, assign or otherwise dispose of these two leases at the earliest opportunity.

Objectives of the proposed works

39. The objectives of the proposed works are to:
- Consolidate the AAT's operations in Melbourne into a single premises, reduced from the four (4) current premises;
 - Allow the AAT to design and construct accommodation which meets the needs of the amalgamated AAT, rather than operating out of accommodations designed in most cases over 10 years ago with the needs only of the respectively former tribunals in mind. Such changes will allow the AAT to best achieve the aim of amalgamation in creating a streamlined and efficient method of merits review, and most effectively carry out its statutory objective; and
 - Allow the AAT to substantially increase its property occupational densities with a view to achieving, or coming near to achieving, the Government's target of 14 square metres per occupied work point.

Related works

40. The AAT has recently completed new fitouts in Sydney and Adelaide, and is currently undertaking similar works in Perth and Brisbane. The AAT's Sydney project was subject to a full inquiry by the committee in 2015 with a public hearing on 24 August 2015; the Adelaide, Perth and Brisbane works were approved by the Committee as medium works during 2016.
41. All of these works have the common aim of consolidating AAT facilities in each city into single premises. They are being undertaken as separate projects with separate timelines, design and procurements.

Existing Melbourne Accommodation

42. The following sections outline the options considered by the AAT which led to the conclusion that fitting out newly leased premises was the most effective accommodation solution for the long term. In summary, therefore, the requirement for these works has arisen from the need for the AAT to have a premises in Melbourne from which it can most effectively and efficiently carry out the statutory functions of the amalgamated tribunal. The AAT has entered into a lease at 15 William Street, and therefore a fitout will be necessary to allow occupation and operations to commence.

Existing Property

43. The AAT currently operates from four (4) premises in the Melbourne CBD and Southbank, as outlined in **Table 2** below. With the exception of the premises at 120 Spencer Street, which was fitted out in 2013, all of the AAT's existing properties in Melbourne were fitted out ten or more years ago. The fitouts were designed to meet the specific needs of the former tribunals at the time, and without regard for the occupational density targets subsequently introduced. It is notable that these fitouts are not equipped with integrated audio-visual (AV) systems, which the AAT has since deployed in its new fitouts in Sydney and Adelaide. The lack of integrated AV systems inhibits the AAT's ability to carry out its duties as effectively and efficiently as it could. The proposed works will allow the AAT to implement these new technologies consistently while also increasing its occupational density, through a substantially reduced property footprint.

Table 2: AAT existing property profile, Melbourne

ADDRESS	NLA (M2)	USABLE OFFICE AREA (M2)	TOTAL WORKPOINTS	OCCUPIED WORKPOINTS	OCCUPATIONAL DENSITY (m2/OWP) ⁴
40 City Road, Southbank	3767	1990	47	35	56.8
565 Bourke Street	1001	673	33	33	20.4
500 Collins Street	922	873	41	37	23.6
120 Spencer Street	3542	2470	173	130	19.0
Total	9232	6006	287	235	25.5

⁴ Source: AAT PRODAC Report, 2016

The particulars and use of each premises are as follows:

40 City Road, Southbank

44. These premises currently house operations of the AAT's Freedom of Information, General, National Disability Insurance Scheme, Security, Taxation & Commercial, and Veterans' Appeals Divisions. Prior to 1 July 2015 these premises housed the Victorian Registry of the AAT. The lease expires 31 December 2019, which will mean the AAT would remain in possession of this space post the completion of the proposed works at 15 William Street. We note that the previous lease was due to expire on 31 December 2016, and attempts to negotiate an extension beyond that date for a period of less than three (3) years were unsuccessful. The AAT will seek to sublease, assign or otherwise dispose of this lease tail; however the full costs of the lease were factored into the cost-benefit analysis of the 15 William Street option.

565 Bourke Street, Melbourne

45. These premises currently house operations of the AAT's Social Services & Child Support Division. Prior to 1 July 2015 these premises housed the Victorian Registry of the Social Security Appeals Tribunal. The AAT has a lease which expires 30 September 2017, and is seeking a short-term extension to 31 December 2017 in order to align with the timeline of the proposed works at 15 William Street.

500 Collins Street, Melbourne

46. These premises currently house operations of the AAT's Principal Registry and some operations of the AAT's Review Support teams serving the Social Services & Child Support Division. Prior to 1 July 2015 these premises housed the National Office (Principal Registry) of the Social Security Appeals Tribunal. The AAT's current lease expires on 31 December 2017, which aligns with the timeline of these proposed works.

120 Spencer Street, Melbourne

47. These premises currently house operations of the AAT's Migration & Refugee Division, and the Immigration Assessment Authority. Prior to 1 July 2015 these premises housed the Victorian Registry of the Migration and Refugee Review Tribunals. The lease expires on 7 June 2023. Given the long period remaining between the completion of the proposed works at 15 William Street and the expiration of the lease, the AAT is planning to sublease or assign these premises. Conservative estimates as to the timeline and terms on which such a sublease or assignment would occur were factored into the cost-benefit analysis, which supported taking up the lease at 15 William Street. The AAT has engaged commercial property advisers to explore possible private sector divestment options, and is also engaging actively with the Department of Finance to seek appropriate Commonwealth tenants to take up the space, consistent with the *National Lease Efficiency Program*.

Caseload

48. The below **Table 3** outlines the AAT's case finalisation statistics for matters handled by the Victorian Registry in the 2015-16 financial year, and expressed as a percentage of the AAT's overall national finalisation. As can be noted from the data, the AAT's Melbourne office processes around one third of the AAT's national case finalisations, and processes nearly half of the Migration & Refugee Division's national case finalisations.

These figures highlight the need for the AAT to have a modern, fit-for-purpose facility in which to conduct its work in Melbourne.

Table 3: AAT caseload summary, Melbourne – 2015/16 Financial Year

	Migration & Refugee Division ⁵	Social Services & Child Support Division	General & Other Divisions ⁶	Total
Matters finalised	7,342	4,156	1,696	13,194
Percentage of national finalised matters	45.6%	26%	25.9%	34.2%

Membership

49. As at 1 January 2017 the AAT had 84 members appointed in Melbourne in the categories outlined in **Table 4** below:

Table 4: Membership in Melbourne as at 1 Jan 2017⁷

CATEGORY OF MEMBER	JUDGE	FULL-TIME	PART-TIME	TOTAL
President	0			0
<u>Deputy Presidents:</u>				
Federal Court judges	4			4
Family Court judges	1			1
Non-judicial		1	1	2
Senior Members		7	1	8
Members		20	49	69
TOTAL	5	28	51	84

Staffing

50. As at 1 January 2017 the AAT employed 170 APS staff in Melbourne, which is approximately 29% of the AAT's total national workforce.

Accommodation Options Considered

51. As outlined in paragraphs 44 through 47 above the AAT has impending lease ends in 2017 at its Bourke and Collins Street premises in Melbourne, and in 2019 at its City

⁵ Statistics for the Migration & Refugee Division include matters reviewed by members based in SA and WA, however the Victorian Registry undertakes the majority of the case processing and support work associated with these matters.

⁶ General and Other divisions includes the AAT's: Freedom of Information, General (Including 2nd tier reviews of matters initially considered in the Social Services & Child Support Division) National Disability Insurance Scheme, Security, Taxation & Commercial and Veterans Appeals Divisions.

⁷ This table does not include appointments to the AAT announced by the Attorney-General on 17 December 2016 who had not commenced their appointments by 1 Jan 2017.

Road, Southbank premises. The amalgamation of the tribunals, combined with these lease ends, has provided the AAT with the opportunity to consider how best to physically arrange its operations in Melbourne. This section sets out the possible options considered.

Status Quo

52. The first option considered is the 'status quo' whereby the AAT recommits to leases at existing premises and continues operating as is currently the case. This option was discounted for the following reasons:

- Maintaining operations in four (4) premises in Melbourne is not consistent with the policy aims of amalgamation to create a more efficient tribunal. Operating from multiple premises necessarily requires that the AAT operate and maintain separate front of house facilities (reception counters, hearing rooms, etc.), ICT systems, and back of house utilities and general amenities, rather than a single set of facilities at one location. Operating from multiple premises also means that the AAT is not able to fully realise the potential for staff and members to work across multiple jurisdictions, as existing facilities are designed specifically for the needs of the jurisdictions of the AAT which formerly occupied the space. Co-location in single premises will allow the AAT to operate more streamlined and integrated teams working across jurisdictional lines; which will allow for greater operational efficiencies. Currently any work across jurisdictions requires staff and members to travel between offices, which leads to lost work-hours and consequent lost efficiencies;
- The fitouts at the AAT's current premises in Melbourne, in particular the City Road, Southbank and Bourke Street offices, have not had substantial re-work done on them in 10 or more years, and all of the AAT's Melbourne offices fall short of the Government's occupational density targets. Substantial work would need to be done to all existing premises in order to install new technology necessary for the AAT's operations, to get closer to meeting the occupational density target, and to bring accommodation into line with the AAT's Accommodation Masterplan. These works would require parts of the AAT to be displaced from offices while works are undertaken and would therefore be significantly more expensive and less efficient than fitting out new premises; and
- Maintenance of the status quo would lead to the AAT forgoing the opportunity to reduce its property footprint in Melbourne by approximately 2000sqm, which would be inconsistent with the *Commonwealth Property Management Framework* and the *National Lease Efficiency Program*.

53. For the above reasons the AAT did not consider the status quo to be a viable option and thus proceeded to consider other options.

Co-Location at 120 Spencer Street

54. Having concluded that it was not viable to continue to operate from the existing four premises in Melbourne the AAT, the AAT examined co-locating all operations at 120 Spencer Street, noting that its existing lease at that location does not expire until June 2023. The lessors of 120 Spencer Street were, however unable to offer sufficient vacant space to house all of the AAT, and so it was not an option to establish single-building operations at 120 Spencer Street.

Operation from 120 Spencer Street and a newly leased premises

55. As single-building operation at 120 Spencer Street was not possible, the AAT considered a two building option, whereby it would retain its existing premises at 120 Spencer Street (3,542sqm) and lease additional space in a nearby building to support

the remainder of the AAT's needs. This option was not taken up for the following reasons:

- A two building solution—with each premises requiring front of house reception and waiting areas, hearing rooms, and the various utilities and amenities needed to support them--would have required that the AAT lease more space than a single building solution. Space planning undertaken indicated that the ultimately chosen single building operation required a lease of 7,183sqm, whereas a split operation would have required an estimated 7,614sqm. The increased space footprint would have impacted on the savings in property operating expenses, and it is likely that the AAT would not have been able to negotiate as favorable commercial terms over a smaller (approximately 4,000sqm) lease than the full 7,183sqm lease. As with the status quo option, operating from two buildings would require the AAT to provide client services, ICT support, and facilities management staffing to two premises, which would limit the extent to which operational efficiencies could be realised;
 - If the AAT was to remain operating at its 120 Spencer Street premises it is likely that some fitout changes would need to be undertaken to support the works of other jurisdictions and staffing needs – though these would be less extensive than a full fitout. These works would have caused significant operational disruptions, and there would not be a commercial incentive from a landlord to fund them; and
 - In order to make a split-building operation work most effectively it was considered highly desirable that both premises be located near each other, to allow for easy travel between buildings with minimal loss of staff time through travel. The AAT considered that a building within 5 minutes walking time would be ideal. The AAT conducted a property search in the Melbourne CBD and was unable to locate suitable premises which met that criteria, and which could satisfy the AAT's space and timeline requirements.
56. For the reasons outlined above the AAT considered that a two building option was not the preferred scenario, but could have been made to work if a single-building option was not available or financially viable.

Single Building Option

57. A single building option was considered to be most compatible with achieving the policy aims of amalgamation, allowing for integrated operations, delivering maximum operational efficiencies, and maximum savings in property operating expenses. The AAT considered whether any existing premises could be expanded, and existing fitouts retained, as part of a single building solution. However, none of the buildings in which the AAT is currently located in Melbourne was able to offer sufficient additional space, and it was not considered viable to retain existing elements of the older fitouts.
58. Recommitting to existing leased space would also have necessitated a staged fitout, which would cause significant operational disruption and additional costs, potentially with no or substantially less commercial incentives to fund the works.
59. For these reasons it was considered that a single building operation in newly leased space was the preferred option.

Cost-Benefit Analysis

60. As required under *Resource Management Guide No. 504*, part of the *Commonwealth Property Management Framework*, the AAT conducted a cost benefit analysis of the following options:
- Single building operation in a newly leased premises;

- Multiple building operation, retaining space at 120 Spencer Street, and leasing additional space at 15 William Street; and
- Delaying action on property in Melbourne until the expiration of the City Road, Southbank lease.

61. The outcomes of that cost-benefit analysis were as follows:

Single building operation (15 William Street)

62. This option was analysed based on a commercial offer to lease space at 15 William Street and over the initial 10-year lease period had an estimated cost to the AAT of **\$60,058,283** (ex GST) inclusive of rent, estimated outgoings, and a commercial incentive. This scenario assumed that the AAT's space at 120 Spencer Street would be sublet, assigned, or otherwise disposed of and conservative estimates as to the terms and timeline of the disposal, as advised by the AAT's property consultants, were factored into the modelling.

Two building operation

63. This option was analysed based on expected less favourable terms at 15 William Street, as advised by the AAT's property consultants, and would require the exercise of a lease option at 120 Spencer Street, which includes a market rent review at commencement – again, estimates of this rent were as advised by the AAT's property consultants. The modelling of this option also included estimates of additional operational expenses the AAT would likely need to incur from operating from multiple buildings. Over an initial 10-year period this option had an estimated cost of **\$65,556,612** (ex GST).

Delay action until 31 December 2019

64. Due to the unknown costs of a single or multiple building operation post 31 December 2019 this scenario was modelled on the basis of the costs of maintaining the status quo until that time, versus the costs of moving to a single building operation immediately. This modelling included estimates of additional operational expenses from operating from multiple buildings. The cost benefit analysis concluded that maintaining the status quo would cost the AAT an additional **\$2,070,434** (ex GST) over the period to 31 December 2019, as compared to a single building operation at 15 William Street.

Conclusion

65. On 29 August 2016 the AAT submitted the cost-benefit analysis to the Secretary of the Department of Finance, as required under *Resource Management Guide No. 504* and on 7 October 2016 the Department of Finance wrote to the AAT advising that the Minister for Finance endorsed the AAT's proposal to enter into a lease at 15 William Street, Melbourne.
66. In October 2016, as the concept design progressed, it became apparent that the AAT's space planning had not allowed sufficient space for circulation, including secure access to public hearing rooms. It also became apparent that the location and number of building columns and the distance between the core and exterior walls at 15 William Street added some building-specific inefficiencies. This increased space requirement is applicable to any of the buildings considered by the AAT in Melbourne.

67. Negotiations were then undertaken to take on an additional part floor, taking the total leased space at 15 William Street to 7,183sqm. Relevant officers at the Department of Finance were kept informed of this development and provided advice that a supplementary cost-benefit analysis was not required.
68. Accordingly, the AAT proceeded to negotiate a lease and on 21 December 2016 the AAT entered into the lease with respect to 7,183sqm.

Scope of the Proposed Works

AAT National Accommodation Masterplan

69. In 2014 the AAT engaged Project Control Group Pty Ltd (PCG), an architectural design and real estate consultancy firm, to develop a national accommodation masterplan, to guide the works of the amalgamated AAT regarding the consolidation of property holdings and the fitting out of new premises.
70. The development of this masterplan was overseen by an Amalgamation Property Working Group made up of representatives of the former tribunals and officers of their portfolio departments (Attorney-General's Department, Department of Social Services and Department of Immigration & Border Protection), as well as representatives from the Department of Finance. The work of the Property Working Group was in turn overseen by an Amalgamation Steering Committee; made up of SES Band 2 representatives from the former tribunals, their portfolio departments, the Department of Finance and the Department of the Prime Minister & Cabinet; and an Inter-Departmental Committee, made up of Deputy Secretaries from the Attorney-General's Department, the Department of Social Services and the Department of Immigration & Border Protection.
71. Key elements of the AAT National Accommodation Masterplan are as follows:

Hearing Rooms

72. The key goal behind the AAT's Accommodation Masterplan was to develop a strategy for the physical environment of the tribunal to support the integration of the former tribunals into the AAT. Regard was had to the different needs each AAT jurisdiction has, particularly in regard to hearing rooms. Some of the key differences between jurisdictions which have a bearing on fitout design are as follows:
- The number of parties: while the AAT as a general principle seeks to be informal, the nature of some jurisdictions lends themselves more readily to informality than others. In the Migration & Refugee Division and the Social Services & Child Support Divisions the decision maker (e.g. the Minister, Secretary or agency) is not represented at hearings. Whereas in the FOI, General, NDIS, Security, Taxation & Commercial and Veteran's Appeals Divisions, the decision maker is represented. This logically means that larger hearing rooms are needed for the latter divisions to accommodate the much larger number of parties, who in some cases are represented by counsel;
 - In hearings in which both the applicant and decision maker are represented the AAT tends to adopt a more 'adversarial' approach, as opposed to an 'inquisitorial' approach in other hearings. This means the AAT has more reliance on evidence being presented by parties and witnesses and thus hearing rooms for those divisions tend to be designed in the fashion of a court room, with distinct bench, bar and witness zones. However, in keeping with the aim of informality the AAT does not include more formal features typically seen in courts, such as raised benches;

- Some of the AAT's hearings utilise hearing attendants who are present throughout the duration of the proceedings and actively support the member, while in other hearings only the member is present with the party/parties. Consequently, some rooms need to allow a workspace for a hearing attendant in addition to that provided for member(s);
- In certain tribunal jurisdictions it is more common for multiple members to hear a matter. For example, a legally qualified senior member may preside over a case, supported by a member with professional qualifications or expertise relevant to the particular matter at hand. Rooms are therefore needed which can cater for multiple as well as single members;
- The AAT's Security Division hears merits reviews of adverse security assessments made by ASIO, or reviews of decisions not to grant access to ASIO documents under National Archives legislation. These matters are sensitive by nature and may involve the discussion and review of classified material, and thus require facilities which conform with relevant security requirements and standards (i.e. to ensure that matters can be reviewed with confidentiality); and
- The AAT in certain jurisdictions conducts Alternative Dispute Resolution proceedings, wherein a conference registrar meets with parties in an informal setting in an attempt to reach a settlement before the matter proceeds to a full hearing. AAT fitouts therefore need rooms which cater to these settings and importantly do not give the parties the impression they are attending a hearing, or that the proceedings are 'formal' hearings of the AAT.

73. The below **Figures 2-5** outline the general layouts of proposed hearing and alternative dispute resolution (ADR) rooms:

Figures 2 & 3: Typical Migration & Refugee and Social Services & Child Support Division hearing rooms.

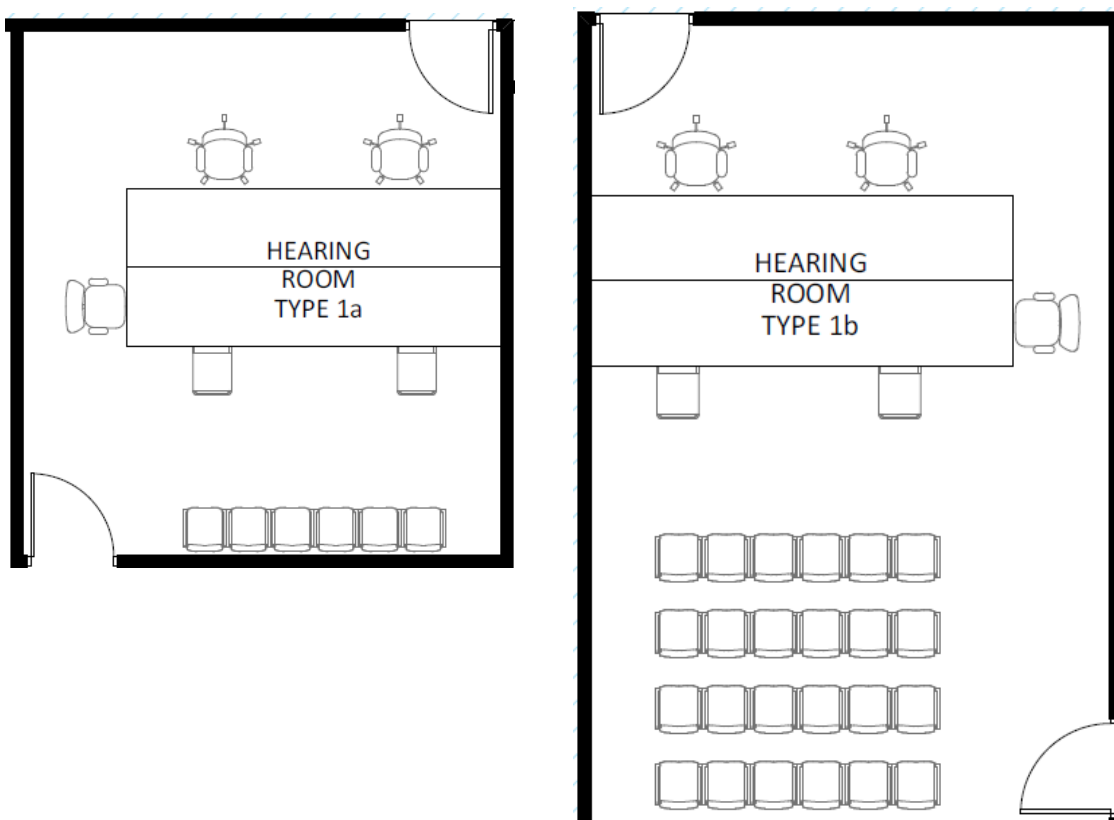


Figure 4: Typical FOI, General, NDIS, Security, Taxation & Commercial and Veterans' Appeals Division hearing room

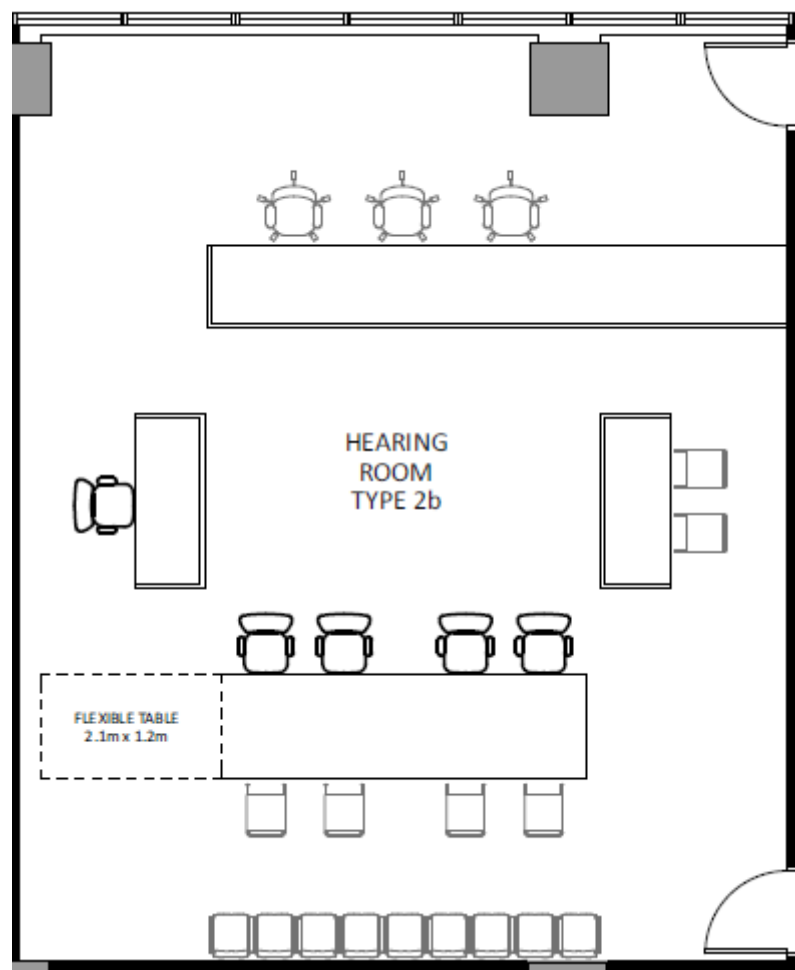
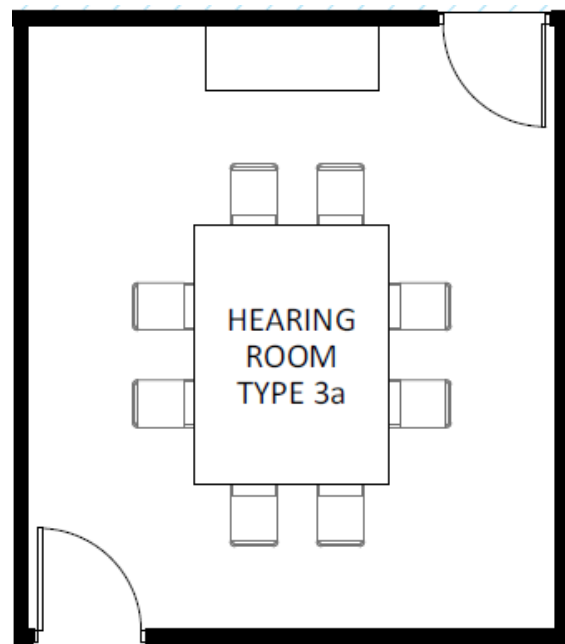


Figure 5: Typical Alternative Dispute Resolution room



Office accommodation

74. Another goal of the AAT's Accommodation Masterplan was to establish uniform national accommodation standards regarding the accommodation provided to individuals. Each of the former tribunals had different practices, particularly regarding the size of offices and the staff to which they were allocated. The below **Table 5** sets out the standards agreed as part of the Masterplan, which are being implemented in other AAT fitouts, and are proposed for the 15 William Street works.

Table 5 AAT Standard accommodation allocation

Accommodation	Allocated to	Notes
2100mm long lineal desk in open plan environment	APS1-EL1 staff, IAA Reviewers (EL2)	Standard workspace allocation.
12sqm office	Full Time Members, Conference Registrars, EL2 Managers	A standard enclosed office. In the case of members and conference registrars telephone hearings/conferences may be conducted from their office.
18sqm office	Full Time Senior Members, SES Officers	A larger office including a meeting space, recognising that the occupants of this space have high-level management responsibility and regularly conduct meetings in their offices. In the case of senior members, it telephone hearings may be conducted from their office, and certain members may hear applications from law-enforcement agencies for warrants in their offices.
18sqm double-share office	Part-time Members (at all categories)	Recognising the need for relatively quiet working space, but that part-time members do not attend the office full time, they are allocated a double-share office which includes two desks. Not all part-time members are allocated an individual desk in an office, in the case of members who do not regularly attend the office an allocation of 'hot desks' is provided.

24sqm office	Full-Time Deputy Presidents and The Registrar	A larger enclosed office including a meeting space, recognising that Deputy Presidents and the Registrar have significant local and national management responsibility and may conduct meetings, hearings and applications for warrants in their office
36sqm office with ensuite included	President's Chambers	<p>The largest office provisioned in AAT fitouts is for the President who must be a Judge of the Federal Court of Australia. The size and layout of these offices, including the provision of an ensuite, is based on the provision given to Federal Court Judges in the Commonwealth Law Courts around the country.</p> <p>Additional to the 36sqm office the President's Chambers also includes desks for the President's personal staff immediately outside the President's office, however unlike at the Federal Court the President's staff are not given their own enclosed offices.</p>

75. Note that sitting Judges of the Federal and Family Court appointed as deputy presidents of the AAT are not provided with office accommodation in AAT fitouts.

Selection of new Melbourne location

76. The selection of 15 William Street as the location for the AAT's consolidated Melbourne office is the result of an extensive search for commercial property within the CBD and surrounds. The AAT engaged PCG to undertake a search of the CBD and fringe of CBD market, and as part of that project the following criteria were established for the selection of a building:

Size:	6,500-7,500sqm
Expansion:	Expansion / contraction rights preferred
Density:	Base-build services to support minimum 1 person:12 sqm
Floor Plates:	Preference for large size floor plates 1,000sqm +

Location:	Within close proximity to public transport in the Melbourne CBD, Southbank or Docklands areas.
Access:	Full <i>Disability Discrimination Act 1992</i> compliance
Timing:	Access for fit-out Q2 2017
Lease Term:	Minimum 10 years with at least 1 option term
Car parking:	6 car spaces minimum
Building Grade:	Minimum high B-Grade standard building
ESD:	4-5 star NABERS rating and future proof environmental initiatives in place (Green Lease Standards)

Location

77. Due to operational requirements the AAT requires accommodation to be in the Melbourne CBD or immediate fringe (e.g. Docklands, Southbank), with good access to public transport. In the past consideration has been given to a more decentralised service delivery model and the AAT has previously operated a registry in Parramatta, NSW, as well as in the Sydney CBD. However, it is considered that a centralised service delivery model in each capital city is most efficient having regard to the workload, staffing and membership of the AAT.
78. It is important that the AAT be easily accessible to clients/applicants, representatives, interpreters from all parts of the Melbourne metropolitan area. Currently the majority of clients, staff and members travel to the AAT via public transport, and many legal representatives, migration agents, and interpreters are located in or around the CBD; this is not expected to change in the future. Costs may increase for clients if lawyers and migration agents need to travel long distances to the AAT's location. Clients of the AAT are also not typically clustered in any particular geographic area, so a CBD location is generally equally accessible for all clients living in a metropolitan area. For these reasons, the AAT is best located centrally with good public transport and road access.

Space Requirement

79. The AAT's space requirements were determined by using a space budget developed by PCG and the AAT, breaking down the AAT's requirements for hearings and front of house facilities, staff and member offices/workstations, and other essential support facilities. Requirements were calculated on the basis of current staffing levels and caseloads with consideration given to foreseeable changes and anticipated trends.

Building Grade

80. The AAT set a minimum 'high B' grade standard for this property search. This grade is in conformity with other similar government agencies and is consistent with the existing accommodation of the AAT in most locations. It is considered that a high B standard is the minimum building grade which is likely to meet the AAT's facilities, access and amenity requirements. The AAT also considered 'A grade' buildings but acknowledged

that financial sustainability will be a key constraint on the selection of higher grade buildings.

Energy Efficiency Rating

81. The NABERS rating system was part of the selection criteria and environmental sustainability provisions were included in the final lease.

Facilities/Amenities

82. Generally speaking, the facilities and amenities required by the AAT are the same as those of any other similarly sized Commonwealth entity with a large element of public interaction.
83. There is a requirement for supplementary air conditioning units to be installed in hearing rooms and the ability of any building to provide satisfactory water and supplementary generator power was factored into building selection. It is preferred that a building be able to provide backup generator power to support critical ICT facilities.
84. The AAT's lease includes a schedule of prescriptive minimum services standards covering matters such as lift speed and accessibility, air conditioning performance and electrical services. The lease contains provisions obligating the landlord to maintain these standards and provides for compensation if they do not.

Disability Access

85. As reviews of decisions under the National Disability Insurance Scheme and regarding Disability Support Pensions are within the jurisdiction of the AAT, being located in a building which provides a high standard of disability access and amenity is seen as a key selection criterion. In this regard the AAT considers aspects such as 'at grade' access, provision of accessible bathrooms and availability of disabled parking.

Commercial/Financial Considerations

86. As noted above the AAT considered that a minimum 'high B' grade commercial building would best meet its needs. The AAT engaged commercial property consultants to provide expert advice and undertake commercial negotiations on behalf of the AAT. The expert advice of PCG as to general costs of commercial premises of this standard was used in development of a property budget against which buildings were measured.

Property Search

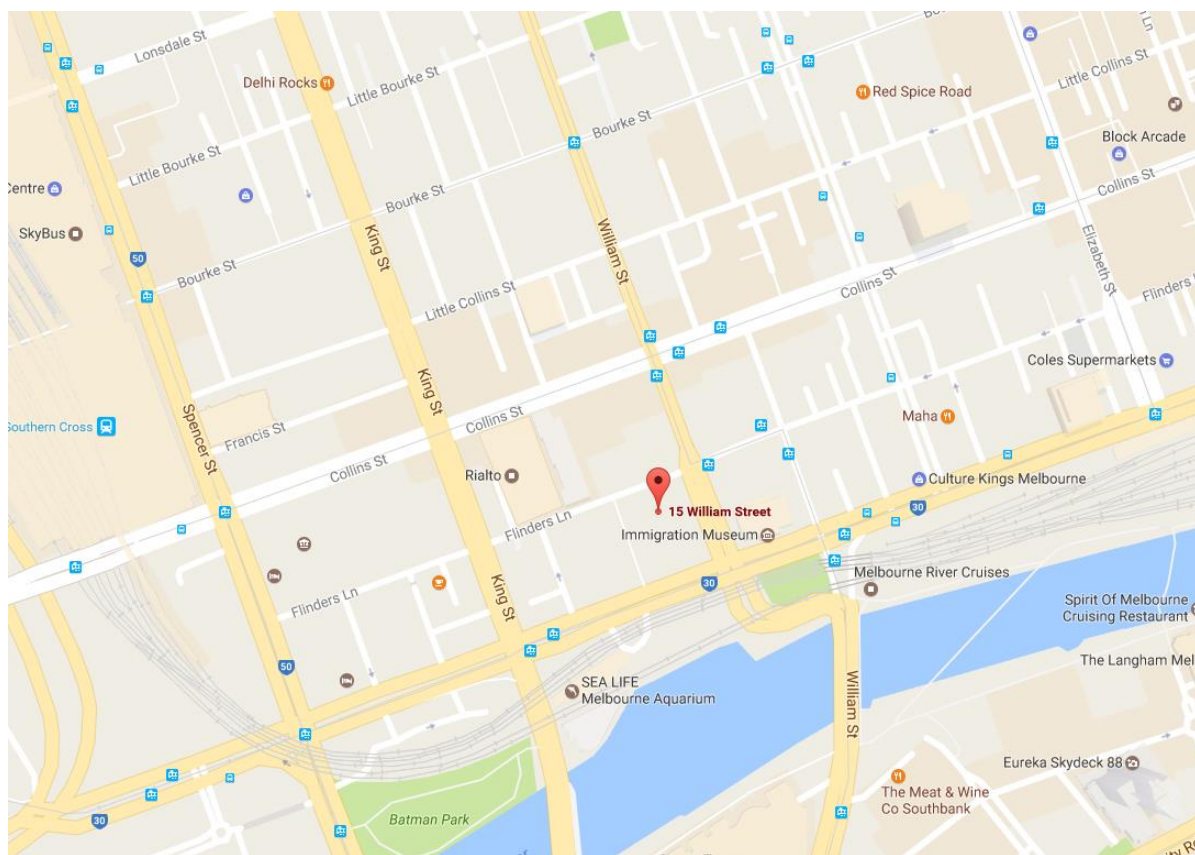
87. PCG, on behalf of the AAT, issued a request for expressions of interest to the market and 37 potential buildings responded. The AAT ultimately shortlisted eight (8) such buildings for inspection as a potential single building location. The AAT engaged consulting engineers Jones Nicholson to conduct technical due diligence on four (4) of the shortlisted buildings, and PCG conducted test fits on these premises as well.
88. 15 William Street was ultimately selected as a result of test fitting indicating it would be an efficient building to fit out, technical due diligence indicating the building services performed to a high standard, and meeting the AAT's other selection criteria.

89. 15 William Street also, as a result of a relatively efficient floor plate (requiring less space to be leased) and a highly competitive commercial offer, was also the most commercially sustainable and attractive option for the AAT.

Location of the Works

90. The proposed works are to fitout the AAT's newly leased space on Levels 4, 5, 8 and part 11 at 15 William Street, Melbourne.
91. 15 William Street is an A-Grade commercial building located in the Melbourne CBD, bounded by William Street to the east, Flinders Lane to the north and Customs House Lane to the west. The building is located close to trams running along Flinders and Collins Streets, and is approximately a five to 10-minute walk from Flinders Street Railway Station, and a 10 to 15-minute walk from Southern Cross Railway Station.
92. The map below (**Figure 6**) indicates the location of 15 William Street in the Melbourne CBD:

Figure 6: Location of 15 William Street within the Melbourne CBD



93. 15 William Street includes parking facilities, some of which are available to members of the public, there are also numerous other public parking facilities available in the immediate surrounds of the building. Additionally, the AAT has licensed eight (8) parking spaces in the building, some of which will be made available to disabled applicants and to immigration detention and corrections service providers for the transport of detainees.

Proposed new Melbourne facilities

94. The proposed new facilities for the AAT in Melbourne are to provide for premises to house a consolidated Victorian District Registry, and space for Principal Registry and Review Support staff based in Melbourne. As part of project planning the AAT developed a space budget and engaged Colliers International Project Services (Colliers) to design and project manage the fitout. The concept plans of the proposed facilities are provided at **Appendix A** to this submission.

95. As part of the proposed works the AAT will build the following facilities:

- 26 hearing and alternative dispute resolution rooms of varying sizes for the conduct of review proceedings;
- A public reception, waiting area and multiple interview rooms to support the hearing rooms;
- A publically accessible 'summons room' in which parties to tribunal proceedings can view and copy documents held by the AAT;
- A legal library which will be accessible to members of the public as well as staff and members;
- 178 workstations in open plan areas for APS1-EL1 and certain EL2 staff accommodation;
- 65 enclosed offices of varying sizes as accommodation for members and senior managers;
- Several breakout rooms and kitchenettes to support staff and members, and the hearing rooms;
- A first-aid room;
- Seven (7) staff and member meeting rooms of varying sizes for the conduct of internal meetings;
- A large training room for the conduct of staff and member training sessions;
- IT server and storage rooms to support the operations of the AAT;
- A secure store room designed for the storage of security classified documents; and
- Other store rooms and utility points to support AAT operations.

96. Further details about particular elements of the proposed works are set out in the following sections.

Engaged consultants

97. The AAT has engaged a variety of consultants who are responsible for providing advice and design on particular aspects of these works, as set out in the below **Table 6**.

Table 6: Project Consultants

Consultant	Project Role	Description
Project Control Group Pty Ltd	Corporate real estate consultants	<p>Production of the AAT's National Accommodation Masterplan</p> <p>Commercial real estate advice on property search and selection, commercial negotiations, test fitting and space planning services.</p> <p>Commercial advice on subleasing/disposal of existing premises.</p>
Colliers International Project Services Pty Ltd	Project Managers and Designers	Overall project management and architectural/interior design of the fitout.
Jones Nicholson Group Pty Ltd	Project Engineers	<p>Technical due diligence on locations under consideration and services design for the fitout including:</p> <ul style="list-style-type: none"> • Fire Services; • Electrical Services; • Communication Services; • Mechanical Services; • Hydraulic Services; and • Acoustic Consultancy
Konnectus Pty Ltd	Audio-Visual Consultants	Design of audio-visual services for the fitout
InTec1 Pty Ltd	Security Consultants	Enterprise security risk assessment and design of security services for the fitout
Rider Levett Bucknall Pty Ltd	Quantity Surveyors	Cost planning, control and assessment services

Occupational density

98. As noted in **Table 2** above the AAT currently has a combined occupational density in Melbourne of 25.5sqm of 'usable office area' per occupied workpoint (OWP). For the purposes of calculating the AAT's occupational density, public facilities and the areas directly needed to support such areas are excluded from the calculation of usable office space. In the case of the AAT this means that the reception, public waiting areas, public interview rooms, hearing rooms, the secure corridors behind the hearing rooms, and the library are excluded from the calculation.

99. The AAT's current density of 25.5sqm/OWP is not compliant with the Government's target of 14sqm/OWP. These works will allow the AAT to substantially improve its position in this regard, and an occupational density of 17.2sqm/OWP is expected to be achieved. However, the high number of enclosed offices relative to many Commonwealth entities, due to member appointments (equivalent to SES), makes it difficult to achieve a higher occupational density.

Hearing facilities

100. As outlined in paragraph 72 an important goal of the proposed works is to build hearing and alternative dispute resolution facilities which are, as far as possible, usable by all AAT jurisdictions. As hearing and ADR facilities are publically accessible they require access from the public areas of the AAT fitout, and for security purposes a separate, non-public entrance is required for members and staff.
101. It is proposed that hearing rooms will be constructed on Levels 4 and 5 of the new premises. Level 4 is proposed to house the AAT's main reception, and so the hearing rooms which are proposed for that floor are those which are more commonly used by unrepresented applicants and in higher volumes, require greater staffing support. The hearing rooms proposed for Level 5 are to be used by jurisdictions in which legal representation is more common and less support by AAT registry staff is required.
102. 26 hearing and ADR rooms are to be constructed, ranging from a size of approximately 25sqm to 90sqm. The number and type mix of the rooms has been determined by statistical analysis of the AAT's caseload.

Audio-visual systems

103. The construction of new facilities gives the AAT the opportunity to incorporate new and integrated audio-visual systems, which will allow for greater operational efficiency and will facilitate the transition to digital case files and evidence presentation. As part of these proposed works hearing and ADR facilities will be equipped with an integrated audio-visual system which allows for:
- Audio recording of proceedings, either in-room or by a remote service provider;
 - Digital evidence presentation on TV screens or via audio;
 - Tele and video conferencing integrated with the system for recording proceedings;
 - Audio voice lift to ensure all persons present in a hearing can clearly hear the proceedings; and
 - Infra-red hearing augmentation systems for hearing impaired users.
104. Hearing rooms will also be fitted with computers for members and hearing attendants, allowing a member to view the AAT's digital records or take notes during a hearing, and show this information to parties on an in-room screen if necessary.
105. The installation of advanced tele and video conferencing facilities is important as the AAT increasingly conducts proceedings through these mediums, particularly where one of the parties to a proceeding lives outside of the metropolitan area. The AAT, particularly in the Migration & Refugee Division, also frequently takes evidence from witnesses overseas by telephone, and the integrated teleconferencing system allows for a more reliable connection and significantly improved clarity of playback and recording. Some elements of the audio-visual systems installed in hearing rooms will also be installed in

back of house meeting rooms to support the operations of the AAT, which will have particular benefits for operational areas separated across national locations.

106. The audio-visual systems installed in these proposed works will be consistent with the systems installed in the AAT's new fitouts in Sydney and Adelaide, allowing for seamless use between sites and ease of maintenance and support.

Structural works

107. As part of the proposed works an internal staircase is proposed to connect Levels 4 and 5. There are two main reasons for this element of the design:
- Staff support for AAT hearing rooms is planned to be provided by the client services team, which will be located on Level 4 in the open plan office behind the reception desk. An interconnecting stair between Levels 4 and 5 allows these staff to quickly travel between the two floors to provide support for hearings on Level 5 and respond to emergencies as necessary; and
 - The internal staircase will allow members to access the secure side of the hearing rooms on Level 4 without having to transit through the public waiting area. It is noted that members who have offices on Levels 8 and 11 will need to take the building lifts to Level 5 and move through a public area on that floor, however it is anticipated that Level 5 will be a less trafficked floor than Level 4.
108. The AAT did seek as part of leasing arrangements to have use of the building fire stairs for inter-floor access, but the landlord was not willing to permit this.

Materials and furnishings

109. The materials and furnishings which are proposed for this project will be of sufficient quality to reflect the AAT's standing as a Commonwealth agency, and will reflect the AAT's desire to be seen as a welcoming and informal body. Where it is cost effective and practical, local and Australian suppliers will be favoured in the selection of materials, fittings and furnishings.
110. It is also important that furnishings, particularly in the public areas, are sufficiently durable to sustain high use, so as to avoid the need for unnecessary expenditure to replace worn out items.
111. The design of the public facing areas, including the hearing rooms, will be such that these areas will have higher quality furnishings in order to reflect a positive image of the AAT to its users while still delivering value for money. The back of house accommodations for staff and members will also be of a good quality, but will be in line with reasonable expenditure for a professional government office. In particular, the AAT will avoid unnecessary joinery and high-end finishes in offices and workstation areas.
112. Selection of the materials and furnishings will be based on a design brief produced by Colliers International which has regard to previous AAT works, and comparable government projects.

Mechanical services

113. Much of the mechanical works associated with this project are relatively standard mechanical works which would be expected in the fitout of an office, being to adjust the base building mechanical system to the needs of the fitout.

114. The only area in which the AAT's mechanical works vary from standard works is that most hearing rooms, due to the regular number of occupants, require individual supplementary air-conditioning units to be installed to meet relevant Australian Standards. Given the number of hearing rooms requiring these units the cost of the AAT's mechanical works is expected to be higher than a standard office fitout. Some adjustments to base building infrastructure are also required to achieve greater flows of outside air to Levels 4 and 5 than are currently provided, again to support the number of hearing rooms.
115. The works will also include installation of specialised communications room air conditioning units to the main IT server room, which houses critical server and network infrastructure.

Hydraulic services

116. The hydraulic works associated with this project will be relatively standard works to connect base building hydraulic services to kitchen/breakout rooms, water points and kitchenettes. This includes chilled water points in the public waiting areas and small kitchenettes to support the hearing rooms.
117. Further, the AAT proposes to build additional bathrooms in the back of house areas on Levels 4 and 5, for the use of staff and members, particularly during hearings, as the base-building bathrooms will be accessible to the public on these levels.
118. No additional bathrooms are proposed on Levels 8 or 11, nor are accessible bathrooms proposed as the base building already provides these facilities on each floor.

Electrical and communication services

119. The electrical services to this project will be generally standard electrical works for a commercial fitout, noting that the AAT will be installing a large communications/server room on Level 8. The hearing rooms will also require considerable electrical and communication work to support their audio-visual and general ICT systems.

Acoustics

120. The hearing rooms are designed to a high acoustic standard, given the sensitive nature of matters discussed in those rooms. In the hearing rooms acoustic treatments will consist of wall construction and acoustic panelling. Throughout the remainder of the fitout room acoustics will be relatively standard while having regard to the use and placement of particular rooms.

Environmental sustainability

121. Environmental sustainability was an important factor in the selection of 15 William Street. The building currently has a 4.0 star NABERS rating.
122. As part of the AAT fitout environmental sustainability will be a consideration in the selection of fittings and equipment such as lighting and appliances.

123. As part of the lease over the space the landlord and AAT have also agreed to work together on environmental sustainability initiatives in the fitout and throughout the building.

Provisions for persons with a disability

124. Providing a high standard of facilities for persons with disabilities is an important factor in the AAT's selections of buildings and design of fitouts. The review of decisions relating to persons seeking or receiving a disability support pension is a large portion of the work of the AAT's Social Services & Child Support Division, and the AAT has jurisdiction to review decisions regarding the National Disability Insurance Scheme as part of its NDIS Division.
125. The provisions which are included in the base building or which will be included as part of the proposed works are as follows:
- The building provides at-grade access into the building from multiple entrances;
 - The building provides a car park in the basement, which includes casual public parking. The AAT has licensed eight (8) of these spaces, some of which will be provided for use by disabled clients;
 - Each floor of 15 William Street includes a wheelchair accessible bathroom, which in the case of the AAT's floors will be available to the public, as well as staff and members. These bathrooms are equipped with push button entry and comply with relevant Australian Standards;
 - The design of the AAT's reception counter includes a lower height section which is accessible to persons in wheelchairs. The reception counter will also include a hearing loop;
 - Hearing augmentation facilities will be installed in hearing rooms to cater for attendees with hearing impairments; and
 - The design of the fitout will fully comply with Australian Standards regarding wheelchair accessibility and other disability access standards (e.g. provision of braille signage).

Childcare facilities

126. 15 William Street includes a child care facility which provides priority access to occupants of the building, and so will be available to AAT staff and members.

Security measures

127. The security features to be implemented as part of these works are based on the results of an enterprise security risk assessment for the AAT completed by consultants InTec1 in June 2015.
128. The security measures implemented by the AAT are also determined having regard to the AAT's goal to be informal and to provide as comfortable an environment to its clients as possible.
129. The general security measures proposed for these works are as follows:
- CCTV monitoring in public areas and around entrances to the back of house area, with the ability for the feed to be monitored live or recorded;
 - Installation of duress alarms in all hearing rooms and at the reception counter;
 - Provision of a secure entrance from all hearing rooms into a secure corridor, which cannot be accessed by members of the public;

- Installation of a proximity card access control system, separate to the base-building security system, to provide access to the secure areas of the AAT premises;
 - A reception counter design which provides a welcoming and relatively informal greeting entry point to visitors, while incorporating security features to protect staff such as anti-vault features and duress buttons; and
 - The construction of 'tamper evident' walls at the barrier of the AAT's tenancy or between the public and private areas, around IT rooms and the secure store.
130. The fitout will also include a room which will be constructed to ASIO T4 Zone 5 requirements for the secure storage of classified material for the AAT's Security Division.

Fire protection

131. These proposed works will include standard fire protection works to adjust the existing base building sprinkler, smoke detection and Emergency Warning and Intercommunication System (EWIS) systems to match the fitout, and installation of additional sprinklers, smoke detectors and EWIS speakers as necessary. The proposed main communications/server room will also be fitted with a gas fire suppression system.

Occupational health and safety measures

132. The fitout will be designed so as to comply with relevant legislation and Australian Standards regarding work health and safety (WHS) measures, and furniture and fittings will be chosen with WHS considerations in mind.
133. The builder engaged to undertake the works will be required to have Federal Safety Commissioner accreditation and to provide as part of its tender submission a comprehensive WHS plan stating how the works will be undertaken safely. The builder will also be required to regularly report on any site incidents and will be subject to Commonwealth and State WHS reporting obligations.

Financial Management and Project Delivery

Financial Aspects

Estimated Cost

134. The estimated cost of these proposed works is \$12.41m which equates to an amount of \$1727 per square metre. These costs include all capital construction works, but exclude fixtures, fittings and furniture, design and project management fees, design contingency, relocation costs, internal resourcing and risk estimation costs.
135. Inclusive of fixtures, fittings and furniture, design and project management fees, design contingency, relocations costs, internal resourcing and risk estimation costs, the estimated total project cost of the proposed works is \$15.68m which equates to an amount of \$2182 per square metre.
136. As required by the Committee's manual of procedures the estimated fitout cost 'per square metre' is \$1694. This cost encompasses all capital construction works, plus design, project management and consultancy costs. Non-construction related costs such

as contingencies, relocations and fixtures and fittings have been excluded from this estimate.

137. Full details of the estimated costs are provided in the AAT's confidential submission.

Project Funding

138. The AAT intends to fund these projects partially by a commercial lease incentive and partially through existing capital funding. Due to the commercially sensitive nature of the incentive and the lease generally, details of these aspects are provided in the AAT's confidential submission. The AAT has sufficient funding to meet the estimated project costs and contingencies and so additional funding will not need to be sought.

Project delivery

Project timeline

139. Subject to the Committee's report and the parliamentary expediency motion, the following **Table 7** sets out the timeline of the proposed works. This timeline has been prepared by the AAT's appointed project managers. The final timeline will be confirmed upon parliamentary approval of the works and the appointment of a principal contractor (builder).

Table 7: Project timeline

#	Item	Date
1	Finalisation of initial concept plan	Completed 22/12/16
2	Detailed design documentation	Completion by 17/3/17
3	Issue of requests for tender	From 20/3/17 to 13/4/17
4	Appointment of a head contractor	Appointment by 5/5/17
5	Commencement of construction works	Commencement by 22/5/17
6	Practical completion of construction works	Completion by 6/10/17
7	Final completion of construction defects and commissioning	Completion by 2/11/17
8	Relocation from existing sites	Progressively over two weeks from 3/11/17
9	Defects liability period	12 months from Practical Completion

140. This program includes two (2) weeks contingency during the construction program, and has a completion date which leaves approximately eight (8) weeks until the expiration of the AAT's leases at the existing Bourke and Collins Street premises. With

these contingencies in mind it is considered that the program is reasonable and achievable.

141. The following is noted regarding the timeline:

- Item 3 (Issue of requests for tender) is subject to an assumption that the AAT is granted permission by the Committee to issue concurrent documentation after a hearing on or before 20 March 2017. The program will be adjusted accordingly should such permission not be granted, or be granted after that date;
- Item 4 (Appointment of a head contractor) is scheduled on the expectation that the appointment of a head contractor would be prior to the passage of an expediency motion in Parliament, with the AAT having a right to terminate the appointment, without penalty to the Commonwealth, should an expediency motion not be passed; and
- Item 5 (Commencement of construction works) is subject to an assumption that a parliamentary expediency motion will be passed on or before 22 May 2017. If an expediency motion has not been passed by that date the program will be adjusted accordingly.

Procurement methodology

142. It is planned that the proposed works will be undertaken by a single builder (head contractor) who will sub-contract individual trades and specialities as necessary. The AAT's engaged designers will specify fittings and furnishings which tenderers will be required to price and procure as part of the works.

143. As the value of these proposed works exceed \$7.5m the provisions of Division 2 of the *Commonwealth Procurement Rules* (CPRs) will apply to the procurement. In order to comply with the requirements of the CPRs it is proposed that the head builder will be procured via a prequalified tender.

144. The first stage of the prequalified tender will be the establishment of a shortlist of potential suppliers, as required by clause 9.9(a) of the CPRs. The shortlist will be determined by factors including:

- The supplier being accredited by the Federal Safety Commissioner, and complying with all other relevant legislation and/or policies;
- Relevant previous experience by suppliers on projects of a similar size and scope;
- The expected workload and availability of potential suppliers;
- The demonstrated management and supply capability of potential suppliers; and
- On the basis of relevant referee checks.

145. The AAT is currently in the process of considering what impacts the passage of the *Building and Construction Industry (Improving Productivity) Act 2016* (Cth) will have on these works, and will comply with any relevant provisions or associated policies.

146. Once a shortlist of potential suppliers has been established, and once the Committee has given permission for the AAT to issue concurrent documentation, or parliamentary approval has been granted, the shortlisted suppliers will be invited to provide a full tender to complete the works.

147. As part of the full tender the AAT intends to specify that nominated AV and security contractors need to be priced and included in tender submissions as specified subcontractors. This is because these are areas in which there is substantial integration with works previously completed in other locations, or where an existing supplier has

specific knowledge of the AAT's business which allows a lower risk and/or quicker program. However, in all cases tenderers will be required to seek alternative quotes to the specified suppliers, in order to ensure that value for money is being achieved.

Delivery methodology

148. These proposed works are planned to be delivered as a lump-sum building contract, which provides certainty as to cost, subject to client-driven variations and extension of time claims. All progress claims, variation claims and extension of time claims will be assessed by the AAT's project managers (Colliers), quantity surveyors (Rider Levett Bucknall), and subject matter experts (e.g. security consultant), to ensure claims are fair and reasonable in the circumstances.
149. The head builder appointed will be responsible for management of all construction work and will be responsible for coordinating the work of all trades. This methodology ensures that there is a single point of management and responsibility for the works, which minimises project risks which may emerge through lack of coordination on site.

Revenue

150. The AAT generates some revenues in the form of application fees, however it is not anticipated that these works would have any impact positively or negatively on the volume of applications, and therefore on revenue. Revenue generated in this manner is paid into consolidated revenue.
151. The AAT has previously generated some revenue through renting out hearing rooms to some organisations, and these works should continue to provide some scope in Melbourne for generating revenue through this avenue. However, this is a small revenue path in the context of the AAT's overall operating budget.

Public Value

Impact on review proceedings

152. Public value associated with this project is realised through the ability of the AAT to provide the most efficient and streamlined merits review process, in line with a key policy goal of tribunal amalgamation. If the AAT was to remain operating in multiple premises in Melbourne there would be much more limited ability to streamline and integrate the work of the AAT's multiple jurisdictions, or for staff and members to work across multiple jurisdiction, which would in turn limit knowledge sharing and multi-skilling.
153. Another key benefit in these works is the ability to install modern audio-visual and teleconferencing facilities in hearing rooms and member offices, which allow for the conduct of more hearings by video and tele conference. This will allow the AAT to better service applicants who are located outside Melbourne. A sophisticated AV system will also allow for AAT members based in Melbourne to conduct proceedings to locations around Australia, and vice-versa. Both of these capabilities will allow the AAT to more efficiently deploy its human resources, leverage specialist skills and reduce travel expenses. These facilities also allow for a greater geographic disbursement of the AAT,

allowing for the employment of resources in other locations without compromising efficiency.

Operational efficiencies and savings

154. The ability to achieve operational efficiencies in the management and operations of the AAT is another key public value which will be achieved by these works. Currently there is limited ability for the integration of client services, member support and the use of hearing rooms across jurisdictions in Melbourne, primarily because the facilities in existing premises have been designed for the needs of that jurisdiction. By operating from single premises the AAT aims to achieve the following:

- Integration of client services, which are currently divisionally based, into a single team which provides support to all AAT jurisdictions;
- Reducing the number of hearing and ADR rooms from 36 across the current sites, to 26 in the new site, while being able to manage an increased number of hearings through the more efficient allocation of hearing rooms;
- Reducing the AAT's property footprint in Melbourne by around 2000sqm through elimination of doubled up spaces (e.g. waiting areas, IT facilities, meeting rooms) and reducing space allocations with the aim of achieving an improved occupational density per occupied workpoint.

155. As part of the cost-benefit analysis which led to the selection of 15 William Street as the location for the AAT's new Melbourne location, an assessment was undertaken of the operational inefficiencies and additional costs which are incurred by operating from multiple premises. The following were identified as additional costs:

- Increased Comcare and Comcover insurance costs as a result of a higher risk profile (e.g. frequent travel from building to building, and from having more space);
- Staffing reductions through natural attrition are not possible while additional staff are needed to support multiple premises;
- Additional security costs;
- Courier services between offices;
- Taxi and other travel costs between offices; and
- Additional IT infrastructure and staff costs.

156. It is estimated that these factors represent approximately \$630,000 per annum in additional costs or forgone savings, over the term of a ten (10) year lease.

Works-specific value

157. The actual undertaking of these works will have some benefits through providing employment in the local area and through the purchase of other goods and services, including fittings and furnishings. Consistent with the soon to be implemented revisions to the Commonwealth Procurement Rules the AAT will have regard to the benefits to Australia in the procurement of fittings and furnishings, and has a clear preference for purchasing Australian owned/provided goods and services.

Other Issues

Relevant Legislation

158. Legislation relevant to these proposed works includes:

- *Administrative Appeals Tribunal Act 1975* (Cth);
- *Tribunals Amalgamation Act 2015* (Cth);
- *Public Works Committee Act 1969* (Cth);
- *Fair Work Act 2009* (Cth);
- *Public Governance, Performance and Accountability Act 2013* (Cth);
- *Disability Discrimination Act 1992* (Cth);
- *Safety, Rehabilitation and Compensation Act 1988* (Cth);
- *Building and Construction Industry (Improving Productivity) Act 2016*;
- *Building and Construction Industry (Consequential and Transitional Provisions) Act 2016*.

159. The Building Code 2013 and relevant Australian Standards will also apply to the works.

Consultation with key stakeholders

160. The selection of 15 William Street as the location of the works was the result of a cost-benefit analysis comparing the AAT's accommodation options in Melbourne. These options were extensively discussed with the Department of Finance prior to the proposed lease being presented to the Minister for Finance for formal approval.

161. The AAT property team responsible for the management of these works has undertaken extensive internal consultation with AAT staff and members regarding the design of the works, in the context of the national accommodation framework.

162. In mid-2016 the AAT undertook a national user survey of clients, which included questions regarding AAT facilities. Negative feedback on AAT facilities generally concerned technology and disability access, and was mostly confined to existing AAT fitouts. These proposed works give the AAT the opportunity to design new premises with best-practice technology and disability access.

Appendices

A – Concept Plans for Levels 4, 5, 8 and 11

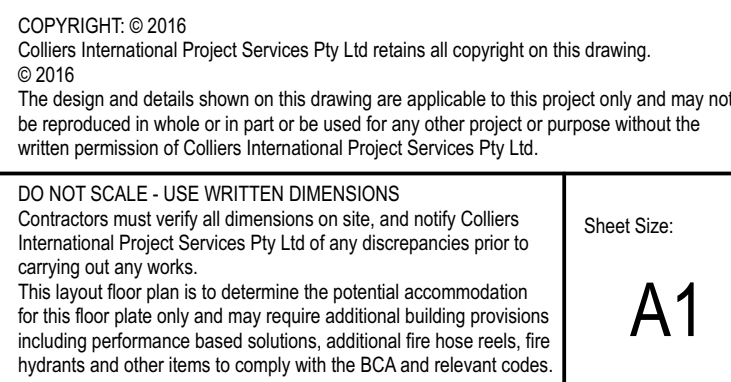
YARRA RIVER

PUBLIC AREAS					
ROOM	LEVEL 4	LEVEL 5	LEVEL 8	LEVEL 11	TOTAL
HEARING ROOM 14	1	-	-	-	1
HEARING ROOM 15	3	-	-	-	3
HEARING ROOM 16	1	1	-	-	2
HEARING ROOM 20	2	-	-	-	2
HEARING ROOM 21	1	-	-	-	1
HEARING ROOM 35	1	-	-	-	1
HEARING ROOM 36	2	-	-	-	2
SMALL MEDIUM INTERVIEW	1	2	-	-	3
RECEPTION	1	-	-	-	1
LIBRARY	1	-	-	-	1
RECEPTION	1	-	-	-	1
FIRST AID	1	-	-	-	1
PARENTS ROOM	1	-	-	-	1
PHOTOCOPY ROOM	1	-	-	-	1
WAITING	1	-	-	-	1
STORE ROOM	1	-	-	-	1
TOTAL	22	3	0	0	25

STAFF AREAS					
ROOM	LEVEL 4	LEVEL 5	LEVEL 8	LEVEL 11	TOTAL
WORKS ROOMS	32	4	36	1	73
OFFICE TYPE A	0	10	17	9	36
OFFICE TYPE B	0	2	4	4	10
OFFICE TYPE C	0	3	11	11	24
OFFICE TYPE D	0	3	1	1	5
OFFICE TYPE E	1	2	4	2	9
LOBBY	1	0	0	0	1
LOBBY	1	2	4	2	9
QUIET ROOM	1	1	4	1	7
MEDIUM MEETING	1	1	2	1	5
LARGE MEETING	1	1	1	1	4
COMING IN	1	1	1	1	4
COMING OUT	1	1	1	1	4
IT BUILD ROOM	0	0	1	0	1
BRIDGE	0	0	1	0	1
TRAINING ROOM	0	0	1	0	1
MAIL ROOM	1	0	0	0	1
TOTAL	40	22	66	21	149



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Date	Issue	Rev	Description
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File Name: 16005.pln

Address:
MELBOURNE, VICTORIA

Drawing No:
16005-A01

Issue:
SD

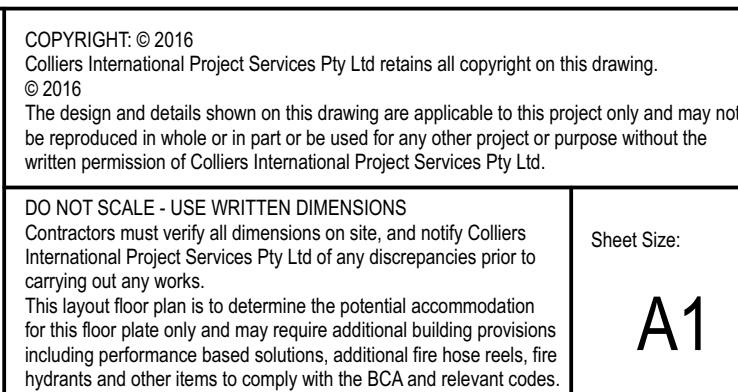
YARRA RIVER

ROOM	LEVEL 4	LEVEL 5	LEVEL 8	LEVEL 11	TOTAL
HEARING ROOM 1A	1	-	-	-	1
HEARING ROOM 1B	3	-	-	-	3
HEARING ROOM 2A	1	-	-	-	1
HEARING ROOM 2B	2	-	-	-	2
HEARING ROOM 3A	1	-	-	-	1
HEARING ROOM 3B	3	-	-	-	3
HEARING ROOM 3C	3	-	-	-	3
SMALL INTERVIEW	1	-	-	-	1
MEGAL INTERVIEW	1	2	-	-	3
INTERVIEW	1	-	-	-	1
LIBRARY	1	-	-	-	1
RECEPTION	1	-	-	-	1
FIRST AID	1	-	-	-	1
PARENTS ROOM	1	-	-	-	1
PHOTOCOPY ROOM	1	-	-	-	1
WAITING	1	1	-	-	2
STORE ROOM	1	-	-	-	1

STAFF AREAS	LEVEL 4	LEVEL 5	LEVEL 8	LEVEL 11	TOTAL
WORKSTATIONS	3	0	17	36	56
OFFICE TYPE A	0	10	17	9	36
OFFICE TYPE B	0	2	4	0	6
OFFICE TYPE C	0	0	1	0	1
OFFICE TYPE D	0	3	11	1	18
OFFICE TYPE E	0	1	0	1	2
LOBBY	1	2	4	2	9
LOBBY 2	1	0	0	0	1
CLUB ROOM	0	1	4	2	7
MEGAL MEETING	0	1	1	1	3
MEGAL MEETING	0	1	1	1	3
COMMON HUB	1	0	0	1	2
COMMON HUB	1	0	0	1	2
IT BUILD ROOM	0	0	1	0	1
BREAKOUT	0	0	1	0	1
TRAINING ROOM	0	0	1	0	1
COMING IN	0	0	2	0	2
MAIL ROOM	1	0	0	0	1



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A1

AMENDMENTS									
21/12/16	SD	09	LOCAL REVIEW CHANGES						
Date	Issue	Rev.	Description	Date	Issue	Rev.	Description		

File Name: 16005.plt

MELBOURNE, VICTORIA

Drawing Title:

Revision:

YARRA RIVER

PUBLIC AREAS					
ROOM	LEVEL 4	LEVEL 5	LEVEL 8	LEVEL 11	TOTAL
HEARING ROOM 12	1	1	1	1	4
HEARING ROOM 13	1	1	1	1	4
HEARING ROOM 14	1	1	1	1	4
HEARING ROOM 15	1	1	1	1	4
HEARING ROOM 16	1	1	1	1	4
HEARING ROOM 17	1	1	1	1	4
HEARING ROOM 18	1	1	1	1	4
HEARING ROOM 19	1	1	1	1	4
HEARING ROOM 20	1	1	1	1	4
HEARING ROOM 21	1	1	1	1	4
HEARING ROOM 22	1	1	1	1	4
HEARING ROOM 23	1	1	1	1	4
HEARING ROOM 24	1	1	1	1	4
HEARING ROOM 25	1	1	1	1	4
HEARING ROOM 26	1	1	1	1	4
HEARING ROOM 27	1	1	1	1	4
HEARING ROOM 28	1	1	1	1	4
HEARING ROOM 29	1	1	1	1	4
HEARING ROOM 30	1	1	1	1	4
HEARING ROOM 31	1	1	1	1	4
HEARING ROOM 32	1	1	1	1	4
HEARING ROOM 33	1	1	1	1	4
HEARING ROOM 34	1	1	1	1	4
HEARING ROOM 35	1	1	1	1	4
HEARING ROOM 36	1	1	1	1	4
HEARING ROOM 37	1	1	1	1	4
HEARING ROOM 38	1	1	1	1	4
HEARING ROOM 39	1	1	1	1	4
HEARING ROOM 40	1	1	1	1	4
HEARING ROOM 41	1	1	1	1	4
HEARING ROOM 42	1	1	1	1	4
HEARING ROOM 43	1	1	1	1	4
HEARING ROOM 44	1	1	1	1	4
HEARING ROOM 45	1	1	1	1	4
HEARING ROOM 46	1	1	1	1	4
HEARING ROOM 47	1	1	1	1	4
HEARING ROOM 48	1	1	1	1	4
HEARING ROOM 49	1	1	1	1	4
HEARING ROOM 50	1	1	1	1	4
HEARING ROOM 51	1	1	1	1	4
HEARING ROOM 52	1	1	1	1	4
HEARING ROOM 53	1	1	1	1	4
HEARING ROOM 54	1	1	1	1	4
HEARING ROOM 55	1	1	1	1	4
HEARING ROOM 56	1	1	1	1	4
HEARING ROOM 57	1	1	1	1	4
HEARING ROOM 58	1	1	1	1	4
HEARING ROOM 59	1	1	1	1	4
HEARING ROOM 60	1	1	1	1	4
HEARING ROOM 61	1	1	1	1	4
HEARING ROOM 62	1	1	1	1	4
HEARING ROOM 63	1	1	1	1	4
HEARING ROOM 64	1	1	1	1	4
HEARING ROOM 65	1	1	1	1	4
HEARING ROOM 66	1	1	1	1	4
HEARING ROOM 67	1	1	1	1	4
HEARING ROOM 68	1	1	1	1	4
HEARING ROOM 69	1	1	1	1	4
HEARING ROOM 70	1	1	1	1	4
HEARING ROOM 71	1	1	1	1	4
HEARING ROOM 72	1	1	1	1	4
HEARING ROOM 73	1	1	1	1	4
HEARING ROOM 74	1	1	1	1	4
HEARING ROOM 75	1	1	1	1	4
HEARING ROOM 76	1	1	1	1	4
HEARING ROOM 77	1	1	1	1	4
HEARING ROOM 78	1	1	1	1	4
HEARING ROOM 79	1	1	1	1	4
HEARING ROOM 80	1	1	1	1	4
HEARING ROOM 81	1	1	1	1	4
HEARING ROOM 82	1	1	1	1	4
HEARING ROOM 83	1	1	1	1	4
HEARING ROOM 84	1	1	1	1	4
HEARING ROOM 85	1	1	1	1	4
HEARING					



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 for this floor plate only and may require additional building provisions
 including performance based solutions, additional fire hose reels, fire
 hydrants and other items to comply with the BCA and relevant codes.

Sheet Size: **A**

A1

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File Name: 16005.pln

Address:
MELBOURNE, VICTORIA

Issue:
SD

09

PUBLIC AREAS					
ROOM	LEVEL 4	LEVEL 5	LEVEL 8	LEVEL 11	TOTAL
HEARING ROOM 1a	12	-	-	-	12
HEARING ROOM 1b	-	-	-	-	-
HEARING ROOM 2a	-	1	-	-	1
HEARING ROOM 2b	-	1	-	-	1
HEARING ROOM 3a	-	5	-	-	5
HEARING ROOM 3b	1	-	-	-	1
HEARING ROOM 3c	-	3	-	-	3
SMALL INTERVIEW	2	1	-	-	3
MEDIUM INTERVIEW	1	2	-	-	3
INTERPRETER	-	-	-	-	-
LIBRARY	-	1	-	-	1
RECEPTION	-	1	-	-	1
FIRST AID	-	1	-	-	1
PARENTS' ROOM	1	-	-	-	1
PHOTOCOPY ROOM	1	-	-	-	1
WAITING	-	1	-	-	1
STORE ROOM	1	-	-	-	1

STAFF AREAS					
ROOM	LEVEL 4	LEVEL 5	LEVEL 8	LEVEL 11	TOTAL
WORKSTATIONS	32	36	74	36	178
OFFICE TYPE A	10	17	17	9	53
OFFICE TYPE B	0	2	4	1	7
OFFICE TYPE C	0	1	1	0	2
OFFICE TYPE D	0	3	11	4	18
OFFICE TYPE E	0	0	UTILITIES		
OFFICE TYPE F	1	2	4	2	9
QUIET ROOM	1	1	2	8	12
MEETING ROOM	1	1	1	1	4
LARGE MEETING	1	1	1	1	4
COMMON HUB	1	1	0	1	3
SLEVER ROOM	0	0	1	0	1
IT BUILD ROOM	0	0	0	0	0
BRANDOUT	1	1	1	1	4
TRAINING ROOM	0	1	2	0	3
IMPACTUUS	0	1	2	1	4
MAIL ROOM	1	0	0	0	1



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This layout floor plan is to determine the potential accommodation for this floor plate area and may require additional building provisions including performance based solutions, additional fire hose reels, fire hydrants and other items to comply with the BCA and relevant codes.

Sheet Size: **A**

A1

21/12/16	ND	09	LOCAL REVIEW CHANGES				
Date	Issue	Rev.	Description	Date	Issue	Rev.	Description

Date:	Wednesday, 21 December 2016
Scale:	1:100 @A1
Drawn:	SS
Checked:	ST
Job No:	16005
File Name:	16005.pln

Address:
MELBOURNE, VICTORIA

PROPOSED LEVEL 11 PLAN

Drawing No:
16005-A04

Issue:
SD

Revision:

09