

STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Legislation Committee

Inquiry into proposed Parliament House security upgrade works

Public Hearing – Thursday 14 May 2015

Questions Taken on Notice – Department of Parliamentary Services

Hansard: p 2

Question: 1

Date set by the committee for the return of answer: 5 June 2015

Senator GALLAGHER: Can the feedback that has been provided from Ms Berg on behalf of Mr Giurgola be provided to the committee?

Mr Skill: Again, I will just check that she does not go into any specifics, but I do not see a problem with providing it.

Senator GALLAGHER: What do you mean by 'go into any specifics'?

Mr Skill: If she talks about specific aspects of the proposed works, we would not want those publicly known.

Senator RICE: But it could be provided to us in confidence, if that were the case.

Mr Skill: It could be, absolutely. I would just like to have a look and confirm whether we need to ask for that or not.

Answer

A copy of the correspondence addressed to Neil Skill and received by email from Ms Berg on 12 January 2015 is attached. Please note Ms Berg provided the letter as a Microsoft Word document, a signed copy has not been received.



12 January 2015

Mr Neil Skill
First Assistant Secretary
Building & Asset Management Division
Department of Parliamentary Services (DPS)
Parliament House
PO Box 6000
Canberra ACT 2600

cc: Ms Ilse Wurst, Mr Garry Gordon, DPS
Mr Hal Guida - GMB Architects

Dear Neil:

**NOTICE TO AUTHOR OF ARTISTIC WORK – LETTER TO ROMALDO GIURGOLA DATED
15 DECEMBER 2014 – PROPOSED BUILDING WORKS TO ‘HARDEN’ THE SECURITY
ENVIRONMENT IN PARLIAMENT HOUSE, CANBERRA**

A. Background

Thank you for your letter to Romaldo (Aldo) Giurgola dated 15 December 2014 (copied to Hal Guida and myself) on the above-referenced project.

As you are aware, Aldo is now 94 years old and quite frail as he recovers from a two-month hospitalisation late last year, and is currently unable to provide a response to your letter in keeping with his rights under the *Copyright Amendment (Moral Rights) Act 2000*.

Aldo has notified Carol Mills and other staff previously in his letters that both Hal Guida and I have been helping him to attend meetings and to prepare his responses to moral rights notifications on proposed changes to Parliament House for quite some time, given Aldo's advanced age and our decades-long collaboration with him as two of his former Partners at MGT Architects.

In view of that fact, and in knowing Aldo's ongoing acute concerns about maintaining the integrity of the design principles of Parliament House in the midst of ongoing change, I am providing the following response to your letter to Aldo.

I have consulted with Hal Guida on this matter, and have spoken with Ms Ilse Wurst today about our delay in responding to your letter, given the intervening holiday period and other responsibilities.

Pamille Berg Consulting Pty Ltd

124 Blowhole Road, Eaglehawk Neck, Tasmania 7179

T: 03 6250 3989 Mob: 0407 786 398 E: pamille@pamillebergconsulting.com ABN: 51 101 196 507



B. Assessment of the Maintenance of Design Integrity Implications in the Proposed Security Works

There seems to be little question that the unspecified nature of changes to the building to 'harden the security environment' in these times of a heightened security threat may well have **significant implications** for the building's design integrity, depending on how they are addressed.

Given Aldo's current period of recovery from hospitalisation, ordinarily in this situation Hal Guida and I would consult with him to any extent possible, followed by collaborating in the preparation of a response arising from our combined knowledge of the Parliament House design principles and details to which we all worked closely under Aldo's leadership during the building/precinct's design and construction.

This situation is somewhat unique because of what I assume to be difficulty in the matter of security clearances, were I to request a copy of the Security Project Brief and a set of the design drawings prepared to date for assessment and possible discussion with Aldo.

This unique circumstance is made more complex by what I assume to be the urgency of this work and Hal Guida's dual role in both leading the design and documentation process for Guida Moseley Brown Architects (GMB) as well as his usual role of collaboration in responding with respect to the issues of maintenance of design intent inherent in the scope of changes which are proposed.

It is important for DPS to have a clear, documented framework of reference with respect to this project's maintenance of the building's design integrity, so that the design solutions proposed and subsequently detailed for the requested changes can be assessed and monitored against that framework. We would no doubt all agree that **this monitoring and assessment process cannot be suspended or omitted** simply because of the understandable urgency of the project's implementation.

C. Production of Maintenance of Design Intent Reports for the Project

I would suggest that under the circumstances, DPS should source this necessary design intent framework by requesting Mr. Guida and GMB Architects to prepare two written Maintenance of Design Intent Reports as an essential part of each package of their commissioned scope of work.

The first of these would be completed as part of the deliverables for the Schematic Design or Design Options Phase milestone for the project (or, if that project phase is already complete for some parts of the work, as soon as possible), and the second of which would be submitted as part of the Developed Design or Final Sketch Plan (FSP) Phase milestone deliverables for each package of the design/documentation works.

The focus of each Report would be the setting-out by GMB of the essential design principles for the building which may be impacted or must be considered in each of the areas where



change is required by security concerns, followed by demonstrating or assessing the ways in which the design solutions or options proposed are consistent with those design principles.

In producing the Reports, Mr. Guida could be asked to consult privately with Mr. Giurgola to the extent that Aldo's health allows at this time.

These Reports would then allow a clearer process of assessment and approvals of GMB's proposals by DPS, and would also provide an important written basis for the periodic briefings to the Presiding Officers and other key Client stakeholders about the implications of the changes which are being requested and required.

The Reports would also provide permanent documentation for DPS's files of the degree of rigor with which this matter will have been approached in all stages of the project.

Should you wish to discuss this project's complex maintenance of design intent process with Hal and me at more length in relation to the moral rights notification process, we would of course be more than willing to meet with you.

Yours sincerely,

M. Pamille Berg AO Hon. FRAIA
Director

STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Legislation Committee

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Public Hearing – Thursday 14 May 2015

Questions Taken on Notice – Department of Parliamentary Services

Hansard: p 5

Question: 2

Date set by the committee for the return of answer: 5 June 2015

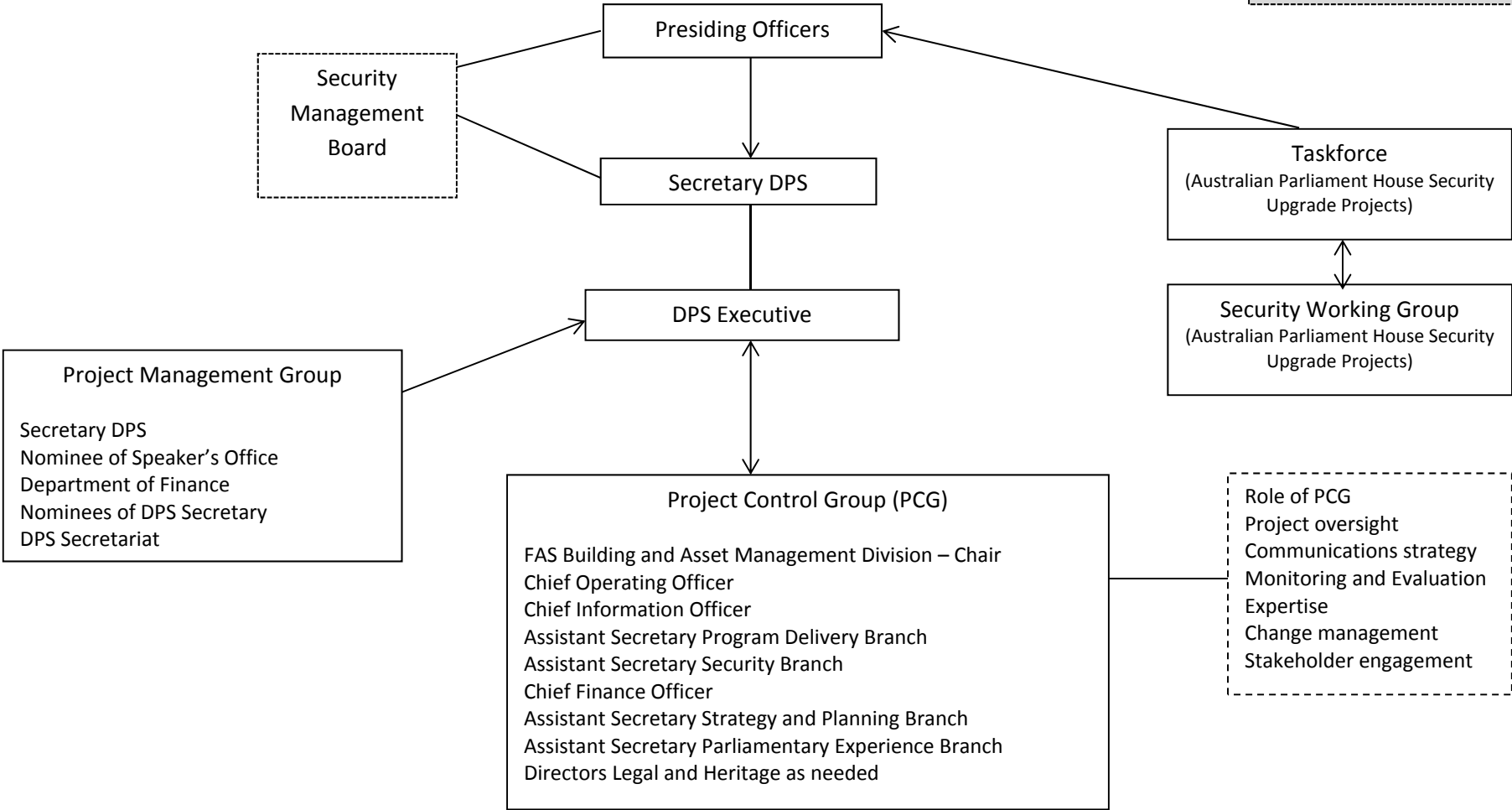
Senator GALLAGHER: In the submission, in terms of overall governance, is there a chart? In previous roles where I have managed big projects, you would have your project management chart that clearly identifies the governance arrangements and who is responsible for what and who is reporting to whom. I tried to make one out of the submission myself—

Mr Skill: We can provide that for you.

Answer

A copy of the project governance chart is attached.

**Revised Governance Framework –
13 Jan 2015**



STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Legislation Committee

Inquiry into proposed Parliament House security upgrade works

Public Hearing – Thursday 14 May 2015

Questions Taken on Notice – Department of Parliamentary Services

Hansard: p 6

Question: 3

Date set by the committee for the return of answer: 5 June 2015

Senator GALLAGHER: In the additional estimates there were some operating funds provided—presumably separate to the \$108 million?

Mr Skill: It is.

Senator GALLAGHER: So that presumably goes to the new branch that you spoke about in your opening address?

Mr Skill: There was a small amount that was allocated for project management costs, but the majority—

Senator GALLAGHER: Of the \$10.5—a small amount. Yes—

Mr Skill: I would have to check the breakdown, but the vast majority of the operating costs that were allocated were in relation to the enhancements of the Parliamentary Security Service numbers and capability. So it was to boost the capability in the training and the numbers in the Parliamentary Security Service so they could support the AFP in carrying out their role.

Senator GALLAGHER: But in terms of the new branch you spoke about, where is that coming from?

Mr Skill: That is being supported out of the project management funding, the operating costs.

Senator GALLAGHER: Which forms part of the \$10.5 operating—

Mr Skill: Correct. It is a very small branch and it is a non-ongoing branch because we recognise the time frame is—

Answer

The funding associated with the DPS budget Measure “*National Security – Australian Parliament House security upgrades*” was provided in the DPS PAES 2014-15 as follows:

	2014-15 (\$'000)	2015-16 (\$'000)	2016-17 (\$'000)	2017-18 (\$'000)	Total (\$'000)
Departmental - Opex	1,122	2,243	2,217	2,576	8,158
Administered - Opex	2,730	3,363	3,208	1,235	10,536
Administered - Capex	108,400				108,400
				Total	127,094

Projected staffing costs for the branch over the forward estimates are \$4,569,308. These are funded from within the operating expenses appropriated to the project.

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Hansard: p 6

Question: 4

Date set by the committee for the return of answer: 5 June 2015

Senator GALLAGHER: I might have missed it in the submission but is that a recent—that was following on from an authorisation in September. So that is presumable a recent MOU, or was there an MOU that existed before?

Mr Skill: There was. It depends what we are talking about with regard to what services. There was an MOU with the AFP for the provision of services to guard the outside of Parliament House before the AFP took on responsibility holistically, I think, in mid-September. I would have to check the date; we had discourse with Senator Ludwig about those dates last time. There is an MOU that was put in place in December 2014 with the AFP, and that was in relation to how the AFP can operationalise their control essentially of the precinct and the security operations within the precinct. That MOU went to giving the AFP the authority to instruct PSS officers in the event of an incident. It also went to the various expectations that the Presiding Officers would have of the AFP in relation to communication channels and so on. So it is a very generic MOU with the AFP. It is really just to put in place a clear framework so that both the AFP and the PSS or the security branch understand how it is going to work.

Senator GALLAGHER: Is the committee able to see that MOU?

Mr Skill: I believe so. I think we have provided it to the committee previously.

Senator GALLAGHER: Probably before my time.

Mr Skill: But we could provide that for you.

Answer

The MoU has not previously been submitted to the Committee, although the Authorisation instruments were submitted this year – refer to Question on Notice No. 51 from the Finance and Public Administration Legislation Committee Inquiry into the Department of Parliamentary Services. DPS has formally written to the AFP to request the release of this joint document.

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Public Hearing – Thursday 14 May 2015

Questions Taken on Notice – Department of Parliamentary Services

Hansard: p 10

Question: 5

Date set by the committee for the return of answer: 5 June 2015

Senator GALLAGHER: Do you have a plan? With these projects, you would normally have a stakeholder engagement and communications plan.

Mr Skill: Yes, we do.

Senator GALLAGHER: Can we have a copy of that?

Mr Skill: I believe so. I will look to see if there is anything sensitive in it, but I believe we can provide that.

Senator GALLAGHER: If there is anything sensitive, just block it out...

Answer

The project communication plan is attached.

EXTRACT FROM PROGRAM MANAGEMENT PLAN V.04

1 Communication and Stakeholder Engagement Plan

Purpose

This Plan provides an outline on the approach for internal and external communication and stakeholder engagement related to the APH Security Enhancement Projects.

The Program Delivery Branch has overall management and responsibility for delivering Communication and Engagement Plan objectives, preparing messaging and seeking appropriate approval before publishing any information. The Strategy and Performance Branch (via the Communication Section) will provide support, peer review and advice as required.

Program objective

DPS will implement appropriate treatment and measures in the Parliamentary Precinct to address the specific tasks (works) assigned to it in the plan. In addition, security policies and procedures at Parliament House will be strengthened and new security personnel arrangements implemented.

Communication and Stakeholder Engagement Plan

The Communication and Stakeholder Engagement Plan will be iterative reflecting the dynamic security environment in which DPS now operates. The first focus of the plan will be engaging with stakeholders and developing communication activities related to Phase one of the building works, the security hardening of entry points to Parliament House. This will be followed by activities relating to successive Phase two works and the review of security policies and personnel.

Communication Plan

This Communication Plan sets out the communication objectives, audiences, key messages, channels, communication mix, evaluation methods and a communication action plan. The plan itself is overarching – specific messages and methods will be tailored to individual pieces of work and added to the Communication Action Plan as the projects unfold.

Objectives

The objectives of the Communication Plan are to:

- create awareness of components of the Security Enhancement Projects without drawing undue attention to the overall program of work or releasing details that may undermine the security aims of the project
- ensure consistent messages and agreed sets of words are available to address enquiries from building occupants, stakeholders, media and the general public
- provide timely advice about arrangements associated with building work to those affected. In the first instance, the closure and construction work at Security Point 1 in the public car park
- address safety and security concerns about Parliament House among occupants and within the broader community (as required)
- build DPS' reputation as a highly professional and responsive organisation
- minimise media coverage.

Audiences

Internal and external audiences which may be communicated with over the course of the projects include:

- building occupants
- other pass holders including electorate office staff
- staff and senior officials of government departments
- press gallery
- other media
- childcare centre users and staff
- school groups
- tour operators
- official visitors to Parliament House
- tourists—local, national and international
- National Capital Authority
- ACT Government/ACT Tourism
- Parliament House regular suppliers/couriers

Messages

Two main types of messaging will be employed:

- overarching messages providing context yet mindful of the sensitive nature of the projects. These messages will be developed but distributed only as the need arises.
- specific messages about activities which will impact on the operations of the building and/or amendments to existing security procedures.

The development of key messages will provide a consistent approach to communication throughout the duration of the work. Examples include:

- The DPS is strengthening security at Parliament House.
- The work is the result of a review of security at Parliament House by a Security Taskforce comprising DPS and a number of security agencies
- The work will result in increased safety and security for Parliament House occupants and visitors.
- The work may result in disruptions to traffic flow and parking at Parliament House.
- The work may result in disruption to normal circulation at Parliament House. Areas may need to be closed during construction work.
- DPS will manage these disruptions to minimise inconvenience to building occupants and visitors.

Communication channels

Depending on the activity, a range of communication channels may be employed including:

- information circulars
- letters
- parliamentary intranets
- DPS spokesperson
- information on the Visit Parliament page when required, for example, notification of work being undertaken in the Marble Foyer or the public car park that will affect the public.
- parliamentary newsletters
- electronic screens in security areas
- signage
- Visitor Services Officers and Parliamentary Security Officers via prepared scripts
- Media (if deemed necessary)
- generic email address for feedback and enquiries

Communication products

A range of products will be developed with their use dependent on the nature of the activity being undertaken. These may include:

- frequently asked questions (not for publication. For use by staff answering inquiries)
- media releases (as required)
- media talking points
- scripts for Visitor Services Officers and Parliamentary Security Officers
- maps (for redirection purposes only)
- signage—static and mobile.

Communication Action Plan

A Communication Action Plan (Table E) has been developed which provides details and timeframes for each communication activity. It will be an iterative document throughout the Security Enhancement Projects and updated as required.

Reporting against the Communication Action Plan will be provided in the Monthly report to the Executive Committee or by exception to the Program Sponsor as required.

Table E

COMMUNICATION ACTION PLAN						
Activity	Audience	Message/s	Channel / product	Who is responsible	Date due	Date of distribution
Develop information circular advising occupants about the temporary closure of Point 1.	Building occupants	Closure of Point 1	Emailed circular from DPS Information mailbox	Program Delivery Branch / Communication team	Clearance from Secretary by 19 Feb	23 Feb 2015
Develop information circular advising heads and staff of government departments, and contractors about the temporary closure of Point 1 and alternative entry arrangements. Consider developing an alternative circular for couriers, or known delivery companies which includes details about alternative delivery arrangements. Also consider sending circular to sponsored pass holders	<ul style="list-style-type: none"> heads and staff of government departments via parliamentary network contact list contractors, delivery companies and couriers (via parliamentary department contact lists) sponsored passholders (numbering more than 2,000) 	Closure of Point 1. Allow additional time for security screening	Emailed circular from DPS Information mailbox	Program Delivery Branch / Communication team	Clearance from Secretary by 19 Feb	23 Feb 2015
Develop media release (to be only used if required) and media talking points	Media / general public	Overview of security enhancement projects.	Media (only if unavoidable)	Program Delivery Branch / Communication team	Clearance by 20 Feb	No specific date
Develop two sets of FAQs – one more comprehensive for building occupants, one more suitable for the general public.	Building occupants / general public	Overview of security enhancement projects. Answers to specific questions which may be raised by occupants, the general public. <i>Consider additional FAQs for those with a special interest in the building.</i>	<ul style="list-style-type: none"> List 1 – building occupants List 2 – general public 	Program Delivery Branch / Communication team		

Develop script for VSOs and Security officers	Global	Basic explanation of security enhancement projects / information about specific works	VSOs, Security officers	Program Delivery Branch / Communication team		
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Effective communication measurement

The effectiveness of this communication and engagement plan will be assessed against quantitative and qualitative criteria and provided in the Monthly report to the Executive Committee or by exception to the Program Sponsor as required. The measurements used initially will be;

- Performance – Compliance with the methods outlined in the Communication Action Plan will be assessed for completeness, timeliness and quantity.
- Awareness – Statistics will be assessed on the number of enquiries received through the various methods including VSOs, Security Officers, DPS Customer Service mailbox and DPS information mailbox. A spreadsheet will be created to collect this information.
- Feedback – Anecdotal and formal feedback will be assessed as it relates to how information is communicated.
- Survey – Surveys and/or questionnaires may be used throughout the program and will include questions related to the effectiveness of communication.

Stakeholder Engagement Plan

The Stakeholder Engagement Plan identifies the groups and individuals who have an interest in, or will be impacted by, the Security Enhancement Projects. It includes decision-makers and stakeholders with whom DPS needs to consult as well as those who are in a position to influence, or communicate with, a wider audience.

Table F below identifies these individuals and entities, their significance and proposed timeframe for engaging with them.

Table F

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
External to DPS					
Presiding Officers <ul style="list-style-type: none"> • Speaker of the House of Representatives • President of the Senate 	The Presiding Officers: <ul style="list-style-type: none"> • have legislative responsibility for the building under the <i>Parliamentary Act 1974</i> • are the responsible Officers for DPS under the <i>Parliamentary Service Act 1999</i> • may/will be required to provide approval of works to proceed • may/will provide advice to DPS regarding any matters related to the Security Enhancement Projects 	Approve	Secretary FAS Building and Asset Management Division AS Program Delivery Branch in consultation with others in DPS.	Ongoing, verbal and written updates Ongoing preparation of information for the Secretary	

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
Prime Minister and his office	The Prime Minister's Office is a key stakeholder given the nature of the Security Enhancement Projects. It will be able to help inform other members of the Ministry.	Endorse	Secretary/Presiding Officers	Ongoing verbal and written updates	
Other ministers in the Ministerial Wing	Occupants of the Ministerial Wing need to be consulted via the Prime Minister's Office.	Brief	PMO	Ongoing verbal and written updates	
Senators and Members	All MPs need to be consulted via the Presiding Officers	Brief	Presiding Officers	Ongoing verbal and written updates	
APH Security Taskforce	<p>The APH Security Taskforce developed the <i>Australian Parliament House Security Upgrade—Implementation Plan</i> and retains oversight of all the deliverables under the plan.</p> <p>The APH Security Taskforce includes members of several external agencies who are being engaged directly for specialist advice, guidance, and endorsement of recommendations (provided by DPS).</p> <p>Communication will vary depending on its nature, and is governed under the framework of the <i>Program Management Plan—Australian Parliament House Security Enhancements Projects</i></p>	Endorse	Secretary FAS Building and Asset Management Division	<ul style="list-style-type: none"> • Emails and private briefings • Coordinated meetings/workshops • Informal discussions. <p>It should be noted that formal submissions may be submitted via other members of the Taskforce and their respective agencies of the Working Group.</p>	

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
<p>Heads of chamber departments and Parliamentary Budget Office</p>	<p>As senior representatives of Departments who occupy and/or manage operations within the building, these stakeholders will be consulted with on sensitive matters and impacts related to the Security Enhancement Projects.</p> <p>While not having any formal approval or veto over any of the works being undertaken, these stakeholders should be consulted with to explain why the works are being undertaken and their feedback sought.</p>	<p>Brief</p>	<p>Secretary FAS Building and Asset Management Division</p>	<p>Existing channels will also be used primarily to disseminate information. These include the Security Management Board and Department Head Meetings. Unscheduled meetings will also be held as required.</p>	

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
<p>Parliament House operational representatives</p> <p>Sergeant-at-Arms Office</p> <ul style="list-style-type: none"> • Members • Staff of the Dept of the House of Representatives • Contractors and suppliers to the House of Representatives <p>Black Rod's Office</p> <ul style="list-style-type: none"> • Senators • Staff of the Department of the Senate • Contractors and suppliers to the Department of the Senate <p>Ministerial Support Unit</p> <ul style="list-style-type: none"> • Ministers • Staff of Ministers <p>Ministerial and Parliamentary Services (Dept of Finance)</p> <ul style="list-style-type: none"> • Staff of Ministerial and Parliamentary Services • Comcar drivers <p>PBO</p> <ul style="list-style-type: none"> • Staff of the PBO • PBO visitors and suppliers <p>AFP</p> <ul style="list-style-type: none"> • AFP officers 	<p>As key representatives of Departments who manage operations within the building these stakeholders will be communicated with on all matters and impacts related to the Security Enhancement Projects.</p> <p>While not having any formal approval or veto over any of the works being undertaken, these stakeholders should be engaged in consultation to explain why, when and how the works are being undertaken and their input sought.</p> <p>These representatives are also conduits for communicating to a broader audience.</p>	<p>Brief</p>	<p>FAS Building and Asset Management Division Chief Operating Officer</p>	<p>Meetings to consult and advise actions</p>	

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
Ceremonial and Hospitality Branch (CERHOS), Department of the Prime Minister and Cabinet	Responsible for organising visits to Parliament House by guest of government (i.e. heads of state and of government) and for organising events hosted by the Prime Minister	Brief	Secretary FAS Building and Asset Management Division Chief Operating Officer		
Department of Finance, Treasury and the Department of the Prime Minister and Cabinet	Activities related to Budget coordination, including ERC and the Budget lock-up	Brief	Program Delivery Branch	Meeting / email	
Secretaries, senior officials, and parliamentary liaison staff of government departments and agencies	Regular visitors to the building	Brief	Program Delivery Branch Communication team	Emails using the PM&C Parliamentary Network contact list and departmental Secretary contact list	
Parliament House architects	Moral rights considerations / design advice	Endorse design	Program Delivery Branch	Face-to-face meetings, ongoing verbal and written advice / site visits	
Moral rights holders	Moral rights considerations	Endorse design changes	Program Delivery Branch	Verbal and written communication	
External security agencies and entities such as the AFP, ASIO and AGs.	The APH Security Taskforce includes members of several external agencies who are being engaged directly for specialist advice, guidance and endorsement of recommendations (provided by DPS).	Endorse	Secretary Program Delivery Branch	Communication will vary depending on its nature, and is governed under the framework of the <i>Program Management Plan</i>	

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
External security agencies and entities such as the AFP, ASIO and AGs.	The APH Security Taskforce includes members of several external agencies who are being engaged directly for specialist advice, guidance and endorsement of recommendations (provided by DPS).	Endorse	Secretary Program Delivery Branch	Communication will vary depending on its nature, and is governed under the framework of the <i>Program Management Plan</i>	
President of the Parliament House press gallery	The press gallery generally have unrestricted access throughout the private areas of the building and any impact by the works should be communicated with them. The nature of the Security Enhancement Projects is likely to generate significant media interest and will need to be managed and monitored closely to ensure that security integrity is maintained.	Brief	DPS media manager	Face-to-face meetings, written advice	
Licensees <ul style="list-style-type: none"> • Childcare centre • IHG • Aussie's • Physiotherapist • Florist • Hairdresser • Post Office • Travel agent • Bank 	Access in and out of building / impact of construction work on business	Brief	Parliamentary Experience Branch	Ongoing written and verbal communication	
Parliamentary Education Office	Access to building by schools	Brief	Program Delivery Branch / Communication team	Ongoing verbal and written communication	

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
Chamber department and MaPS web publishing teams	Can publish online information about impact of building works	Brief	Program Delivery Branch / Communication team	Ongoing verbal and written communication	
Internal to DPS					
ICT Division ICT Infrastructure and Services Branch <ul style="list-style-type: none"> • ICT Security Operations ICT Strategy, Planning and Applications Branch <ul style="list-style-type: none"> • ICT Security Policy 	Impact of construction work on ICT systems	Consult	Program Delivery Branch	Ongoing verbal and written communication	
Parliamentary Experience Branch <ul style="list-style-type: none"> • Contracts and Licences • Visitor Experience • Art Collections and Exhibitions • Health and Recreation Centre 	Impact of construction work on visitors entering the building	Consult	Program Delivery Branch	Ongoing verbal and written communication	

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
<p>Building and Asset Management Division</p> <p>Asset Development and Maintenance Branch</p> <ul style="list-style-type: none"> • Logistics (Loading Dock) • Project Coordination Team (other projects on the go that may impact) • Fabrics (ongoing maintenance of new work) • Electrical (as above) • Mechanical Services (as above) • Building Information (architectural plans, recordkeeping) • Contract Management (parking arrangements for cleaners and other contractors) <p>Strategic Asset Planning and Performance Branch</p> <ul style="list-style-type: none"> • Heritage <p>Security</p> <ul style="list-style-type: none"> • Security Operations • Security Capability 	<ul style="list-style-type: none"> • Impact of construction work on day-to-day work schedules • participation by various trades in construction work or ongoing maintenance requirements • heritage and design integrity considerations • Contract management, for example, cleaning contractors • Responsible for parliamentary security 	<p>Consult</p>	<p>Program Delivery Branch</p>	<p>Ongoing verbal and written communication</p>	

Stakeholder	Significance	Type of consultation	Who is responsible?	Method	Timeframe
Chief Operating Officer Strategy and Performance Branch • Communication	Provide communication advice	Consult	Program Delivery Branch	Ongoing written and verbal communication	

STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Legislation Committee

Inquiry into proposed Parliament House security upgrade works

Public Hearing – Thursday 14 May 2015

Questions Taken on Notice – Department of Parliamentary Services

Hansard: p 10

Question: 6

Date set by the committee for the return of answer: 5 June 2015

Senator LUDWIG: The submission from the National Capital Authority says, on page 4:

DPS have been advised that Mr Guida and Ms Pamille Berg will represent Mr Giurgola's interests as they relate to his moral rights at Parliament House.

The NCA understands that generally moral rights are not reassigned. The legal standing of the arrangement between Ms Berg, Mr Guida and Mr Giurgola regarding moral rights is unknown to the NCA.

When you then say Ms Berg represents the interests of the moral rights holder, how do you come to that view?

Dr Heriot: Ms Berg is one of Mr Giurgola's attorneys who exercises those rights on his behalf.

Senator LUDWIG: But how do you explain the view by the National Capital Authority at page 4? I assume it is power of attorney; is it a legal document that Ms Berg has provided to you to substantiate that she is the person that you can deal with or is it a letter from her that you have just assumed to be the case?

Dr Heriot: We had correspondence from Mr Giurgola's legal representative around that. I do not have further detail with me, I am afraid. I would have to take that on notice.

Senator LUDWIG: I do not know how it works—I do not think I have been able to assign a moral right to this time. It does seem that the National Capital Authority's view on page 4 is at least contestable, but I was curious about what your view of their submission was and what the legal standing of the moral rights arrangements are and, now that you are aware of the National Capital Authority's view on page 4, whether or not the arrangement you have in place meets all of the requirements to ensure that the moral right holder interests are properly dealt with. I do acknowledge the urgency of some of these activities but I would like to know whether or not you have examined the legal requirement, or at least if you have not to this date what you might now do about it.

Dr Heriot: We have examined the legal requirements. We are in correspondence with Mr Giurgola's attorneys on the matter. It is a complex situation so I think that we will provide further information—

Senator LUDWIG: I am happy for you to take it on notice. It seems to be that the National Capital Authority have thrown a bowling ball into it as well.

Dr Heriot: Of course the NCA would not necessarily have full visibility of this arrangement, but I am aware that it is something that we are in active communication with Mr Giurgola's legal representative on. As I said, we will take the detail on notice.

Answer

Moral rights continue in force in relation to a work for the same period as copyright subsists in the work (i.e., for the life of the author plus 70 years). Mr Giurgola is the moral rights holder in the Parliament House building. Moral rights are exercisable by the author and, if the author's affairs are lawfully administered by another person, may be exercised and enforced by that other person.

Mr Giurgola's solicitor has provided DPS with a copy of an Enduring Power of Attorney that appoints Ms Pamille Berg AO and Mr James McKay as attorneys to administer Mr Giurgola's affairs (including his moral rights in Parliament House). While Mr Harold Guida is not one of the attorneys, Ms Berg and Mr McKay are free to confer with him. Under section 33 of the *Powers of Attorney Act 2006* (ACT), the attorneys may also authorise another to exercise all or any of their powers and the person so authorised is taken to be the attorney.

DPS is satisfied that its current process of moral rights notification under the *Copyright Act 1968*, including addressing correspondence to Ms Berg, is consistent with its obligations.

STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Legislation Committee

Inquiry into proposed Parliament House security upgrade works

Public Hearing – Thursday 14 May 2015

Questions Taken on Notice – Department of Parliamentary Services

Hansard: p 12

Question: 7

Date set by the committee for the return of answer: 5 June 2015

Senator GALLAGHER: This might be a question because I am new, but there are guardhouses involved in some of the works—is that right?

Mr Skill: Around the ministerial wing, yes.

Senator GALLAGHER: What about the four that are around? Do you look after those—those empty ones? I had a look in one the other day. I thought, 'God, I'm going to be picked up around here looking in this'!

Mr Skill: I do not have any background on why they were decommissioned or decamped. We maintain them as part of the precinct, but we do not spend significant amounts of money on keeping them to a high standard.

Senator GALLAGHER: There is no-one in them. There is dust and a heater, if you are looking for one.

Mr Skill: That is right. We do not clean inside them et cetera because they are an unused component.

Senator GALLAGHER: There is a push-button phone in there too.

Mr Skill: I will try and find some history for you if that would help. I do not know why they were decommissioned.

Senator GALLAGHER: It is just a question, if you are building more guardhouses—there are four dotted around that I have never, ever seen used. Seriously, there are 1989 phones in there, push-button phones.

Mr Skill: I think there is a newspaper in one or two of them as well.

CHAIR: It might be missing from your audit sheet.

Mr Skill: The phone, possibly.

Senator GALLAGHER: But are they not placed in the right location?

Mr Skill: I believe—and I will have to confirm, if I can find out any of the background—they were in place to allow an officer who was posted there to view both axes of the Parliament Drive upon which he was posted. I do not know the history as to why they were vacated.

Answer

The original 1980 brief for Parliament House requested that guard posts be included externally around the building's perimeter, at all entrances, and at all service vehicle and car parking access points into the building. Four of these guard posts are strategically located on the external side of Parliament Drive with uninterrupted views along Parliament Drive. These guard posts are readily identifiable with the Parliament and are designed using the language of the external pavilions.

The rationale behind the use of the guard posts was covered in the original building specifications, which stated that:

- Guard Posts are required to provide a base for staff performing security checking, control and surveillance work. The work involves surveillance, guiding visitor movements, screening and inspecting baggage and goods, and controlling access.
- Use- Patterns - Guard Posts will generally be staffed at all times that the building is open to the public. After the building closes the Main Entry Guard Post - the Police Room - is expected to be the only internal post occupied, but external Guard Posts will generally be in use 24 hours a day.
- Interactions - The primary relationship is with visitors coming to the building, and in a working sense it is with the Police Station and Security Coordinator's Office from which the majority of the staff will come.
- Accommodation - Each interior Guard Post is to be about 10 square metres in area and is to have a high fronted inquiry counter and glass panels to allow unobstructed views of the circulation system being supervised. Access direct from the Post to the circulation system is essential so that security staff can act quickly in the event of any person attempting to enter without authority. All Posts must be lockable.

DPS understands that use of the majority of the external posts was discontinued shortly after the building opened. To date, records noting the exact timing of these decisions are not available. However, based on existing roster records and staff recollection, they have not been in use since the mid 1990s. More recent external security provisions have utilised a combination of static posts and patrols, which have addressed the operational risk requirements of APH more readily and effectively. The Guard posts remain in situ and could be utilised if there was a security requirement to do so.

STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Legislation Committee

Inquiry into proposed Parliament House security upgrade works

Public Hearing – Thursday 14 May 2015

Questions Taken on Notice – Department of Parliamentary Services

Written:

Question: **8**

Date set by the committee for the return of answer: 5 June 2015

On page 2 of the Hansard, Mr Skill stated that he wrote to Mr Giurgola on 15 December 2014 advising him that the proposed works were underway and providing him with a notice of rights.

Could DPS provide a copy of the letter and notice to Mr Giurgola.

Answer

The formal moral rights notification from Mr Skill to Mr Giurgola on 15 December 2014 is attached.



PARLIAMENT OF AUSTRALIA

DEPARTMENT OF PARLIAMENTARY SERVICES

Mr Romaldo Giurgola AO



Dear Mr Giurgola

As part of the Department of Parliamentary Services (DPS) obligations under the *Copyright Amendment (Moral Rights) Act 2000* we are writing to inform you of our intention to undertake work at the Australian Parliament House. Under the Act, you may request access to the building in order to make a record and/or consult with DPS, concerning any aspect of the proposed changes that you consider may be prejudicial to your honour or reputation as an author of the building.

The proposed works are in response to the heightened terrorist threat environment in Australia announced in September 2014. This announcement led to the establishment of a multi-agency Taskforce in early October 2014 at the request of the Prime Minister, the Speaker of the House of Representatives and the President of the Senate to undertake a review of security arrangements at Parliament House.

The Taskforce developed the *Australian Parliament House Security Upgrade-Implementation Plan* which was agreed by its members on 28 October 2014 and assigned specific tasks to individual agencies to complete. DPS has been assigned primary responsibility for the security hardening of Parliament House, including entry points, the building fabric and security infrastructure.

Given the breadth and complex nature of the tasks, DPS has engaged Guida Mosely Brown (GMB) as the principal architects to undertake design work related to the urgent high priority areas identified in the Implementation Plan. These works are known as Group One Works and GMB have developed a series of schematic and 3D images that are being considered. These can be made available should you wish, and Mr Hal Guida has kindly offered to discuss any concerns with you.

If you wish to receive a copy of the schematics and 3D images please feel free to contact Mr Hal Guida directly on 6280-7080, alternatively if you would like to exercise your right to access the building under the Act, please contact me on [redacted] within three weeks of the date of this letter.

Please also find attached 'Notice to Author of Artistic Work' as required to be provided under the Act.

This letter is for your information only and does not require you to do anything should you not wish to, and as requested, has been copied to Mr Hal Guida and Ms Pamille Berg.

Yours sincerely

Neil Skill
First Assistant Secretary
Building and Asset Management Division
Department of Parliamentary Services
15 December 2014

cc:



Parliament of Australia
Department of Parliamentary Services

Notice to Author of Artistic Work

Pursuant to Section 195AT (3A) of the Copyright Act 1968
Regulation 25AA (2)

Issued by: Department of Parliamentary Services
Parliament House, Canberra

This Notice is to	Mr Romaldo Giurgola AO
Date of this Notice	12 December 2014
Name of Building	Parliament House
Address of Building	Capital Hill, Canberra ACT 2600
Contact Details	Neil Skill First Assistant Secretary Building and Asset Management Division
DPS Project Manager (person to contact for access to the building)	John Yanitsas Assistant Secretary Program Delivery Branch
Business hours during which the author may reasonably have access to the building (Public Holidays excepted)	9am–4.30pm, Monday–Friday
Brief description of the proposed changes to the building and the extent (if any) to which the building is likely to be affected	The objective of this project is to harden the security environment in Parliament House and Parliamentary precinct.

STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Legislation Committee

Inquiry into proposed Parliament House security upgrade works

Public Hearing – Thursday 14 May 2015

Questions Taken on Notice – Department of Parliamentary Services

Written:

Question: **9**

Date set by the committee for the return of answer: 5 June 2015

On page 3 of the Hansard, Mr Skill stated that DPS received advice from Mr Giurgola's legal representatives in January 2015 about his situation and nominating people to exercise his powers under the Copyright Act. Could DPS provide a copy of the correspondence from Mr Giurgola's legal representatives?

Answer

In a letter dated 29 January 2015, Mr Giurgola's solicitor notified DPS of changes with regard to the exercise of Mr Giurgola's moral rights at Parliament House. As this letter contains personal information regarding Mr Giurgola's affairs, DPS is consulting with Mr Giurgola's solicitor regarding its release to the Committee.