

**From:** s 22  
**To:** [Jagers, Andrew](#)  
**Cc:** [Hirschfeld, Michael](#); [Thompson, Phoebe](#); s 22  
**Subject:** RE: draft letter - Barry OSullivan [SEC=UNCLASSIFIED]  
**Date:** Wednesday, 13 September 2017 6:14:21 PM  
**Attachments:** [Brief - Correspondence Barry O'Sullivan.docx](#)  
[Attach A - Response to Barry O'Sullivan.docx](#)  
[Attach B - letter from Barry O'Sullivan.pdf](#)  
**Importance:** High

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UNCLASSIFIED

Hi Andrew

As discussed, attached is:

- Min Brief
- Attach A - Letter to Senator O'Sullivan
- Attach B – Original Correspondence

Note we don't have a PWS number yet so have highlighted this in the brief.

Let us know if you need anything else.

Cheers

s 22

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UNCLASSIFIED

**From:** Jagers, Andrew  
**Sent:** Wednesday, 13 September 2017 5:44 PM  
**To:** s 22 ; [Hirschfeld, Michael](#) ; [Thompson, Phoebe](#)  
**Subject:** FW: draft letter - Barry OSullivan [SEC=UNCLASSIFIED]

UNCLASSIFIED

Here is the letter

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UNCLASSIFIED

**From:** Jagers, Andrew  
**Sent:** Wednesday, 13 September 2017 5:18 PM  
**To:** [Browne, Chris](#) <[Chris.Browne@finance.gov.au](mailto:Chris.Browne@finance.gov.au)>  
**Subject:** draft letter - Barry OSullivan [SEC=UNCLASSIFIED]

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Chris, as discussed, please see a draft response for consideration.

Regards

Andrew

UNCLASSIFIED

**PDR Number:**  
MC17-00XXXX



**Australian Government**  
**Department of Finance**

## MINISTERIAL SUBMISSION

Copies to:  
Secretary  
Mr Hirschfeld  
Ms Thompson

**Minister for Finance**

September 2017

### **Reponse to Mr Barry O'Sullivan MP - Newlands Civil Construction Pty Ltd**

**Timing:** Urgent. Your office has requested this brief today.

**Recommendation:**

That you **sign** the letter to Mr Barry O'Sullivan MP (Attachment A).

SIGNED / PLEASE DISCUSS

**Key Issues:**

Senator O'Sullivan wrote to you on 12 September 2017, requesting confirmation that the Commonwealth has not engaged in any direct or indirect contracts with Newlands Civil Construction Pty Ltd (Attachment B).

2. Finance has conducted a search on AusTender, the Australian Government's procurement information system to determine whether Newlands Civil Construction Pty Ltd is recorded as having being awarded any Commonwealth contracts.
3. It is a requirement that all contracts entered into by Commonwealth entities, that meet certain reporting thresholds, are recorded on AusTender. AusTender has been the Australian Government's procurement information system since July 2007 and shows details of contracts entered into since that time.
4. As at 13 September 2017, AusTender shows:
  - (a) no direct contracts with Newlands Civil Construction Pty Ltd, valued at \$10,000 or above, with any non-corporate Commonwealth entity; and
  - (b) no direct contracts with Newlands Civil Construction Pty Ltd, valued at \$400,000 or above, with any prescribed corporate Commonwealth entity
5. Finance is not able to provide details of any contracts valued below the reporting thresholds outlined above, any indirect contracts such as subcontracting arrangements, or any contracts with non-prescribed entities, as these are not captured on any whole-of-government reporting systems.
6. Senator O'Sullivan's letter notes his intention to table your response letter in the Senate.

**Financial Implications:**

7. N/A.

**Consultation:**

8. N/A.

Andrew Jagers  
Deputy Secretary  
Commercial & Government Services  
02 6215 3852

Contact Officer: Phoebe Thompson  
Job Title/Level: Assistant Secretary  
Telephone: 02 6215 3814  
PDR Number: MC17 XXXX

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Mathias Cormann

Mr Barry O'Sullivan MP  
Senator for Queensland  
Liberal National Party  
Suite SG.109 Parliament House  
Canberra ACT 2600

Dear Senator O'Sullivan

Thank you for your letter of 12 September 2017 concerning Newlands Civil Construction Pty Ltd (ABN 133 339 778).

In response to your letter I asked the Department of Finance (Finance) to conduct a search of AusTender, the Australian Government's procurement information system, to determine whether Newlands Civil Construction Pty Ltd is recorded as having being awarded any Commonwealth contracts.

It is a requirement that all contracts entered into by Commonwealth entities, that meet certain reporting thresholds, are recorded on AusTender. AusTender has been the Australian Government's procurement information system since July 2007 and shows details of contracts entered into since that time.

Finance has completed its searches and advised me that as at 13 September 2017:

- AusTender shows no direct contracts with Newlands Civil Construction Pty Ltd, valued at \$10,000 or above, with any non-corporate Commonwealth entity; and
- AusTender shows no direct contracts with Newlands Civil Construction Pty Ltd, valued at \$400,000 or above, with any prescribed corporate Commonwealth entity.

Finance is not able to provide details of any contracts valued below the reporting thresholds outlined above, any indirect contracts such as subcontracting arrangements, or any contracts with non-prescribed entities, as these are not captured on any whole-of-government reporting systems.

Kind regards

Mathias Cormann  
**Minister for Finance**

September 2017