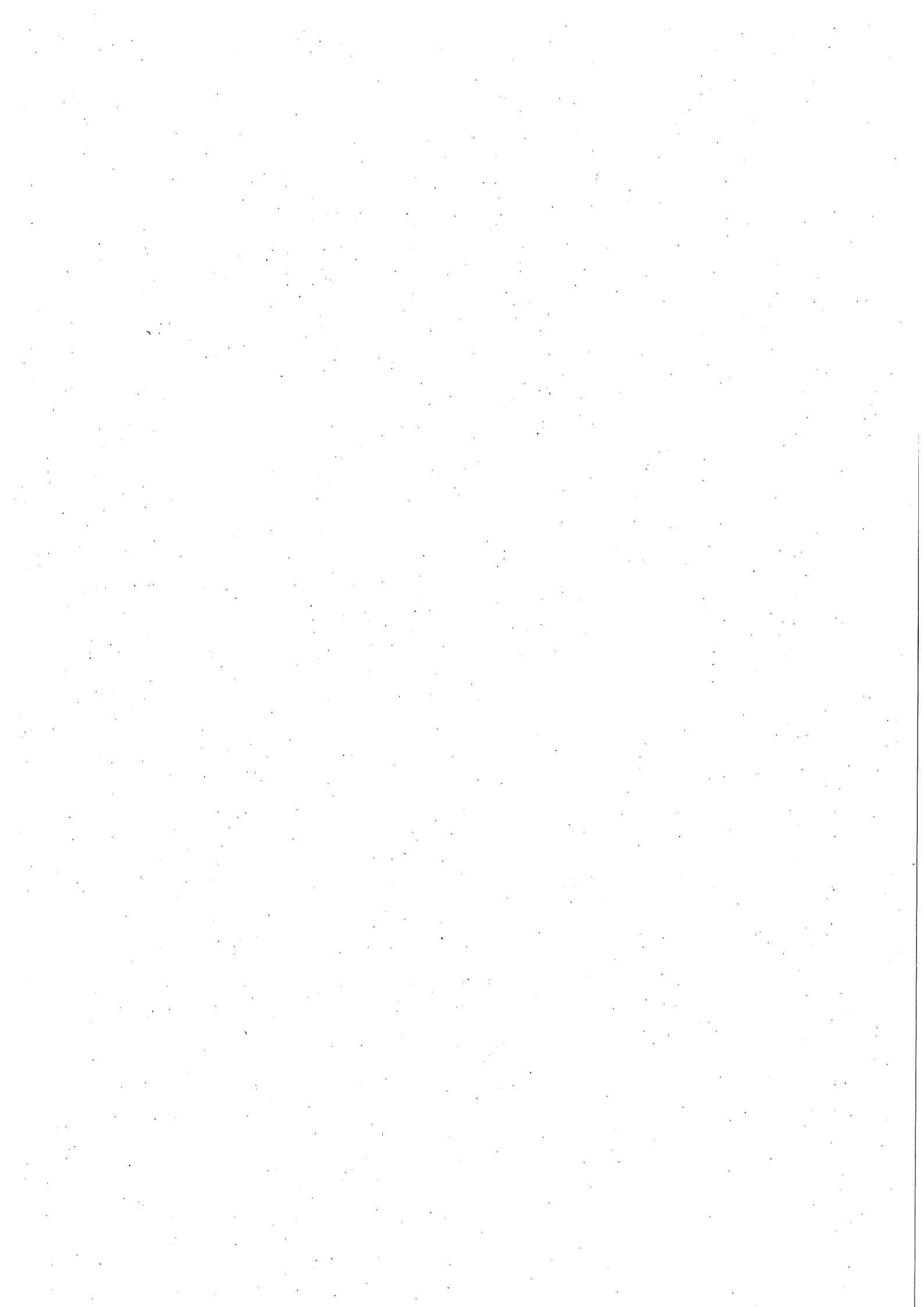


**REDACTED**

**EMAILS RE:**

**QTBS**



## Keefe, Lindy

---

**From:** Keft, Maree  
**Sent:** Monday, 26 May 2014 12:50 PM  
**To:** Power, Ben; Tomlins, George; Keefe, Lindy  
**Cc:** Pearse, Jan  
**Subject:** RE: Chief Minister QTB - Majura Parkway

Great - thanks

---

**From:** Power, Ben  
**Sent:** Monday, 26 May 2014 12:41 PM  
**To:** Keft, Maree; Tomlins, George; Keefe, Lindy  
**Cc:** Pearse, Jan  
**Subject:** RE: Chief Minister QTB - Majura Parkway

That's right, Maree - we stuffed it in the other QTB and that'll do!

---

**From:** Keft, Maree  
**Sent:** Monday, 26 May 2014 12:18 PM  
**To:** Tomlins, George; Keefe, Lindy  
**Cc:** Pearse, Jan; Power, Ben  
**Subject:** RE: Chief Minister QTB - Majura Parkway

Dear all,

Just to confirm - will there be a separate brief provided for the Chief Minister relating to contractual arrangements in regards to Majura Parkway - or - are we providing her with a copy of our QTB attached?

Cheers

Maree

---

**From:** Tomlins, George  
**Sent:** Wednesday, 21 May 2014 1:44 PM  
**To:** Keft, Maree; Keefe, Lindy  
**Cc:** Pearse, Jan; Power, Ben  
**Subject:** RE: Chief Minister QTB - Majura Parkway

All

I think this is misleading. There has to be a legal claim against the Territory and subbies can't generally sue the territory because they are not in contract against the territory - but there could be other claims that are relevant under this clause.

I will talk to Michael Deasey.

Cheers

George Tomlins | Executive Director | Shared Services Procurement

Phone [REDACTED] Fax 02 6207 5468

Shared Services Procurement | Commerce and Works | ACT Government

Level 2 Annex, Macarthur House 12 Wattle Street Lyneham ACT 2602 | PO Box Dickson ACT 2602

---

**From:** Keft, Maree  
**Sent:** Wednesday, 21 May 2014 1:34 PM  
**To:** Keefe, Lindy; Tomlins, George

**Cc:** Pearse, Jan; Power, Ben  
**Subject:** RE: Chief Minister QTB - Majura Parkway

George – your thoughts.

Maree

---

**From:** Keefer, Lindy  
**Sent:** Wednesday, 21 May 2014 1:27 PM  
**To:** Keft, Maree  
**Cc:** Pearse, Jan; Power, Ben; Tomlins, George  
**Subject:** RE: Chief Minister QTB - Majura Parkway

Maree

Below is an extract from a previous QTB. Do you think this will suffice for the CMO ?

Under the terms of the Territory's contract with Fulton Hogan, the contractor bears overall responsibility for the acts and omissions of all sub-contractors on the Majura Parkway project. Fulton Hogan has also indemnified the Territory against any legal claim resulting from non-payment of sub-contractors on the Majura Parkway project.

---

**From:** Keft, Maree  
**Sent:** Wednesday, 21 May 2014 1:08 PM  
**To:** Tomlins, George; Pearse, Jan; Keefer, Lindy; Power, Ben  
**Subject:** Chief Minister QTB - Majura Parkway

Dear all,

The Chief Minister's office has requested a QTB that covers contractual arrangements in regards to Majura Parkway.

We either incorporate with the existing QTB or do we have a separate QTB?

Maree

---

**From:** Lalliard, MaryJane  
**Sent:** Wednesday, 21 May 2014 12:57 PM  
**To:** Keft, Maree  
**Subject:** FW: CM QTB index for June

Hey Maree,

Victoria has advised the Chief Ministers Office that we will be providing a QTB that covers contractual arrangements re Majura Parkway.

Can we discuss when you have a minute please.

MJ

---

**From:** Pullen, Victoria  
**Sent:** Wednesday, 21 May 2014 12:38 PM  
**To:** Lalliard, MaryJane  
**Subject:** FW: CM QTB index for June

FYI

Victoria Pullen

Directorate Liaison Officer | Treasury Directorate and Commerce and Works Directorate | ACT Government

[Redacted]

GPO Box 158, Canberra City.

♻️ please consider the environment before printing this e-mail

**From:** Pullen, Victoria  
**Sent:** Wednesday, 21 May 2014 12:38 PM  
**To:** Darville, Pam  
**Subject:** RE: CM QTB index for June

Probably a hot issue still

Victoria Pullen

Directorate Liaison Officer | Treasury Directorate and Commerce and Works Directorate | ACT Government

[Redacted]

GPO Box 158, Canberra City.

♻️ please consider the environment before printing this e-mail

**From:** Darville, Pam  
**Sent:** Wednesday, 21 May 2014 12:30 PM  
**To:** Pullen, Victoria  
**Subject:** RE: CM QTB index for June

Ok I will add this to the QTB Index....do you think it needs to stay as a HOT Issue ? I was thinking I will add it under Major Projects

Pam Darville | Directorate Liaison Officer

Phone: + [Redacted] Email: [Redacted]

Chief Minister and Treasury Directorate | ACT Government

ACT Legislative Assembly | London Circuit CANBERRA CITY | GPO Box 158 Canberra ACT 2601 |

[www.act.gov.au](http://www.act.gov.au)

**From:** Pullen, Victoria  
**Sent:** Wednesday, 21 May 2014 10:55 AM  
**To:** Darville, Pam  
**Subject:** RE: CM QTB index for June

We can provide one.

Victoria Pullen

Directorate Liaison Officer | Treasury Directorate and Commerce and Works Directorate | ACT Government

[Redacted]

GPO Box 158, Canberra City.

♻️ please consider the environment before printing this e-mail

**From:** Darville, Pam  
**Sent:** Wednesday, 21 May 2014 10:07 AM  
**To:** Pullen, Victoria  
**Subject:** FW: CM QTB index for June

Victoria can you confirm that TSY will be providing a QTB that covers the contractual arrangements for Majura Parkway....

**Pam Darville** | Directorate Liaison Officer  
Phone: [REDACTED] Email: [REDACTED]  
Chief Minister and Treasury Directorate | ACT Government  
ACT Legislative Assembly | London Circuit CANBERRA CITY | GPO Box 158 Canberra ACT 2601 |  
[www.act.gov.au](http://www.act.gov.au)

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**From:** Bourne, Sarah  
**Sent:** Wednesday, 21 May 2014 9:41 AM  
**To:** Darville, Pam  
**Subject:** RE: CM QTB index for June

Hi Pam

I don't think you need either anymore. The Majura parkway project is continuing even though the contractor went into liquidation. Also, I understood Treasury had provided a QTB on the contract side of things.

I would take them both off.

Sarah

---

**From:** Darville, Pam  
**Sent:** Wednesday, 21 May 2014 8:38 AM  
**To:** Bourne, Sarah  
**Subject:** CM QTB index for June

Hi Sarah



The other one provided was Majura Parkway, which I assume should still be a hot issue ?

Can you please let me know your thoughts. Then will go into CM for approval.

**Pam Darville** | Directorate Liaison Officer  
Phone: [REDACTED] Email: [REDACTED]  
Chief Minister and Treasury Directorate | ACT Government  
ACT Legislative Assembly | London Circuit CANBERRA CITY | GPO Box 158 Canberra ACT 2601 |  
[www.act.gov.au](http://www.act.gov.au)



## Question Time Brief

**SUBJECT:      PROCUREMENT: MAJURA PARKWAY - HEWATT IN ADMINISTRATION**  
**ISSUE:        Update on Hewatt's entry into voluntary administration**

### Key Points:

- Hewatt Pty Ltd ("Hewatt") entered into voluntary administration on 8 May 2014. The administrators are PPB Advisory Pty Ltd ("PPB").
- Hewatt is engaged as a sub-contractor on the Majura Parkway project by Fulton Hogan Pty Ltd ("Fulton Hogan"), as well as being directly engaged by the ACT Government on two contracts at Horse Park Drive.
- PPB has committed to working constructively with all stakeholders including employees, unions, sub-contractors and government. SSP is in regular contact with PPB.
- The inaugural creditors meeting for the Hewatt Group (Hewatt Pty Ltd, Hewatt Grader Hire Pty Ltd and Carmelina Management Pty Ltd) was conducted by PPB on 20 May 2014. The second creditor's meeting will be held on 13 June 2014 and it is anticipated that a listing of creditors and quantum of debts will be made available at that time. SSP understands the most probable outcome is that the Hewatt Group of companies will be placed into liquidation.
- Although SSP understands that the contract between Fulton Hogan and Hewatt has not been terminated, Hewatt is no longer working on the Majura Parkway project. SSP understands that PPB and Fulton Hogan continue to maintain regular contact.
- Work on the Majura Parkway project is continuing, and Fulton Hogan has reallocated work to other sub-contractors where appropriate.
- Fulton Hogan has taken on a number of previous Hewatt employees through a labour hire company, while other former Hewatt staff have been employed by other sub-contractors and continue to work on the Majura Parkway project. SSP understands that over 50 staff previously employed or sub-contracted by Hewatt on Majura Parkway continue to work on-site.
- SSP is in regular contact with Fulton Hogan regarding the Majura Parkway project. Fulton Hogan continues to retain its assurance that the project will be completed according to the program and budget established in its existing contract with the Territory.
- Hewatt recommenced work on the Horse Park Drive project on 20 May 2014. By completing this project while in administration, it is anticipated that a number of Hewatt employees will retain their employment for longer than would occur if Hewatt withdrew from this project. SSP also understands that sub-contractors are likely to benefit financially from continuing works on this project while Hewatt is in administration.

**Background**

- The Government has no contractual liability for payment of contractors who are owed monies by Hewatt. The legal entitlement to payment of any contractors who are owed monies by Hewatt rests with the Administrator.
- According to Fulton Hogan, approximately 95 per cent of earthworks on the Majura Parkway project have already been completed.
- The awarded value of the Majura Parkway contract between the Territory and Fulton Hogan is \$268,276,814 (GST inclusive). The Commonwealth Government is contributing \$144 million towards the cost of the Majura Parkway project.
- Both contracts between the Territory and Hewatt for work on Horse Park Drive have been substantially completed, including laying of pavement. Only finishing touches such as signage, road marking and landscaping remain incomplete. The contract for works between the extension from Burramarra Avenue to Mirrabei Drive is valued at \$9,007,966 (GST inclusive), and the contract for works on the extension to Moncrieff Group Centre is valued at \$16,903,438 (GST inclusive).







## Question Time Brief

**SUBJECT: PROCUREMENT: HEWATT IN ADMINISTRATION**  
**ISSUE: Update on Hewatt's entry into voluntary administration**

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### Key Points:

- Hewatt Pty Ltd ("Hewatt") entered into voluntary administration on 8 May 2014. The administrators are PPB Advisory Pty Ltd ("PPB").
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- PPB has committed to working constructively with all stakeholders including employees, unions, sub-contractors and government. SSP is in regular contact with PPB.
- The inaugural creditors meeting for the Hewatt Group (Hewatt Pty Ltd, Hewatt Grader Hire Pty Ltd and Carmelina Management Pty Ltd) was conducted by PPB on 20 May 2014. The second creditor's meeting will be held on 13 June 2014 and it is anticipated that a listing of creditors and quantum of debts will be made available at that time. SSP understands the most probable outcome is that the Hewatt Group of companies will be placed into liquidation.
- Although SSP understands that the contract between Fulton Hogan and Hewatt has not been terminated, Hewatt is no longer working on the Majura Parkway project. SSP understands that PPB and Fulton Hogan continue to maintain regular contact.
- Work on the Majura Parkway project is continuing, and Fulton Hogan has reallocated work to other sub-contractors where appropriate.
- Fulton Hogan has taken on a number of previous Hewatt employees through a labour hire company, while other former Hewatt staff have been employed by other sub-contractors and continue to work on the Majura Parkway project. SSP understands that over 50 staff previously employed or sub-contracted by Hewatt on Majura Parkway continue to work on-site.
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**Background**

- The Government has no contractual liability for payment of contractors who are owed monies by Hewatt. The legal entitlement to payment of any contractors who are owed monies by Hewatt rests with the Administrator.
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**Keefer, Lindy**

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**From:** Power, Ben  
**Sent:** Wednesday, 21 May 2014 1:23 PM  
**To:** Keefer, Lindy

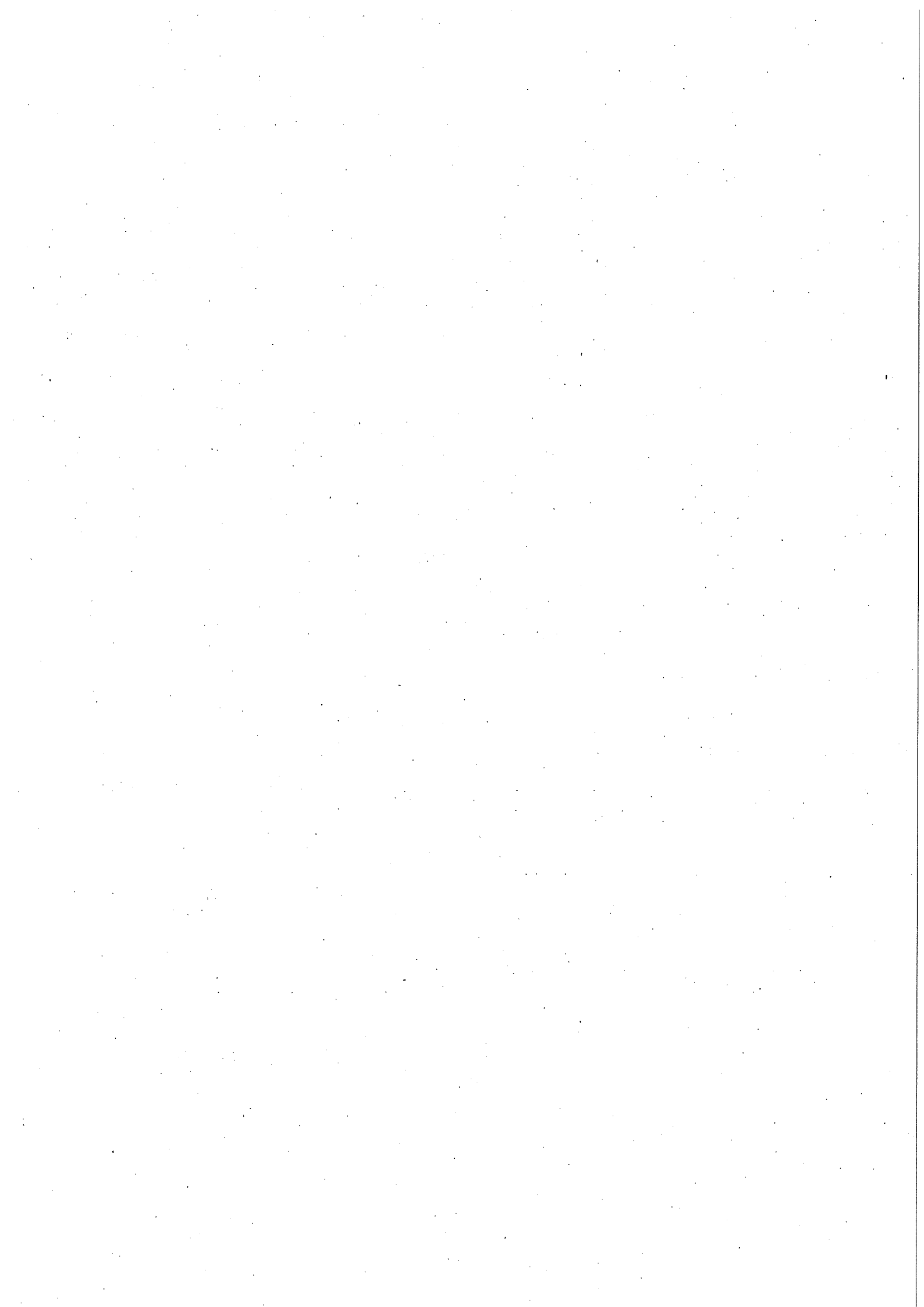
Under the terms of the Territory's contract with Fulton Hogan, the contractor bears overall responsibility for the acts and omissions of all sub-contractors on the Majura Parkway project. Fulton Hogan has also indemnified the Territory against any legal claim resulting from non-payment of sub-contractors on the Majura Parkway project.

Ben Power

Phone: [REDACTED] Fax: (02) 6207 6500

Shared Services Procurement | Commerce and Works Directorate | ACT Government

Level 2 Annex, Macarthur House, 12 Wattle St, Lyneham ACT 2602 | GPO Box 818, Dickson ACT 2602 | [www.act.gov.au](http://www.act.gov.au)





## Question Time Brief

**SUBJECT:**        **PROCUREMENT: MAJURA PARKWAY**

**ISSUE:**        **Contractors Issues**

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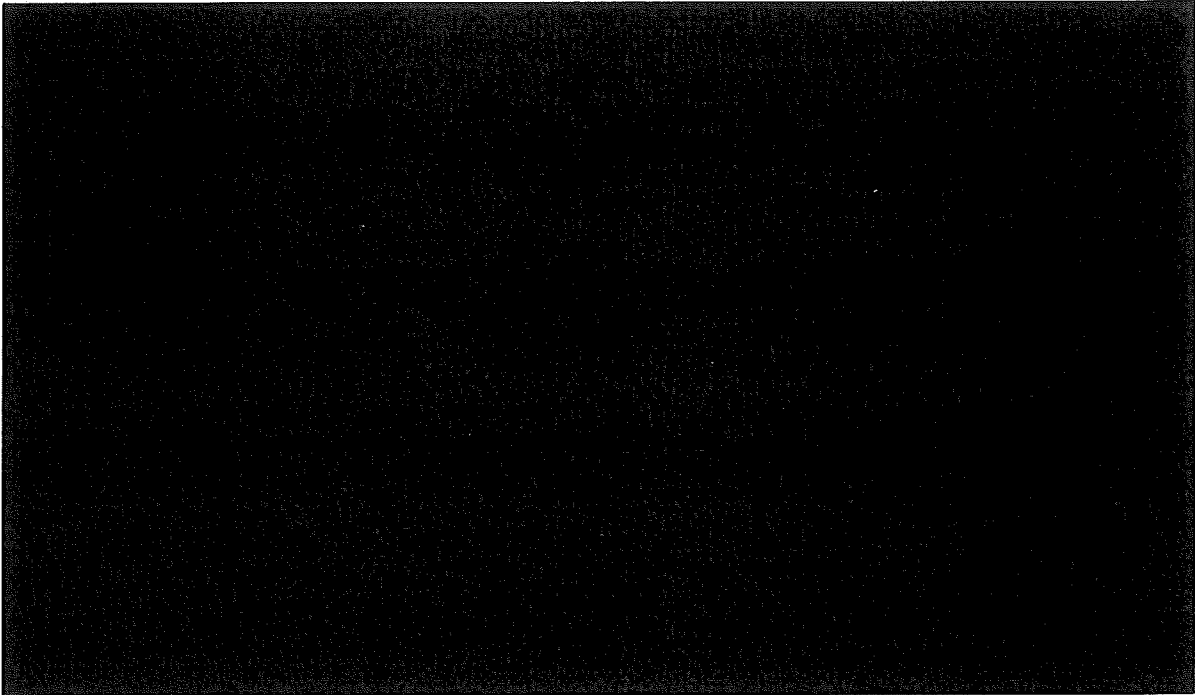
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- Hewatt is engaged as a subcontractor on the Majura Parkway project by Fulton Hogan Pty Ltd ("Fulton Hogan"), as well as being directly engaged by the ACT Government on two contracts at Horse Park Drive.
- Following a preliminary review of Hewatt's position PPB has stood down most of Hewatt's employees, and committed to working constructively with all stakeholders including employees, unions, subcontractors and government. Currently, there are no Hewatt employees working on site at Majura Parkway, and the Horse Park Drive work site is closed. SSP understands that Hewatt has removed some of its equipment from a number of sites.
- Fulton Hogan is still reviewing their way forward on the Majura site, and the Territory expects an update on this in the near future.
- SSP met with Fulton Hogan to discuss the Majura Parkway project on 13 May 2014. Fulton Hogan provided an assurance that work on the Majura Parkway is continuing regardless of whether or not Hewatt continues as subcontractor for the earthworks under the head contract with Fulton Hogan.
- Shared Services Procurement met with PPB on Monday 12 May 2014. PPB and the Territory discussed the possibility that Hewatt complete works on Horse Park Drive while in administration, and both parties are considering this approach.
- The first meeting of Hewatt's creditors will be held in Canberra on 20 May 2014.

### Background

- Under the terms of the Territory's contract with Fulton Hogan, the contractor bears overall responsibility for the acts and omissions of all sub-contractors on the Majura Parkway project. Fulton Hogan has also indemnified the Territory against any legal claim resulting from non-payment of sub-contractors on the Majura Parkway project.
- Fulton Hogan retains its assurance that the Majura Parkway project will be completed according to the program and budget established in its existing contract with the Territory. According to Fulton Hogan, approximately 95 per cent of earthworks have already been completed. However, there is the possibility that the remaining earthworks will be undertaken by another subcontractor.
- The awarded value of the Majura Parkway contract between the Territory and Fulton Hogan is \$268,276,814 (GST inclusive). The Commonwealth Government is contributing \$144 million towards the cost of the Majura Parkway project.

- Both contracts between the Territory and Hewatt for work on Horse Park Drive have been substantially completed, including laying of pavement. Only finishing touches such as signage, road marking and landscaping remain incomplete. The contract for works between the extension from Burramarra Avenue to Mirrabai Drive is valued at \$9,007,966 (GST inclusive), and the contract for works on the extension to Moncrieff Group Centre is valued at \$16,903,438 (GST inclusive).





## Question Time Brief

**SUBJECT:       PROCUREMENT: MAJURA PARKWAY**

**ISSUE:         Contractors Issues**

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- The awarded value of the Majura Parkway contract between the Territory and Fulton Hogan is \$268,276,814 (GST inclusive). The Commonwealth Government is contributing \$144 million towards the cost of the Majura Parkway project.

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13 May 2014

**Minister responsible:****Directorate:****Contact Officer:**

Treasurer

Commerce and Works

Jill Divorty

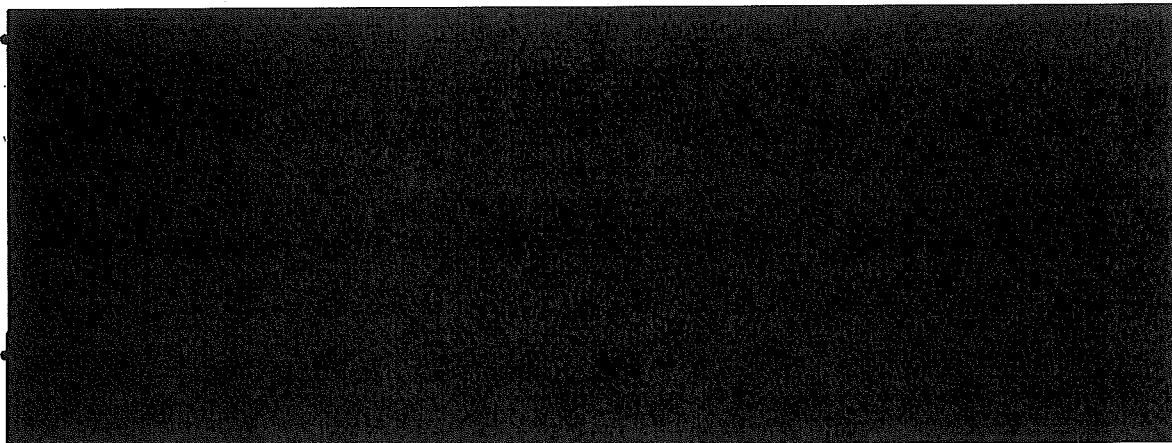
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- Under the terms of the Territory's contract with Fulton Hogan, the contractor bears overall responsibility for the acts and omissions of all sub-contractors on the Majura Parkway project. Fulton Hogan has also indemnified the Territory against any legal claim resulting from non-payment of sub-contractors on the Majura Parkway project. Consequently, liability for any non-payment of sub-contractors rests with Fulton Hogan, including liability for any non-payment of any contractors sub-contracted to a sub-contractor (i.e. sub-sub-contractors).
- Fulton Hogan retains its assurance that the Majura Parkway project will be completed according to the program and budget established in its existing contract with the Territory. According to Fulton Hogan, approximately 95 per cent of earthworks have already been completed. However, there is the possibility that the remaining earthworks will be undertaken by another subcontractor.
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## Chief Ministers' Talkback Brief      Hewatt in Administration

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## Question Time Brief

**SUBJECT:**       **PROCUREMENT: MAJURA PARKWAY**

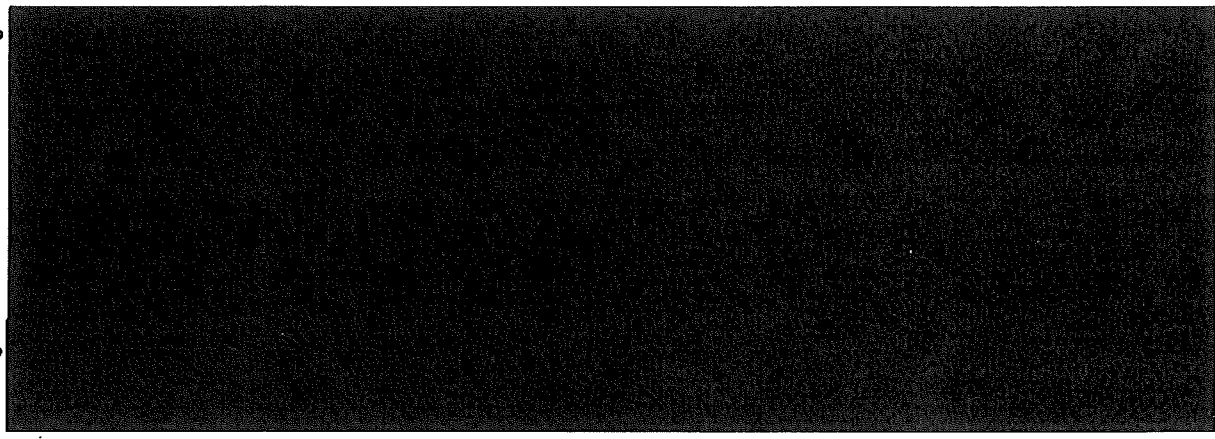
**ISSUE:**       **Contractors Issues**

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### Key Points:

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- Shared Services Procurement met with PPB on Monday 12 May 2014. PPB and the Territory discussed the possibility that Hewatt complete works on Horse Park Drive while in administration, and both parties are considering this approach.
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- The first meeting of Hewatt's creditors will be held in Canberra on 20 May 2014. Work on the Majura Parkway is continuing regardless of whether or not Hewatt continues as subcontractor for the earthworks under the head contract with Fulton Hogan.
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**Keefer, Lindy**

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**From:** Power, Ben  
**Sent:** Tuesday, 13 May 2014 11:10 AM  
**To:** Keft, Maree  
**Cc:** Pearse, Jan; Keefer, Lindy  
**Subject:** Updated Hewatt QTB  
**Attachments:** D8 - Majura Parkway\_13 May.doc

Morning Maree,

Please find attached the revised QTB for the Hewatt/Majura/HPD scenario. Please note that this has been cleared through Andrew but not through George.

Please also note that this is likely to be a highly fluid situation throughout the day, and as such we may have to revise this in the afternoon/tomorrow morning.

Cheers,

Ben Power

Phone: [REDACTED] Fax: (02) 6207 6500

Shared Services Procurement | Commerce and Works Directorate | ACT Government

Level 2 Annex, Macarthur House, 12 Wattle St, Lyneham ACT 2602 | GPO Box 818, Dickson ACT 2602 | [www.act.gov.au](http://www.act.gov.au)



## Question Time Brief

**SUBJECT:       PROCUREMENT: MAJURA PARKWAY**

**ISSUE:         Contractors Issues**

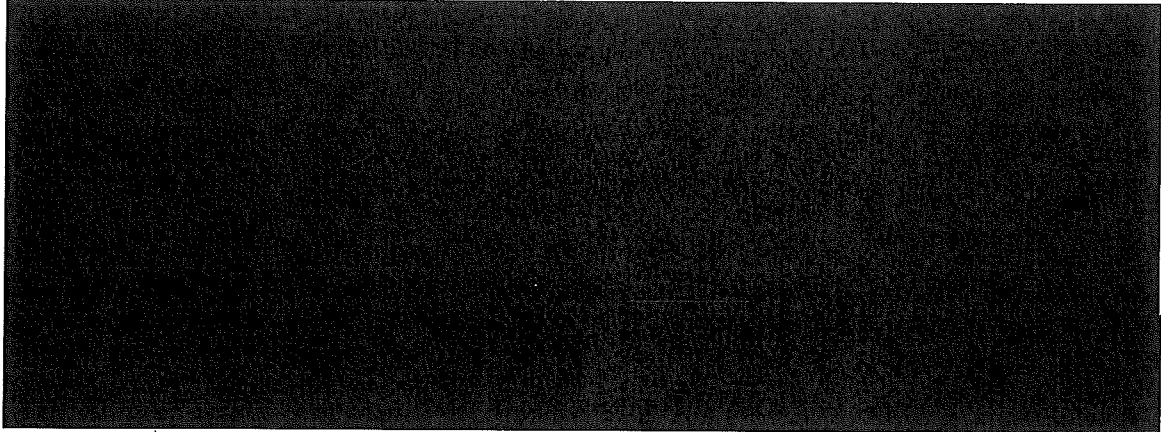
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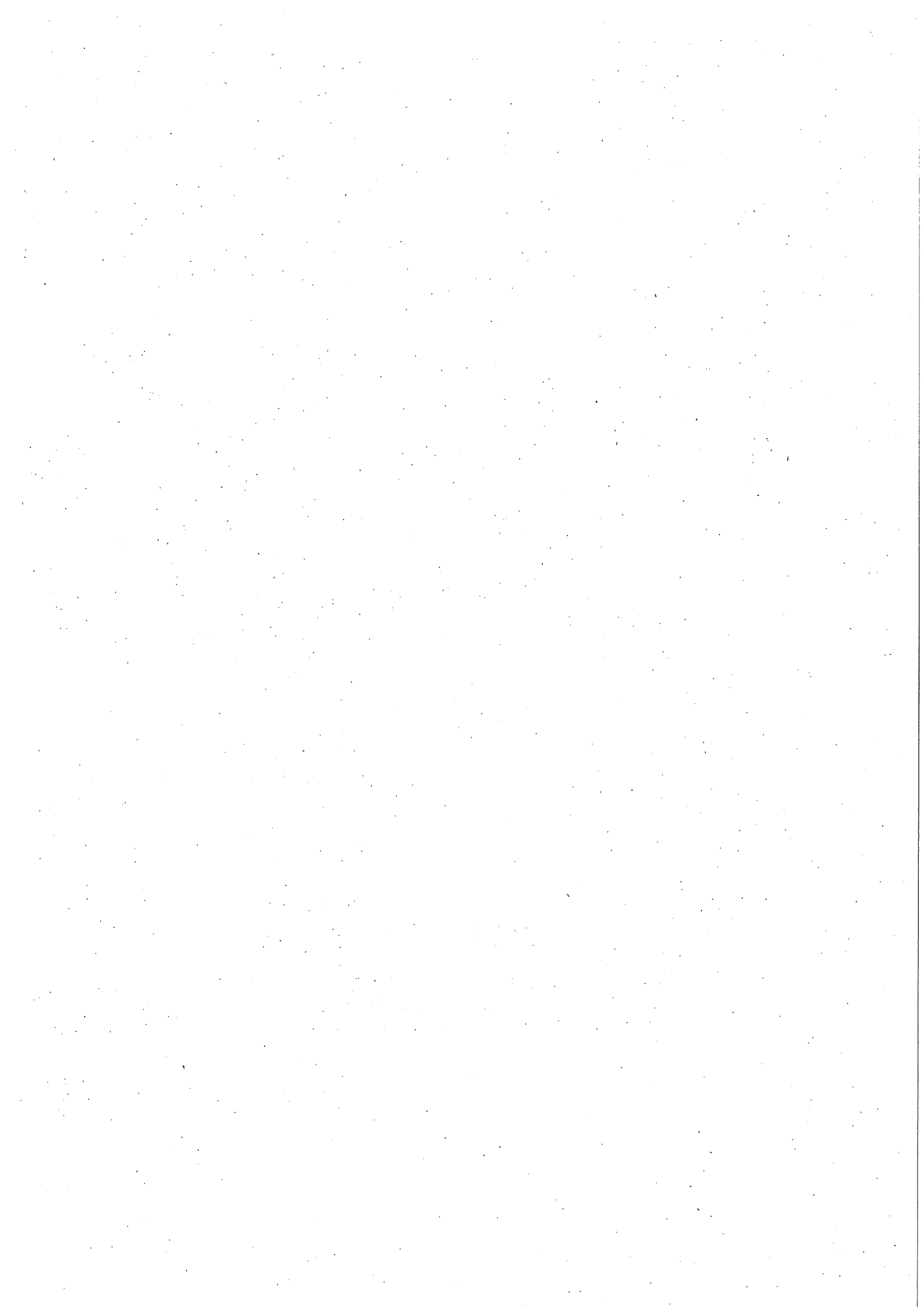
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- Hewatt is engaged as a subcontractor on the Majura Parkway project by Fulton Hogan Pty Ltd ("Fulton Hogan"), as well as being directly engaged by the ACT Government on two work sites at Horse Park Drive.
- Following a preliminary review of Hewatt's position PPB has stood down most of Hewatt's employees, and committed to working constructively with all stakeholders including employees, unions, subcontractors and government. Currently, there are no Hewatt employees working on site at Majura Parkway, and both Horse Park Drive work sites are closed. SSP understands that Hewatt has removed some of its equipment from a number of sites.
- Shared Services Procurement met with PPB on Monday 12 May 2014. PPB advised that Hewatt intended to complete works on Horse Park Drive while in administration, and will confirm this in writing shortly. A plan for completing these works will be submitted to the Superintendent and Principal for approval before any further work is undertaken.
- PPB further advised that it understood Fulton Hogan had not yet decided upon how it would replace Hewatt on the Majura Parkway project. PPB understands that Fulton Hogan is talking to approximately 10-20 former Hewatt employees, with a view to potentially employing them to continue on the project. SSP understands that approximately 40 Hewatt employees were working on the Majura Parkway project at the time it entered into administration.
- The first meeting of creditors will be held in Canberra on 20 May 2014.
- Work on the Majura Parkway is continuing regardless of whether or not Hewatt continues as subcontractor for the earthworks under the head contract with Fulton Hogan.
- Under the terms of the Territory's contract with Fulton Hogan, the contractor bears overall responsibility for the acts and omissions of all sub-contractors on the Majura Parkway project. Fulton Hogan has also indemnified the Territory against any legal claim resulting from non-payment of sub-contractors on the Majura Parkway project. Consequently, liability for any non-payment of sub-contractors rests with Fulton Hogan, including liability for any non-payment of any contractors sub-contracted to a sub-contractor (i.e. sub-sub-contractors).
- Fulton Hogan retains its assurance that the Majura Parkway project will be completed according to the program and budget established in its existing contract with the Territory. According to Fulton Hogan, approximately 95 per cent of earthworks have already been

completed. However, there is the possibility that the remaining earthworks will be undertaken by another subcontractor.

- The awarded value of the Majura Parkway contract between the Territory and Fulton Hogan is \$268,276,814 (GST inclusive). The Commonwealth Government is contributing \$144 million towards the cost of the Majura Parkway project.
- Both contracts between the Territory and Hewatt for work on Horse Park Drive have been substantially completed, including laying of pavement. Only finishing touches such as signage, road marking and landscaping remain incomplete. The contract for works between the extension from Burramarra Avenue to Mirrabei Drive is valued at \$9,007,966 (GST inclusive), and the contract for works on the extension to Moncrieff Group Centre is valued at \$16,903,438 (GST inclusive).









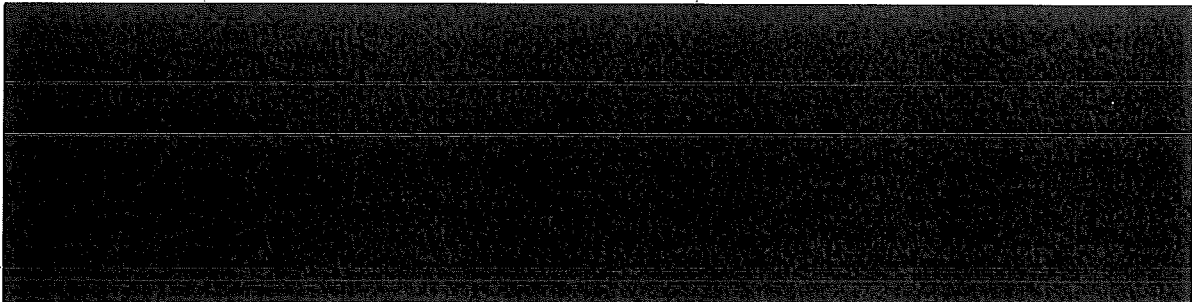
## Question Time Brief

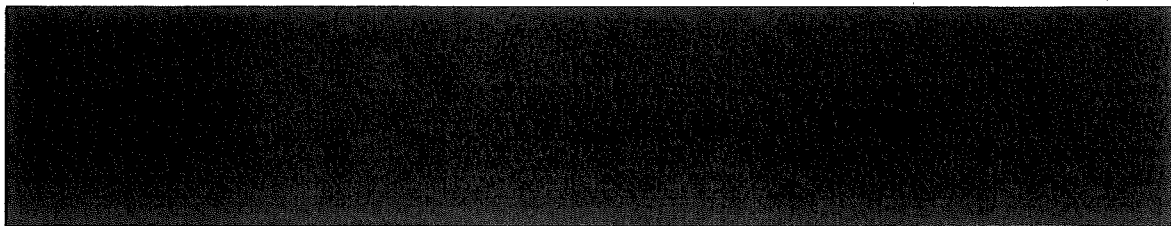
**SUBJECT:       PROCUREMENT: MAJURA PARKWAY**

**ISSUE:         Contractors Issues**

**Key Points:**

- Hewatt Pty Ltd ("Hewatt") entered into voluntary administration on 8 May 2014. The administrators are PPB Advisory Pty Ltd ("PPB Advisory").
- The administrators are currently in contact with ACT government officials. The first meeting of creditors will be held in Canberra on 20 May 2014.
- Following a preliminary review of Hewatt's position PPB Advisory has stood down most of Hewatt's employees, and committed to working constructively with all stakeholders including employees, unions, subcontractors and government.
- Currently, there are no Hewatt employees working on site at Majura Parkway, and both Horse Park Drive work sites are closed.
- SSP understands that Hewatt has removed some of its equipment from a number of sites.
- SSP understands some of Hewatt's employees may be in discussion with Fulton Hogan on site at Majura Parkway with the view to their potential engagement by Fulton Hogan to complete the works.
- Work on the Majura Parkway is continuing regardless of whether or not Hewatt continues as subcontractor for the earthworks under the head contract with Fulton Hogan.
- Fulton Hogan retains its assurance that the Majura Parkway project will be completed according to the program and budget established in its existing contract with the Territory. Approximately 95 per cent of earthworks have already been completed. However, there is the possibility that the remaining earthworks will be undertaken by another subcontractor.
- The awarded value of the Majura Parkway contract between the Territory and Fulton Hogan is \$268,276,814 (GST inclusive). The Commonwealth Government is contributing \$144 million towards the cost of the Majura Parkway project.
- The two contracts relating to work on Horse Park Drive have been substantially completed, including laying of pavement. Only finishing touches such as signage, road marking and landscaping remain incomplete. The Government is looking to use existing subcontractors or other local contractors to complete the project. There is likely to be some minor time delay associated with this change of contractors.







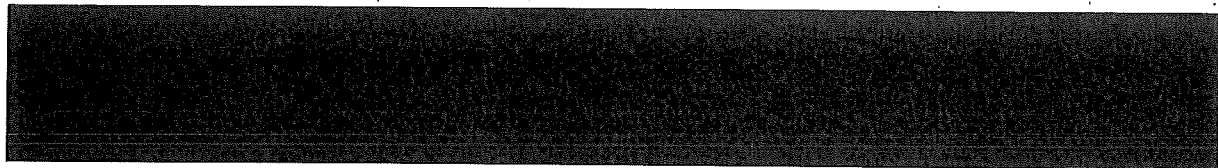
## Question Time Brief

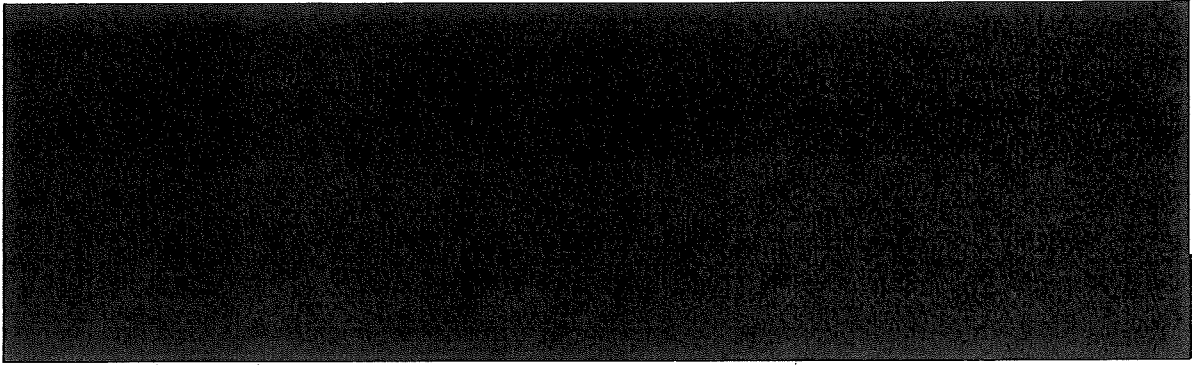
**SUBJECT:      PROCUREMENT: MAJURA PARKWAY**

**ISSUE:         Contractors Issues**

**Key Points:**

- Hewatt Pty Ltd ("Hewatt") entered into voluntary administration on 8 May 2014. The administrators are PPB Advisory Pty Ltd ("PPB Advisory").
- Hewatt is engaged as a subcontractor on the Majura Parkway project by Fulton Hogan Pty Ltd ("Fulton Hogan"), as well as being directly engaged by the ACT Government on two work sites at Horse Park Drive.
- Following a preliminary review of Hewatt's position PPB Advisory has stood down most of Hewatt's employees, and committed to working constructively with all stakeholders including employees, unions, subcontractors and government.
- Shared Services Procurement will meet with PPB Advisory as soon as possible. The first meeting of creditors will be held in Canberra on 20 May 2014.
- Currently, there are no Hewatt employees working on site at Majura Parkway, and both Horse Park Drive work sites are closed.
- SSP understands that Hewatt has removed some of its equipment from a number of sites.
- SSP understands some of Hewatt's employees may be in discussion with Fulton Hogan on site at Majura Parkway with the view to their potential engagement by Fulton Hogan to complete the works.
- Work on the Majura Parkway is continuing regardless of whether or not Hewatt continues as subcontractor for the earthworks under the head contract with Fulton Hogan.
- Fulton Hogan retains its assurance that the Majura Parkway project will be completed according to the program and budget established in its existing contract with the Territory. Approximately 95 per cent of earthworks have already been completed. However, there is the possibility that the remaining earthworks will be undertaken by another subcontractor.
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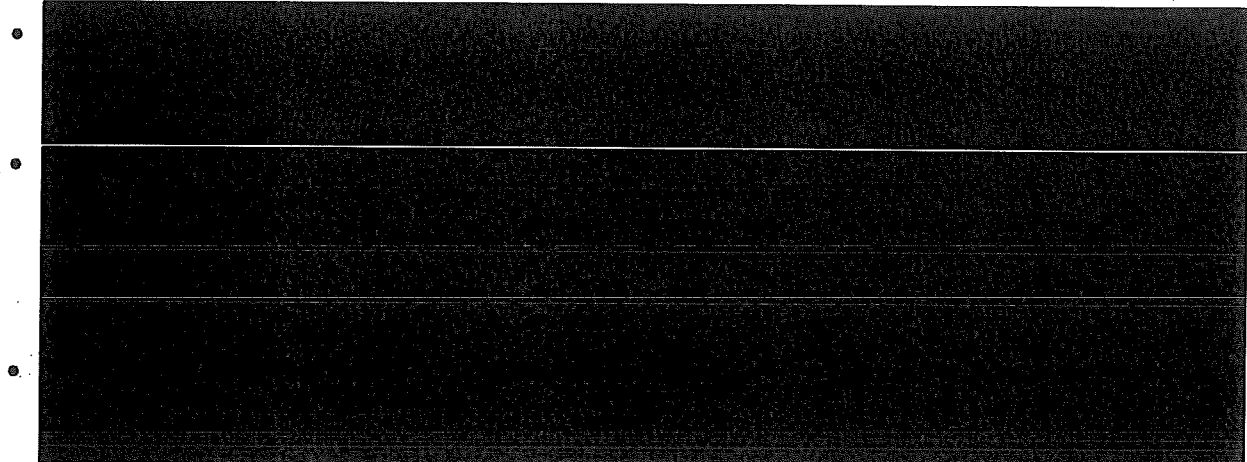
## Question Time Brief

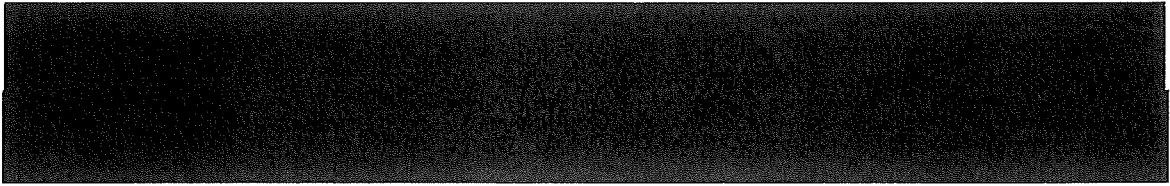
**SUBJECT:       PROCUREMENT: MAJURA PARKWAY**  
**ISSUE:         Contractors Issues**

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**Key Points:**

- Hewatt Pty Ltd ("Hewatt") is engaged as a subcontractor on the Majura Parkway project by Fulton Hogan Pty Ltd ("Fulton Hogan").
- Work on the Majura Parkway is continuing. This is regardless of whether or not Hewatt continues as subcontractor for the earthworks under the head contract with Fulton Hogan, and despite media speculation that the project may be in crisis.
- On 7 May 2015, SSP was informed by industry sources that Hewatt has stood down its workers on the Majura Parkway site, as well its two ACT Government sites on Horse Park Drive, pending resolution of its financial position.
- There are some media reports to suggest that workers have been told to report to work tomorrow on the Majura Parkway site, as a result of a deal between Fulton Hogan and Hewatt. SSP is unable to confirm at this time if this is indeed the case.
- Fulton Hogan retains its assurance that the Majura Parkway project will be completed according to the program and budget established in its existing contract with the Territory. Approximately 95 per cent of earthworks have already been completed. However, there is the possibility that the remaining earthworks will be undertaken by another subcontractor.
- The awarded value of the Majura Parkway contract between the Territory and Fulton Hogan is \$268,276,814 (GST inclusive). The Commonwealth Government is contributing \$144 million towards the cost of the Majura Parkway project.
- The remaining two contracts relating to work on Horse Park Drive have been substantially completed, including laying of pavement. Only finishing touches such as signage, road marking and landscaping remain incomplete. If Hewatt is unable to complete these works, the Government will look to use existing sub-contractors or other local contractors to complete the project. There is likely to be some minor time delays associated with this disruption and potential change of contractors.





**Keefer, Lindy**

---

**From:** Power, Ben  
**Sent:** Wednesday, 7 May 2014 2:45 PM  
**To:** Smithies, Megan  
**Cc:** Tomlins, George; Pearse, Jan; Keefer, Lindy; Parkinson, Andrew; Whitehouse, Michael  
**Subject:** FW: majura assembly question

**Importance:** High

RE: Majura Assembly Question:

Any escalation of costs associated with Fulton Hogan procuring an alternative contractor to do the work originally contracted to Hewatt, where the scope of works remains as in the contract between the Territory and Fulton Hogan, will be the responsibility of Fulton Hogan.

If there are cost escalations due to additional scope being added by the Territory to the project, then of course the Territory would pay for that added scope – as is the usual practice for all construction projects.

Ben Power

Phone: [REDACTED] | Fax: (02) 6207 6500

Shared Services Procurement | Commerce and Works Directorate | ACT Government

Level 2 Annex, Macarthur House, 12 Wattle St, Lyneham ACT 2602 | GPO Box 818, Dickson ACT 2602 | [www.act.gov.au](http://www.act.gov.au)

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**From:** Tomlins, George  
**Sent:** Wednesday, 7 May 2014 2:44 PM  
**To:** Power, Ben  
**Subject:** FW: majura assembly question  
**Importance:** High

George Tomlins | Executive Director | Shared Services Procurement

Phone: [REDACTED] | Fax 02 6207 5468

Shared Services Procurement | Commerce and Works | ACT Government

Level 2 Annex, Macarthur House 12 Wattle Street Lyneham ACT 2602 | PO Box Dickson ACT 2602

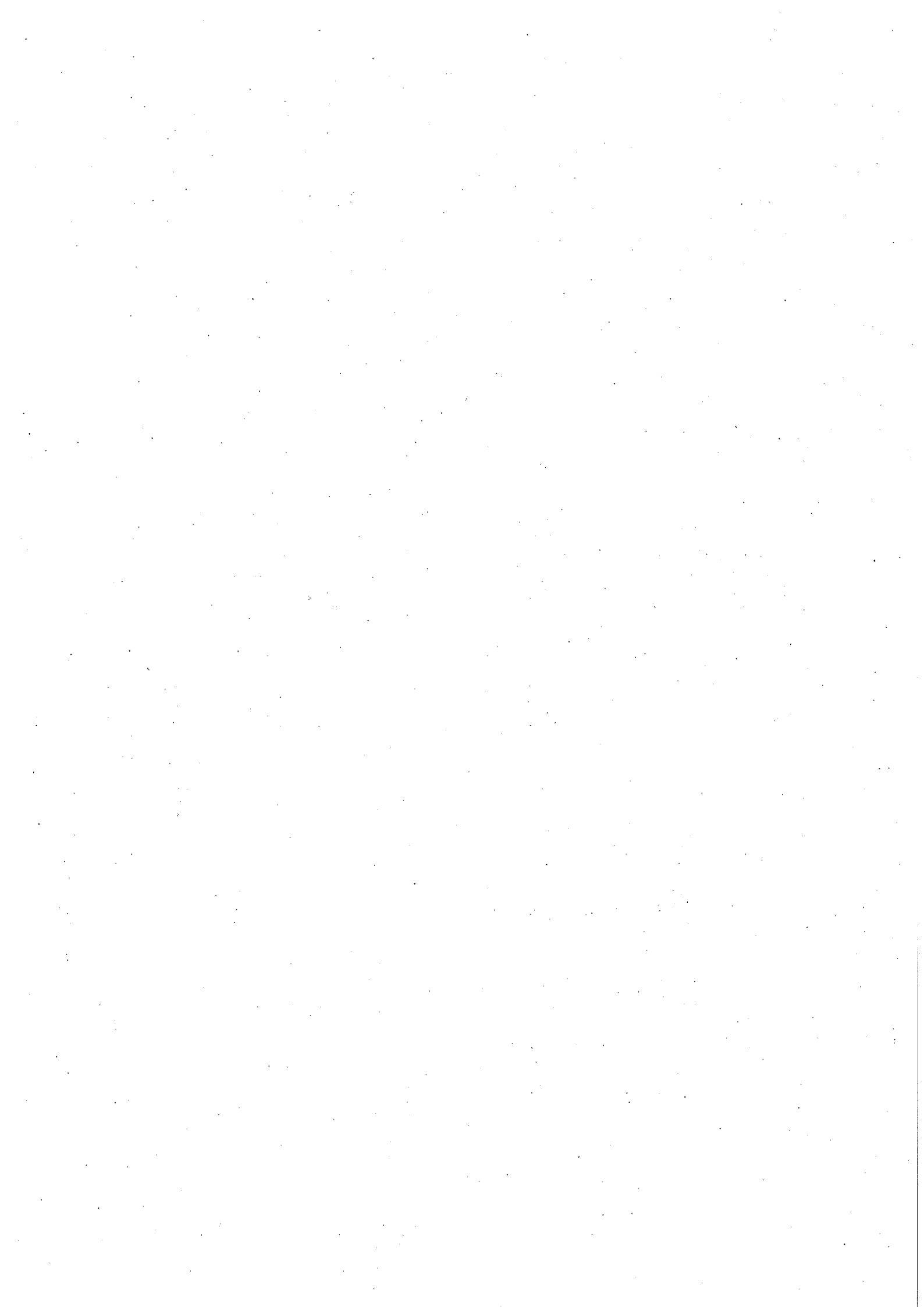
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**From:** Smithies, Megan  
**Sent:** Wednesday, 7 May 2014 2:43 PM  
**To:** Tomlins, George  
**Subject:** majura assembly question  
**Importance:** High

How about this

Que: If there is a cost escalation, will all the cost be borne by the act

Answer: If Fulton Hogan's costs escalate due to needing to bring on different contractors, these costs will be borne by FH, not the Territory.







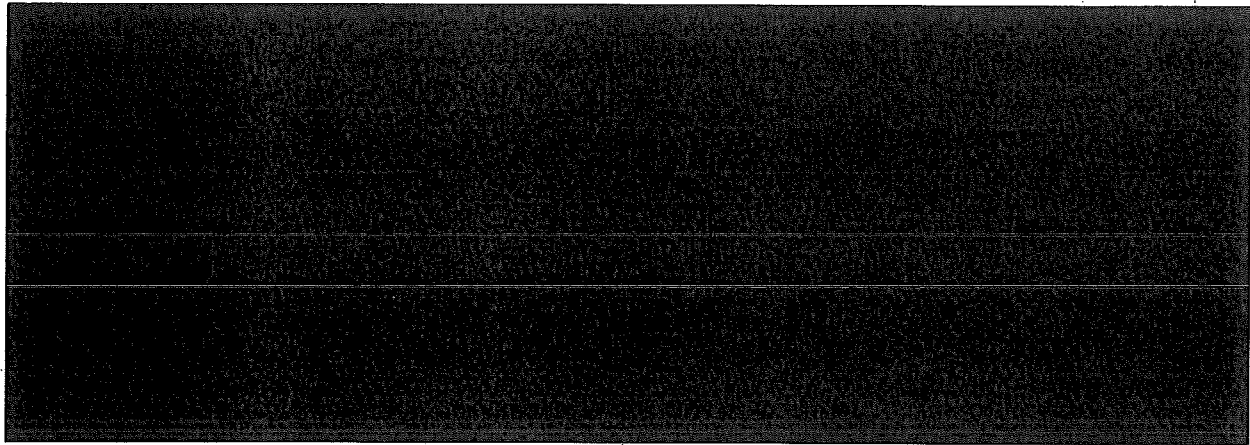
## Question Time Brief

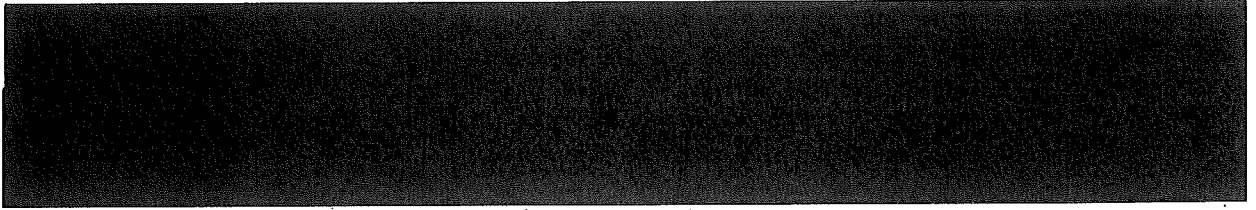
**SUBJECT:     PROCUREMENT: MAJURA PARKWAY**

**ISSUE:       Contractors Issues**

**Key Points:**

- Hewatt Pty Ltd ("Hewatt") is engaged as a subcontractor on the Majura Parkway project by Fulton Hogan Pty Ltd ("Fulton Hogan").
- Work on the Majura Parkway is continuing. This is regardless of whether or not Hewatt continues as subcontractor for the earthworks under the head contract with Fulton Hogan, and despite media speculation that the project may be in crisis.
- On 7 May 2015, SSP was informed by industry sources that Hewatt has stood down its workers on the Majura Parkway site, as well its two ACT Government sites on Horse Park Drive, pending resolution of its financial position.
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- The awarded value of the Majura Parkway contract between the Territory and Fulton Hogan is \$268,276,814 (GST inclusive). The Commonwealth Government is contributing \$144 million towards the cost of the Majura Parkway project.
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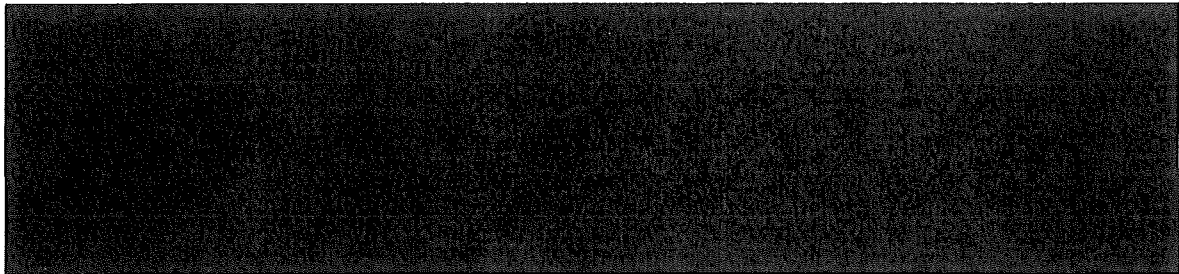
## Question Time Brief

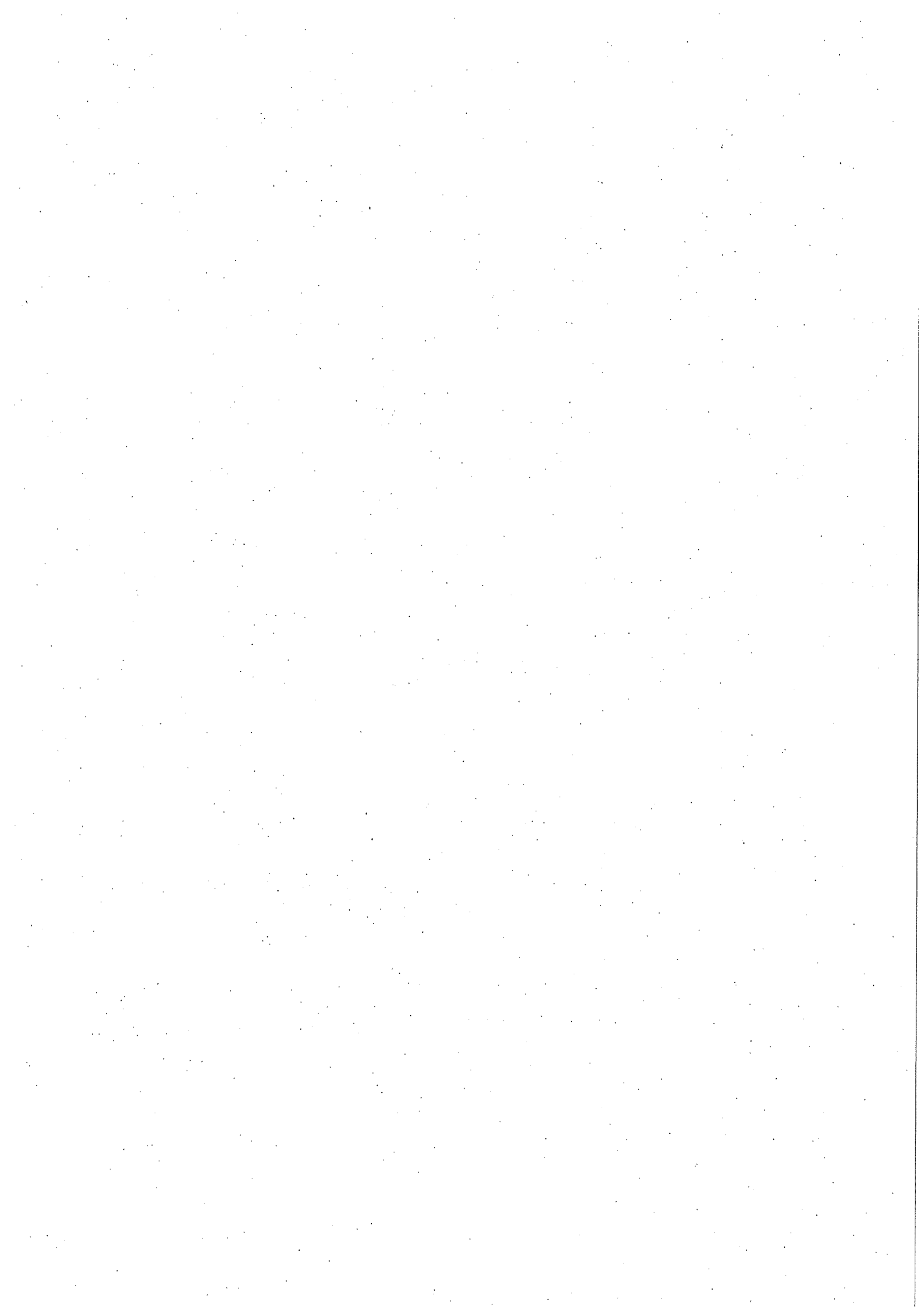
**SUBJECT:       PROCUREMENT: MAJURA PARKWAY**  
**ISSUE:         Contractors Issues**

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**Key Points:**

- Hewatt Pty Ltd ("Hewatt") is engaged as a subcontractor on the Majura Parkway project by Fulton Hogan Pty Ltd ("Fulton Hogan").
- Work on the Majura Parkway is continuing. This is regardless of whether or not Hewatt continues as subcontractor for the earthworks under the head contract with Fulton Hogan, and despite media speculation that the project may be in crisis.
- On 7 May 2015, SSP was informed by industry sources that Hewatt has stood down its workers on the Majura Parkway site, as well its two ACT Government sites on Horse Park Drive, pending resolution of its financial position.
- There are some media reports to suggest that workers have been told to report to work tomorrow on the Majura Parkway site, as a result of a deal between Fulton Hogan and Hewatt. SSP is unable to confirm at this time if this is indeed the case.
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# TERRITORY AND MUNICIPAL SERVICES

## QUESTION TIME BRIEF

Minister: Territory and Municipal Services  
Correct and accurate as at: 6 May 2014

### ISSUE: Majura Parkway – Contractor Issues

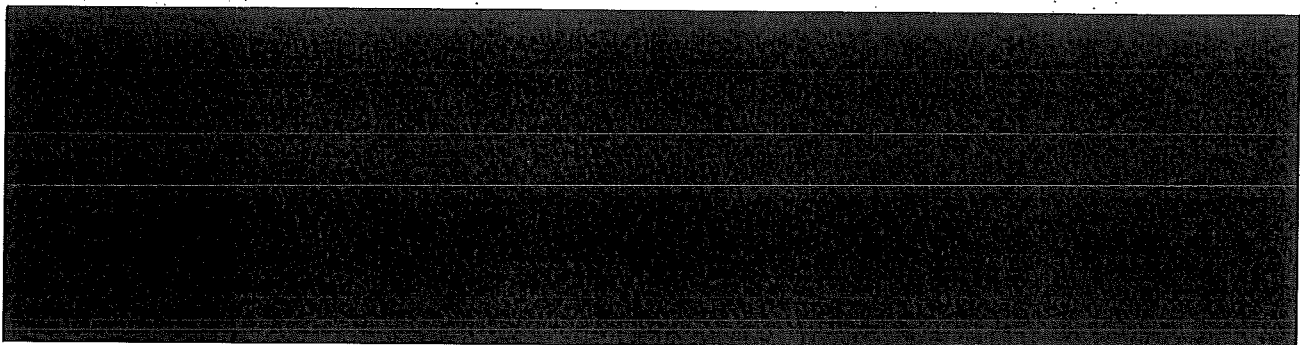
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#### Speaking Points

- The ACT Government has appointed Fulton Hogan to deliver the project. There are a number of sub contractors working on the project including Hewatt's – earthworks contractor.
- This is a commercial dispute between parties, and does not directly involve the ACT Government. Fulton Hogan has assured the Territory that this dispute will not have any impact upon the budget or program of the Majura Parkway project.
- As Hewatt is a sub-contractor to Fulton Hogan and not directly engaged by the Territory, the head contractor will remain responsible for delivering Majura Parkway in accordance with the time and cost set out in the contract.
- Discussions between the parties are ongoing this week.
- Work is continuing on the Majura Parkway in the interim.
- The Government will continue to monitor the progress of the project.
- Currently the Majura Parkway project is running to schedule and expected completion of the project remains on time (June 2016) and within budget.

#### Background

- The Government became aware in early April 2014 that Hewatts and Fulton Hogan were in discussion about contractual matters. Both parties agreed to work on reaching a mutually satisfactory resolution to the dispute, with Hewatt remaining on-site in the interim.
- Hewatt and Fulton Hogan met again on yesterday 5 May 2014 to discuss ways forward. The Government understands that both parties have agreed to continue work on the project in the interim, during which time they will attempt to reach a longer-lasting agreement.
- It is understood that Hewatt has approximately 70 employees and sub-contractors engaged on the Majura Parkway project, and only limited other employment in the ACT.





**Cleared as accurate and complete as at 6 May 2014**

By: Paul Peters, Executive Director

Ext: 



**ACT**

Government

Commerce and Works

MINUTE

**SUBJECT: MAJURA PARKWAY PROJECT – CONTRACTOR ISSUES**

To: Treasurer

Critical Date for consideration: As soon as possible

**Purpose: To inform you of a dispute between Hewatt and Fulton Hogan in relation to the Majura Parkway project.**

**Key Points:**

- Given the potential contractual ramifications of this issue, Government should limit its public comment.
  - Much of the detail which follows under this heading are matters between Fulton Hogan and Hewatt, and are provided for background briefing and not public comment.
- Hewatt Pty Ltd (“Hewatt”) is engaged as a subcontractor on the Majura Parkway project by Fulton Hogan Pty Ltd (“Fulton Hogan”). The awarded value of the contract between the Territory and Fulton Hogan is \$268,276,814.35 (GST inclusive). The Commonwealth Government is contributing \$144 million towards the cost of the Majura Parkway project.
- SSP understands that Hewatt is currently experiencing significant financial difficulties. On 17 April 2014, Hewatt wrote to Fulton Hogan requesting a release from its contract as it had become uneconomical to continue works. Hewatt stated that unless a release was granted or the contract terms re-negotiated, Hewatt would enter into administration on 1 May 2014. Hewatt and Fulton Hogan met to discuss this dispute on 24 April 2014. Both parties agreed to work on reaching a mutually satisfactory resolution to the dispute, with Hewatt remaining on-site in the interim.
- Hewatt and Fulton Hogan met again on 2 May 2014 and 5 May 2014 to discuss ways forward. Shared Services Procurement (“SSP”) understands that both parties have agreed to continue work on the project for one week, during which time they will attempt to reach a longer-lasting agreement. SSP further understands that Fulton Hogan has agreed to make a payment of approximately [REDACTED] to Hewatt to ensure these works go ahead, as well as an additional immediate cash advance to ensure Hewatt is able to pay its staff.
- Fulton Hogan’s preferred option for a longer-term agreement is to continue to work with Hewatt until achievement of Milestone One in the contract, which is expected to occur in September. The current contract between parties would be ended and a new contract established on a cost-plus basis, ensuring that Hewatt

Contact: Ben Power

Position: Government Business Officer

Extension: x79342

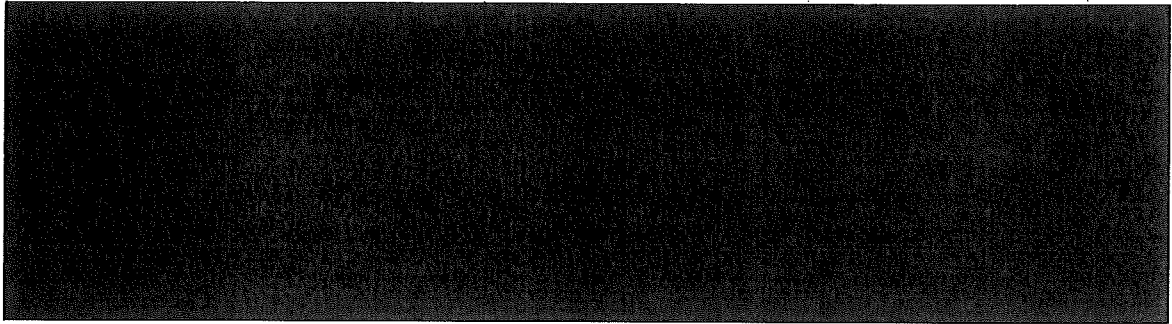
File No.:

is able to continue until this time. Fulton Hogan could also make an additional payment to Hewatt of approximately [REDACTED] for the period up to 5 May 2014.

- SSP understands that following the achievement of Milestone One, Fulton Hogan would then seek to employ another earthworks contractor to complete the remaining scope of works.
- Should Fulton Hogan and Hewatt be unable to agree on a new contract to cover the period up to Milestone One, other options will be explored to ensure these earthworks are completed. This could involve the immediate engagement of another contractor by Fulton Hogan, or the acquisition of Hewatt by Fulton Hogan.
- SSP understands that Hewatt has approximately 70 employees and sub-contractors engaged on the Majura Parkway project, and only limited other employment in the ACT.
- This is a commercial dispute between parties, and does not directly involve the ACT Government. Fulton Hogan have assured the Territory that this dispute will not have any impact upon the budget or program of the Majura Parkway project. As Hewatt is a sub-contractor to Fulton Hogan and not directly engaged by the Territory, the head contractor will remain responsible for delivering Majura Parkway in accordance with the time and cost set out in the contract.
- Should Hewatt fail to complete the full scope of its contracted works on the Majura Parkway project, it is likely that a number of its current staff will have their employment ceased. However, the scope of works of the Majura Parkway project has not changed, and it is consequently expected that an equivalent number of workers will be engaged by new earthmoving contractors to complete these works.
- SSP is continuing to investigate whether all sub-contractors and sub-sub-contractors have been paid on the Majura Parkway project.







**Suggested speaking notes:**

- ACT Government has appointed Fulton Hogan to deliver the project for us. There are a number of sub contractors working on the project including Hewatt's – earthworks contractor.
- ACT Government is aware that FH is in discussion with Hewatts.
- Those discussions are ongoing this week and are a commercial matter for FH and Hewatts.
- We understand that work is continuing and that a new night work program commenced on Monday 5 May and it planned to continue for the next month.
- Government cannot pre-empt the outcome of these discussions as they are a matter for the Contractor. However we closely monitor progress on the project and progress to date has been good and we expect the project to be completed on time (June 2016) and within budget.
- Understand there is a lot of discussion and rumour around this but it is important that the current status of this issue be clearly outlined.

**Recommendations:**

- It is recommended that you note the information in this minute.

Paul Peters  
Executive Director  
Territory and Municipal Services

George Tomlins  
Executive Director  
Shared Services Procurement

6 May 2014

Noted / Approved / Not approved / Please discuss  
Andrew Barr MLA / /2014

Noted / Approved / Not approved / Please discuss

Shane Rattenbury MLA / /2014

**SUBJECT:           PROCUREMENT: MAJURA PARKWAY**

**ISSUE:             Contractors Issues**

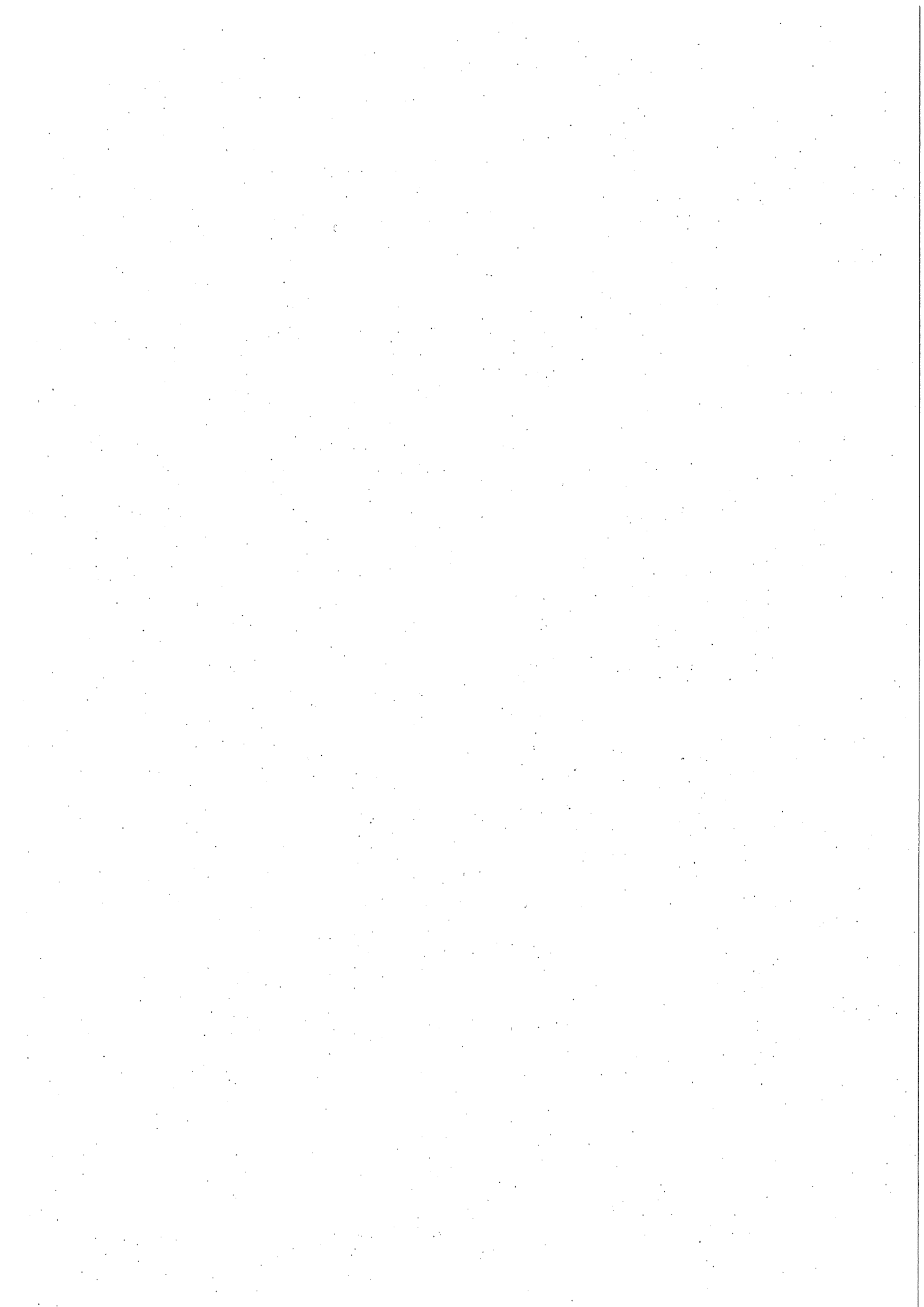
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**Key Points:**

- There has been some discussion of contractor difficulties on the Majura Parkway site. Talk of these issues arises from time to time and is not unusual on major projects.
- This is essentially between the head contractor, with whom the Territory has a contract, and a subcontractor. It is the role of the head contractor to resolve the matter and determine the best way to complete the work as the contractor responsible for delivering Majura Parkway in accordance with the time and cost set out in the contract.
- On 5 May 2014, rumour attracted media attention with the *Canberra Times* reporting that the Majura Parkway project was facing crisis due to the major earthworks contractor threatening to abandon the project.
- Work is in fact, progressing on the Majura Parkway in accordance with the scheduled works. This includes the subcontractor commencing planned night works on site on Monday, 5 May 2014 in accordance with the scheduled works.
- The head contractor, Fulton Hogan Pty Ltd ("Fulton Hogan") has given its assurance that the Majura Parkway project will be completed according to the program and budget established in its existing contract with the Territory.
- On 5 May 2014, Fulton Hogan and its subcontractor, Hewatt Pty Ltd ("Hewatt") issued a joint media statement advising that work is progressing well on the Majura Parkway and that they are committed to working together to achieve the best possible outcome for the project and the local community.

**Background**

- On 17 April 2014, Hewatt wrote to Fulton Hogan to formally request a release from its contract in relation to the Majura Parkway project.
- A planned shutdown occurred on the Majura Parkway work site for the Easter/Anzac day period.
- Fulton Hogan and Hewatt have met on several occasions and made some agreements about going forward.
- Shared Services Procurement ("SSP") understands that Fulton Hogan will attempt to assist Hewatt to finish milestone 1 (main roadworks north of the river) but may replace Hewatt on subsequent milestones (southern approaches & traffic switches).

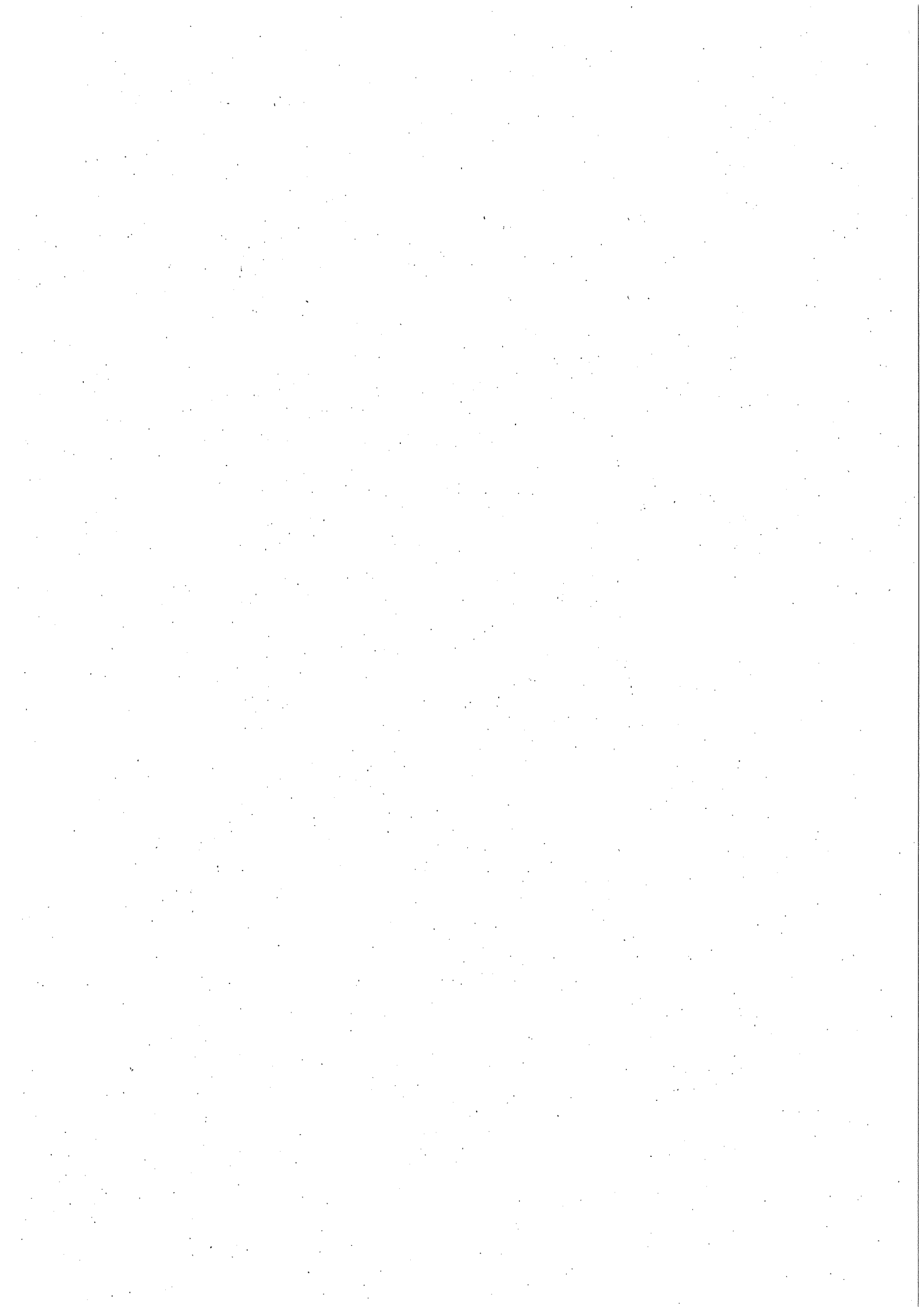


## Question Time Brief

**SUBJECT:           PROCUREMENT: MAJURA PARKWAY – PAYMENT OF SUB-CONTRACTORS**  
**ISSUE:            Liability for potential non-payment of sub-contractors on the Majura Parkway project**

### Key Points:

- The Territory's Head Contractor on the Majura Parkway project is Fulton Hogan Pty Ltd ("Fulton Hogan"). The Head Contractor is employed under a GC-21 contract, which is designed to provide strong protection to both sub-contractors and the Government.
- Under the Head Contract, Fulton Hogan bears overall responsibility for the acts and omissions of all sub-contractors on the Majura Parkway project. Consequently, liability for any non-payment of sub-contractors rests with Fulton Hogan. This includes liability for non-payment of any contractors sub-contracted to a sub-contractor.
  - Clause 28.1 of the Head Contract states that the Head Contractor is "solely responsible for all Subcontractors ... and is liable for their acts and omissions as if such acts or omissions were those of the Contractor".
- The Territory is also indemnified against any legal claim resulting from non-payment of sub-contractors on the Majura Parkway project, including the non-payment of any contractors sub-contracted to a sub-contractor.
  - Clause 28.2 of the Head Contract states that the Head Contractor "indemnifies the Principal [i.e. the Territory] against all claims ... actions, loss or damage and all other liability arising out of any acts or omissions of Subcontractors".
- The Head Contractor is required to undertake the project in accordance with the ACT Government's Compliance with Industrial Relations and Employment Obligations Strategy ("IRE Strategy"). The IRE Strategy requires contractors to obtain an Ethical Suppliers Declaration with every payment claim from their sub-contractors, stating that the sub-contractor has in turn paid all amounts due to its own sub-contractors at that date. Fulton Hogan is consequently responsible for ensuring each of its sub-contractors comply with their payment obligations to their own sub-contractors.
- The Head Contract also "cascades" responsibility for complying with the IRE Strategy down from the Head Contractor to sub-contractors, and to any contractors sub-contracted to a sub-contractor.
  - Sub-contracts with a value of \$200,000 or greater contain provisions requiring the sub-contractor to comply with the IRE Strategy, "cascading" this obligation down from Fulton Hogan to the sub-contractor.
  - All sub-contracts with a value less than \$200,000 contain provisions requiring the contractor to pay each claim to the sub-contractor in full within 15 days of its being made.



## Question Time Brief

**SUBJECT:           PROCUREMENT: MAJURA PARKWAY**

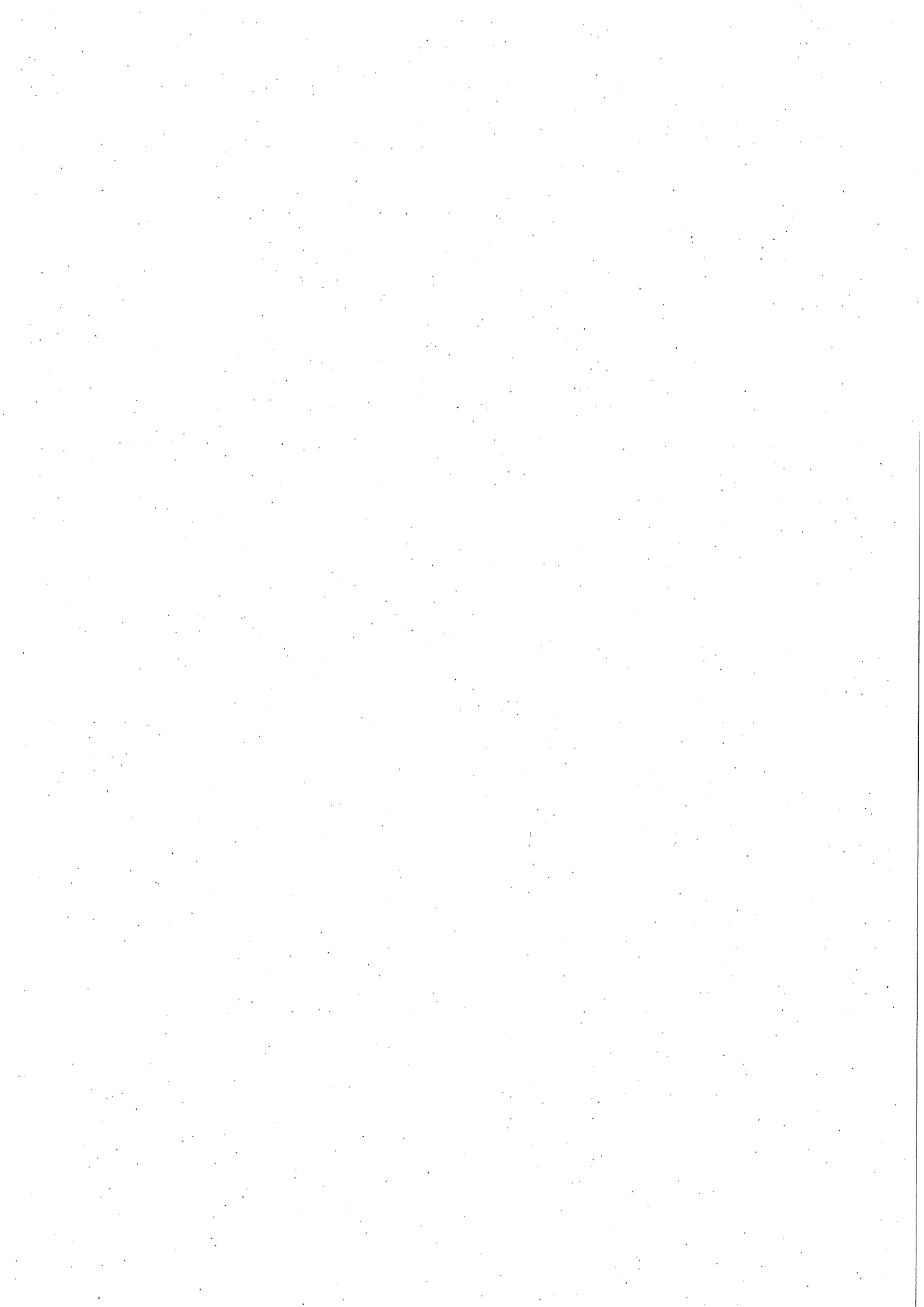
**ISSUE:             Contractors Issues**

### Key Points:

- There has been some discussion of contractor difficulties on the Majura Parkway site. Talk of these issues arises from time to time and is not unusual on major projects.
- This is essentially between the head contractor, with whom the Territory has a contract, and a subcontractor. It is the role of the head contractor to resolve the matter and determine the best way to complete the work as the contractor responsible for delivering Majura Parkway in accordance with the time and cost set out in the contract.
- On 5 May 2014, rumour attracted media attention with the *Canberra Times* reporting that the Majura Parkway project was facing crisis due to the major earthworks contractor threatening to abandon the project.
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### Background

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## Question Time Brief

**SUBJECT: PROCUREMENT: MAJURA PARKWAY**

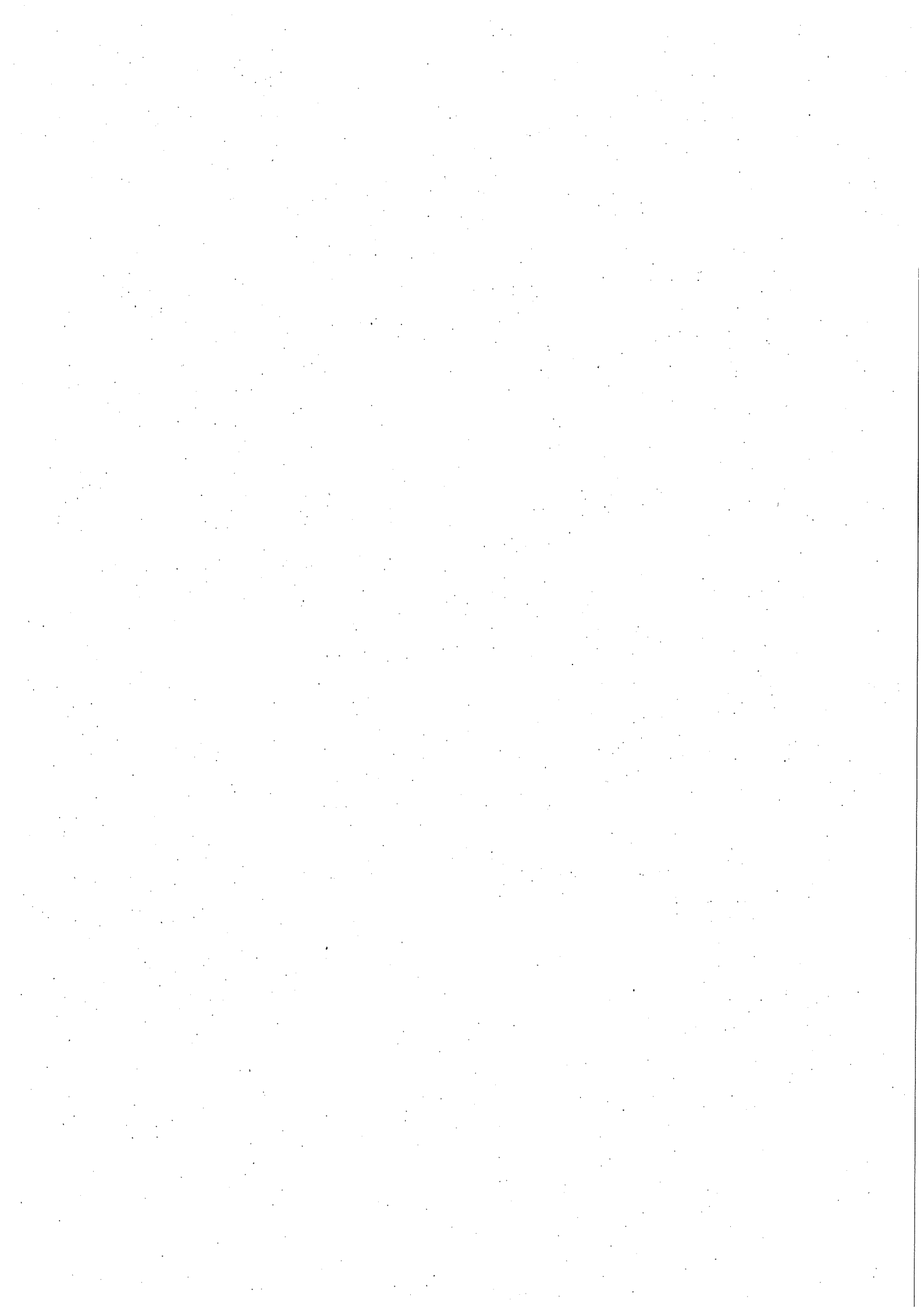
**ISSUE: Contractors Issues**

### Key Points:

- There has been some discussion of contractor difficulties on the Majura Parkway site. Talk of these issues arises from time to time and is not unusual on major projects.
- This is essentially between the head contractor, with whom the Territory has a contract, and a subcontractor. It is the role of the head contractor to resolve the matter and determine the best way to complete the work as the contractor responsible for delivering Majura Parkway in accordance with the time and cost set out in the contract.
- On 5 May 2014, rumour attracted media attention with the *Canberra Times* reporting that the Majura Parkway project was facing crisis due to the major earthworks contractor threatening to abandon the project.
- Work is in fact, progressing on the Majura Parkway in accordance with the scheduled works. This includes the subcontractor commencing planned night works on site on Monday, 5 May 2014 in accordance with the scheduled works.
- The head contractor, Fulton Hogan Pty Ltd ("Fulton Hogan") has given its assurance that the Majura Parkway project will be completed according to the program and budget established in its existing contract with the Territory.

### Background

- On 17 April 2014, Hewatt Pty Ltd ("Hewatt") wrote to Fulton Hogan to formally request a release from its contract in relation to the Majura Parkway project.
- A planned shutdown occurred on the Majura Parkway work site for the Easter/Anzac day period.
- Fulton Hogan and Hewatt have met on several occasions and made some agreements about going forward.
- Shared Services Procurement ("SSP") understands that Fulton Hogan will attempt to assist Hewatt to finish milestone 1 (main roadworks north of the river) but may replace Hewatt on subsequent milestones (southern approaches & traffic switches).





## Question Time Brief

**SUBJECT:**       **PROCUREMENT: MAJURA PARKWAY**

**ISSUE:**       **Potential dispute between contractors**

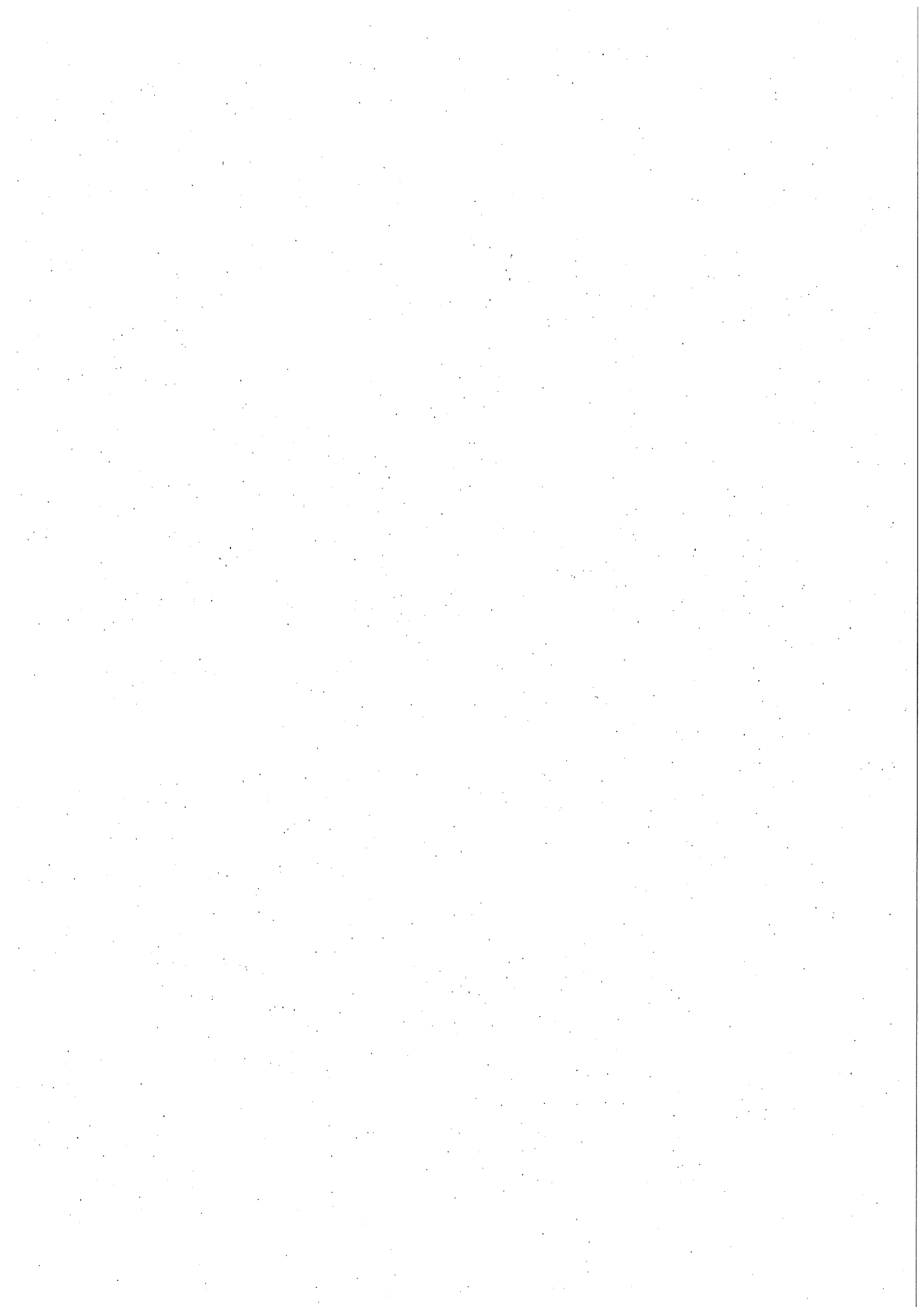
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**Keefer, Lindy**

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**From:** Keefer, Lindy  
**Sent:** Thursday, 1 May 2014 9:56 AM  
**To:** Keft, Maree  
**Cc:** Tomlins, George; Pearse, Jan  
**Subject:** RE: QTB Required re Majura ParkwPower, Benay  
**Attachments:** XX - Majura Parkway.doc  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Maree

George has cleared the attached QTB for Majura Parkway.

Lindy

---

**From:** Keft, Maree  
**Sent:** Wednesday, 30 April 2014 10:15 AM  
**To:** Tomlins, George; Pearse, Jan; Keefer, Lindy; Power, Ben  
**Subject:** FW: QTB Required re Majura Parkway  
**Importance:** High

Dear all,

See email trail below – QTB required re the Majura Parkway/Hewatts issue.

Would need by end of today – early tomorrow at latest to get cleared through Jill and Megan and up to Min’s office before LA returns next Tuesday.

Thanks

Maree

---

**From:** Lalliard, MaryJane  
**Sent:** Wednesday, 30 April 2014 10:12 AM  
**To:** Divorty, Jill; Tomlins, George  
**Cc:** Keft, Maree  
**Subject:** QTB Required re Majura Parkway  
**Importance:** High

Good Morning,

The Minister’s Office has now requested a QTB on the Majura Parkway/Hewatts issue for next week’s sitting.

Regards

MJ

MaryJane Lalliard | Cabinet and Assembly Liaison Officer  
Phone: [REDACTED] | 02 6205 5721 | [REDACTED]  
Email: [REDACTED] | Commerce and Works Directorate  
ACT Government - Level 5, 40 Allara Street, Canberra City ACT 2601  
GPO Box 158 Canberra City ACT 2601 |

♻️ please consider the environment before printing this e-mail

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**From:** Pullen, Victoria  
**Sent:** Wednesday, 30 April 2014 9:57 AM  
**To:** Lalliard, MaryJane  
**Subject:** FW: Voice Mail from Smithies, Megan (13 seconds)

FYI – new QTB requested, V.

**Victoria Pullen**

Directorate Liaison Officer | Treasury Directorate and Commerce and Works Directorate | ACT Government

[Redacted] or [Redacted] | [Redacted] GPO Box 158, Canberra City.

 please consider the environment before printing this e-mail

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**From:** Fitzharris, Meegan  
**Sent:** Wednesday, 30 April 2014 9:56 AM  
**To:** Smithies, Megan  
**Cc:** Pullen, Victoria  
**Subject:** RE: Voice Mail from Smithies, Megan (13 seconds)

Thanks Megan, sounds promising though.

Would be worth an update before sitting, could we just sum up in a QTB, save doubling up on briefing.

Thanks  
Meegan

---

**From:** Smithies, Megan  
**Sent:** Wednesday, 30 April 2014 9:11 AM  
**To:** Fitzharris, Meegan  
**Subject:** RE: Voice Mail from Smithies, Megan (13 seconds)

Hi – there has continued to be negotiations.

Our feel is that Fulton Hogan and Hewatt will come to a “managed outcome”.

But I need to get a bit more info.

Cheers

---

**From:** Fitzharris, Meegan  
**Sent:** Monday, 28 April 2014 12:38 PM  
**To:** Smithies, Megan  
**Subject:** RE: Voice Mail from Smithies, Megan (13 seconds)

Thanks for your message - all good at this end. What’s happening with the Majura Parkway/Hewatts issue?

thanks  
Meegan

---

**From:** Microsoft Outlook **On Behalf Of** Smithies, Megan  
**Sent:** Monday, 28 April 2014 10:15 AM

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**To:** Fitzharris, Meegan

**Subject:** Voice Mail from Smithies, Megan (13 seconds)

**You received a voice mail from Smithies, Megan at** [REDACTED]

Caller-Id:

[REDACTED]

Job Title:

Director General

Work:

[REDACTED]

E-mail:

[REDACTED]

IM Address:



## Question Time Brief

**SUBJECT:       PROCUREMENT: MAJURA PARKWAY**  
**ISSUE:         Potential dispute between contractors**

---

### Key Points:

- There has been some discussion of contractor difficulties on the Majura Parkway site. Talk of these issues arises from time to time and is not unusual on major projects.
- This is essentially an issue between the head contractor, with whom the Territory has a contract, and a subcontractor. It is the role of the head contractor to resolve the matter and determine the best way to complete the work as the contractor responsible for delivering Majura Parkway in accordance with the time and cost set out in the contract.

### Background

- On 17 April 2014, Hewatt Pty Ltd ("Hewatt") wrote to Fulton Hogan Pty Ltd ("Fulton Hogan") to formally request a release from its contract in relation to the Majura Parkway project.
- Hewatt's component of the Majura Parkway work site was shut down for the Easter/Anzac day period.
- Fulton Hogan and Hewatt met last week in Sydney and made some agreements about going forward. Shared Services Procurement ("SSP") understands that Hewatt will finish milestone 1 (main roadworks north of the river) but be replaced on subsequent milestones (southern approaches & traffic switches). SSP further understands that the agreed way forward will enable Hewatt to remain operational to complete this stage of the project.
  - However, SSP understands Fulton Hogan is reallocating work amongst subcontractors so they are less exposed if Hewatt leave site in the future.
  - The impact on jobs is expected to be minimal because the work still needs to be done, although there may be some organisational disruption.
- It is recommended that the issue be treated as an internal site issue and not be raised unless the matter becomes public.





**ACT**  
Government

Commerce and Works

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## Question Time Brief

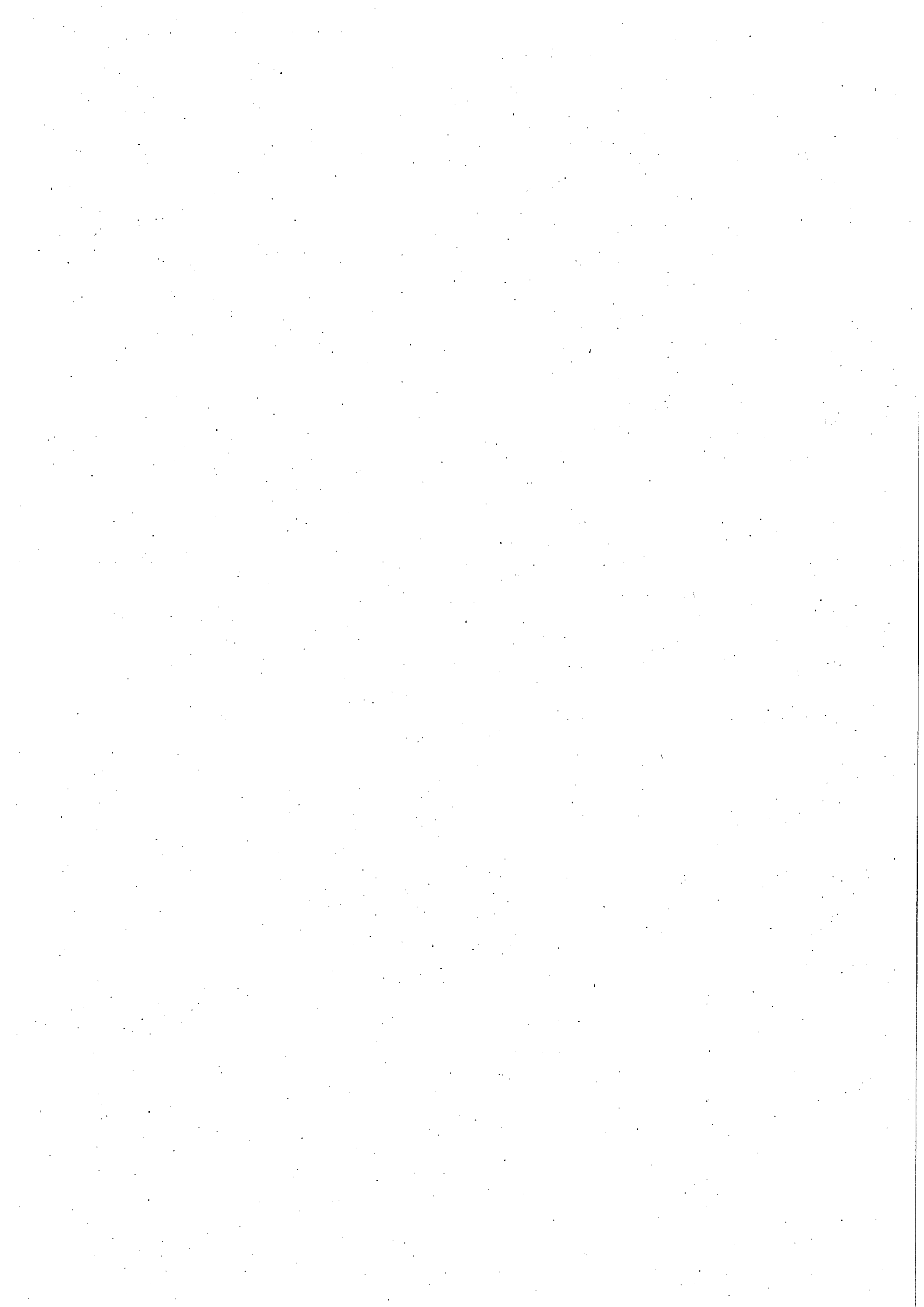
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### Key Points:

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**Keefer, Lindy**

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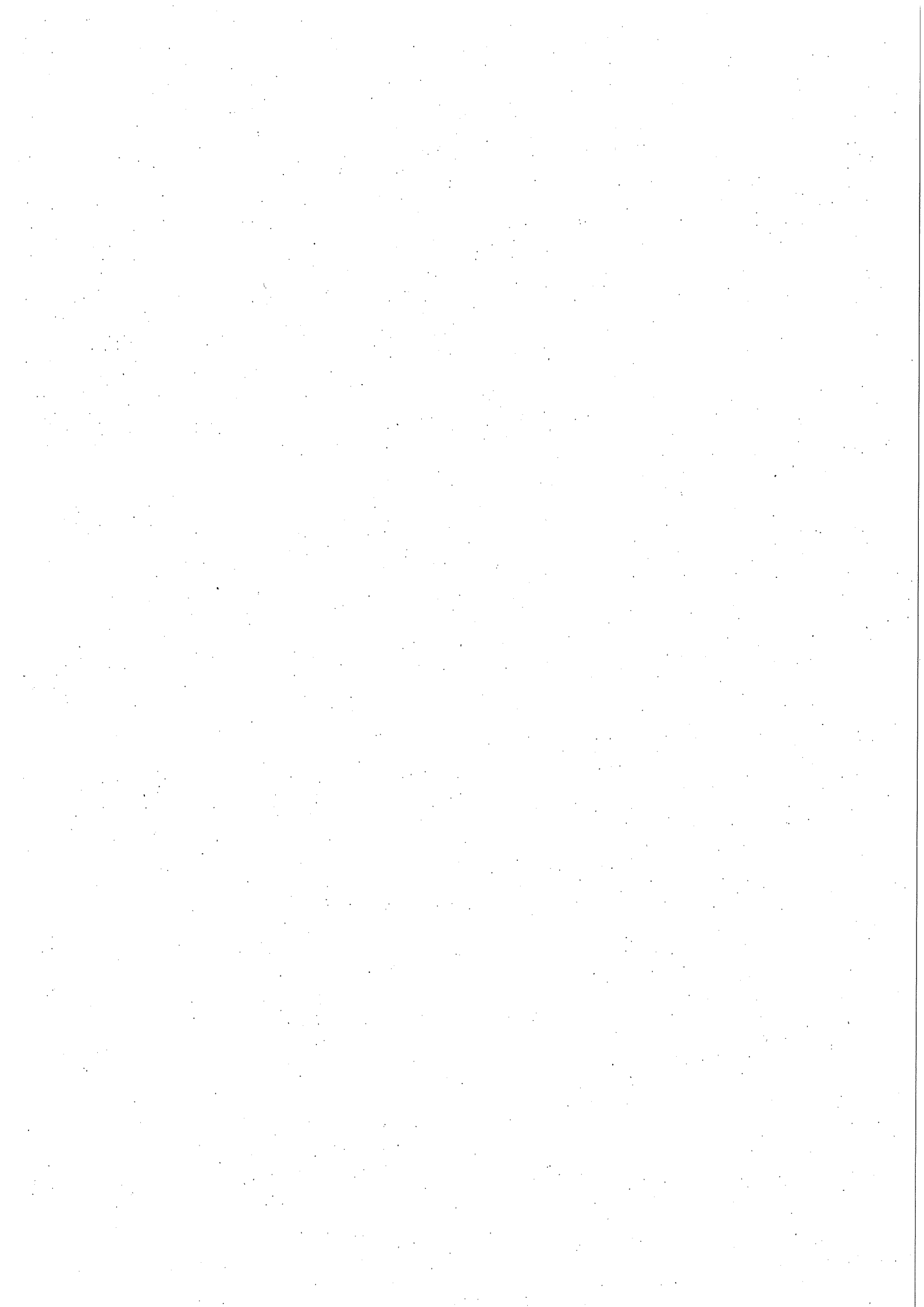
**From:** Keefer, Lindy  
**Sent:** Wednesday, 30 April 2014 11:31 AM  
**To:** Parkinson, Andrew  
**Subject:** XX - Majura Parkway  
**Attachments:** XX - Majura Parkway.doc

Hi Andrew

Draft QTB for Majura Parkway is attached. Can you please confirm the date the site was shut down.

Thanks

Lindy





## Question Time Brief

**SUBJECT:       PROCUREMENT: MAJURA PARKWAY**  
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---

### Key Points:

- On 17 April 2014, Hewatt Pty Ltd ("Hewatt") wrote to Fulton Hogan Pty Ltd ("Fulton Hogan") to formally request a release from its contract in relation to the Majura Parkway project.
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- This is essentially an issue between the head contractor, with whom the Territory has a contract, and a sub-contractor. It is the role of the head contractor to resolve the matter and, if necessary, find a replacement and the head contractor will remain responsible for delivering Majura Parkway in accordance with the time and cost set out in the contract.

