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## Veena Bedekar

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### SUMMARY

Veena is a Special Advisor who has recently joined Proximity. For most of her career, Veena has worked at reputable national firms, advising Commonwealth entities, public and private companies and not for profit organisations. She has also spent periods of time embedded in client teams, including as a contractor to an inhouse legal team of a financial services company in London.

The three significant components of Veena's practice are commercial property, probity, and commercial law although she has experience in many other areas.

Veena is the Chair of the ACT Law Society's Inclusion and Diversity Committee and a member of the ACT Law Society's Probono Clearing House Assessment Panel.

Veena has a current baseline security clearance with AGSVA.

### EXPERTISE

- ✓ General Property
- ✓ Transactional Property
- ✓ Construction and infrastructure
- ✓ Commercial law
- ✓ Probity

Veena's strongest specialisations are:

Operationally significant property matters designing tailored solutions to help clients achieve strategic property management objectives

Transactional advice: with attention to detail because of associated complexity or sensitivity

Construction projects for complex or unique facilities which require a knowledge of related areas such as procurement, probity or banking and finance.

### EXPERIENCE

#### Major or operationally significant property matters

- ✓ Senior role in acting for non-corporate and corporate Commonwealth entities on procurements of new office accommodation, including advising on tendered responses, reviewing, negotiating and advising on the terms of leases, green leases, car parking licences, early access deeds and incentive deeds;
- ✓ Senior role in advising non-corporate and corporate Commonwealth entities and public and private companies on commercial leases and subleases, including Commonwealth national leases, licences and MOUs;
- ✓ Senior role in advising lessors on portfolio leases and subleases of commercial premises, including those subject to the *Leases (Commercial and Retail) Act 2001*;
- ✓ Senior role in advising the Australian Federal Police for over 6 years in relation to purpose-built office and canine facilities at various major airports nationally,

including advising on agreements for leases with detailed construction covenants and leases with green lease schedules;

- ✓ Senior role in advising a not-for-profit organization on a property restructure to accommodate a new private hospital in Canberra including preparing a ground lease and stratum lease;
- ✓ Advising sellers and buyers of commercial properties in Canberra, including those with unusual or complicated site features;
- ✓ Advising a Commonwealth entity on the procurement of fitout contractors for its national headquarters office accommodation; and
- ✓ Senior role in advising a Commonwealth entity in relation to a dispute over the ownership and responsibility to maintain and repair tenant alterations.
- ✓ Advising GRDC on procurement of new national office accommodation including evaluating tenders, preparing and negotiating transaction documents and advising on the procurement of fitout contractors (including tailoring Defence E&I templates)
- ✓ Advising Little Company of Mary Health Care Limited and associated entities on a property restructure to establish a private hospital on an existing site and the transfer of responsibility for that hospital to a related entity, including preparing a stratum lease and advising on Crown lease compliance
- ✓ Advising Industry on a template licence to form part of an EOI process for the management of potential sites under the National Radioactive Waste Management Act 2012
- ✓ Establishing new long-term ground leasing arrangements for Calvary John James Hospital, which included first rights of refusal for extra leasing space and an option to purchase
- ✓ For over 8 years, advising Calvary Clinic Pty Ltd and Calvary Health Care ACT Ltd on a portfolio of leases including preparing and negotiating leases, advising on Crown lease variations and assisting to obtain ACT government consents
- ✓ Leading property due diligence for industrial and complex commercial sites to support acquisitions, disposals and disputes for various Australian Government entities and public companies

#### **General property**

- ✓ Advising GRDC on procurement of new national office accommodation including evaluating tenders, preparing and negotiating transaction documents and advising on the procurement of fitout contractors (including tailoring Defence E&I templates).
- ✓ Advising Little Company of Mary Health Care Limited and associated entities on a property restructure to establish a private hospital on an existing site and the transfer of responsibility for that hospital to a related entity, including preparing a stratum lease and advising on Crown lease compliance.

Advising Industry on a template licence to form part of an EOI process for the management of potential sites under the National Radioactive Waste Management Act 2012.

- ✓ Establishing new long-term ground leasing arrangements for Calvary John James Hospital, which included first rights of refusal for extra leasing space and an option to purchase.
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- ✓ Leading property due diligence for industrial and complex commercial sites to support acquisitions, disposals and disputes for various Australian Government entities and public companies

#### **Transactional property**

- ✓ Advising clients such as Organ and Tissue Authority, MDBA, Australian Animal Health Council Limited and Service One Mutual Limited on national office accommodation projects (all of which were required in compressed timeframes)
- ✓ Advising GRDC, ACIC, DFAT, ATO, Defence and Health and other Australian government entities on office leasing requirements nationally including MOUs, subleases, extension of leases, licences, green leasing and advising on LAA Act and contingent liability issues
- ✓ Advising the AFP on the agreements for lease, leases and green lease schedules for purpose-built office and canine facilities at 4 major airport sites nationally as part of Project Jupiter.
- ✓ Acting for Hadley Green Pty Ltd on the purchase of ACIAR house in Bruce (\$26M)

#### **Construction and infrastructure**

- ✓ Advising on construction covenants contained in agreements for leases or early access deeds for fitout works for AFP, MDBA and ACIC, including to accommodate Australian Government legislative and policy requirements, such as WHS and the Building Code and to appropriately allocate risk (eg delays and variations).
- ✓ Advising GRDC on a competitive grants process (\$15M) for infrastructure funding, including preparing the funding agreement to accommodate infrastructure provided nationally.

#### **Major or time critical probity matters**

- ✓ For over 3 years, back up probity adviser to the Department of Human Services in relation to the Welfare Payments Infrastructure Transformation Programme, the Australian Government's largest ICT led business transformation programme

- ✓ Back up probity adviser to the Department of Human Services in relation to the procurement of telecommunications services and contract management services (August –October 2018);
- ✓ Senior role in advising the Department of Education and Training in relation to the RFT for the National Delivery of Skills Checkpoint for Older Workers Program and Skills and Training Incentive;
- ✓ Senior role in advising the Department of Education and Training in relation to the RFT for the Adult English Migrant Education Programme and Skills for Education and Employment;
- ✓ Senior role in advising the Department of Education and Training in relation to an REOI process for Skills Services Organisations;
- ✓ Senior role in advising the Commonwealth Environmental Water Office in relation to a water allocation sale;
- ✓ Senior role in advising a Project Board appointed by the Minister to perform due diligence on a large renewable energy project in connection with a request for investment or funding from the Commonwealth;
- ✓ Senior role in providing Healthdirect Australia with probity and legal advice in relation to RFT processes for numerous large ICT procurements;
- ✓ Probity adviser to Grains Research and Development Centre in relation to a competitive grants process for infrastructure funding. Veena also provided extensive legal advice on this project and worked closely with the general counsel to develop the approach to market documentation, the draft funding agreement and all probity documentation;
- ✓ Senior role in providing probity advice to the Department of the Environment and Energy in relation to numerous procurement and funding processes as part of Reef Trust Phase IV (2016-2017); and
- ✓ Probity audits of large ICT procurements for Finance, Defence and the ACT Government.

#### **Procurement and funding agreements**

- ✓ Reviewing and updating template services and consultancy agreements and deeds for corporate Commonwealth entities and peak industry bodies funded by the Australian Government;
- ✓ Preparing a template deed of standing offer for use by a corporate Commonwealth entity in a range of services;
- ✓ Part of the team preparing template consultancy and AS4000 templates for use by a publicly listed construction company and its associated entities for construction projects in the ACT and NSW;
- ✓ Preparing a deed of standing offer to assist Comcare in the retender of its clinical services panel;
- ✓ Advising the Department of Education and Training on establishing a quality assurance panel, including the terms of the request documentation and panel deed;

- ✓ Reviewing, negotiating and advising AGStewardship on the terms of a services agreement for the delivery of two chemical treatment programs (2016-2017);
- ✓ Negotiating and advising Calvary Health Care ACT Ltd and associated entities in relation to a range of services contracts, including catering contracts and contracts for medical and health care services across various hospital sites in the ACT; and
- ✓ Drafting a suite of template documentation for use by a large financial services company in London including short form goods and services contract, standard contracting terms, deeds of confidentiality and deeds of novation.

#### **Banking and finance**

- ✓ Senior role advising the borrower and obligors in relation to a syndicated loan facility agreement to finance the construction of a new private hospital;
- ✓ Senior role in advising the borrower and obligors in relation to the establishment of a master loan agreement to facilitate multiple purposes, including financing new capital expenditure projects;
- ✓ Part of the teams advising Westpac Banking Corporation and St George Bank in connection with property finance for various major developments in the ACT; and
- ✓ Part of the team which prepared amendments to CUSCAL offer and loan terms to facilitate a customer loyalty scheme for a credit union.

#### **Other significant matters**

- ✓ Key team member in a multi-jurisdictional team advising 4 credit unions on the voluntary transfer of loan assets and deposit liabilities to Bendigo Bank;
- ✓ Key team member advising GRDC in relation to a share sale agreement;
- ✓ Advising a major financial services company in London on the terms of a multi-million pound sponsorship agreement, which was part of the 2012 London Olympic Legacy;
- ✓ Reviewing and negotiating a contract for the provision of youth apprentices to a major financial services company in London, part of the UK Government's initiatives to reduce youth unemployment during the global financial crisis; and
- ✓ Drafting and negotiating a contract to document the accreditation of financial advisers in Poland and the provision of accreditation training by a Polish company.

#### **Secondments or similar experience**

- ✓ Short term secondments to DHS to assist with peak periods during the WPIT Programme;
- ✓ Virtual secondees to the then Department of the Environment and Energy advising on internal and external policies regarding gifts, funding agreements, preparing template collaboration agreements and preparing a standing offer for the supply of medical kits by a foreign company in a remote area;

- ✓ Secondment to the Procurement and Contracting Branch of the then DMO, advising on a range of time-critical procurements; and
- ✓ Sole contract negotiator for over 100 clinical trial and clinical study agreements entered into by the Imperial College Healthcare NHS trust.

**Community Assistance**

- ✓ Non-executive director, Belconnen Arts Centre
- ✓ Chair, ACT Law Society Inclusion and Diversity Committee
- ✓ Member, ACT Law Society Probono Clearing House Assessment Panel.

**QUALIFICATIONS**

- ✓ Bachelor of Law (Murdoch University);
- ✓ Bachelor of Economics (Murdoch University);
- ✓ Graduate Diploma in Legal Practice (College of Law);
- ✓ Executive Masters in Business Administration (with distinction) (Queensland University of Technology);
- ✓ Admitted as a lawyer of the Supreme Court of the ACT;
- ✓ Enrolled on the register of practitioners maintained by the High Court of Australia.

**MEMBERSHIPS**

- ✓ ACT Law Society
- ✓ Association for MBAs.