

5 Contract 2017/1, Heritage Advisory Services - Statutory Planning - Consultancy Services

Abstract

This report seeks Council endorsement for the award of Contract No. 2017/1, Heritage Advisory Services - Statutory Planning - Consultancy Services. This contract will provide expert and constructive advice assessing impact upon heritage for planning permit applications and amendments. The contract will have a maximum term of five years and is a replacement for an existing contract which has reached the end of its maximum term.

The estimated cost of this contract in 2016-17 is \$128720 (including GST) per annum which is in accordance with Council's current adopted budget. Expenditure in future years will be in accordance with approved budget allocations. Because of the value of the contract it was publicly tendered in accordance with the requirements of Section 186 of the *Local Government Act 1989*.

Confidential information is contained in **Attachment 1**, as circulated in the confidential section of the agenda attachments, in accordance with Section 89(2) of the *Local Government Act 1989*, as the information relates to contractual matters and premature disclosure of the information could be prejudicial to the interests of Council or other persons. This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making.

If discussion of the confidential information in the attachments to this report is required in order for Council to make a decision, this item will be deferred to the confidential section of the agenda.

Officers' recommendation

That Council resolves:

1. To award Contract No. 2017/1, Heritage Advisory Services - Statutory Planning - Consultancy Services, to:
 - Trethowan Architecture Pty Ltd (ACN 168 657 823),at their tendered Schedule of Rates for an initial contract term of three years with possible extensions to a maximum contract term of five years. The estimated contract cost for the maximum term is \$633,600 (including GST). The cost to Council after the return of the GST Tax Input Credits is \$576,000.
2. To authorise the Chief Executive Officer or such other person that the Chief Executive Officer selects for the purpose of giving effect to this resolution to execute the contract agreement with the above contractor.
3. To authorise the Chief Executive Officer or such other person that the Chief Executive Officer selects for the purpose of giving effect to this resolution to negotiate extensions to Contract No. 2017/1, Heritage Advisory Services - Statutory Planning - Consultancy Services, with the above contractor to the maximum five year contract term.
4. To note that expenditure under this contract in 2016-17 is in accordance with Council's adopted budget and expenditure in future years will be in accordance with the approved budget allocations.

**Responsible director: John Luppino
City Planning**

1. Purpose

The purpose of this report is for Council to give consideration to the awarding of Contract No. 2017/1, Heritage Advisory Services - Statutory Planning - Consultancy Services.

2. Policy implications and relevance to council plan

This tender process has been carried out in accordance with the requirements of Council's Contracts and Tendering Probity Policy and Council's Procurement Policy.

This contract aligns with the following Strategy in the Council Plan:

Strategy 10 - Land Use, Planning and Building of the *Council Plan 2013-2017* is of particular relevance to this project. It states *"We will engage with our community in striving for protection and enhancement of the natural and built environment."*

The appointment of this tender will enable sound assessment of planning applications and amendments in accordance with the Boroondara Planning Scheme. The Boroondara Planning Scheme recognises the extensive and significant range of heritage assets in the City which provide benefits to both the local community and the broader metropolitan and state-wide communities.

3. Background

Council requires a suitably experienced and qualified person or company for the provision of heritage advisory services to the Statutory Planning Department in accordance with the requirements of the specification.

Formal referrals to the Heritage Advisor results in approximately 400 written comments plus an additional 200 comments provided at pre-application meetings and matters before VCAT. Expert evidence from Council's Heritage Advisor is called by Council for approximately 5-10 planning appeals per year.

Boroondara's heritage assets include, but are not limited to, indigenous heritage sites, mansion and worker cottage developments from the latter part of the 19th century, inter-war and post-war subdivisions from the 20th century, both individually significant and groups of Victorian, Federation, Inter-War and Post-War residences, former industrial sites, commercial buildings, public utilities including bridges, government buildings, railway stations, and parks and gardens. These places are of aesthetic, social, historic, technical or spiritual significance to the municipality.

Today, heritage precincts and individual heritage places cover approximately 20% of our urban area and make a significant contribution to the character of the City. Also of great heritage and cultural significance are the number of aboriginal sites found in the City, particularly within proximity to the Yarra River.

The City of Boroondara's heritage, both in terms of built form and cultural sites, is under potential risk from new developments. We need to balance the need for the preservation of our heritage with appropriate development and growth.

Invitation to tender

In accordance with Council's tendering procedures and Section 186 of the *Local Government Act 1989*, Council invited public tenders from suitably qualified and experienced organisations for the provision of heritage advisory services to the Statutory Planning Department. An Invitation to Tender was advertised in the local government tenders section of "The Age" newspaper on Saturday 16 July 2016 and on Council's website. The closing date for submissions was 4pm, Friday 5 August 2016.

In response to the advertisement, Council received three submissions:

- David Bick;
- Trethowan Architecture Pty Ltd; and
- Woollan Hamlett Architects Pty Ltd.

4. Outline of key issues/options

It is envisaged that there are no issues.

5. Consultation/communication

No internal or external consultation has been undertaken as part of the preparation of this report.

6. Financial and resource implications

Council's 2017-18 Statutory Planning Department - Scheme Control (Account Number 43200/53130) contains a total allocation of \$140015 for the payment of consultants associated with determining statutory planning applications. At the time of writing the report \$21558 of the budget amount had been spent for existing heritage services consultants.

7. Governance issues

The officers responsible for this report have no direct or indirect interests requiring disclosure.

The implications of this report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

8. Social and environmental issues

Matters of social and environmental are explicit when considering heritage matters. The appointment of a heritage advisor will ensure that these matters will properly considered for relevant applications.

9. Evaluation and review

As a result of the tender evaluation, the tender evaluation panel recommends that Council award Contract No. 2017/1, Heritage Advisory Services - Statutory Planning - Consultancy Services to:

- Trethowan Architecture Pty Ltd (ACN 168 657 823),

at their tendered schedule of rates. The estimated contract cost for all contracts for a maximum term of five years is \$633,600 (including GST). The cost to Council after the return of the GST Tax Input Credits is \$576,000.

Manager: Simon Mitchell, Statutory Planning

Report officer: Cassandra Rea, Coordinator Statutory Planning