

From: Pilgrim-Day, Erica
Sent: Wed, 17 Apr 2019 00:05:34 +0000
To: Riches, Ben
Cc: Fenwick, Alyce; Azzopardi, Adam
Subject: RE: National Capital Design Review Panel (NCDRP) [SEC=UNCLASSIFIED]
Attachments: 190409 30130 Evaluation Plan NCDRP.docx

Hi Ben

Please find attached proposed Evaluation Plan which has been amended to the most recent template. You will note the format has change a bit but generally the same content and I have highlighted areas which are different from the one you sent through below.

As discussed at our meeting last week I have made some changes to the weighted criteria to ensure we included LIPP and make this as easy to evaluate as possible given the quantum expected. I propose to remove your WC5 for *special areas of expertise* and suggest we include a separate category so that we can evaluate against all the criteria and not penalise those who don't have any additional to offer in the scoring.

Please review and wordsmith as required, noting it hasn't gone through IFCW required yet so it's not for further distribution to NCA.

I have also received the following insurance advice based on discussion with ACTIA and our Contracts Team:

"Our minimum insurance levels for a party providing consultancy services are:

- Professional Indemnity - \$5m; and
- Public Liability - \$10m.

Given that this is a Panel and that the amount of work to be sourced from the Panel is unclear you could consider including a clause along the lines:

In the event that a Tenderer does not hold the required insurances for the minimum nominated amounts. The Territory will require, as part of the tender submission a declaration that in the event the Tenderer is awarded a Panel Deed and is subsequently offered work sourced from the Panel, that they will provide evidence that they hold the required insurances as a condition precedent to the Territory accepting their quotation."

To progress I will need to provide the above evaluation plan, updated PPM and risk management plan through our internal approval chain and then seek your delegate approval.

In the mean time I will work on the RFT so any attachments such as the finalised terms of reference to be included would be appreciated.

Regards

Erica Pilgrim-Day | Senior Project Manager

Phone: 6205 4911 | **Mobile:** [REDACTED] | Work Days: Tuesday - Friday

Commercial Services & Infrastructure | **Infrastructure Finance & Capital Works** | **Commercial Infrastructure**

Chief Minister, Treasury and Economic Development Directorate | ACT Government

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From: Riches, Ben
Sent: Friday, 29 March 2019 2:58 PM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Cc: Fenwick, Alyce <Alyce.Fenwick@act.gov.au>
Subject: National Capital Design Review Panel (NCDRP)

Hi Erica,

It has been a while since we last spoke about the design review panel, but we will be in a position to progress things in the coming months (pending final sign-off from NCA). We have done some work on the Evaluation Plan (see attached) and would like to catch up with you to re-commence our conversations from early last year. Would you be available to meet in about 2 weeks time to discuss this?

Please feel free to call if you have any questions.
Thanks and regards,
Ben

Ben Riches | Senior Urban Planner

Phone: 02 6207 1836 | Email: ben.riches@act.gov.au

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From: Pilgrim-Day, Erica
Sent: Tue, 30 Jul 2019 00:08:17 +0000
To: Riches, Ben
Cc: Azzopardi, Adam; Leaver, Panama
Subject: RE: 190726 NCDRP Procurement Documents Draft for Review
[SEC=UNCLASSIFIED]
Attachments: Deed of Confidentiality and Conflict of Interest - Non ACT Public Servants.doc,
Deed of Confidentiality and Conflict of Interest - ACT Public Servants.doc

Hi Ben

Sorry I forgot to attached the confidentiality forms which it would be prudent to have signed now prior to documents are reviewed.

Regards

Erica Pilgrim-Day | Senior Project Manager

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From: Riches, Ben
Sent: Tuesday, 30 July 2019 9:27 AM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: 190726 NCDRP Procurement Documents Draft for Review [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will do. Thanks Erica.

From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Sent: Monday, 29 July 2019 8:55 PM
To: Riches, Ben <Ben.Riches@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: 190726 NCDRP Procurement Documents Draft for Review [SEC=UNCLASSIFIED]

Thanks Ben

Can you also please consider [Sch 2.2\(a\)\(xvi\)](#) availability when scheduling the meeting.

Regards

Erica Pilgrim-Day | Senior Project Manager

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From: Riches, Ben

Sent: Monday, 29 July 2019 4:26 PM

To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>

Subject: RE: 190726 NCDRP Procurement Documents Draft for Review [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thank you Erica.

Yes, I think it would be good to sit down with [REDACTED] Sch 2.2(a)(xvi) and an EPSDD rep to run through the process. I'll set up a time in diaries.

Last time we spoke, we advised you that [REDACTED] Sch 2.2(a)(xvi) [REDACTED] Sch 2.2(a)(ii)

[REDACTED] This means we will need to nominate a new EPSDD rep. I hope to advise you of who that will be in the coming week or so.

Cheers,

Ben

Ben Riches | Senior Urban Planner

Phone: 02 6207 1836 | Email: ben.riches@act.gov.au

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From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Sent: Friday, 26 July 2019 3:26 PM


To: Riches, Ben <Ben.Riches@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>

Subject: 190726 NCDRP Procurement Documents Draft for Review [SEC=UNCLASSIFIED]

Hi Ben

Please find documents attached for review as follows:

- Procurement Plan Minute
- Evaluation Plan (note the inclusion of Non-weighted criteria with regards to insurance)
- Risk Management Plan
- Panel Management Plan (includes procurement and contract authorisation minute). ^{Sch 2.2(a)(xv)}

- Probity Statement
- Draft RFT
- Notice of Upcoming Tender (which would be released on Tenders ACT as soon as the public announcement is made)

Please note the Panel Deed is with our contracts team for review but I will issue when able.

At this stage the documents are going through a concurrent review internally. Once I have any comments back I can finalise and reissue to obtain necessary signatures.

Happy to arrange a time to sit down and go through the documents if that suits.

Regards

Erica Pilgrim-Day | Senior Project Manager

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From: Riches, Ben

Sent: Friday, 19 July 2019 3:13 PM

To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>

Subject: RE: NCDRP - Open tender process [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks Erica. Have a great weekend!

Cheers,

Ben

From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Sent: Friday, 19 July 2019 3:08 PM
To: Riches, Ben <Ben.Riches@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP - Open tender process [SEC=UNCLASSIFIED]

Great thanks Ben,

I will have a draft package of documents to you next week for review.

Regards

Erica Pilgrim-Day | Senior Project Manager

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From: Riches, Ben
Sent: Friday, 19 July 2019 3:05 PM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP - Open tender process [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Erica

Attached please find:

- Fee schedule
- Terms of Reference
- Information Booklet
- NCDRP Snapshot
- Practitioners Guide (may not need to include this?)
- Design Principles for the ACT (may not need to include this?)

After a review of the NSW Design Review Panel tender pack, I don't know that we need anything more, but happy for your advice about this.

We have a Communications Teams (EPSDD and NCA) talking together about an Announcement date, so it's looking like an announcement in August is a real possibility.

Please call me if you need anything more or have any questions.

Cheers,

Ben

Ben Riches | Senior Urban Planner

Phone: 02 6207 1836 | Email: ben.riches@act.gov.au

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From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Sent: Wednesday, 17 July 2019 2:01 PM

To: Riches, Ben <Ben.Riches@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>

Subject: RE: NCDRP - Open tender process [SEC=UNCLASSIFIED]

Hi Ben

Are you able to send me the updated terms of reference, fees schedule and any other document that should be referenced within the tender.

Thanks

Erica Pilgrim-Day | Senior Project Manager

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From: Riches, Ben

Sent: Friday, 5 July 2019 2:15 PM

To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>

Subject: RE: NCDRP - Open tender process [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks for that Erica.

I will get you the dot pints early next week.
Have a great weekend.
Cheers,
Ben
71836

From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Sent: Friday, 5 July 2019 2:07 PM
To: Riches, Ben <Ben.Riches@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP - Open tender process [SEC=UNCLASSIFIED]

Thanks Ben,
I have included these details and will have a chat to management re our fee, typically it's 4%.

I'd be grateful if you could provide me a dot point list of the internal process when a review is to be undertaken and who is involved in current sign offs etc to engage a consultant. This will help me draft the panel management plan and ensure it reflects current practice and the people involved.

Thanks

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From: Riches, Ben
Sent: Thursday, 4 July 2019 3:18 PM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: NCDRP - Open tender process

Hi Erica

Thank you for your advice this afternoon. That's made the process clear for us.

To confirm, Sch 2.2(a)(xvi) [REDACTED]

Below is the information you requested. Please let me know if you need anything else.

- Cost Centre: 12263
- Project Code: 52110

- Estimated value inclusive of GST:
 - \$312,000 over 36 months including Infrastructure, Finance and Capital Works Management Fee ex GST (this assumes \$4,000 for the management fee. Is that still the amount?).
 - To enable 1 year extension with a total value of \$104,000 ex GST.

Thanks again,
Ben

Ben Riches | Senior Urban Planner

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From: Riches, Ben
Sent: Fri, 4 Oct 2019 05:27:50 +0000
To: Pilgrim-Day, Erica
Cc: Azzopardi, Adam
Subject: Design Review Panel - procurement docs
Attachments: 190717 - NCDRP Fee Schedule.docx, 190717 Attachment A NCDRP Evaluation Plan.docx, 190717 Attachment B Risk Management Plan.doc, 190717 Attachment C - NCDRP Panel Management Plan.docx, 190717 Attachment D - Probity Statement.doc, 190717 NCDRP Panel RFT_generic.docx, 190717 NCDRP Procurement Plan Minute.docx

Hi Erica,

Thank you for your patience while we sorted through the procurement documents for the National Capital Design Review Panel.

Attached are the documents with minor changes incorporated (in track). We also have a few questions which are provided within the documents as a 'comment' note.

To confirm, it would be useful to include the CPI clause for the fees to increase at the start of a new financial year. As discussed with you, this will make it easier to manage as 'one action' rather than attempting to manage new fees from the commencement of each contract.

I am away next week, but Adam is available if you have any questions.

Thanks again,

Ben

Ben Riches | Assistant Director | Design | Building, Design and Projects

Phone: 02 6207 1836 | Email: ben.riches@act.gov.au

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From: Pilgrim-Day, Erica
Sent: Wed, 6 Nov 2019 22:24:51 +0000
To: Azzopardi, Adam
Cc: Riches, Ben
Subject: 191107 NCDRP Procurement Documentation [SEC=UNCLASSIFIED]
Attachments: 52110-RFT-320 NCDRP Procurement Plan Minute.pdf, Att A - NCDRP Evaluation Plan.pdf, Att B - NCDRP Risk Management Plan.pdf, Att C - NCDRP Panel Management Plan.pdf, Att D - NCDRP Probity Statement.pdf, 52110-RFT-320 NCDRP Panel Request.pdf, 52110-RFT-320 Attachment 1A - NCDRP Terms of Reference - July 2019.pdf, 52110-RFT-320 Attachment 1B - NCDRP - Design Principles for the ACT.pdf, 52110-RFT-320 Attachment 1C - NCDRP - Information Booklet.pdf, 52110-RFT-320 Attachment 1D - NCDRP - Practitioners Guide.pdf, 52110- RFT - 320 Attachment 7 -Guide notes for Preliminary CBR-Region-LIPP-ECT-\$200k-\$5m.pdf, 52110-RFT-320 Attachment 9 -ACTGS Services Panel Deed Draft.pdf

Hi Adam

Thank you for your patience in the development of the attached documents. I have incorporated your feedback regarding a reduced method of engaging panel members and included the allowance for post tender negotiations that was discussed at our last meeting. I hope you find the outlined process in the Panel Management Plan much more streamlined and easy to use.

These have been fully endorsed by MPC for release and should you and the Delegate have no further concerns we can have this out to market within 48hrs of receiving the signed Procurement Plan Minute and I will amend the RFP cover dates accordingly.

Regards

Erica Pilgrim-Day | Senior Project Manager

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From: Pilgrim-Day, Erica
Sent: Tue, 3 Dec 2019 00:10:13 +0000
To: Azzopardi, Adam
Subject: RE: NCDRP - Amendment to fee schedule [SEC=UNCLASSIFIED]
Attachments: 52110-RFT-320 NCDRP Panel Request.pdf

Apologies! Revised attached

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From: Azzopardi, Adam
Sent: Tuesday, 3 December 2019 11:02 AM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: RE: NCDRP - Amendment to fee schedule [SEC=UNCLASSIFIED]

Thanks Erica

You forgot to add 'per hour' after the \$137.50. Can you please add and resend?

Regards

Adam

From: Pilgrim-Day, Erica
Sent: Tuesday, 3 December 2019 9:30 AM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP - Amendment to fee schedule [SEC=UNCLASSIFIED]

No worries,
Please find attached 😊
Regards

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From: Azzopardi, Adam
Sent: Tuesday, 3 December 2019 9:07 AM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: RE: NCDRP - Amendment to fee schedule [SEC=UNCLASSIFIED]

Opps sorry Erica.

Yes, please include alternative chair. Only change was meant to be in relation to the preparation time

From: Pilgrim-Day, Erica
Sent: Tuesday, 3 December 2019 8:46 AM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP - Amendment to fee schedule [SEC=UNCLASSIFIED]

Hi Adam

Do you still want to include the Alternative Chair Rate at \$300 ex GST as it does not appear on your attachment?

Thanks

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From: Azzopardi, Adam
Sent: Monday, 2 December 2019 4:06 PM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: NCDRP - Amendment to fee schedule [SEC=UNCLASSIFIED]

Hi Erica

How are you? I hope that you are having a lovely Monday.

I made a small revision to the NCDRP fee schedule (as attached) that will need to be reflected in the request for tender. Are you able to amend and send back please? The change is to the 'preparation time' by adding in **per hour rate** and **maximum of 2.5 hours**.

The package is still with executive for approval, however I will be able to slot this amendment in.

Happy to discuss.

Regards

Adam

Adam Azzopardi | Director Design | Building, Design and Projects

Phone: 02 6207 3541 | Email: adam.azzopardi@act.gov.au

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From: Pilgrim-Day, Erica
Sent: Tue, 14 Jan 2020 04:40:34 +0000
To: Azzopardi, Adam
Subject: RE: NCDRP [SEC=UNCLASSIFIED]
Attachments: Att C - NCDRP Panel Management Plan.docx, Att D - NCDRP Probity Statement.docx, 52110-RFT-320 NCDRP Panel Request.docx, 52110-RFT-320 NCDRP Procurement Plan Minute.docx, ACTGS Services Panel Deed - client version.docx, Att A - NCDRP Evaluation Plan.docx, Att B - NCDRP Risk Management Plan.doc

Hi Adam

Please find attached, if I've missed any please let me know.
I don't have attachment 7 in word as this was created in PDF.

Regards

Erica Pilgrim-Day | Senior Project Manager

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From: Azzopardi, Adam
Sent: Tuesday, 14 January 2020 3:25 PM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: NCDRP [SEC=UNCLASSIFIED]

Hi Erica

How are you? I hope you are well and I hope that you had a lovely break.

I am writing to you as Bethel (our new EGM) would like the word versions of the pdf's that you provided for our EOI NCDRP process. Please note that we are not intending to change anything, however trying to ensure that the package is able to progress through our executive smoothly. This will assist.

I trust that this is acceptable.

Regards

Adam

Adam Azzopardi | Director Design | Building, Design and Projects

Phone: 02 6207 3541 | Email: adam.azzopardi@act.gov.au

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From: Pilgrim-Day, Erica
Sent: Tue, 11 Feb 2020 04:08:13 +0000
To: Azzopardi, Adam
Cc: EPSDD Design Review
Subject: RE: NCDRP Procurement [SEC=UNCLASSIFIED]
Categories: Amy - Read

Hi Adam

As discussed under the panel arrangement and within the tender document it advises:

4.5.3 The panel will be non-exclusive. The Territory may, during the term and in its absolute discretion choose to engage third parties to provide services similar to the services.

4.5.4 The panel will be an open panel. The Territory may, during the Term and in its absolute discretion:

(1) choose to appoint other persons to the panel; and

(2) choose the method or methods by which other persons will be appointed to the panel.

Given the appointment would generally be under \$25,000 a single select can be undertaken utilising similar terms and conditions for one off engagements or the Territory may seek to add new members to the panel through a similar process of convening a tender evaluation team and conducting an assessment. For example Light Rail has the tender open on Tenders ACT for respondents to submit at any time until 01.11.20 at believe they meet at regular intervals to complete the assessment. If you want to have a think internally about how best this may work we can add an appendix to the panel management plan.

Regards

Erica Pilgrim-Day | Senior Project Manager

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From: Azzopardi, Adam

Sent: Tuesday, 11 February 2020 1:22 PM

To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Cc: EPSDD Design Review <designreview@act.gov.au>

Subject: RE: NCDRP Procurement [SEC=UNCLASSIFIED]

Thanks Erica. Will keep you posted on the progress.

One other question for you, how will the procurement process work for any specialist panellists that are not within the pool and required at a future date? Ie outside of the EOI process.

Regards

Adam

From: Pilgrim-Day, Erica
Sent: Tuesday, 11 February 2020 8:58 AM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: EPSDD Design Review <designreview@act.gov.au>
Subject: RE: NCDRP Procurement [SEC=UNCLASSIFIED]

Hi Adam

Great to hear!

The following is required by MPC:

- A quick update to the Services Panel Deed as the template has been updated this month
- Convene a time for the tender briefing and update RFT accordingly.
- Seek internal approval to release tender.

This should be achievable within a week of receiving the delegate approval. EPSDD will need to manage any comms associated with the tender and if there is a specific release date you will be seeking let me know so I can coordinate.

Regards

Erica Pilgrim-Day | Senior Project Manager
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From: Azzopardi, Adam
Sent: Tuesday, 11 February 2020 7:25 AM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Cc: EPSDD Design Review <designreview@act.gov.au>
Subject: NCDRP Procurement [SEC=UNCLASSIFIED]

Hi Erica

How are you? I hope that this email finds you well.

The brief is finally with the DDG for clearance so I anticipate a green light shortly. Can you please confirm next steps and when the EOI could be released? What will you need us to do?

Regards

Adam

Adam Azzopardi | Director Design | Building, Design and Projects

Phone: 02 6207 3541 | Email: adam.azzopardi@act.gov.au

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From: Azzopardi, Adam
Sent: Thu, 7 May 2020 04:47:13 +0000
To: Sendaba, Bethel
Cc: Leaver, Panama
Subject: NCDRP EIO Process - Insurance query

UNCLASSIFIED

Hi Bethel

I contacted MPC (Erica Pilgrim-Day) today regarding the insurance query that you had in relation to the upcoming NCDRP EOI process.

Erica confirmed that all panellists will be required to have insurance as part of any future contract to mitigate any risk to the Territory. This is however only a requirement once the individual is utilised for design review. Individuals who do not have their own insurance at the time of tender are still permitted to respond to the tender however they will be required to gain insurance later. This is the same requirement for an individual or company.

I trust that this is sufficient.

Regards

Adam

Adam Azzopardi | Director Design | Building, Design and Projects

Working remotely | Phone: 02 6207 3541 | Email: adam.azzopardi@act.gov.au

Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Roach, Adam
Sent: Tue, 12 May 2020 03:38:55 +0000
To: Azzopardi, Adam
Cc: Leaver, Panama
Subject: RE: NCDRP - Fee Structure

UNCLASSIFIED

Hi Adam

The below advice remains current.

While the DRP is a statutory body, in that it is established by section 138AG of the Planning and Development Act, the legislation specifically provides for the Planning and Land Authority, on behalf of the Territory, to enter into a contract for services with a person to provide design review services for the DRP (see section 138AI(2)). Thus, any remuneration of panel members would be subject to their contract for services, rather than a Remuneration Tribunal determination.

As remuneration of panel members is decided by contract, it is an available option for individual panel members to negotiate their own remuneration. By setting panel members' fees to a level comparable with other states, this reduces the chance of a panel member attempting to negotiate their fees (and the government doesn't have to agree to any proposed negotiated fee in any instance).

Despite my initial thoughts below, it appears that panel members are subject to the [Governance Principles – Appointments, Boards and Committees](#) (which I refer to below as the Boards and Committees Handbook). However, the handbook provides for the situation where board members are engaged under contract or procure process.

Hope this helps, let me know if you need further advice.

Regards

Adam

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: Tuesday, 12 May 2020 11:23 AM
To: Roach, Adam <Adam.Roach@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP - Fee Structure

UNCLASSIFIED

Hi Adam

FYI this is the previous advice that we had included in our brief to the DDG:

1. As the NCDRP membership is being established under contract, the panel member fees are not subject the *Part-Time Public Office Holders Determination 5 of 2019*. However, similar roles under the determination are paid approximately \$450 to \$1000 per day. The proposed fee for service for the NCDRP is closely based on panel member fees for the South Australian Design Review Panel to ensure the NCDRP is competitive in attracting experienced professionals on the panel from around the nation. The proposed fees and a design review panel fee comparison table is provided in the Proposed Fee Schedule at [Attachment 3](#).

Regards

Adam

From: Roach, Adam <Adam.Roach@act.gov.au>
Sent: Monday, 11 May 2020 5:19 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP - Fee Structure

UNCLASSIFIED

Hi Adam

I'll double check and get back to you, but my first inclination is that as DRP members are engaged under contract, they're not picked up under the Boards and Committees handbook or the Rem Tribunal – much the same way as the Government Architect isn't.

But I'll review and get back to you with a firm answer.

Regards

Adam

Adam Roach | A/g Senior Director, Legal Services and Integrity
Phone: 02 6207 7803 | Email: adam.roach@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158, Canberra ACT 2601
| www.act.gov.au

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: Monday, 11 May 2020 11:46 AM
To: Roach, Adam <Adam.Roach@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>

Subject: NCDRP - Fee Structure

Importance: High

UNCLASSIFIED

Hi Adam

Thanks for the brief conversation regarding the NCDRP fee structure.

I am emailing you as a follow up seeking your advice in this regard. Ben Riches had previously received advice that our fee structure was not required to meet the fee structures of other ACT Government boards/committees as the NCDRP panel members will be engaged under contract. I am hopeful that you will agree.

I have attached our current fee schedule (including comparison with other jurisdictions) for your information noting that this is what we will be using for the upcoming EOI process. The figures were established on those used in other jurisdictions across Australia for design review, particularly so we could remain competitive with SA and VIC to ensure we could attract interstate panellists.

I trust that this is acceptable and look forward to your response. Happy to discuss.

Regards

Ada,

Adam Azzopardi | Director Design | Building, Design and Projects

Working remotely | Phone: 02 6207 3541 | Email: adam.azzopardi@act.gov.au

Planning, Land and Building Policy | **Environment, Planning and Sustainable Development Directorate** | ACT Government

Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Pilgrim-Day, Erica
Sent: Fri, 15 May 2020 08:43:19 +0000
To: Azzopardi, Adam
Subject: FW: Insurance Advice for the National Capital Design Review Consultancy Panel Tender [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Adam

Please see correspondence below from both our contracts team and ACTIA, did you want to discuss internally and come back to me?

Regards

Erica Pilgrim-Day | Project Director
Commercial Infrastructure | **Infrastructure Delivery Partners**
Major Projects Canberra | ACT Government |
T 02 6205 4911 | M [REDACTED] | E erica.pilgrim-day@act.gov.au
GPO Box 158, Canberra ACT 2601
Level 2, Nature Conservation House, Cnr Emu Bank & Benjamin Way, Belconnen

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Wednesday, 13 May 2020 8:24 AM
To: Grey, DavidE <DavidE.Grey@act.gov.au>; Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Cc: Deasey, Michael <Michael.Deasey@act.gov.au>
Subject: RE: Insurance Advice for the National Capital Design Review Consultancy Panel Tender [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Erica,

I agree with David that having some PI would be recommended.

Will you be relying on the advice that they give you? If that is the case and a financial loss is suffered as a result of that advice then the impacted party could pursue a claim. Holding both public liability and PI protects the third party would be the prudent approach in this instance.

Regards
Marion

From: Grey, DavidE <DavidE.Grey@act.gov.au>
Sent: Tuesday, 12 May 2020 5:12 PM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Cc: Deasey, Michael <Michael.Deasey@act.gov.au>; Lynch, Marion <Marion.Lynch@act.gov.au>
Subject: RE: Insurance Advice for the National Capital Design Review Consultancy Panel Tender [SEC=UNCLASSIFIED]

Erica,

In my view the insurance is required. If you consider the risk to be low the amount of the PI could be reduced to say \$2m.

If you are intending to engage paid services from a Panel that does not require Panel Members to hold PI my advice is that you will need clearance from both ACTIA and the ACT Government Solicitor.

ACTIA may need to see the Risk Plan.

Regards

David Grey Senior Director.

Contract and Prequalification Team

Project Development and Support

Major Projects Canberra

Phone +61 2 6207 7604 | **Mob:** [REDACTED] | **Fax** +61 2 6207 5468 |

Level 2 Nature Conservation House, Emu Bank Parade, Belconnen. PO Box 158 Canberra City ACT 2601
www.act.gov.au



From: Pilgrim-Day, Erica
Sent: Tuesday, 12 May 2020 1:44 PM
To: Grey, DavidE <DavidE.Grey@act.gov.au>
Cc: Halstead, Grant <Grant.Halstead@act.gov.au>
Subject: FW: Insurance Advice for the National Capital Design Review Consultancy Panel Tender [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi David

The National Capital Design Review Panel appears to be ramping up. There is one sticking point with EPSDD and that is the requirement for tenderers to hold insurance in order to be engaged to complete a design service. The RFT is currently drafted on your advice provided below however hoping this could be reviewed. EPSDDs concern is that this will knock out many of the existing people that they use to provide this service that are retired and no longer hold insurances nor would want to obtain them for the purposes of this contract.

I am keen to understand what risks we would be seeking insurance against given the advisory role of the panel.

As per my email to ACTIA at the start of this chain the application of insurances is inconsistent across Australian jurisdictions.

Regards

Erica Pilgrim-Day | Project Director

Commercial Infrastructure | **Infrastructure Delivery Partners**

Major Projects Canberra | ACT Government |

T 02 6205 4911 | M [REDACTED] | E erica.pilgrim-day@act.gov.au

GPO Box 158, Canberra ACT 2601

Level 2, Nature Conservation House, Cnr Emu Bank & Benjamin Way, Belconnen



From: Grey, DavidE <DavidE.Grey@act.gov.au>

Sent: Thursday, 11 April 2019 10:29 AM

To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Power, Rebecca <Rebecca.Power@act.gov.au>

Cc: Faryna, Eva <Eva.Faryna@act.gov.au>; Hamill, Ian <Ian.Hamill@act.gov.au>

Subject: RE: Insurance Advice for the National Capital Design Review Consultancy Panel Tender
[SEC=UNCLASSIFIED]

Erica,

Confirming our conversation of yesterday.

Our minimum insurance levels for a party providing consultancy services are:

- Professional Indemnity - \$5m; and
- Public Liability - \$10m.

Given that this is a Panel and that the amount of work to be sourced from the Panel is unclear you could consider including a clause along the lines:

In the event that a Tenderer does not hold the required insurances for the minimum nominated amounts. The Territory will require, as part of the tender submission a declaration that in the event the Tenderer is awarded a Panel Deed and is subsequently offered work sourced from the Panel, that they

will provide evidence showing that they hold the required insurances as a condition precedent to the Territory accepting their quotation.

Regards

David Grey Senior Manager, Contracts and Prequalification.

Operations and Contracts, Procurement ACT, Commercial Services Infrastructure Group

Phone +61 2 6207 5982 | **Mob:** [REDACTED] | **Fax** +61 2 6207 5468 |

Chief Minister Treasury and Economic Development Directorate ACT Government

Level 2 Nature Conservation House, Emu Bank Parade, Belconnen. PO Box 158 Canberra City ACT 2601

www.act.gov.au

From: Pilgrim-Day, Erica

Sent: Wednesday, 10 April 2019 5:00 PM

To: Grey, DavidE <DavidE.Grey@act.gov.au>

Subject: FW: Insurance Advice for the National Capital Design Review Consultancy Panel Tender
[SEC=UNCLASSIFIED]

Hi David

I wrote to ACTIA below seeking some advice regarding insurance relating to the above proposed panel in which I received a fairly generic response and it did not take into account the panel specifics outlined. The panel members will be receiving a fee for service therefore the discussion around PI valid. I also flagged the possibility of the Territory providing insurance coverage which she did not respond to, not sure where to go from here and would greatly appreciate some guidance.

Thanks

Erica Pilgrim-Day | Senior Project Manager

Phone: 6205 4911 | **Mobile:** [REDACTED] | Work Days: Tuesday - Friday

Commercial Services & Infrastructure | Infrastructure Finance & Capital Works | Commercial Infrastructure

Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 2, Nature Conservation House, Cnr Emu Bank & Benjamin Way, Belconnen | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au

From: Lynch, Marion

Sent: Wednesday, 10 April 2019 7:31 AM

To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Subject: RE: Insurance Advice for the National Capital Design Review Consultancy Panel Tender
[SEC=UNCLASSIFIED]

Hi Erica,

Thanks for your email. ACTIA has no discretionary powers with respect to amounts of Insurance for Public Liability and Professional Indemnity in ACT Government contracts.

Having said that, the general industry standard for Public Liability is \$20M and Professional indemnity (where appropriate) is \$10M.

Professional Indemnity insurance is only required when the contractor is providing a professional service for a fee. An example of this would be architects or solicitors. If this contract does not have any professional advice being provided then there is no need to request this cover.

If, however, you feel that these amounts are too high given the value of the contract and or the risk involved. ACTIA can accept a lower limit of liability providing this does not override any legislated insurance requirements. This can only be done in conjunction with the completion of a risk assessment and the outcomes of this being satisfactory.

The Territory's risk assessment process can be found on our intranet, however I should advise that this process will not give you a \$ value but it will help you ascertain the level of risk. <http://intranet-cmtedd/whog/ACTIA/Pages/default.aspx>

If you would like some training on Risk Management, we run training sessions regularly. Please contact ACTIAinsuranceandriskmanagement@act.gov.au

Regards
Marion

From: Pilgrim-Day, Erica
Sent: Tuesday, 9 April 2019 4:07 PM
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Subject: Insurance Advice for the National Capital Design Review Consultancy Panel Tender
[SEC=UNCLASSIFIED]

Hi Marion

We are undertaking a panel procurement for EPSDD and the NCA to establish a panel of up to 25 individuals with experience in Architecture/Landscape Architecture / Urban Design / Urban Planning and other relevant built environment industries to provide independent and expert advice to the Territory as a selected member of a National Capital Design Review Panel. As it stands this panel is a self-refer for public or private developers and holds no statutory standing in terms of the development application process however legislation is in the pipeline to have specific developments be required to go through the process.

I am seeking advice on recommended insurance provisions for PI and/or PL. A similar panel in NSW requested min \$2m in PI and \$10m in PL whereas the equivalent panel in SA did not require any insurance coverage.

The project team has considered the following when discussing the inclusion of insurance:

- Advice given is through a collective panel report and delivered by the Chairperson (the chair person is usually a rep of EPSDD or NCA however there is provision in this tender for respondents to nominate to act as chairperson should the need arise);
- We do not want to exclude respondents that may no longer be practising (ie retired) and therefore do not have insurance coverage;
- Could the Territory provide insurance to those who perform a panel role?

I'd appreciate any guidance and more than happy to chat further,

Regards

Erica Pilgrim-Day | Senior Project Manager

Phone: 6205 4911 | **Mobile:** [REDACTED] | Work Days: Tuesday - Friday

Commercial Services & Infrastructure | **Infrastructure Finance & Capital Works** | **Commercial Infrastructure**

Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 2, Nature Conservation House, Cnr Emu Bank & Benjamin Way, Belconnen | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au

From: Azzopardi, Adam
Sent: Mon, 18 May 2020 05:09:12 +0000
To: Boyd, Janet
Cc: Leaver, Panama
Subject: NCDRP Panel Membership - Professional Insurance

UNCLASSIFIED

Hi Janet

I am hoping that you will be able to assist me with a question in regards to panel membership for the National Capital Design Review Panel (NCDRP).

In short, we will be releasing an expression of interest in the near future for suitably qualified design professionals to join a pool of panel members for the NCDRP. The pool of members may be called upon throughout the contracted 3 year period to provide peer review for major development proposals across the city. The NCDRP is a peer review process that is chaired by the ACT Government Architect and the NCA's Chief Planner. Legislation changes to the Planning and Development ACT 2007 came in to effect late last year (1 October 2019) requiring that development proposals of 5 storeys or more must consult with the NCDRP prior to submitting a development application for assessment.

Prior to October last year the NCDRP was operating in interim form for about 18 months. During this time and up to now panel members have been selected by the ACT Government Architect, NCA and NCDRP Secretariat (EPSDD) for a list of panel members, however not via a specific contract as stated above. Note that the panel has an agreed Terms of Reference and an agreed fee structure.

My question is related to the requirement for professional insurance as this is likely to be a requirement of the EOI that will be released shortly.

I would like to discuss our current situation with you if possible?

Regards




Adam


Adam Azzopardi | Director Design | Building, Design and Projects


Working remotely | Phone: 02 6207 3541 | Email: adam.azzopardi@act.gov.au

Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

RE: Further Information for the Annual Procurement Plan

 Azzopardi, Adam
To  Woodruff, Leonie
Cc  Leaver, Panama

Blue Category
 Follow up. Completed on Monday, 6 July 2020.

 Reply  Reply All  Forward 

Fri 03/07/2020 1:39 PM

UNCLASSIFIED

Hi Leonie

I have included the fields as requested. Let me know if you require anything further.

Regards

Adam

From: Woodruff, Leonie <Leonie.Woodruff@act.gov.au>
Sent: Thursday, 2 July 2020 12:23 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: Further Information for the Annual Procurement Plan

UNCLASSIFIED

Hi Adam

Procurement ACT have come back with a request for further information for the Annual Procurement Plan. Could you please review the procurement you sent me below and add details in the 2 highlighted columns and check that other columns I've filled look correct?

I've completed the two columns "Will the Sustainable Procurement Policy be considered?" and "Will the Aboriginal and Torres Strait Islander Procurement Policy be considered?" as 'yes' because the policies should be read and considered for every procurement.

Project Title	Project Description	Specify Intention to Advertise via Tenders ACT (Yes/No)	Specify Anticipated Release	Specify Intended Procurement Methodology (Public or Select or Single Select)	Specify Anticipated Value/Budget	Goods/Services or Works	Is the Secure Local Jobs Code Applicable (Yes/No)	Will Government Procurement Board Review be Required (Yes/No)	Will the Sustainable Procurement Policy be considered (Yes/No)	Will the Aboriginal and Torres Strait Islander Procurement Policy be considered (Yes/No)	Does a Contract Already Exist (Yes/No)
Establish a Panel of Members for the National Capital Design Review Panel	The request for tender seeks to engage individuals with expertise in Architecture, Landscape Architecture, Urban Planning, Urban Design and areas with specialist expertise. The specialist expertise category includes those professions that fall outside the categories listed above including but not limited to heritage, transport infrastructure, sustainability, civil engineering, master planning, health and education facilities planning and design	Yes	FY Quarter 1	Public Tender	\$ 242,000	Goods and/or Services	No	No	Yes	Yes	No

Links that may be useful:

- Secure Local Jobs <https://actgovernment.sharepoint.com/sites/Intranet-CMTEDD/whog/procurement/Pages/Secure-Local-Jobs.aspx>
- Government Procurement Board <https://actgovernment.sharepoint.com/sites/Intranet-CMTEDD/whog/procurement/Pages/Government-Procurement-Board.aspx>
- Sustainable Procurement Policy <https://actgovernment.sharepoint.com/sites/Intranet-CMTEDD/whog/procurement/Pages/Policy.aspx>
- Aboriginal and Torres Strait Islander Procurement Policy <https://actgovernment.sharepoint.com/sites/Intranet-CMTEDD/whog/procurement/Pages/Policy.aspx>

Thank you

Leonie Woodruff

Director Procurement & Contracts

Environment, Planning and Sustainable Development Directorate | ACT Government

Phone 02 6205 2227 | Leonie.Woodruff@act.gov.au

GPO Box 158 Canberra ACT 2602

From: Sch 2.2(a)(xvi)
Sent: Mon, 3 Aug 2020 03:31:25 +0000
To: tendersACT; Leaver, Panama
Cc: Meek, Helen
Subject: RE: NCDRP panellist EOI - Major Projects website link

UNCLASSIFIED

Thanks Glenn for including me, cheers

Sch 2.2(a)(xvi)

From: tendersACT <tendersACT@act.gov.au>
Sent: Monday, 3 August 2020 12:55 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Meek, Helen <Helen.Meek@act.gov.au>; Sch 2.2(a)(xvi)
Subject: RE: NCDRP panellist EOI - Major Projects website link

UNCLASSIFIED

Good morning Panama

Apologies for missing your call, I was in a team meeting.

Please find below the responses to your questions (red text).

Regards

Glenn – 02 6205 3065

Tenders ACT Team

Phone: +61 2 6207 7377

Email: tendersACT@act.gov.au

Please consider the environment before printing this email. If printing is necessary, print double-sided and black and white

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Monday, 3 August 2020 11:50 AM
To: tendersACT <tendersACT@act.gov.au>
Subject: FW: NCDRP panellist EOI - Major Projects website link

UNCLASSIFIED

Hi Glenn

Thank you for the below information. I have a couple of follow up questions I'm hoping you can answer for me;

- Is it a strict requirement that tenderers submit through the TendersACT portal? Given the industry professionals we are targeting (i.e. highly experienced /late career, many interstate, typically of an older demographic, perhaps not the most tech-literate) we are somewhat concerned that the TendersACT page may discourage them from applying as it could add a layer of complication to the tender process.

Yes, if a supplier wishes to participate in a tendering opportunity released through Tenders ACT then they must be registered on Tenders ACT in order to download the tender documents and submit a response. If potential suppliers have any concerns or require assistance with registering/using Tenders ACT then the Tenders ACT Team can provide assistance/guidance (phone 02 6207 7377, email: tendersACT@act.gov.au).

- Is there a simple guide (pdf, webpage or other) that we could provide to prospective tenderers, if they are definitely required to go through the TendersACT portal?

Yes, there is both a Quick Reference Guide and Supplier User Manual located on the Tenders ACT System, located here: <https://tenders.act.gov.au/library/browse?id=33>. Suppliers also have the support of the Tenders ACT Team.

- Is it possible to get a direct link to the tender request page on TendersACT, prior to release of the tender? This could be very useful as it could be incorporated into our advertising/comms materials.

No, the tender details page for a public tendering opportunity is only available for public viewing/access once the tender has been released. If you wish conduct any additional advertisement of the opportunity outside of Tenders ACT then this should be done after the tender has been released through Tenders ACT.

- Noting that the services to be procured are advisory (specifically relating to architecture, urban design, planning, land scape architecture and other associated disciplines), could you please let me know which product code this will be assigned to?

As I am not involved with the procurement opportunity myself I cannot say what product codes will be assigned to the tendering opportunity, this will be upto the Procurement Officer managing the project
Sch 2.2(a)(xvi)

As I mentioned in the email below it is recommended that new suppliers select all product codes until they are familiar with what tendering opportunities are released under which codes. However, possible product codes could be (based on your criteria above) one or more of the following:

- Management and Business Professionals and Administrative Services;
- Building and Facility Construction and Maintenance Services
- Engineering and Research and Technology Based Services
- Structures and Building and Construction and Manufacturing Components and Supplies

You will need to speak to Sch 2.2(a)(xvi) about the appropriate product codes for your tendering opportunity.

Thank you for your help to date, its much appreciated!

Kind regards

PS: I called earlier and left a message however I thought it may be easier to just provide the questions here.

Panama Leaver | A/g Assistant Director Design | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: tendersACT <tendersACT@act.gov.au>

Sent: Thursday, 30 July 2020 1:44 PM

To: Sch 2.2(a)(xvi) Leaver, Panama <Panama.Leaver@act.gov.au>

Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Ryan, Siobhain <Siobhain.Ryan@act.gov.au>

Subject: RE: NCDRP panellist EOI - Major Projects website link

UNCLASSIFIED

Good afternoon Sch 2.2(a)(xvi) and all

The Tenders ACT website address is <https://tenders.act.gov.au/welcome>

If you know of any suppliers that might be interested in participating in a tendering opportunity then please direct them to register on Tenders ACT.

When a supplier registers on Tenders ACT they will be required to select one or more product codes to which they will be sent regular email notifications of new tendering opportunities that match their selected product codes.

We recommend that new suppliers select all product codes on their profile so that they can get used to the tendering opportunities that get released against specific product codes.

I hope this helps, please give me a call if you require clarification on this.

Regards

Glenn – 02 6205 3065

Tenders ACT Team

Phone: +61 2 6207 7377

Email: tendersACT@act.gov.au

Please consider the environment before printing this email. If printing is necessary, print double-sided and black and white

From: Sch 2.2(a)(xvi)

Sent: Thursday, 30 July 2020 1:37 PM

To: Leaver, Panama <Panama.Leaver@act.gov.au>; tendersACT <tendersACT@act.gov.au>

Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Ryan, Siobhain <Siobhain.Ryan@act.gov.au>

Subject: RE: NCDRP panellist EOI - Major Projects website link

UNCLASSIFIED

Tenders ACT,

A Tender will be released in a few months to set up a panel. I understand professionals in industry who currently undertake some of this work and others will be interested in Tendering for this panel. Is there a link to the Tenders website we can send to the current individual suppliers of this service and set them up with a suppliers code so that when the tender is released the process runs smoothly for those interested in tendering and to get them familiar with the ACT Govt Tendering process/mechanisms?

Panama,

I understand we have yet to get back a signed procurement minute (PPM)? Is this able to be provided please? Secondly, the example tender briefing Erica sent out the other day, it would be useful for your team to start to build that so we can jointly review and issue that at time of tender. Cheers,

Sch 2.2(a)(xvi)

Sch 2.2(a)(xvi)

From: Leaver, Panama <Panama.Leaver@act.gov.au>

Sent: Wednesday, 29 July 2020 2:35 PM

To: Sch 2.2(a)(xvi)

Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Ryan, Siobhain <Siobhain.Ryan@act.gov.au>

Subject: NCDRP panellist EOI - Major Projects website link

UNCLASSIFIED

Hi

I understand from Erica that you are now looking after the NCDRP Panellist EOI process, great! I've had a request from Siobhain Ryan (Comms Officer for the EOI process, cc'ed here) for the url link to the Major Projects webpage for the RTF that ads will click through to.

Has this been actioned yet? If so could you please provide the link to Siobhan, otherwise could you please let us know when this might be arranged?

Thanks and kind regards

Panama Leaver | A/g Assistant Director Design | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Tue, 11 Aug 2020 05:49:15 +0000
To: Leaver, Panama
Cc: Grey, DavidE
Subject: RE: NCDRP - Professional Indemnity advice

OFFICIAL

Panama,

A lot of balls in the air at the moment, I haven't heard back from David. I managed some time on Friday to work on this, but have a ways to go yet.

Sch 2.2(a)(xvi)

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 11 August 2020 3:45 PM
To: [REDACTED]
Subject: RE: NCDRP - Professional Indemnity advice

OFFICIAL

Hi [REDACTED]

Hope you are going well. Did you hear back from David regarding the EOI documentation? Could you please provide an update on the progress of the documentation generally, as we are anticipating that the DG should provide approval within a couple of weeks and looking for the EOI to commence ASAP after this.

Kind regards

Panama Leaver | A/g Assistant Director Design | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Wednesday, 5 August 2020 10:48 AM
To: Grey, DavidE <DavidE.Grey@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: FW: NCDRP - Professional Indemnity advice

OFFICIAL

David,

Attached is the first document I have been through to update into the latest template version, I have left areas highlighted in different colours where unsure. I am doing this in between other things at the moment in terms of priorities, I hope the templates don't change again in the interim! Cheers,

Sch 2.2(a)(xvi)

From: [REDACTED]
Sent: Wednesday, 5 August 2020 7:38 AM
To: Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: RE: NCDRP - Professional Indemnity advice

OFFICIAL

David,

Yes that would be great, I have some old documents that Erica had put together and not the templates have changed was converting these over to the new format. I can send you the first one I have finished if you would like, it has an insurances section.

Sch 2.2(a)(xvi)

From: Grey, DavidE <DavidE.Grey@act.gov.au>
Sent: Tuesday, 4 August 2020 5:24 PM
To: [REDACTED]
Subject: RE: NCDRP - Professional Indemnity advice

OFFICIAL

[REDACTED]

Yes it is.
Do you need assistance with the drafting of this criterion for PI.

I would suggest that PI be considered a Non Weighted Criterion. In this criterion we could say that PI is required to \$5m. Tenderers are advised that in the event that a tenderer does not hold a PI policy they are encouraged to submit a tender. If successful a tenderer who does not hold PI may be considered for certain categories of work commensurate with the risk and nature of the required services.

Regards

David Grey Senior Director
Contracts and Prequalification.

Project Development and Support

Phone +61 2 6207 7604 | Mob: [REDACTED] |

Major Projects Canberra ACT Government

Level 2, Nature Conservation House, Belconnen ACT 2617. PO Box 158 Canberra City ACT 2601
www.act.gov.au

From: [REDACTED]
Sent: Tuesday, 4 August 2020 4:05 PM
To: Grey, DavidE <DavidE.Grey@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: FW: NCDRP - Professional Indemnity advice

OFFICIAL

David, is this the information you are seeking?

[REDACTED]

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 4 August 2020 2:14 PM
To: [REDACTED]
Subject: RE: NCDRP - Professional Indemnity advice

OFFICIAL

Hi [REDACTED]

Please find attached the advice from Marion Lynch (Insurance and Risk Manager at Treasury) who has sought the advice on our behalf.

Kind regards

Panama Leaver | A/g Assistant Director Design | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Tuesday, 4 August 2020 2:10 PM
To: Grey, DavidE <DavidE.Grey@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: RE: NCDRP - Professional Indemnity advice

OFFICIAL

Hi Panama,
Are you able to provide the information David is chasing below please?

[REDACTED]

From: Grey, DavidE <DavidE.Grey@act.gov.au>
Sent: Tuesday, 4 August 2020 11:41 AM
To: [REDACTED]
Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: RE: NCDRP - Professional Indemnity advice

OFFICIAL

[REDACTED]

I would like to see the ACTIA advice first hand.

This would determine how the RFT addresses when PI is required. It may be that the RFT sets out when PI will be required and if so only Panel Members who hold PI will be offered work of that nature.

How did Erica get out of this procurement?

Regards

David Grey Senior Director

Contracts and Prequalification.

Project Development and Support

Phone +61 2 6207 7604 | Mob: + [REDACTED] |

Major Projects Canberra ACT Government

Level 2, Nature Conservation House, Belconnen ACT 2617. PO Box 158 Canberra City ACT 2601

www.act.gov.au

From: [REDACTED]
Sent: Tuesday, 4 August 2020 10:06 AM
To: Leaver, Panama <Panama.Leaver@act.gov.au>; Grey, DavidE <DavidE.Grey@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: RE: NCDRP - Professional Indemnity advice

OFFICIAL

David,

I have recently picked this procurement initiative up from Erica. Does the below advice meet the requirements to go out to tender? Regards,

Sch 2.2(a)(xvi)

From: Leaver, Panama <Panama.Leaver@act.gov.au>

Sent: Tuesday, 4 August 2020 9:48 AM

To: [REDACTED]

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Subject: NCDRP - Professional Indemnity advice

OFFICIAL

Hi [REDACTED]

Please find below the formal advice regarding the PI requirement for panellists;

Schedule 1.2

[REDACTED]

Noting this, our EBM has requested that PI still be asked for, except in certain circumstances (i.e. retired professional without their own PI). We will look to your expertise to draft this 'certain circumstances' component into the tender documentation. Happy to discuss further, otherwise I hope this is enough to continue progressing the documentation – please let me know if not!

Kind regards

Panama Leaver | A/g Assistant Director Design | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

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From: Sch 2.2(a)(xvi)
Sent: Wed, 29 Jul 2020 22:54:17 +0000
To: Leaver, Panama
Cc: Pilgrim-Day, Erica; Ryan, Siobhain
Subject: RE: NCDRP panellist EOI - Major Projects website link

UNCLASSIFIED

Panama,
Sorry, I am unsure what you are after here, give me a call to discuss, cheers

Sch 2.2(a)(xvi)

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Wednesday, 29 July 2020 2:35 PM
To: Sch 2.2(a)(xvi)
Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Ryan, Siobhain <Siobhain.Ryan@act.gov.au>
Subject: NCDRP panellist EOI - Major Projects website link

UNCLASSIFIED

Sch 2.2(a)(xvi)

I understand from Erica that you are now looking after the NCDRP Panellist EOI process, great! I've had a request from Siobhain Ryan (Comms Officer for the EOI process, cc'ed here) for the url link to the Major Projects webpage for the RTF that ads will click through to.

Has this been actioned yet? If so could you please provide the link to Siobhan, otherwise could you please let us know when this might be arranged?

Thanks and kind regards

Panama Leaver | A/g Assistant Director Design | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Thu, 10 Sep 2020 05:19:02 +0000
To: Halstead, Grant
Cc: Azzopardi, Adam
Subject: Feedback on draft NCDRP Panel Documents
Attachments: Attachment 03 - NCDRP - Proposed Fee Schedule.obr, FW: NCDRP - Professional Indemnity advice, RE_ Panel Deed Review.msg

OFFICIAL

Hi Grant

Thanks for the call today, appreciate the busy period and hope the day ends on a good note for you.

I've been through and done a thorough comparison of the old and new docs, as discussed please see my notes below. Also, as Adam noted during our recent meeting, as the procurement forms part of continuation of existing policy/operations (i.e. the ongoing operation of the NCDRP) the caretaker provisions are not applicable/ the procurement can proceed without delay.

Some points for your attention;

• **RFT Panel Generic**

- P.8 and 9 – **Extra weighted criteria added** - 'WC5 – Financial Offer' appears to request the applicant provide a suggested hourly rate. As we discussed, please remove this as the Panel operates on fixed rates, with the rates and associated travel/accom costs covered in the Fee Schedule (see Attachment 3, attached to this email)
- P.9-10 – NWC1 – **Phrasing of PI Clause** - New text still reads as though panellists will only be selected for lower risk proposals if they do not hold sufficient PI. Noting that a) we are particularly interested in late-career/retired professionals (i.e. respected industry leaders in their respective disciplines) that may not have PI, and b) that we have formal written advice from ACTIA noting that all panellists will be covered by the Territory's insurance, could you please revisit the phrasing of this clause to ensure that it does not discourage prospective applicants from applying if they do not hold PI? I have attached my previous comments on this as an email here.
- P.14 – **Extra Secure Local Jobs Code clause added** - 'Tenderer must maintain a Secure Local Jobs Code certificate' This was not included in Erica's draft. My understanding based on a read of the Code is that this is irrelevant to the EOI and should be removed. The Code applies to the following; 'Businesses tendering for construction, cleaning, security or traffic management work need to meet workplace standards in the Secure Local Jobs Code and have a Secure Local Jobs Code Certificate.'

• **Panel Services Deed**

- P.12 –**phrasing of PI clause** – Once the phrasing is updated, could you please update this document to reflect the changes made to the RFT Panel Generic
- P.12 – **Minor drafting error** - 'Termination' section is incorrectly numbered, should be 14 not 12
- P.18 –**phrasing of PI clause** – As above

Thanks, please feel free to give me a call if you'd like to discuss further.

Cheers

Panama Leaver | A/g Assistant Director Design | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Sent: Wednesday, 9 September 2020 1:18 PM

To: Leaver, Panama <Panama.Leaver@act.gov.au>

Subject: FW: NCDRP Panel Documents

OFFICIAL

Hi Panama

Can you please check these against our set to confirm changes.

Regards

Adam

From: Halstead, Grant <Grant.Halstead@act.gov.au>

Sent: Wednesday, 9 September 2020 11:39 AM

To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>

Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Grey, DavidE <DavidE.Grey@act.gov.au>

Subject: FW: NCDRP Panel Documents

OFFICIAL

Gents,

Please find attached the updated forms. The areas recently adjusted are in different text colour so they stand out. Pending any contrary advice from David/Erica these are ready to issue. Regards,


Grant Halstead | A/g Project Director

Phone: [REDACTED]

Infrastructure Delivery Partners Group

Major Projects Canberra | ACT Government

Level 2, Nature Conservation House, 186 Emu Bank Belconnen 2617 | www.act.gov.au





From: Halstead, Grant
Sent: Tuesday, 8 September 2020 4:40 PM
To: Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: FW: NCDRP Panel Documents

OFFICIAL

Hi David,

Can you take a look at these and let me know if I have missed anything after our meeting on Monday? I will send these out on Friday as Adam has requested.

Grant Halstead | A/g Project Director
Phone: 
Infrastructure Delivery Partners Group
Major Projects Canberra | ACT Government
Level 2, Nature Conservation House, 186 Emu Bank Belconnen 2617 | www.act.gov.au




From: Halstead, Grant
Sent: Monday, 7 September 2020 1:44 PM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: NCDRP Panel Documents

OFFICIAL

Erica,

Can you cast your eye over these, I have coloured in my edits so they should stand out, I have checked them against the latest versions on the BMS and one had a requirement to add in the elections part. Once you have reviewed I will get David to check and then get them to EPSDD, cheers

Grant Halstead | A/g Project Director
Phone: 
Infrastructure Delivery Partners Group
Major Projects Canberra | ACT Government
Level 2, Nature Conservation House, 186 Emu Bank Belconnen 2617 | www.act.gov.au



From: Azzopardi, Adam
Sent: Thu, 24 Sep 2020 23:28:55 +0000
To: Lynch, Marion
Cc: Leaver, Panama
Subject: RE: National Capital Design Review Panel - Professional Indemnity

Hi Marion

How are you? I hope that you are having a lovely end to the week.

We are narrowing the EOI for NCDRP and currently finalising content in the request in relation to the requirement for PI. Would you please be able to cast your eye over the below suggested content and confirm that this is appropriate from your end? We have forwarded this to our MPC colleagues for their comment as they suggested that we propose the wording as highlighted in yellow.

Insurance and indemnity

- **Contractor's insurance**

- The Contractor must effect and maintain for the Term all insurance coverage required to be effected by it by law, public liability insurance and professional indemnity insurance in amounts not less than the amounts (if any) specified by Item 4 Schedule 1, and any other insurance specified in Item 4 Schedule 1, with a Prescribed Insurer.

- **Public Liability insurance of \$10m.**

- Professional Indemnity (PI) is required to \$5m. Tenderers are advised that in the event that a tenderer does not hold a PI policy they are encouraged to submit a tender. If successful a tenderer who does not hold PI may be considered ~~for certain categories of work commensurate with the risk and nature of the required services and covered under the ACT Insurance Australia (ACTIA) program.~~

- **Indemnity**

- The Contractor indemnifies the Territory, its employees and agents against liability in respect of all claims, costs and expenses in relation to all loss, damage, injury or death to persons or property caused by the Contractor, in connection with the provision of the Services, except to the extent that the Territory caused the relevant loss, damage or injury.

Happy to discuss if required.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Tuesday, 4 August 2020 8:36 AM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

Thanks for the reminder.

Schedule 1.2

Trust this helps.

Regards
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 04 August 2020 08:33
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity
Importance: High

UNCLASSIFIED

Hi Marion

Just to follow up on our meeting last week regarding professional insurance for the NCDRP. Many thanks for your help and for the advice to date that you have provided.

To close the loop, we look forward to ACTIA's confirmation of the above via email. Receipt of your advice in writing will enable us to progress our brief to the DG for the commencement of the EOI process.

Regards

Adam

From: Azzopardi, Adam
Sent: Thursday, 30 July 2020 8:23 AM
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

That is fantastic news! I look forward to discussing with you.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Wednesday, 29 July 2020 4:42 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

I am happy to advise you of some good news!

Schedule 1.2

We can talk to about this in our call.

Regards

Marion

From: Lynch, Marion
Sent: 08 July 2020 13:43
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

I haven't heard back from GSO so I will chase them today.

Schedule 1.2

I'll be in touch.

Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 08 July 2020 11:39
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; EPSDD Design Review <designreview@act.gov.au>; Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Halstead, Grant <Grant.Halstead@act.gov.au>
Subject: FW: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

Thank you for following this up for us. We appreciate your help and advice so far.

We are aiming to release the expression of interest shortly and propose to request that panellists provide their own professional indemnity insurance (PI) as part of that process. If however a panellist does not have PI for instance, through being retired or not working, then we would like seek a waiver to enable them to participate in the design review process. This would be through the creation of an exemption in special circumstances.

I trust that the above suits the advice that you have provided to date however I look forward to your confirmation.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Friday, 3 July 2020 8:12 AM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

We have received clearance to get GSO advice and will get back to you ASAP regarding this.

Schedule 1.2

We do not have any concerns regarding the EPSDD / Territory's risk in this venture as this is included in our existing program.

Will keep you posted.
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 01 July 2020 14:40
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Many thanks Marion. Appreciate your help.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Wednesday, 1 July 2020 2:37 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

I had to pass this through the Deputy Under Treasurer to see if we need to obtain legal advice. I am chasing for a response on this and will get back to you.

Regards
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 01 July 2020 13:59
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

Just following up on your previous advice as we are eager to release the EOI.

Happy to discuss if required?

Regards

Adam

From: Azzopardi, Adam

Sent: Monday, 22 June 2020 9:23 AM

To: Lynch, Marion <Marion.Lynch@act.gov.au>

Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>

Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

Thank you for your email and update. I appreciate the advice to date.

In relation to the NCA, I would gather that due the NCDRP being a joint venture between the Territory and NCA, any advice given for development proposals that sit with the NCA as the final approver would rest with the Commonwealth. This is my interpretation however will await your further advice.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>

Sent: Friday, 19 June 2020 8:36 AM

To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Cc: Leaver, Panama <Panama.Leaver@act.gov.au>

Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

Thanks for the additional information. We have discussed this internally and our reading of the legislation is that it establishes the Design Review Panel as an arm of Government, rather than as a separate legal entity. If that is the case, then the Panel should be insured under the ACTIA insurance program.

I still have a concern regarding the exposure of the NCA. Again our interpretation of the legislation is that even if the Panel is giving advice on an application that will ultimately require approval from the NCA, it would still be acting as an arm of the Territory and therefore would still fall under the ACTIA

insurance program. Schedule 1.2

I will need a little more time to resolve this but thought you would appreciate the update.

Regards
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 18 June 2020 15:31
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

The DRP is established by legislation that came into effect 1 October 2019. The Planning and Development Act 2007 establishes the Design Review Panel, its functions, members, the panel's advice and to some extent its rules, noting that the TOR sets out the rules. I have extracted the DRP section of the Act and have attached for your information.

A minor amendment has also been made to the Act (Section 139 of the Act) which now reads:

- (1) This section applies to an application for development approval.
- (2) The application must—
 - (s) if the design review panel provided the proponent with design advice about the development proposal under section 138AM—be accompanied by—
 - (i) the design advice; and
 - (ii) the proponent's response, in writing, to the design advice.

In relation to the second part of your question I guess that industry may seek compensation from the panel in relation to any loss in development yield due to changes recommended by the NCDRP. However please note that the panel's comments are advisory only and the panel will never tell a proponent what to do, nor will the panel design the development.

I trust that the above sufficiently answers your questions. Happy to discuss further is required.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Wednesday, 17 June 2020 3:33 PM

To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

Thanks for all the information that you provided. I have had some conversations internally and we are struggling to see what the Panel is 'legally'. The Terms of Reference says that it has been established by the Territory and the NCA, but it doesn't say how. Bodies like this are usually established by legislation which sets out, amongst other things, whether the body is capable of suing or being sued in its own name. If it doesn't have contractual capacity, then it can't buy its own professional indemnity insurance.

To move this forward it would be good to establish what the legal basis of the Panel is and what avenue is anticipated for bodies seeking redress for any grievance (who do they anticipate would be taking action against the Panel and why).

Is this something that you can provide to us?

Many thanks
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Sent: 04 June 2020 08:07

To: Lynch, Marion <Marion.Lynch@act.gov.au>

Cc: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Roach, Adam <Adam.Roach@act.gov.au>; Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Woodruff, Leonie <Leonie.Woodruff@act.gov.au>; Halstead, Grant <Grant.Halstead@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>; EPSDD Design Review <designreview@act.gov.au>; Catherine Townsend <catherine@t-a.com.au>

Subject: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

Thank you for your time yesterday regarding the National Capital Design Review Panel (NCDRP) and us seeking clarity in regards to Professional Indemnity Insurance.

As requested please see the below information in brief about the NCDRP, Panel, Panel's Advice, process and the chairs (i.e. the ACT Government Architect and National Capital Authority Chief Planner). I have also attached the NCDRP Terms of Reference and a some examples of the 'Panel's Advice' for your information.

The NCDRP

- The National Capital Design Review Panel (NCDRP) is a joint initiative by the ACT Government and the [National Capital Authority](#) (NCA) to provide a single city-wide design review panel process before a development application is lodged. The NCDRP also offers an efficient and consistent approach to delivering independent and confidential design advice for development proposals across Canberra.
- Under the supervision of the [ACT Government Architect](#) and the NCA's Chief Planner, the NCDRP provides design advice to decision makers, developers and their design teams. Design review sessions are nominally closed to the public, however consideration to share the Panel's Advice publicly is currently made on a case by case basis. Note, there is currently a legislative amendment before the assembly that if passed will require the Panel's Advice to form part of the documents that are publicly notified when a development application is released for public consultation.
- It is important to note that the NCDRP is advisory only and not the approving body. All approvals reside with the ACT Planning and Land Authority in regards to the assessment of development applications.

The NCDRP Panel

- Panel members are selected from a pool of experts identified for their skills, expertise and record of achievement in one or more fields relevant to planning, design and development.
- The panel is composed to achieve a balanced representation of skills and experience in professions including Architecture, Landscape Architecture, Urban Design and Civil Engineering. Where a specific skill set is required, additional panel members will be called in on an as-needs basis. These may include advice from fields such as heritage, education, sustainability and environmental services, universal design, structural engineering and transport.
- It is our hope to run an expression of interest process to identify a pool of suitably qualified panel members (i.e. to establish a professional services panel from which the secretariat will select/engage panellists as needed). Panellists are currently engaged through fee for service.

The design review process

- The intent of the NCDRP is to ensure that each development proposal is realising its full potential through independent peer review for the benefit of the ACT community. The panel looks at each project in terms of surrounding context and character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction, and aesthetics. The NCDRP provides constructive and independent advice that gives full consideration to the project history, the site context, budgets and timelines.
- The *Design Principles for the ACT* have been developed to support assessment of projects by the NCDRP and to provide guidance for proponents when preparing for review. The design principles contained within this document provide a consistent reference for panel members to review individual proposals to ensure that consistent and high quality advice can be provided. They are also a useful reference for proponents to understand how panel members will review individual proposals.
- The *Design Principles for the ACT* have been benchmarked against best practice from design review panel documentation across Australia and New Zealand, including the principles outlined in the NSW Government's State Environment Planning Policy (SEPP 65) and WA's Design Review Manual. A copy of the document
- From 1 October 2019, development identified as a prescribed development under the *Planning and Development Regulation 2008* must consult with the design review panel prior submitting a

Development Application. A prescribed development proposal is a building with 5 or more storeys. See Chapter 7.2B4 of the *Planning and Development Act 2007* at <https://www.legislation.act.gov.au/View/a/2007-24/current/PDF/2007-24.PDF>.

The Panel's Advice

- Following each design review session, the proponent is issued with a written recommendation known as the 'Panel's Advice'. The Panel's Advice is informed by the views of the panel, and evaluates the design quality of the development proposal.
- The Panel's Advice is not a minute of the design review session discussion, rather it expresses the view of the Chair/s as informed by the NCDRP's deliberation. The Panel's Advice is cleared by the Chair/s.
- The Panel's Advice makes recommendations in relation to the design issues associated with a development proposal. The recommendations are issued to the proponent for their consideration. The proponent must supply a response (either agreeing or not) to the Panel's Advice when submitting a development application (a prescribed development as detailed above) for assessment.
- The NCDRP secretariat provides clarification in relation to the Panel's Advice if required. It is requested that proponents refrain from contacting the Chair or individual panel members as they will be unable to discuss NCDRP matters outside of the design review session.

NCDRP Chairs

- The NCDRP review of development proposals is under the supervision of the ACT Government Architect and, for proposals under the jurisdiction of the NCA, the NCA's Chief Planner. Where conflicts arise or the Chair is unavailable, a suitably qualified panel member is agreed by the ACT GA and the NCA Chief Planner to chair design review meetings.
- The role of the ACT Government Architect is employed under contract to the Territory.

Happy to explain any of the above if required. More information on the NCDRP may be found at www.planning.act.gov.au/designreview

Regards

Adam

Adam Azzopardi | Director Design | Building, Design and Projects

Working remotely | Phone: 02 6207 3541 | Email: adam.azzopardi@act.gov.au

Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Mon, 1 Mar 2021 03:37:42 +0000
To: [REDACTED]
Cc: Azzopardi, Adam; Grey, DavidE; Sendaba, Bethel
Subject: RE: NCDRP Panel

OFFICIAL

Hi [REDACTED]

Sch 2.2(a)(ii) [REDACTED]

Sch 2.2(a)(ii) [REDACTED]

[REDACTED] tells me that his work items have been allocated (though perhaps not all). Could you advise who will be taking carriage of the NCDRP EOI? Happy to have a quick meeting to discuss next steps. Once a new staff member is assigned it may be useful to provide a brief on the NCDRP and the purpose of the EOI to get them up to speed.

I also note there are a couple of outstanding issues below for MPC to address (see email chain). While we sort out a new MPC staff member to take over, it would be good to get clarification on these points so we can maintain the momentum.

Thanks all and kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Monday, 22 February 2021 2:02 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; [REDACTED]
Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: RE: NCDRP Panel

OFFICIAL

Panama,

Thanks, I will hold off reviewing until Bethel's comments come through, cheers

Sch 2.2(a)(xvi)

From: Leaver, Panama <Panama.Leaver@act.gov.au>

Sent: Monday, 22 February 2021 1:55 PM

To: [REDACTED]

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; [REDACTED]

Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Grey, DavidE <DavidE.Grey@act.gov.au>

Subject: RE: NCDRP Panel

Hi [REDACTED]

Please find attached the latest documents with notes in Track Changes, which should identify the points below.

I had intended to send through all comments in one package (hence leaving them off Friday's email), however for now please find attached the comments from Adam and myself. Bethel's comments to follow.

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

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From: [REDACTED]

Sent: Friday, 19 February 2021 4:22 PM

To: Leaver, Panama <Panama.Leaver@act.gov.au>; Grey, DavidE <DavidE.Grey@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; [REDACTED]

Sendaba, Bethel <Bethel.Sendaba@act.gov.au>

Subject: FW: NCDRP Panel

OFFICIAL

Panama,
Please see my comments below.

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Friday, 19 February 2021 11:31 AM
To: [REDACTED]
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP Panel

OFFICIAL

Hi [REDACTED]

Thank you for the latest documents, we really appreciate your assistance on this.

We have been reviewing them and have the below points that we seek some clarification from you please:

- **Professional Indemnity** – ACTIA advised (see attached) that PI can be covered under the ACTIA program. Some sections of the EOI documents appear to indicate that PI is required to \$5million and then include a seemingly contradictory statement that *'in the event that a tenderer does not hold a PI policy they are encouraged to submit a tender. If successful a tenderer who does not hold PI may be considered for certain categories of work commensurate with the risk and nature of the required services.'* See example on p.20 of the **Services Panel Deed (Client Version) 12 Feb 21**. The relevant text throughout the documents will need adjusting to clarify the exact requirements for PI + make these consistent across all the documents. **Please send me the document back with the sections highlighted you think are in error. These are the documents we last agreed on in relation to the wording that yourself/myself/David Grey settled on last year.**
- **Price adjustment** – This section indicates that any price adjustments are at the behest of the contractor and only to allow for increases in line with CPI, rather than being driven by the ACT Government at our discretion. Our intention for the price adjustment was to allow annual

opportunities for the ACT Government to potentially review and adjust the price, to ensure competitiveness with other design review panels in other jurisdictions. Send back the documents with your proposed wording in track changes, this is a new requirement this year so I am not sure what your expectations are here, articulating that in the documents is the start point

- **Ability to use digital signatures for work orders** – does this need to be specified where there is mention of signing the Purchase Order? (See example on p.30 of the **Services Panel Deed (Client Version) 12 Feb 21.**) An example of this is confirming via an email exchange. Sorry, I cant seem to find the part of the document you are referring to, please send it back highlighted with a comment in the document
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- **Secure Local Jobs Code**– As a Secure Local Jobs Code Certification has been discussed and identified as not required, can we delete the mention of it in the **RFT Panel Generic (Works Services and Goods) NCDRP Panellist 15 Feb 21** document? David are you able to answer this point please?

Could you please take a look at the above and provide some comment against each?

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
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480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Monday, 15 February 2021 1:03 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: [REDACTED] Grey, DavidE <DavidE.Grey@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP Panel

OFFICIAL

Panama,

Attached are the panel documents. I have reviewed them against the current templates and changed them to the new template forms are required and adjusted where necessary. I think you now have everything you require to go out to tender and to get your delegate to sign the PPM (attached).

The dates are difficult to populate as I don't know how long it will take to get your internal approvals and sign the PPM.

Once you have reviewed send the documents back in track changes and I will then have any issues cleared up checked internal to MPC to ensure the documents are ready to tender out. I recommend this time we move quickly before more policy changes and the templates are updated again. Cheers,



From: Leaver, Panama
Sent: Tue, 9 Mar 2021 05:35:10 +0000
To: Roland, Skye
Cc: Azzopardi, Adam
Subject: FW: NCDRP Panel
Attachments: (ACTGS) Services Panel Deed (Client Version) 12 Feb 21.docx, Att A - NCDRP Evaluation Plan 12 Feb 21 v2.docx, Att B - NCDRP Risk Management Plan 12 Feb 21.doc, Att C - NCDRP Panel Management Plan 12 Feb 21.docx, Att D - NCDRP Probity Statement 9 Feb 21.docx, NCDRP PPM (with Guide) Procurement Directions 10 Feb 21.docx, RFT Panel Generic (Works Services and Goods) NCDRP Panellist 15 Feb 21.docx

OFFICIAL

Hi Skye

Thanks for the call, nice to meet you.

As a starting point, please find attached the latest set of documents provided by [REDACTED] with track change comments from us. Please also note the detailed list of outstanding issues in the email chain below.

Thanks for picking this up, we hope to get these final points sorted soon as we would like to progress with the EOI as soon as possible.

Always happy for you to give me a call if you have any questions about the National Capital Design Review Panel (NCDRP) – I think some subtleties of the NCDPR operation were not well understood by [REDACTED] so happy to provide clarification as needed.

I will also arrange a catch up for Friday.

Thanks Skye!

Kind regards

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Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
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Sch 2.2(a)(xvi)

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Could you please take a look at the above and provide some comment against each?

Kind regards
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480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Monday, 15 February 2021 1:03 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: [REDACTED] Grey, DavidE <DavidE.Grey@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP Panel

OFFICIAL

Panama,

Attached are the panel documents. I have reviewed them against the current templates and changed them to the new template forms are required and adjusted where necessary. I think you now have everything you require to go out to tender and to get your delegate to sign the PPM (attached). The dates are difficult to populate as I don't know how long it will take to get your internal approvals and sign the PPM.

Once you have reviewed send the documents back in track changes and I will then have any issues cleared up checked internal to MPC to ensure the documents are ready to tender out. I recommend this time we move quickly before more policy changes and the templates are updated again. Cheers,



From: Azzopardi, Adam
Sent: Thu, 25 Mar 2021 03:34:40 +0000
To: Sendaba, Bethel
Cc: Leaver, Panama
Subject: RE: NCDRP EOI for Panel Membership

OFFICIAL

Hi Bethel

We met with MPC today to progress the outstanding items. MPC continues to work on the items and is seeking internal support for some 'out of the ordinary' issues as summarised below. I stressed that we require this information ASAP and have requested MPC's revisions by tomorrow afternoon, noting that some issues may still be outstanding.

- **Professional Indemnity and Liability** – Panama to contact ACTIA to seek specific wording for the contract relating to PI. He will also seek direction from ACTIA regarding PL.
- **Price adjustment** – After explaining our position again MPC is confirming revised wording to suit CPI and our review of panel fees.
- **Ability to use digital signatures for work orders** – MPC is confident that this is acceptable however will confirm.
- **Local Industry Participation Policy (LIPP)** – Advice from MPC is that this requirement can remain as it is a standardised consideration of a range of ethical, environmental, economic and social factors to ensure that procurement processes and outcomes reflect the values of the ACT Government and the community.
- **Secure Local Jobs Code** – MPC confirmed that this does not have to be included.

In addition to the above we discussed the current NCDRP budget with MPC who are comfortable with our position as each panel member (contractor) will be engaged each time for under the \$25,000.00 threshold. MPC will propose the appropriate wording within the EOI material.

Regards

Adam

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Sent: Friday, 19 February 2021 1:25 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP EOI for Panel Membership

OFFICIAL

Thanks Adam –

If you can keep me updated on progress especially if you get feedback from Grant/MPC that looks like it will be sticking point let me know please so we can resolve quickly.

Cheers,
Bethel

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: Friday, 19 February 2021 12:00 PM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: NCDRP EOI for Panel Membership
Importance: High

OFFICIAL

Hi Bethel

As discussed please find attached objective reference to the most recent EOI package sent to EPSDD for review from MPC. Panama and I have both reviewed the documents however are currently seeking clarification from MPC on the below outstanding issues (as identified from the supplied procurement documents):

- **Professional Indemnity** – ACTIA advised (see attached) that PI can be covered under the ACTIA program. Some sections of the EOI documents appear to indicate that PI is required to \$5million and then include a seemingly contradictory statement that *'in the event that a tenderer does not hold a PI policy they are encouraged to submit a tender. If successful a tenderer who does not hold PI may be considered for certain categories of work commensurate with the risk and nature of the required services.'* See example on p.20 of the **Services Panel Deed (Client Version) 12 Feb 21**. The relevant text throughout the documents will need adjusting to clarify the exact requirements for PI + make these consistent across all the documents.
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- **Secure Local Jobs Code**— As a Secure Local Jobs Code Certification has been discussed and identified as not required, can we delete the mention of it in the **RFT Panel Generic (Works Services and Goods) NCDRP Panellist 15 Feb 21** document?

Panama and I are available to discuss the details if required.

Regards

Adam

From: Leaver, Panama
Sent: Wed, 24 Mar 2021 02:28:39 +0000
To: Roland, Skye
Cc: Power, Rebecca; Azzopardi, Adam
Subject: RE: Marked up EOI documents for NCDRP

OFFICIAL

Hi Skye

In regards to Bethel's note about funding in the **NCDRP PPM (with guide) Procurement Directions 10 Feb 21** document, we have committed funding for this (\$252k for 2020-21) and next financial year (\$244k for 2021-22) and we are seeking future funding through ACT Budget Bid considerations.

Noting that does not cover the full 3 years proposed under the current procurement, could you please advise on how this can be managed within the EOI process? For consideration for tomorrow's catch up. Thank you.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Wednesday, 24 March 2021 11:33 AM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Power, Rebecca <Rebecca.Power@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: Marked up EOI documents for NCDRP
Importance: High

OFFICIAL

Hi Skye

Thank you for the discussion this morning.

Please find attached the latest mark up of the EOI documentation, including Bethel Sendaba (EBM)'s comments and mine against the issues we discussed. Please give me a call at any point if you are unsure/require clarification of any comments.

Your attention to these is appreciated noting that the DDG/EBM have identified these as a high priority to finalise this week, having been with MPC for some time now (acknowledging you have received this following **Sch 2.2(a)(ii)**).

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

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From: Roland, Skye
Sent: Thu, 25 Mar 2021 22:17:00 +0000
To: Leaver, Panama
Cc: Azzopardi, Adam
Subject: FW: NCDRP Panel
Attachments: Att D - NCDRP Probity Statement 9 Feb 21.docx, (ACTGS) Services Panel Deed (Client Version) 21.03.26.docx, RFT Panel Generic (Works Services and Goods) NCDRP Panellist 21.03.26.docx, NCDRP PPM (with Guide) Procurement Directions 21.03.25.docx, Att A - NCDRP Evaluation Plan 21.03.25 v3.docx, Att C - NCDRP Panel Management Plan 21.03.25.docx, Att B - NCDRP Risk Management Plan 12 Feb 21.doc

OFFICIAL

Hi Panama

Current draft with my updates as attached. I am waiting for advice back from our contracts team around price adjustment and electronic signature on the purchase order - but have been advised that I might not receive it by COB today so I'm sending these to you in advance of their confirmation as discussed yesterday. Please update with the words from ACTIA.

Thanks

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | **M:** [REDACTED] | **E** skye.roland@act.gov.au
GPO Box 158, Canberra, ACT 2601

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: Roland, Skye
Sent: Friday, 26 March 2021 7:43 AM
To: Hamill, Ian <Ian.Hamill@act.gov.au>
Cc: Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: RE: NCDRP Panel

OFFICIAL

Hi Ian

In David's absence are you able to provide some guidance for the NCDRP panel RFT/ Panel Deed? EPSDD are hoping to have the documents finalised today so they can go through internal sign off ahead of an 8 April release date. I have made some edits to a couple clauses and would like some advice around the approach taken. If you search for 'David' within the RFT and Panel Deed it will take you straight to the comments (I tried to use Ian but ian is in a lot of words including Australian so wasn't an effective shortcut).

Specifically:

- EPSDD want the ability to adjust the price as they see fit in alignment with other similar design review panels across Australia, they want to do this when and if they choose not on a set day – check Item 3 Price Adjustment (Panel Deed), and clause 4.8 Adjustment (RFT). They do not want this to be instigated by a panel member they want full control.
- They want to be able to electronically sign off on purchase orders – 1.2 Agreement to provide Services (Panel Deed)– do we need to stipulate this anywhere, they don't want to have to physically sign purchase orders as many people are still WFH and lots of engagements anticipated. I think we currently already have this ability as long as it's within the Financial Delegation of the individual to sign off on it? I don't think this requires any action within these documents but please confirm.
- No action required now on this dot point but will need further advice on this point once updated words received from ACTIA/ EPSDD. Included as an early heads up - some of the panel members may be retired and may not personally carry insurances – ACTIA have said they are covered under their WOG insurance for PI as the Design Review Panel is a legislated body – EPSDD to be providing words to include in all sections referencing insurances that are consistent with the coverage provided under our insurance policies

As always I greatly appreciate your help.

Thanks

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | M: [REDACTED] | E skye.roland@act.gov.au
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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 9 March 2021 4:35 PM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: FW: NCDRP Panel

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I will also arrange a catch up for Friday.

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To: [REDACTED]
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP Panel

OFFICIAL

Hi [REDACTED]

Thank you for the latest documents, we really appreciate your assistance on this.

We have been reviewing them and have the below points that we seek some clarification from you please:

- **Professional Indemnity** – ACTIA advised (see attached) that PI can be covered under the ACTIA program. Some sections of the EOI documents appear to indicate that PI is required to \$5million and then include a seemingly contradictory statement that *'in the event that a tenderer does not hold a PI policy they are encouraged to submit a tender. If successful a tenderer who does not hold PI may be considered for certain categories of work commensurate with the risk and nature of the required services.'* See example on p.20 of the **Services Panel Deed (Client Version) 12 Feb 21**. The relevant text throughout the documents will need adjusting to clarify the exact requirements for PI + make these consistent across all the documents. **Please send me the document back with the sections highlighted you think are in error. These are the documents we last agreed on in relation to the wording that yourself/myself/David Grey settled on last year.**

- **Price adjustment** – This section indicates that any price adjustments are at the behest of the contractor and only to allow for increases in line with CPI, rather than being driven by the ACT Government at our discretion. Our intention for the price adjustment was to allow annual opportunities for the ACT Government to potentially review and adjust the price, to ensure competitiveness with other design review panels in other jurisdictions. **Send back the documents with your proposed wording in track changes, this is a new requirement this year so I am not sure what your expectations are here, articulating that in the documents is the start point**
- **Ability to use digital signatures for work orders** – does this need to be specified where there is mention of signing the Purchase Order? (See example on p.30 of the **Services Panel Deed (Client Version) 12 Feb 21.**) An example of this is confirming via an email exchange. **Sorry, I cant seem to find the part of the document you are referring to, please send it back highlighted with a comment in the document**
- **Local Industry Participation Policy (LIPP)** – Is this specifically required for the EOI? It is listed as a weighted criteria however it seems like the current procurement does not meet the thresholds for either an Economic Contributions Test (ECT) \$200k-\$5m, or the Local Industry Participation (LIP) requirement >\$5m. If not applicable, can the references to this requirement be removed? **David are you able to answer this point please?**
- **Secure Local Jobs Code**– As a Secure Local Jobs Code Certification has been discussed and identified as not required, can we delete the mention of it in the **RFT Panel Generic (Works Services and Goods) NCDRP Panellist 15 Feb 21** document? **David are you able to answer this point please?**

Could you please take a look at the above and provide some comment against each?

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Monday, 15 February 2021 1:03 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: [REDACTED] Grey, DavidE <DavidE.Grey@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP Panel

OFFICIAL

Panama,

Attached are the panel documents. I have reviewed them against the current templates and changed them to the new template forms are required and adjusted where necessary. I think you now have everything you require to go out to tender and to get your delegate to sign the PPM (attached). The dates are difficult to populate as I don't know how long it will take to get your internal approvals and sign the PPM.

Once you have reviewed send the documents back in track changes and I will then have any issues cleared up checked internal to MPC to ensure the documents are ready to tender out. I recommend this time we move quickly before more policy changes and the templates are updated again. Cheers,



From: Osborne, Peter
Sent: Sun, 28 Mar 2021 23:54:37 +0000
To: Leaver, Panama; Kalleske, Sarah
Cc: Garcia, Julia
Subject: RE: National Capital Design Review Panel EOI - Professional Indemnity

Good morning Panama

I am writing further to your email to Julia Garcia below.

Assuming that there has been no change to the operation of the NDRP and that it remains a Territory entity, it will be insured for both professional indemnity and public liability insurance under the ACTIA program.

ACTIA suggests that the procurement documentation include a statement to the effect that “as the NDRP is a Territory entity, it falls within the scope of the Territory’s self-insurance arrangements under the Insurance Authority Act 2005 and there is no requirement for panellists to hold their own professional indemnity or public liability insurance.”

Hope this is helpful, all the best

Peter

Peter Osborne | Assistant General Manager

Phone: 02 6205 2774 | Fax: 02 6207 0301 | Mobile: [REDACTED]

ACT Insurance Authority | Chief Minister, Treasury and Economic Development Directorate | ACT Government

5 Constitution Ave Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | <http://apps.treasury.act.gov.au/insurance-and-risk-management>

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Monday, 29 March 2021 9:14 AM
To: Garcia, Julia <Julia.Garcia@act.gov.au>
Cc: Kalleske, Sarah <Sarah.Kalleske@act.gov.au>
Subject: FW: National Capital Design Review Panel EOI - Professional Indemnity
Importance: High

UNCLASSIFIED

Good morning Julia and Sarah

While Marion is away (her out of office does not indicate when she will be back), I am hoping you can assist with the urgent query below, or direct me to someone who can?

Thank you!

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama

Sent: Thursday, 25 March 2021 2:13 PM

To: Lynch, Marion <Marion.Lynch@act.gov.au>

Cc: 'ACTIAinsuranceandriskmanagement@act.gov.au'

<ACTIAinsuranceandriskmanagement@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Subject: FW: National Capital Design Review Panel EOI - Professional Indemnity

UNCLASSIFIED

Hi Marion

Note: Hi ACTIA Insurance and Risk team, I can see Marion has an out of office message, however she has not specified when she will be returning. As the matter below is DG priority item, if Marion will be away tomorrow/into next week, could you please provide an alternate contact to assist in addressing the below? Thank you.

Previously you assisted Adam and I in obtaining some advice regarding Professional Indemnity insurance requirements (corro in email chain below), to be included in a procurement process for the National Capital Design Review Panel to establish a permanent pool of design review panellists.

Schedule 1.2

Could you please assist us to;

- Confirm that the ACTIA program will cover both Professional Indemnity *and* Public Liability for panellists that do not hold either of these insurances?
- Confirm the exact title of the 'ACTIA program', piece of policy or legislation under which this is provided, as we would like to include this in the procurement documentation

Thank you,

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

From: Leaver, Panama
Sent: Thursday, 25 March 2021 11:33 AM
To: Roland, Skye <Skye.Roland@act.gov.au>
Subject: National Capital Design Review Panel EOI - Professional Indemnity

UNCLASSIFIED

Hi Skye

Please see below for formal advice regarding the Professional Indemnity insurance issue flagged within the NCDRP EOI documents.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Tuesday, 4 August 2020 8:36 AM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

Thanks for the reminder.

Schedule 1.2

Trust this helps.

Regards
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 04 August 2020 08:33
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity
Importance: High

UNCLASSIFIED

Hi Marion

Just to follow up on our meeting last week regarding professional insurance for the NCDRP. Many thanks for your help and for the advice to date that you have provided.

To close the loop, we look forward to ACTIA's confirmation of the above via email. Receipt of your advice in writing will enable us to progress our brief to the DG for the commencement of the EOI process.

Regards

Adam

From: Azzopardi, Adam
Sent: Thursday, 30 July 2020 8:23 AM
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

That is fantastic news! I look forward to discussing with you.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Wednesday, 29 July 2020 4:42 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

I am happy to advise you of some good news!

Schedule 1.2

We can talk to about this in our call.

Regards
Marion

From: Lynch, Marion
Sent: 08 July 2020 13:43
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

I haven't heard back from GSO so I will chase them today.

Schedule 1.2

I'll be in touch.
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 08 July 2020 11:39
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; EPSDD Design Review <designreview@act.gov.au>; Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Halstead, Grant <Grant.Halstead@act.gov.au>
Subject: FW: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

Thank you for following this up for us. We appreciate your help and advice so far.

We are aiming to release the expression of interest shortly and propose to request that panellists provide their own professional indemnity insurance (PI) as part of that process. If however a panellist does not have PI for instance, through being retired or not working, then we would like seek a waiver to enable them to participate in the design review process. This would be through the creation of an exemption in special circumstances.

I trust that the above suits the advice that you have provided to date however I look forward to your confirmation.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Friday, 3 July 2020 8:12 AM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

We have received clearance to get GSO advice and will get back to you ASAP regarding this.

Schedule 1.2

We do not have any concerns regarding the EPSDD / Territory's risk in this venture as this is included in our existing program.

Will keep you posted.
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 01 July 2020 14:40
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Many thanks Marion. Appreciate your help.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Wednesday, 1 July 2020 2:37 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

I had to pass this through the Deputy Under Treasurer to see if we need to obtain legal advice. I am chasing for a response on this and will get back to you.

Regards
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 01 July 2020 13:59
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

Just following up on your previous advice as we are eager to release the EOI.

Happy to discuss if required?

Regards

Adam

From: Azzopardi, Adam
Sent: Monday, 22 June 2020 9:23 AM
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

Thank you for your email and update. I appreciate the advice to date.

In relation to the NCA, I would gather that due the NCDRP being a joint venture between the Territory and NCA, any advice given for development proposals that sit with the NCA as the final approver would rest with the Commonwealth. This is my interpretation however will await your further advice.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>
Sent: Friday, 19 June 2020 8:36 AM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

Thanks for the additional information. We have discussed this internally and our reading of the legislation is that it establishes the Design Review Panel as an arm of Government, rather than as a separate legal entity. If that is the case, then the Panel should be insured under the ACTIA insurance program.

I still have a concern regarding the exposure of the NCA. Again our interpretation of the legislation is that even if the Panel is giving advice on an application that will ultimately require approval from the NCA, it would still be acting as an arm of the Territory and therefore would still fall under the ACTIA insurance program. Schedule 1.2

I will need a little more time to resolve this but thought you would appreciate the update.

Regards
Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 18 June 2020 15:31
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

The DRP is established by legislation that came into effect 1 October 2019. The Planning and Development Act 2007 establishes the Design Review Panel, its functions, members, the panel's advice

and to some extent its rules, noting that the TOR sets out the rules. I have extracted the DRP section of the Act and have attached for your information.

A minor amendment has also been made to the Act (Section 139 of the Act) which now reads:

(1) This section applies to an application for development approval.

(2) The application must—

- (s) if the design review panel provided the proponent with design advice about the development proposal under section 138AM—be accompanied by—
 - (i) the design advice; and
 - (ii) the proponent's response, in writing, to the design advice.

In relation to the second part of your question I guess that industry may seek compensation from the panel in relation to any loss in development yield due to changes recommended by the NCDRP. However please note that the panel's comments are advisory only and the panel will never tell a proponent what to do, nor will the panel design the development.

I trust that the above sufficiently answers your questions. Happy to discuss further is required.

Regards

Adam

From: Lynch, Marion <Marion.Lynch@act.gov.au>

Sent: Wednesday, 17 June 2020 3:33 PM

To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Subject: RE: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Adam,

Thanks for all the information that you provided. I have had some conversations internally and we are struggling to see what the Panel is 'legally'. The Terms of Reference says that it has been established by the Territory and the NCA, but it doesn't say how. Bodies like this are usually established by legislation which sets out, amongst other things, whether the body is capable of suing or being sued in its own name. If it doesn't have contractual capacity, then it can't buy its own professional indemnity insurance.

To move this forward it would be good to establish what the legal basis of the Panel is and what avenue is anticipated for bodies seeking redress for any grievance (who do they anticipate would be taking action against the Panel and why).

Is this something that you can provide to us?

Many thanks

Marion

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: 04 June 2020 08:07
To: Lynch, Marion <Marion.Lynch@act.gov.au>
Cc: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Roach, Adam <Adam.Roach@act.gov.au>; Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Woodruff, Leonie <Leonie.Woodruff@act.gov.au>; Halstead, Grant <Grant.Halstead@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>; EPSDD Design Review <designreview@act.gov.au>; Catherine Townsend <catherine@t-a.com.au>
Subject: National Capital Design Review Panel - Professional Indemnity

UNCLASSIFIED

Hi Marion

Thank you for your time yesterday regarding the National Capital Design Review Panel (NCDRP) and us seeking clarity in regards to Professional Indemnity Insurance.

As requested please see the below information in brief about the NCDRP, Panel, Panel's Advice, process and the chairs (i.e. the ACT Government Architect and National Capital Authority Chief Planner). I have also attached the NCDRP Terms of Reference and a some examples of the 'Panel's Advice' for your information.

The NCDRP

- The National Capital Design Review Panel (NCDRP) is a joint initiative by the ACT Government and the [National Capital Authority](#) (NCA) to provide a single city-wide design review panel process before a development application is lodged. The NCDRP also offers an efficient and consistent approach to delivering independent and confidential design advice for development proposals across Canberra.
- Under the supervision of the [ACT Government Architect](#) and the NCA's Chief Planner, the NCDRP provides design advice to decision makers, developers and their design teams. Design review sessions are nominally closed to the public, however consideration to share the Panel's Advice publicly is currently made on a case by case basis. Note, there is currently a legislative amendment before the assembly that if passed will require the Panel's Advice to form part of the documents that are publicly notified when a development application is released for public consultation.
- It is important to note that the NCDRP is advisory only and not the approving body. All approvals reside with the ACT Planning and Land Authority in regards to the assessment of development applications.

The NCDRP Panel

- Panel members are selected from a pool of experts identified for their skills, expertise and record of achievement in one or more fields relevant to planning, design and development.
- The panel is composed to achieve a balanced representation of skills and experience in professions including Architecture, Landscape Architecture, Urban Design and Civil Engineering. Where a specific skill set is required, additional panel members will be called in on an as-needs

basis. These may include advice from fields such as heritage, education, sustainability and environmental services, universal design, structural engineering and transport.

- It is our hope to run an expression of interest process to identify a pool of suitably qualified panel members (i.e. to establish a professional services panel from which the secretariat will select/engage panellists as needed). Panellists are currently engaged through fee for service.

The design review process

- The intent of the NCDRP is to ensure that each development proposal is realising its full potential through independent peer review for the benefit of the ACT community. The panel looks at each project in terms of surrounding context and character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction, and aesthetics. The NCDRP provides constructive and independent advice that gives full consideration to the project history, the site context, budgets and timelines.
- The *Design Principles for the ACT* have been developed to support assessment of projects by the NCDRP and to provide guidance for proponents when preparing for review. The design principles contained within this document provide a consistent reference for panel members to review individual proposals to ensure that consistent and high quality advice can be provided. They are also a useful reference for proponents to understand how panel members will review individual proposals.
- The *Design Principles for the ACT* have been benchmarked against best practice from design review panel documentation across Australia and New Zealand, including the principles outlined in the NSW Government's State Environment Planning Policy (SEPP 65) and WA's Design Review Manual. A copy of the document
- From 1 October 2019, development identified as a prescribed development under the *Planning and Development Regulation 2008* must consult with the design review panel prior submitting a Development Application. A prescribed development proposal is a building with 5 or more storeys. See Chapter 7.2B4 of the *Planning and Development Act 2007* at <https://www.legislation.act.gov.au/View/a/2007-24/current/PDF/2007-24.PDF>.

The Panel's Advice

- Following each design review session, the proponent is issued with a written recommendation known as the 'Panel's Advice'. The Panel's Advice is informed by the views of the panel, and evaluates the design quality of the development proposal.
- The Panel's Advice is not a minute of the design review session discussion, rather it expresses the view of the Chair/s as informed by the NCDRP's deliberation. The Panel's Advice is cleared by the Chair/s.
- The Panel's Advice makes recommendations in relation to the design issues associated with a development proposal. The recommendations are issued to the proponent for their consideration. The proponent must supply a response (either agreeing or not) to the Panel's Advice when submitting a development application (a prescribed development as detailed above) for assessment.
- The NCDRP secretariat provides clarification in relation to the Panel's Advice if required. It is requested that proponents refrain from contacting the Chair or individual panel members as they will be unable to discuss NCDRP matters outside of the design review session.

NCDRP Chairs

- The NCDRP review of development proposals is under the supervision of the ACT Government Architect and, for proposals under the jurisdiction of the NCA, the NCA's Chief Planner. Where conflicts arise or the Chair is unavailable, a suitably qualified panel member is agreed by the ACT GA and the NCA Chief Planner to chair design review meetings.
- The role of the ACT Government Architect is employed under contract to the Territory.

Happy to explain any of the above if required. More information on the NCDRP may be found at www.planning.act.gov.au/designreview

Regards

Adam

Adam Azzopardi | Director Design | Building, Design and Projects

Working remotely | Phone: 02 6207 3541 | Email: adam.azzopardi@act.gov.au

Planning, Land and Building Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Roland, Skye
Sent: Mon, 29 Mar 2021 20:52:40 +0000
To: Leaver, Panama
Cc: Azzopardi, Adam; Grey, DavidE
Subject: RE: NCDRP EOI documents with comments
Attachments: (ACTGS) Services Panel Deed (Client Version) 21.03.30.docx, RFT Panel Generic (Works Services and Goods) NCDRP Panellist 21.03.30.docx, Att A - NCDRP Evaluation Plan 21.03.30.docx, Att D - NCDRP Probity Statement 2021.03.30.docx, NCDRP PPM (with Guide) Procurement Directions 21.03.30.docx, Att C - NCDRP Panel Management Plan 21.03.25.docx, Att B - NCDRP Risk Management Plan 12 Feb 21.doc

OFFICIAL

Hi Panama

Updated copies attached. In the RFT please add the reference to the attachment number for the industry briefing file.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | **M:** [REDACTED] | **E** skye.roland@act.gov.au
GPO Box 158, Canberra, ACT 2601

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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Monday, 29 March 2021 5:11 PM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP EOI documents with comments

OFFICIAL

Hi Skye

Please find attached this morning's copies with my comments against outstanding items. I have also attached the 'Terms of Reference' attachment which you commented on in one of the documents, provided for your reference.

I note one item I have not been able to resolve this afternoon relating to funding for the EOI, which I will follow up first thing tomorrow.

Thank you for work on these to-date, it is much appreciated.

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Tue, 6 Apr 2021 03:48:41 +0000
To: Roland, Skye
Cc: Azzopardi, Adam
Subject: RE: NCDRP EOI documents
Attachments: Attachment 1A - NCDRP - Terms of Reference.pdf, Attachment 1B - NCDRP Design Principles for the ACT.pdf, Attachment 1C - NCDRP Information Booklet.pdf, Attachment 1D - NCDRP Practitioners Guide.pdf, Attachment 02 - NCDRP - Proposed Fee Schedule.pdf, NCDRP PPM (with Guide) Procurement Directions 21.03.25.docx, RFT Panel Generic (Works Services and Goods) NCDRP Panellist 21.03.26.docx

OFFICIAL

Hi Skye

Please find attached the RFT, PPM and associated attachments (apologies I could not send all at once as it hit the email file size limit, hence Objective Connect). I note also that Adam has provided a response regarding the funding questions which should allow for completion of those elements.

As Adam mentioned, can you please update the documents accordingly and return for our final check?

Thank you!


Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Roland, Skye <Skye.Roland@act.gov.au>
Sent: Tuesday, 6 April 2021 2:55 AM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Panama

The PPM and RFT weren't attached to your email. I have updated for consistency and updated the insurance section in the RFT as per your latest advice. I've also updated the TET to include ^{Sch 2.2(a)(xvi)}


Just need a little bit more clarification on funding as per my other email to Adam.

I can't access the files in Objective connect – forgot my password and it's letting me reset it. Please email the files or message them to me over Teams.

As discussed previously, we don't need to be updating the Panel Deed right now. The contracts team will update the Deed based on the terms outlined in the RFT once the tender evaluation report has been signed off by delegate. The Deed will not be issued with the RFT and tenderers will not see any of our edits until after the contract has been awarded – they will refer to the standard conditions on the Tenders ACT website. I have attached it to this email but only because it has been commented on previously.

I am on leave this week but understand that the tender needs to be progressed so I will be working on it out of hours.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | M: [REDACTED] | E skye.roland@act.gov.au
GPO Box 158, Canberra, ACT 2601

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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 30 March 2021 4:54 PM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP EOI documents

OFFICIAL

Hi Skye

Thank you for the revisions to the documents, we are very quickly whittling down to the last couple of minor points which is terrific.

Please find attached the revised documents with our comments incorporated via Track. Barring the insurance question (which I believe may be resolved with the latest edit), the remaining issues are minor points for MPC's clarification.

As an overview of the edits, I have;

- made some suggested edits to the insurances sections across all relevant documents which are explained in the track changes comments, if the suggested text is acceptable to MPC then we can consider the insurances issue resolved.
- updated the proposed dates and confirmed the criteria are correct and aligned across the documents.

- the proposed Industry Briefing document and other attachments, provided via a separate email (Objective Connect link)

Outstanding items to be provided to MPC by EPSDD:

- Confirm the funding available with this to be incorporated as text on page 1 of the **NCDRP PPM**
– Adam will provide this to you tomorrow.

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Tue, 6 Apr 2021 23:53:57 +0000
To: Roland, Skye
Cc: Azzopardi, Adam
Subject: RE: NCDRP EOI documents
Attachments: Attachment 1A - NCDRP - Terms of Reference.pdf, 52110-RFT-320 Attachment 1E- NCDRP – Industry Briefing.pptx, NCDRP PPM (with Guide) Procurement Directions.docx, RFT Panel Generic (Works Services and Goods) NCDRP Panellist.docx

OFFICIAL

Hi Skye

That is great, thank you. Regarding timing, once we receive the package from MPC we will need to run it through our internal approvals prior to releasing the RFT. With this in mind the attached PPM and RFT provide revised dates (shifting dates forward to commence the RFT on 6 May).

The Attachment 1E – Industry Briefing is attached, as is the latest Attachment 1A – Terms of Reference. I had uploaded these as a package to Objective Connect however I missed them when sending them through via email.

In relation to the fee schedule (i.e. Attachment 02 – NCDRP – Proposed Fee Schedule), having compared it seems like the price difference between the RFT and the Attachment may be as one is GST inclusive while the other is GST exclusive – please let me know if that does not account for the difference.

Could you please advise on when your manager expects to have reviewed/signed off, so we can report up also? Thank you!

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
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From: Roland, Skye <Skye.Roland@act.gov.au>
Sent: Wednesday, 7 April 2021 3:26 AM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Panama

I've updated the docs and removed track changes. The PPM is with my manager for sign off and I'll forward the full package once I have her signature. Are we still aiming to release the RFT on Thursday this week?

Please forward the industry briefing power point '52110-RFT-320 Attachment 1E- NCDRP – Industry Briefing' so I can include it in the package to be released with the RFT.

The PPM, RFT and Attachment 02 – NCDRP – Proposed Fee Schedule that were attached to your email were old versions and did not reflect the latest changes. I have edited the latest version not the ones attached to your email. Pricing Information has been embed within the RFT. The rates embed are higher than the ones in the separate attachment and appear to have been updated previously – I have not adjusted the values.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | M: [REDACTED] | E skye.roland@act.gov.au
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Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents

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As Adam mentioned, can you please update the documents accordingly and return for our final check?

Thank you!

Kind regards
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Just need a little bit more clarification on funding as per my other email to Adam.

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I am on leave this week but understand that the tender needs to be progressed so I will be working on it out of hours.

Regards

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Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

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480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Fri, 9 Apr 2021 05:00:07 +0000
To: Leaver, Panama
Cc: Roland, Skye
Subject: FW: NCDRP EOI documents
Attachments: NCDRP PPM - Att A - NCDRP Evaluation Plan 21.04.05 v4.docx, NCDRP PPM - Att B - NCDRP Risk Management Plan - 21.02.12.doc, NCDRP PPM - Att C - NCDRP Panel Management Plan 21.04.05.docx, NCDRP PPM - Att D - NCDRP Probity Statement 21.04.05.docx, 52110-RFT-320 Panel Generic (Works Services and Goods) NCDRP Panellist 21.04.05.docx, 52110-RFT-320 Attachment 1B - NCDRP Design Principles for the ACT.pdf, 52110-RFT-320 Attachment 1C - NCDRP Information Booklet.pdf, 52110-RFT-320 Attachment 1D - NCDRP Practitioners Guide.pdf, 52110-RFT-320 Attachment 1A - NCDRP - Terms of Reference.pdf, NCDRP PPM (with Guide) Procurement Directions 21.04.05 (002).pdf

OFFICIAL

Hi Panama,

Please find the documents attached for final approval by EPSDD. Thank you for your patience. 😊

regards

Sch 2.2(a)(xvi)

From: Roland, Skye <Skye.Roland@act.gov.au>

Sent: Wednesday, 7 April 2021 2:59 AM

To: [REDACTED]
Subject: FW: NCDRP EOI documents

OFFICIAL

Hi [REDACTED]

Please find attached PPM and documents for NCDRP panel. They are aiming to have the RFT released tomorrow. Let me know if you have any issues with the docs.

I'm assuming that our fee has been agreed previously but just wanted to double check that you are happy with a flat fee of \$5k/year inc GST to manage the panel – this seems low for the level of service that has gone into preparation of the documents and likely work that will be ongoing over the term. I think it loosely relates to around 4% of the likely yearly expenditure but seems very low even if we are very hands off.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | **M:** [REDACTED] | **E** skye.roland@act.gov.au
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As Adam mentioned, can you please update the documents accordingly and return for our final check?

Thank you!

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Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

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Subject: NCDRP EOI documents

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Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

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480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Tue, 13 Apr 2021 01:33:13 +0000
To: Sendaba, Bethel
Cc: Azzopardi, Adam
Subject: DG Brief - NCDRP Panel membership procurement
Attachments: 19_27945 - DG Correspondence - NCDRP Panel membership procurement
process alias.obr

OFFICIAL

Hi Bethel

Please find attached for your review the DG Brief folder for the NCDRP EOI procurement. The documents in the folder represent the latest documents provided to us by MPC and updated by us to ensure consistency of dates and Attachment references across/throughout the package.

Two items for noting;

- Media plan to be updated to roll forward dates, the plan will however remain as stated in the document. We are meeting with Siobhan this week to update the plan according to the current program for the procurement process.
- There is a question about whether to include *Attachment 06 - NCDRP - Canberra Region Local Industry Participation Economic Contribution Test* as this is not currently referred to in the package. The RFT provided in-document hyperlinks to the relevant ACT Government website where the LIPP is mentioned, so it may not be necessary to provide as a separate document.

Over to you,
Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Roland, Skye
Sent: Tue, 13 Apr 2021 00:44:22 +0000
To: Leaver, Panama
Cc: Azzopardi, Adam; [REDACTED]; Grey, DavidE
Subject: RE: NCDRP EOI documents
Attachments: NCDRP PPM (with Guide) Procurement Directions 21.04.12.docx

OFFICIAL

Hi Panama

Word version attached, it does not have signatures.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | **M:** [REDACTED] | **E** skye.roland@act.gov.au
GPO Box 158, Canberra, ACT 2601

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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 13 April 2021 10:34 AM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; [REDACTED]
Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: RE: NCDRP EOI documents
Importance: High

OFFICIAL

Hi Skye

Thank you for these. Could you please provide a word copy of the **PPM (with Guide)** document? We are intending to issue the DG brief today and would like a word version for ease of use.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
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From: Roland, Skye <Skye.Roland@act.gov.au>
Sent: Tuesday, 13 April 2021 10:25 AM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; [REDACTED]
Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Panama

Please find attached PPM and attachments for Delegate approval. The dates have been updated in the PPM and RFT as per your latest email. The industry briefing file has not been attached to this email due to file size.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government
T: +61 (0)2 6205 4511 | **M:** [REDACTED] | E skye.roland@act.gov.au
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Sent: Monday, 12 April 2021 1:14 PM
To: [REDACTED]
Cc: Roland, Skye <Skye.Roland@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents
Importance: High

OFFICIAL

Hi [REDACTED] and Skye

Following up on the below, could you please let me know if you can return these this afternoon? Thank you!

Kind regards

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
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Sent: Friday, 9 April 2021 3:33 PM
To: [REDACTED]
Cc: Roland, Skye <Skye.Roland@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents
Importance: High

OFFICIAL

Hi [REDACTED]

Thank you to you and Skye for these, it is much appreciated. Having given a quick scan they all look up to date and correct, with the exception of the timing/dates.

The correct timing/dates are included in the attached, could you please refer to these and update accordingly? These versions were provided to Skye on Wednesday along with an updated Terms of Reference attachment. The ToR has made it across in your latest package however the dates have not yet, understandable that these may have been lost in the wash.

Could you please let me know if you will have a moment this afternoon to make these last updates?

Kind regards
Panama

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Sch 2.2(a)(xvi)

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Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

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From: Roland, Skye
Sent: Fri, 16 Apr 2021 03:16:28 +0000
To: Leaver, Panama
Cc: Azzopardi, Adam; [REDACTED]; Grey, DavidE
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Panama

Attachment 7 doesn't need to be included. The RFT included an embedded link in the evaluation criteria for LIPP.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | **M:** [REDACTED] | **E** skye.roland@act.gov.au
GPO Box 158, Canberra, ACT 2601

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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Friday, 16 April 2021 1:15 PM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; [REDACTED]
Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Skye

Following up on the below, could you please provide comment? We are providing a brief to the DDG this afternoon at 3:30pm.

Thank you,
Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Wednesday, 14 April 2021 1:18 PM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; [REDACTED]
Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Skye

Looking through the documents and attachments, in a previous batch (quite a bit earlier from Erica Pilgrim Day) there was an Attachment 7 (see pdf attached to this email). In the current version of the procurement documents there is no direct reference to this attachment, however the sections that mention the LIPP/ECT provide hyperlinks to the relevant ACT Government webpage.

Could you confirm whether this document needs to be included, and if so, where is the appropriate spot in the documents to insert a reference to Attachment 7? If it is no longer required, we will delete it and adjust attachment numbers to suit.

Thank you,
Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Roland, Skye <Skye.Roland@act.gov.au>
Sent: Tuesday, 13 April 2021 10:25 AM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; [REDACTED]
Grey, DavidE <DavidE.Grey@act.gov.au>
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Panama

Please find attached PPM and attachments for Delegate approval. The dates have been updated in the PPM and RFT as per your latest email. The industry briefing file has not been attached to this email due to file size.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | M: [REDACTED] | E skye.roland@act.gov.au
GPO Box 158, Canberra, ACT 2601

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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Monday, 12 April 2021 1:14 PM
To: [REDACTED]
Cc: Roland, Skye <Skye.Roland@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents
Importance: High

OFFICIAL

Hi [REDACTED] and Skye

Following up on the below, could you please let me know if you can return these this afternoon? Thank you!

Kind regards

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Friday, 9 April 2021 3:33 PM
To: [REDACTED]
Cc: Roland, Skye <Skye.Roland@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents
Importance: High

OFFICIAL

Hi [REDACTED]

Thank you to you and Skye for these, it is much appreciated. Having given a quick scan they all look up to date and correct, with the exception of the timing/dates.

The correct timing/dates are included in the attached, could you please refer to these and update accordingly? These versions were provided to Skye on Wednesday along with an updated Terms of Reference attachment. The ToR has made it across in your latest package however the dates have not yet, understandable that these may have been lost in the wash.

Could you please let me know if you will have a moment this afternoon to make these last updates?

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Friday, 9 April 2021 3:00 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Roland, Skye <Skye.Roland@act.gov.au>
Subject: FW: NCDRP EOI documents

OFFICIAL

Hi Panama,

Please find the documents attached for final approval by EPSDD. Thank you for your patience. 😊

regards

Sch 2.2(a)(xvi)

From: Roland, Skye <Skye.Roland@act.gov.au>
Sent: Wednesday, 7 April 2021 2:59 AM
To: [REDACTED]
Subject: FW: NCDRP EOI documents

OFFICIAL

Hi [REDACTED]

Please find attached PPM and documents for NCDRP panel. They are aiming to have the RFT released tomorrow. Let me know if you have any issues with the docs.

I'm assuming that our fee has been agreed previously but just wanted to double check that you are happy with a flat fee of \$5k/year inc GST to manage the panel – this seems low for the level of service that has gone into preparation of the documents and likely work that will be ongoing over the term. I think it loosely relates to around 4% of the likely yearly expenditure but seems very low even if we are very hands off.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | M: [REDACTED] | E skye.roland@act.gov.au
GPO Box 158, Canberra, ACT 2601

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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 6 April 2021 1:49 PM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Skye

Please find attached the RFT, PPM and associated attachments (apologies I could not send all at once as it hit the email file size limit, hence Objective Connect). I note also that Adam has provided a response regarding the funding questions which should allow for completion of those elements.

As Adam mentioned, can you please update the documents accordingly and return for our final check?

Thank you!

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Roland, Skye <Skye.Roland@act.gov.au>
Sent: Tuesday, 6 April 2021 2:55 AM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI documents

OFFICIAL

Hi Panama

The PPM and RFT weren't attached to your email. I have updated for consistency and updated the insurance section in the RFT as per your latest advice. I've also updated the TET to include Sch 2.2(a)(xvi)
[REDACTED]

Just need a little bit more clarification on funding as per my other email to Adam.

I can't access the files in Objective connect – forgot my password and it's letting me reset it. Please email the files or message them to me over Teams.

As discussed previously, we don't need to be updating the Panel Deed right now. The contracts team will update the Deed based on the terms outlined in the RFT once the tender evaluation report has been signed off by delegate. The Deed will not be issued with the RFT and tenderers will not see any of our edits until after the contract has been awarded – they will refer to the standard conditions on the Tenders ACT website. I have attached it to this email but only because it has been commented on previously.

I am on leave this week but understand that the tender needs to be progressed so I will be working on it out of hours.

Regards

Skye Roland | Project Director, Common Ground Dickson
Infrastructure and Contracts, Housing ACT | Major Projects Canberra | ACT Government

T: +61 (0)2 6205 4511 | **M:** [REDACTED] | **E** skye.roland@act.gov.au
GPO Box 158, Canberra, ACT 2601

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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 30 March 2021 4:54 PM

To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP EOI documents

OFFICIAL

Hi Skye

Thank you for the revisions to the documents, we are very quickly whittling down to the last couple of minor points which is terrific.

Please find attached the revised documents with our comments incorporated via Track. Barring the insurance question (which I believe may be resolved with the latest edit), the remaining issues are minor points for MPC's clarification.

As an overview of the edits, I have;

- made some suggested edits to the insurances sections across all relevant documents which are explained in the track changes comments, if the suggested text is acceptable to MPC then we can consider the insurances issue resolved.
- updated the proposed dates and confirmed the criteria are correct and aligned across the documents.
- the proposed Industry Briefing document and other attachments, provided via a separate email (Objective Connect link)

Outstanding items to be provided to MPC by EPSDD:

- Confirm the funding available with this to be incorporated as text on page 1 of the **NCDRP PPM** – Adam will provide this to you tomorrow.

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

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From: Sch 2.2(a)(xvi)
Sent: Thu, 6 May 2021 05:39:22 +0000
To: Leaver, Panama
Subject: FW: NCDRP EOI - probity for chairs

OFFICIAL

Hi Panama from the otherside...

You may recognise my name from SLA however I am now with MPC and running the EPSDD NCDRP Panel EOI.

In terms of your query below; Sch 2.2(a)(xvi)

we can't comment on an open tender process, please put all communication through the tender Chair as outlined in the RFT. It's fairly standard procurement process.

Hope this assists.

Regards,

Sch 2.2(a)(xvi)

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 4 May 2021 1:23 PM
To: Roland, Skye <Skye.Roland@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP EOI - probity for chairs

OFFICIAL

Hi Skye and [REDACTED]

Hope you are both well.

Yesterday I briefed the National Capital Authority on the upcoming procurement for the NCDRP, which went well.

Sch 2.2(a)(xvi)

Thank you in advance for your input on the above.

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

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480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Azzopardi, Adam
Sent: Mon, 23 Aug 2021 00:23:01 +0000
To: [REDACTED]
Cc: [REDACTED]; Leaver, Panama; EPSDD Design Review; Sendaba, Bethel
Subject: RE: NCDRP panel establishment

OFFICIAL

Hi [REDACTED]

Just following up on Bethel's email below to confirm that the EOI package has now progressed to the DDG and is receiving attention. I will confirm once supported.

Please note that Panama will be the main contact for this project. I can also be contacted.

Regards

Adam

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Sent: Tuesday, 27 July 2021 4:34 PM
To: [REDACTED]
Cc: [REDACTED]; Leaver, Panama <Panama.Leaver@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; EPSDD Design Review <designreview@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Hi [REDACTED]

I apologise for the delay in progressing this. I am working to get final clearances at our end asap so that we can hit go on the release of this. As you will appreciate this isn't a straightforward panel for us and there has been a lot of back and forth both between us and MPC and also internally to make sure we get the settings right. I do believe that we are very close now to having everything in place in order to release the EOI. I will provide a further update at the end of this week.

I apologise again for the delay.

Regards,
Bethel

From: [REDACTED]
Sent: Friday, 23 July 2021 9:34 AM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Cc: [REDACTED]; Leaver, Panama <Panama.Leaver@act.gov.au>;

Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; EPSDD Design Review <designreview@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Bethel,

It's been 2 months since we last corresponded on the NCDRP panel establishment.

MPC have put in significant effort to prepare the RFT documents which are ready for release, subject to EPSDD's endorsement of the TEP.

Attached again the RFT document package for your reference. Grateful if you can provide a status update or endorsement of the tender pack for immediate release.

Kind Regards,

[REDACTED]



From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>

Sent: Wednesday, 19 May 2021 9:43 AM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: NCDRP panel establishment

OFFICIAL

Hi [REDACTED] – thanks for the extra info and the discussion last week. I still need to get sign off from my DG and that won't happen by tomorrow unfortunately. Happy to chat later today and discuss timing and the steps we are still going through at this end?

Thanks,
Bethel

From: Sch 2.2(a)(xvi)
Sent: Wednesday, 19 May 2021 9:41 AM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Cc: Sch 2.2(a)(xvi)
Subject: FW: NCDRP panel establishment

OFFICIAL

Bethel,

Moving this back to the top of your inbox. I'd be grateful for an update as I'm aiming to release tomorrow.

Cheers,

[Redacted]

From: [Redacted]
Sent: Thursday, 13 May 2021 4:46 PM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Bethel,

Thanks for the phone call. As discussed, options are;

- a. Seek a [Registrar exemption](#) however it's unlikely it would be approved noting the guidelines state:

The registrar will only grant an exemption to a Territory entity if the registrar has determined there is no suitable entity:

- > at a reasonable cost to tender for the territory funded work; or
- > for the territory to enter into contract for the territory funded work that would enable the requirements for procurement to be met (i.e. Secure Local Jobs Code Certificate; Labour Relations, Training and Workplace Equity Plan; model contract terms).

- b. Amend the RFT documentation (as attached) to include the following;

2.1.2. Participation. Tenderers outside the Canberra Region are encouraged to apply.

Unfortunately in relation to Weighted Assessment Criteria, 10% is a mandatory minimum weighting in accordance with Procurement ACT policy.

For expediency and ease I'd recommend amending the RFT to include the wording above.

I'd like to aim to get this out by next Thursday 20 May 21.

Regards,

Sch 2.2(a)(xvi)

From: Sch 2.2(a)(xvi)
Sent: Tuesday, 11 May 2021 9:11 AM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: NCDRP panel establishment
Importance: High

OFFICIAL

Bethel,

Hoping to give you a nudge on this one, I am unable to release the RFT until I have the evaluation plan signed and returned. Please let me know if you have any further questions.

Regards,

Sch 2.2(a)(xvi)

From: Sch 2.2(a)(xvi)
Sent: Wednesday, 5 May 2021 5:24 PM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: FW: NCDRP panel establishment

OFFICIAL

Hello Bethel,

I have taken over the NCDRP Panel Establishment and will be your POC going forward.

In relation to your question below, unfortunately Local Industry Participation (LIPP) is policy therefore must remain a weighted assessment. It doesn't preclude interstate participants and is unlikely to change the outcome, it just means that the locals might score a few extra points – the rest will still be found suitable anyway. The risk of not following the policy well outweigh any risk of non-locals being selected.

Registrar exemptions can be sought however it's unlikely it would be approved and would certainly delay the process significantly.

Please let me know if you have any further concerns, if you're satisfied I'd be grateful for your endorsement to allow us to release the RFT.

Kind Regards,

Sch 2.2(a)(xvi)

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>

Sent: Wednesday, 28 April 2021 5:04 PM

To: Sch 2.2(a)(xvi)

Subject: NCDRP panel establishment

OFFICIAL

Hi Sch 2.2(a)(xvi)

Hope you are well. We have briefed our DDG on the procurement process and documents to establish the panel to support the National Capital Design Review Panel. Overall the briefing went well (thanks to all the work your team has done to accommodate our requests and changes to date). Our DDG has asked that we give further consideration to one final matter, namely the need to include WC5 – Local Industry Participation. Although we fully understand the intent of this criteria, it doesn't work for us given we are specially trying to attract interstate talent for our panel. I was hoping we might be able to discuss when you have a moment? IS there any scope to remove this criteria or is that against policy?

Thanks,

Bethel

Bethel Sendaba

Executive Branch Manager

Phone: 02 6205 0030 | Mobile: [REDACTED] | Email: Bethel.Sendaba@act.gov.au

Planning and Urban Policy | Environment Planning Sustainable Development Directorate | ACT Government

480 Northbourne Ave Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au



From: Sendaba, Bethel
Sent: Mon, 21 Feb 2022 03:48:12 +0000
To: Azzopardi, Adam; Leaver, Panama
Subject: FW: FOR UPDATING: NCDRP EOI package - DG brief
Attachments: 19_27945 - DG Information Brief - NCDRP Panel membership procurement process.obr, 21_34673 Ministerial Information Brief - Gentleman - National Capital Design Review Panel - Expression of Interest.obr
Categories: Green Category

OFFICIAL

Hi Adam, Panama

We have some feedback from the DDG about timing for this package. As indicated below Erin will be clearing by 25 March and then the DG by 4 April.

In order to meet these timeframe can you please updates timings across the package (briefs and all the attachments). Please engage with EPSDD comms asap to update the comms plan and also check in with MPC to advise we have advice on timing for approval now so can assume this will be released this year. Can you please also think about the timing so where possible this doesn't clash with the GA recruitment.

I'll put some time in our diaries for the end of next week to talk through this and work through any issues early.

Thanks,
Bethel

From: EPSDD Ministerials and Corro Executive Office
<EPSDDMinisterialsandCorroExecutiveOffice@act.gov.au>
Sent: Monday, 21 February 2022 2:16 PM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Cc: EPSDD Ministerials and Corro Executive Office
<EPSDDMinisterialsandCorroExecutiveOffice@act.gov.au>
Subject: FOR UPDATING: NCDRP EOI package - DG brief

OFFICIAL

Hi Bethel

Erin has asked that these packages be updated with dates to reflect DDG and DG consideration occurring when she returns from leave. I think plan for DDG clearance by 25 March and DG agreement by 4 April?

Thanks
Sarah

Sarah Crisp | Executive Officer to Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development
Environment, Planning and Sustainable Development Directorate | ACT Government
Phone (02) 620 70665 | Email: Sarah.Crisp@act.gov.au
Level 4, 480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2602

From: EPSDD Ministerials and Corro Executive Office
<EPSDDMinisterialsandCorroExecutiveOffice@act.gov.au>
Sent: Wednesday, 25 August 2021 4:34 PM
To: Brady, Erin <Erin.Brady@act.gov.au>
Cc: EPSDD Ministerials and Corro Executive Office
<EPSDDMinisterialsandCorroExecutiveOffice@act.gov.au>
Subject: FOR DDG CLEARANCE (3/9): NCDRP EOI package - DG brief

Hi Erin

The DG NCDRP package has been updated (from earlier this year).

If we want to stick to the planned schedule of advertising in September/October it would be good to get this to the DG by next week – I have tentatively put a critical date of 10 September (for if we get to him by Friday 3 September).

The brief contains a few comments and notes so that you can see how we have dealt with a previous comment/question.

Bethel has updated the table of attachments so hopefully is easier to follow how it all fits together now.

Let me know if you want to book in a verbal briefing for this or have it listed for a catch up - noting it has been a while since you last met about it.

Also attached is a brief for Minister Gentleman to note – which will have dates updated once DG has agreed to his brief, and it can then go to the MO.

Thanks
Sarah

Sarah Crisp | Executive Officer to Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development
Environment, Planning and Sustainable Development Directorate | ACT Government
Phone (02) 620 70665 | Email: Sarah.Crisp@act.gov.au
Level 4, 480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2602

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Sent: Tuesday, 27 July 2021 9:41 PM
To: Crisp, Sarah <Sarah.Crisp@act.gov.au>
Cc: Marcantonio, Laura <Laura.Marcantonio@act.gov.au>; EPSDD PlanningUrbanPolicy <EPSDDPlanningUrbanPolicy@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Leaver,

Panama <Panama.Leaver@act.gov.au>

Subject: NCDRP EOI package

OFFICIAL

Hi Sarah,

Attached is the NCDRP EOI package for Erin's approval before going to Ben.

The brief contains a few comments and notes so that Erin can see how we have dealt with a previous comment/question.

I've updated the table of attachments so hopefully is easier to follow how it all fits together now. I'm happy to give Erin verbal briefing this again, noting it has been a while since we last met about it.

Also attached is a brief for Minister Gentleman. I'll give you a call in the morning to talk about timing.

Cheers,
Bethel

Bethel Sendaba

Executive Branch Manager

Phone: 02 6205 0030 | Mobile: [REDACTED] | Email: Bethel.Sendaba@act.gov.au

Planning and Urban Policy | Environment Planning Sustainable Development Directorate | ACT Government

480 Northbourne Ave Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au



From: Leaver, Panama
Sent: Mon, 28 Feb 2022 21:03:05 +0000
To: [REDACTED]
Cc: [REDACTED]; EPSDD Design Review; Azzopardi, Adam
Subject: RE: NCDRP panel establishment

OFFICIAL

Good morning [REDACTED]

I am following up on the email below. Could you please let me know when you are available this week and I will set up a 30 minute Teams meeting to discuss. Thank you.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Tuesday, 22 February 2022 4:38 PM
To: [REDACTED]
Cc: [REDACTED]; EPSDD Design Review <designreview@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Good afternoon [REDACTED]

I hope you are well.

We now have confirmation regarding the forward timing for the NCDRP EOI process, which is looking at a DDG clearance by 25 March and a DG approval by 4 April.

Could you please let me know when you are free to have a catch up? We would like to ensure all documentation is updated with a final check over prior to the 25 March.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Monday, 23 August 2021 4:10 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: [REDACTED] Leaver, Panama <Panama.Leaver@act.gov.au>;
EPSDD Design Review <designreview@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Adam,

Thanks for your email, pleased to hear it has life. Look forward to hearing from Panama.

Cheers,

Sch 2.2(a)(xvi)

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: Monday, 23 August 2021 10:23 AM
To: [REDACTED]
Cc: [REDACTED] Leaver, Panama <Panama.Leaver@act.gov.au>;
EPSDD Design Review <designreview@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Hi [REDACTED]

Just following up on Bethel's email below to confirm that the EOI package has now progressed to the DDG and is receiving attention. I will confirm once supported.

Please note that Panama will be the main contact for this project. I can also be contacted.

Regards

Adam

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Sent: Tuesday, 27 July 2021 4:34 PM
To: [REDACTED]
Cc: [REDACTED]; Leaver, Panama <Panama.Leaver@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; EPSDD Design Review <designreview@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Hi [REDACTED]

I apologise for the delay in progressing this. I am working to get final clearances at our end asap so that we can hit go on the release of this. As you will appreciate this isn't a straightforward panel for us and there has been a lot of back and forth both between us and MPC and also internally to make sure we get the settings right. I do believe that we are very close now to having everything in place in order to release the EOI. I will provide a further update at the end of this week.

I apologise again for the delay.

Regards,
Bethel

From: [REDACTED]
Sent: Friday, 23 July 2021 9:34 AM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Cc: [REDACTED]; Leaver, Panama <Panama.Leaver@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; EPSDD Design Review <designreview@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Bethel,

It's been 2 months since we last corresponded on the NCDRP panel establishment.

MPC have put in significant effort to prepare the RFT documents which are ready for release, subject to EPSDD's endorsement of the TEP.

Attached again the RFT document package for your reference. Grateful if you can provide a status update or endorsement of the tender pack for immediate release.

Kind Regards,



Sch 2.2(a)(xvi)

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>

Sent: Wednesday, 19 May 2021 9:43 AM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: NCDRP panel establishment

OFFICIAL

Hi [REDACTED] – thanks for the extra info and the discussion last week. I still need to get sign off from my DG and that won't happen by tomorrow unfortunately. Happy to chat later today and discuss timing and the steps we are still going through at this end?

Thanks,
Bethel

From: [REDACTED]

Sent: Wednesday, 19 May 2021 9:41 AM

To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>

Cc: [REDACTED]

Subject: FW: NCDRP panel establishment

OFFICIAL

Bethel,

Moving this back to the top of your inbox. I'd be grateful for an update as I'm aiming to release tomorrow.

Cheers,

■

From: ■
Sent: Thursday, 13 May 2021 4:46 PM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: NCDRP panel establishment

OFFICIAL

Bethel,

Thanks for the phone call. As discussed, options are;

- a. Seek a [Registrar exemption](#) however it's unlikely it would be approved noting the guidelines state:

The registrar will only grant an exemption to a Territory entity if the registrar has determined there is no suitable entity:

- > at a reasonable cost to tender for the territory funded work; or
- > for the territory to enter into contract for the territory funded work that would enable the requirements for procurement to be met (i.e. Secure Local Jobs Code Certificate; Labour Relations, Training and Workplace Equity Plan; model contract terms).

- b. Amend the RFT documentation (as attached) to include the following;
2.1.2. Participation. Tenderers outside the Canberra Region are encouraged to apply.

Unfortunately in relation to Weighted Assessment Criteria, 10% is a mandatory minimum weighting in accordance with Procurement ACT policy.

For expediency and ease I'd recommend amending the RFT to include the wording above.

I'd like to aim to get this out by next Thursday 20 May 21.

Regards,

■

Sch 2.2(a)(xvi)

Sch 2.2(a)(xvi)

From: [REDACTED]
Sent: Tuesday, 11 May 2021 9:11 AM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: RE: NCDRP panel establishment
Importance: High

OFFICIAL

Bethel,

Hoping to give you a nudge on this one, I am unable to release the RFT until I have the evaluation plan signed and returned. Please let me know if you have any further questions.

Regards,
[REDACTED]

From: [REDACTED]
Sent: Wednesday, 5 May 2021 5:24 PM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Subject: FW: NCDRP panel establishment

OFFICIAL

Hello Bethel,

I have taken over the NCDRP Panel Establishment and will be your POC going forward.

In relation to your question below, unfortunately Local Industry Participation (LIPP) is policy therefore must remain a weighted assessment. It doesn't preclude interstate participants and is unlikely to change the outcome, it just means that the locals might score a few extra points – the rest will still be found suitable anyway. The risk of not following the policy well outweigh any risk of non-locals being selected.

Registrar exemptions can be sought however it's unlikely it would be approved and would certainly delay the process significantly.

Please let me know if you have any further concerns, if you're satisfied I'd be grateful for your endorsement to allow us to release the RFT.

Kind Regards,

Sch 2.2(a)(xvi)

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>

Sent: Wednesday, 28 April 2021 5:04 PM

To: [REDACTED]

Subject: NCDRP panel establishment

OFFICIAL

Hi [REDACTED]

Hope you are well. We have briefed our DDG on the procurement process and documents to establish the panel to support the National Capital Design Review Panel. Overall the briefing went well (thanks to all the work your team has done to accommodate our requests and changes to date). Our DDG has asked that we give further consideration to one final matter, namely the need to include WC5 – Local Industry Participation. Although we fully understand the intent of this criteria, it doesn't work for us given we are specially trying to attract interstate talent for our panel. I was hoping we might be able to discuss when you have a moment? IS there any scope to remove this criteria or is that against policy?

Thanks,
Bethel

Bethel Sendaba

Executive Branch Manager

Phone: 02 6205 0030 | Mobile: [REDACTED] | Email: Bethel.Sendaba@act.gov.au

Planning and Urban Policy | Environment Planning Sustainable Development Directorate | ACT Government
480 Northbourne Ave Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Mon, 28 Feb 2022 20:49:44 +0000
To: Gibson, Penny
Cc: Azzopardi, Adam
Subject: RE: NCDRP EOI - updating the promotion media plan
Attachments: Final Documents (as supplied by Major Projects Canberra).obr, 19_27945 - DG Correspondence - NCDRP Panel membership procurement process alias.obr

OFFICIAL

Good morning Penny

Thank you for catching up with Adam and I yesterday to discuss comms for the NCDRP EOI process, great to have you aboard for this work.

As discussed yesterday, please find attached the current draft DG Brief and associated procurement documents. These have been updated with the current draft timings, however these timings still need to be confirmed by MPC.

If any questions arise while looking over these, please don't hesitate to give me a call as I will be happy to answer any questions.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Gibson, Penny <Penny.Gibson@act.gov.au>
Sent: Tuesday, 22 February 2022 5:00 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: FW: NCDRP EOI - updating the promotion media plan

OFFICIAL

Hi Panama

I'm now looking after planning engagement comms – as of yesterday. Could you please set up a meeting for next week to give me time to get across all my new workload?

Thanks
Penny

Penny Gibson | Communications and Engagement Manager – Planning and Development Division

Phone 02 6207 2624 | [REDACTED]

Communications and Engagement | Environment, Planning and Sustainable Development Directorate

ACT Government | www.environment.act.gov.au <http://www.planning.act.gov.au>



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We acknowledge and celebrate the Ngunnawal people whose traditional lands we work on and pay our respect to Elders past, present and future, and value their continuing connection and responsibility to Country, their unique cultural practices and the contribution they make to the Canberra Region.

From: Leaver, Panama <Panama.Leaver@act.gov.au>

Sent: Tuesday, 22 February 2022 4:35 PM

To: Goddard, Jacqueline <Jacqueline.Goddard@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Cooper, Natalie (Health) <Natalie.Cooper@act.gov.au>

Subject: RE: NCDRP EOI - updating the promotion media plan

OFFICIAL

Good afternoon Jacqueline

I hope you are well.

It has been some time since we last discussed the NCDRP EOI media plan, however there is now some renewed movement at the DDG/DG level.

Could you please let me know when you are free to discuss updating the media plan? We are anticipating an early April approval by the DG. The previous plan is attached for reference.

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Goddard, Jacqueline <Jacqueline.Goddard@act.gov.au>

Sent: Tuesday, 17 August 2021 11:09 AM

To: Leaver, Panama <Panama.Leaver@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Cooper, Natalie <Natalie.Cooper@act.gov.au>

Subject: RE: NCDRP EOI - updating the promotion media plan

OFFICIAL

Hi Panama

I was just drafting an email to you so that was very good timing!

I am free to catch up at any time that suits you this week.

Just something to raise before we meet – while the ACT is in lockdown until 2 September, we currently have a freeze on a lot of our communications and engagement channels including social media, media releases and alerts and engagement events/consultations. Given this, it would be best to progress the requested updates to the media plan through Neonlogic once we know when the freeze has been lifted from our channels. As media plans are only current for a certain period of time, it is best that we wait and request the updated plans be done once we have further advice regarding lockdown timeframes. As it has been sometime since the last plan, it could be likely that costs etc have shifted so best to raise all of this with Neonlogic once we know we can proceed. This will save us having to revisit the process again in the event of further delays.

Otherwise, in the meantime, please send through a meeting invite and we can discuss how to move forward ☐☐

Thanks,
Jacq

Jacqueline Goddard | Assistant Director, Communications and Engagement
Phone: 02 6205 8608
Engagement and Executive Support
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Level 4, 480 Northbourne Avenue DICKSON ACT 2602 | GPO Box 158 Canberra ACT 2601
www.environment.act.gov.au | www.planning.act.gov.au

For **EPSDD media enquiries** please call **0401 766 218**



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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 17 August 2021 10:58 AM
To: Goddard, Jacqueline <Jacqueline.Goddard@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Cooper, Natalie <Natalie.Cooper@act.gov.au>
Subject: RE: NCDRP EOI - updating the promotion media plan

OFFICIAL

Good morning Jacqueline

I hope you are travelling well.

Please let me know when you would like to catch up this week to discuss updating the media promotion plan for the National Capital Design Review Panel (NCDRP) EOI process.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Cooper, Natalie <Natalie.Cooper@act.gov.au>
Sent: Tuesday, 10 August 2021 1:54 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI - updating the promotion media plan

OFFICIAL

Great thank you Panama.

Jacqueline Goddard in my team will catch up with you next week.

Cheers
Nat

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Monday, 9 August 2021 4:43 PM
To: Cooper, Natalie <Natalie.Cooper@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: RE: NCDRP EOI - updating the promotion media plan

OFFICIAL

Hi Natalie

Appreciate you are short-staffed- next week will be fine, thank you!

Please give me a call if you'd like to discuss further, or if you assign a staff member and they would like to be brought up to speed on the NCDRP/what the EOI is for.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Cooper, Natalie <Natalie.Cooper@act.gov.au>
Sent: Monday, 9 August 2021 1:53 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP EOI - updating the promotion media plan

OFFICIAL

Thanks Panama,

Can you please give me an indication on timing for this?.

I'm aware this has been around for a long time so I'm sure you are keen to get it moving but if it can wait until next week, I would be very grateful as we are just a little short staffed this week.

If not, let me know and I'll see who I can free up to move it forward.

Cheers
Nat

Natalie Cooper | Senior Director

Phone 02 6207 2397

Mobile [REDACTED]

Communications, Engagement and Media

Environment, Planning and Sustainable Development Directorate | **ACT Government**
Level 4 (Snow Gum), 480 Northbourne Avenue Dickson ACT 2602
www.environment.act.gov.au | www.planning.act.gov.au

For **EPSDD media enquiries** please call [REDACTED]



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facebook.com/EnvironPlan

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Monday, 9 August 2021 10:28 AM
To: Cooper, Natalie <Natalie.Cooper@act.gov.au>
Subject: NCDRP EOI - updating the promotion media plan

OFFICIAL

Good morning Natalie

Could you please let me know when you are free to discuss the below?

The EOI package has recently progressed to the DDG so we now have certainty/impetus to update the Promotion media plan.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Building, Design and Projects

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Ryan, Siobhain <Siobhain.Ryan@act.gov.au>

Sent: Monday, 7 June 2021 9:11 AM

To: Leaver, Panama <Panama.Leaver@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Cc: Cooper, Natalie <Natalie.Cooper@act.gov.au>; Bingley, Mellita <Mellita.Bingley@act.gov.au>

Subject: NCDRP EOI

OFFICIAL

Hi Panama and Adam,

Thanks for sending that link to the last version of the ads for me to check. I've updated it in the attached version (20210604), to reflect the addition of the ACT Govt and NCA logos to the ads. There are no other changes to text or image.

Panama, as promised on Friday, here's:

- a link to the final ads (Mellita, I did notice they were small in size, so I'm guessing Ang has high res versions among her files)
- the name of my CMTEDD contact from last year that I dealt with on the use of the ACT Government's LinkedIn channel: Sharon Eurell
- the name of the NCA comms contact who provided use of the NCA logo for the EOI ads: [REDACTED]

Last year I organised a meeting with the media buying agency and CMTEDD to discuss how we could use the CMTEDD LinkedIn platform. In principle agreement was reached at the time that we could use the channel for the EOI, which would involve CMTEDD giving Neonlogic access to place and then promote the EOI ads on the CMTEDD LinkedIn platform. The EOI ads were to be the first time that CMTEDD has allowed such third party use of its LinkedIn platform. However, that needs to be revisited once the EOI dates are finalised and before the media plan is updated again, since time has passed and staffing over there may have changed. That agreement may need to be negotiated again.

Last year, I also shared the draft text for the EOI ads with NCA comms [REDACTED] and obtained the NCA logo from them. I emailed her a later version of the ads this year. The final ads should be shared again before the EOI starts, if possible.

Adam, thanks for your earlier advice that Erin Brady didn't want to see the final ads, and that Bethel had reviewed them instead. You also have the web updates for the EOI so when they're cleared, do you mind sending them back to epsddcomms@act.gov.au cc: Natalie Cooper?

Could you please also allow three to four weeks from sign-off of the brief to the start of the EOI to:

- confirm use of the ACT Govt LinkedIn channel with CMTEDD
- share final, cleared creative with NCA comms
- give NeonLogic a week to confirm and update costings for the media buy.
- Allow 7 business days after the media plan is signed off to supply the final art to their media partners.

Thank you, and good luck with the EOI.

Cheers,

Siobhain Ryan | Communications and Community Engagement Officer

02 6207 6627 | siobhain.ryan@act.gov.au

Please note: I work 9am-2pm Mon-Fri

Engagement and Executive Support | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601

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We acknowledge and celebrate the Ngunnawal people whose traditional lands we work on and pay our respect to Elders past, present and future, and value their continuing connection and responsibility to Country, their unique cultural practices and the contribution they make to the Canberra Region.

From: Gibson, Penny
Sent: Tue, 8 Mar 2022 00:49:54 +0000
To: Leaver, Panama
Subject: RE: NCDRP Panellist EOI - Comms plan revisions

OFFICIAL

Thanks Panama
I'll aim to get this to you in the next few days.

Penny

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 8 March 2022 11:27 AM
To: Gibson, Penny <Penny.Gibson@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP Panellist EOI - Comms plan revisions

OFFICIAL

Hi Penny

Thank you for the discussion regarding the NCDRP Panellist EOI comms plan.

As discussed, given the challenges of coordinating dates, could you please provide a revised 'date agnostic' Comms Plan that outlines the proposed content, advertising locations and indicative dates (with a suitable caveat, e.g. 'to be confirmed following DG approval').

Appreciate your assistance with this, please don't hesitate to call me or Adam if you have any questions.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Leaver, Panama
Sent: Tue, 8 Mar 2022 06:08:44 +0000
To: [REDACTED]
Cc: Azzopardi, Adam; Pilgrim-Day, Erica
Subject: RE: New MPC panel manager contact details

OFFICIAL

Hi [REDACTED]

Thank you for following up, we will look forward to catching up with the new staff member.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: [REDACTED]
Sent: Tuesday, 8 March 2022 3:12 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: RE: New MPC panel manager contact details


OFFICIAL


Hi Panama,

The new panel manager will be starting next Wednesday. I have cced in our EBM Erica Pilgrim Day who will forward to [REDACTED] on [REDACTED] commencement.

Cheers,
[REDACTED]

Sch 2.2(a)(xvi)



From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 8 March 2022 1:25 PM
To: 
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: New MPC panel manager contact details

OFFICIAL

Good afternoon 

I hope you're well. Last week we discussed receiving contact details for the new MPC panel manager. Have you had an opportunity to find out who the appropriate contact is? Thank you in advance for your assistance, we are quite keen to discuss the NCDRP EOI with them at their earliest convenience.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Azzopardi, Adam
Sent: Fri, 22 Apr 2022 05:40:34 +0000
To: Sendaba, Bethel
Cc: Leaver, Panama
Subject: RE: NCDRP Panellist EOI - update to procurement documents - additional information

OFFICIAL

Hi Bethel

MPC response to my query regarding 'changed procurement criteria' for your information:

- With respect to the comment "updated procurement criteria", what has occurred since the 2021 version of the NCDRP Panel procurement documents were prepared is that new templates have been developed for the procurement plan minute and supporting evaluation plan. In addition, a new probity statement document has been introduced which includes 5 appendices. This has necessitated the transfer of existing details from the 2021 version as well as the addition of new information required in the current templates.

Regards

Adam

From: Azzopardi, Adam
Sent: Friday, 22 April 2022 1:23 PM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents - additional information

OFFICIAL

Hi Bethel

I managed to gain additional clarification from MPC (John Hawkins) today in regards to your queries below. Please see MPC responses in blue for your information. I am chasing the reference to 'changed procurement criteria' so that we have an idea of what that is.

- **Update and creation of new procurement documentation as applicable = 6.5 hours - Can you please confirm the level of change and if there has been any policy changes that are implemented through the new templates that we need to be aware of. Also does the update involve all documents or just one or two? Please note that as with the previous versions EPSDD may need to edit the documents (small corrections etc) for clearance at our end. MPC response** - The updated procurement documentation includes updates to previous panel procurement documentation including transfer to new templates that incorporate changed procurement criteria and additional probity statement and attachments, in particular.

- **Tender release, briefing and RFI management during tender process = 12.5 hours – I don't think that we are including a briefing in person as we had prepared an industry briefing presentation as an alternative action. Correct me if I am wrong?** **MPC response -** An in person briefing is not envisaged. However, from past experience and in light of the number of respondents for this type of procurement which will include many from inter-state who are unfamiliar with ACT procurement practices, there are likely to be enquiries that will require written responses. For probity reasons, these enquiries may result in the need to issue an addendum to the tender documentation for the benefit of all tenderers.
- **Tender Evaluation, documentation for approval and debriefing = 78 hours (based on potential for up to 20 applications) – From memory I think MPC is handling all of this for EPSDD as a service. Can you please confirm that this is the correct assumption?** **MPC response -** The assumption that this will be a handled by MPC as a service is correct.

Regards

Adam

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Sent: Monday, 18 April 2022 3:08 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi Adam,

Thanks for this. I'm not opposed to the expenditure but want to understand what MPC will be doing and what our role is. You have given me a breakdown but it's still not clear to me what MPC will be doing under the breakdown. As I've said, I'm not opposed to the expenditure but just want some further detail as this will need to go into the DG brief. See my questions below. In order to avoid going backwards and forwards on this I suggest you set up a short call with your contact at MPC and include me so I can ask these questions directly.

My availability this week is below. If these times don't work let me know so I can send through some alternatives.

Tuesday – after 3pm
Wednesday – 9 to 10am

Cheers,
Bethel

Breakdown as follows:

Update and creation of new procurement documentation as applicable = 6.5 hours - I'm okay for the work to commence on translating the documents into the new templates...but can you tell me what the level of change is. All documents, just one or two? What have been the policy changes that are implemented through the new templates that we need to be aware of? Note – we will still need to be able to edit the docs and make changes following this initial transfer by MPC so that we can get them cleared at our end first.

Tender release, briefing and RFI management during tender process = 12.5 hours – Can I get more information on what briefing MPC will be doing? I understand time for tender release and management of RFI.

Tender Evaluation, documentation for approval and debriefing = 78 hours (based on potential for up to 20 applications) – Again can I get some information on what MPC does for each of these elements. For example will MPC prepare summary information for the panels consideration, then write up the panels assessment – or is that something we need to do?

Average hourly rate of tasks shared between Project Director (IM2) and EBM of \$165/hr including MPC overheads etc = \$16,000

Ongoing management cost of \$5,000 incl GST annually is proposed unchanged from existing drafted PPM . This was based on MPC's 4% levy model of the budget amount split across 3 years in accordance with the panel management plan however does not include panel refresh or procurement activities.

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: Monday, 11 April 2022 8:28 AM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents
Importance: High

OFFICIAL

Good morning Bethel

Have you had a moment to consider the additional \$16k as detailed below? With your support we will give the go ahead to MPC to commence the translation.

Regards

Adam

From: Azzopardi, Adam
Sent: Tuesday, 5 April 2022 10:31 AM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>

Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents
Importance: High

OFFICIAL

Hi Bethel

We received the below clarification from MPC regarding the additional \$16k estimate. Please note that the annual ongoing management cost of \$5k (incl. GST) remains unchanged.

Breakdown as follows:

Update and creation of new procurement documentation as applicable = 6.5 hours
Tender release, briefing and RFI management during tender process = 12.5 hours
Tender Evaluation, documentation for approval and debriefing = 78 hours (based on potential for up to 20 applications)

Average hourly rate of tasks shared between Project Director (IM2) and EBM of \$165/hr including MPC overheads etc = \$16,000

Ongoing management cost of \$5,000 incl GST annually is proposed unchanged from existing drafted PPM . This was based on MPC's 4% levy model of the budget amount split across 3 years in accordance with the panel management plan however does not include panel refresh or procurement activities.

In relation as to why we are using MPC, they were selected by EPSDD due to their extensive experience in establishing similar panels.

If you are supportive of the above costs we will notify MPC so that the translation may occur.

Regards

Adam

From: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Sent: Monday, 4 April 2022 7:21 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Thanks Adam. Yes please seek further information on what makes up the \$16K...My understanding is that establishing a panel has to go through MPC (please correct me if I am wrong) so we don't really have much say in this. In principle I'm okay with needing to pay something (I think the original cost was going to be about \$5k) and this has been going on for quite some time. Just need to be able to justify the spending at this end.

Cheers,
Bethel

From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: Monday, 4 April 2022 4:40 PM
To: Sendaba, Bethel <Bethel.Sendaba@act.gov.au>
Cc: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: FW: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi Bethel

We received the below advice and estimate from MPC re NCDRP EOI.

We are currently seeking clarification on the \$16k estimate.

Regards

Adam

From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Sent: Friday, 1 April 2022 6:21 AM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Hawkins, John <John.Hawkins@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi Panama,


Thanks for your patience on this one. We can undertake to have the updated documentation to you by Thursday 14 April 2022.

With regards to the cost of undertaking the procurement going forward I have estimated the time taken to undertake the changes and MPC involvement in managing the procurement process at \$16,000 ex GST.

More than happy if you want to discuss the timing or costs in more detail or if you could provide agreement will we commence the update.

Regards

Erica Pilgrim-Day | A/g Executive Branch Manager - Commercial Infrastructure
Infrastructure Delivery Partners | **Major Projects Canberra** | ACT Government |
T 02 6205 4911 | M [REDACTED] | E erica.pilgrim-day@act.gov.au
GPO Box 158, Canberra ACT 2601
Callam Offices, Level 3, Pod B, 50 Easty Street, Woden ACT 2606



Please note that whilst some of my email correspondence may be sent outside of standard working hours, that does not immediately translate to the recipient/s being required to respond outside of standard working hours.

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Wednesday, 30 March 2022 3:24 PM
To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Hawkins, John <John.Hawkins@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi Erica and John

I hope the week is going well.

Checking in with you both to see how the scoping the necessary changes/updates for the NCDRP EOI procurement templates is progressing. Have you determined the extent and timing for the updating to the new templates?

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Azzopardi, Adam
Sent: Fri, 22 Apr 2022 00:29:11 +0000
To: Hawkins, John
Cc: Pilgrim-Day, Erica; Leaver, Panama
Subject: RE: NCDRP Panellist EOI - update to procurement documents
Importance: High

OFFICIAL

Hi John

Thank you for the chat this morning. I appreciate your assistance with this.

As discussed, we are seeking some further clarity on the items below taken from Erica's breakdown of the additional costs. We are supportive of the \$16k however need to tick this last box prior to progressing.

- **Update and creation of new procurement documentation as applicable = 6.5 hours** - Can you please confirm the level of change and if there has been any policy changes that are implemented through the new templates that we need to be aware of. Also does the update involve all documents or just one or two? Please note that as with the previous versions EPSDD may need to edit the documents (small corrections etc) for clearance at our end.
- **Tender release, briefing and RFI management during tender process = 12.5 hours** – I don't think that we are including a briefing in person as we had prepared an industry briefing presentation as an alternative action. Correct me if I am wrong?
- **Tender Evaluation, documentation for approval and debriefing = 78 hours (based on potential for up to 20 applications)** – From memory I think MPC is handling all of this for EPSDD as a service. Can you please confirm that this is the correct assumption?

Your early response really appreciated John so that I can brief my EBM.

Regards

Adam

From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Sent: Monday, 4 April 2022 7:37 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Hawkins, John <John.Hawkins@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi Panama

Breakdown as follows:

Update and creation of new procurement documentation as applicable = 6.5 hours

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Average hourly rate of tasks shared between Project Director (IM2) and EBM of \$165/hr including MPC overheads etc = \$16,000

Ongoing management cost of \$5,000 inc GST annually is proposed unchanged from existing drafted PPM . This was based on MPC's 4% levy model of the budget amount split across 3 years in accordance with the panel management plan however does not include panel refresh or procurement activities.

Regards

Erica Pilgrim-Day | A/g Executive Branch Manager - Commercial Infrastructure
Infrastructure Delivery Partners | **Major Projects Canberra** | ACT Government |
T 02 6205 4911 | M [REDACTED] | E erica.pilgrim-day@act.gov.au
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Callam Offices, Level 3, Pod B, 50 Easty Street, Woden ACT 2606

Please note that whilst some of my email correspondence may be sent outside of standard working hours, that does not immediately translate to the recipient/s being required to respond outside of standard working hours.

From: Leaver, Panama <Panama.Leaver@act.gov.au>

Sent: Friday, 1 April 2022 11:01 AM

To: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Hawkins, John <John.Hawkins@act.gov.au>

Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi Erica

Thank you for providing the updated estimate.

Could you please provide a breakdown of costs for the \$16000 ex GST, as we will need to confirm with Bethel prior to providing agreement. Also as part of that breakdown, could you please also confirm the ongoing management costs associated with the Panel?

Thank you in advance and appreciate your and John's assistance.

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

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From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>

Sent: Friday, 1 April 2022 6:21 AM

To: Leaver, Panama <Panama.Leaver@act.gov.au>

Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Hawkins, John <John.Hawkins@act.gov.au>

Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi Panama,

Thanks for your patience on this one. We can undertake to have the updated documentation to you by Thursday 14 April 2022.

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More than happy if you want to discuss the timing or costs in more detail or if you could provide agreement will we commence the update.

Regards

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Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Subject: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi Erica and John

I hope the week is going well.

Checking in with you both to see how the scoping the necessary changes/updates for the NCDRP EOI procurement templates is progressing. Have you determined the extent and timing for the updating to the new templates?

Kind regards

Panama

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From: Hawkins, John
Sent: Fri, 22 Apr 2022 04:51:37 +0000
To: Azzopardi, Adam
Cc: Pilgrim-Day, Erica; Leaver, Panama
Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Adam,

With respect to the comment “updated procurement criteria”, what has occurred since the 2021 version of the NCDRP Panel procurement documents were prepared is that new templates have been developed for the procurement plan minute and supporting evaluation plan. In addition, a new probity statement document has been introduced which includes 5 appendices. This has necessitated the transfer of existing details from the 2021 version as well as the addition of new information required in the current templates.

In relative terms, the 6.5 hours allocated for this aspect of the procurement is fair and reasonable as it includes preparation of the updated documentation, internal MPC review and incorporation of any amendments resulting from the NCDRP Secretariat’s review of the procurement documents.

Ideally, this advice clarifies the issue raised in your email.

Thanks and regards,

John

John Hawkins | Project Director

Commercial Infrastructure | **Infrastructure Delivery Partners**

Phone: 02 6207 8402 | Mobile: [REDACTED] | email: john.hawkins@act.gov.au

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Pod B, Level 3, Callam Offices, 50 Easty Street, Woden ACT 2606

PO Box 158, Canberra, ACT 2601 | www.act.gov.au



From: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Sent: Friday, 22 April 2022 1:29 PM
To: Hawkins, John <John.Hawkins@act.gov.au>
Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Hi John

Just one point of clarification please, can you elaborate on what the 'changed procurement criteria' entails?

Regards

Adam

From: Hawkins, John <John.Hawkins@act.gov.au>
Sent: Friday, 22 April 2022 12:10 PM
To: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

Adam,

Please note responses to the questions below.

Ideally, the responses provide the information required.

Thanks,

John

John Hawkins | Project Director
Commercial Infrastructure | **Infrastructure Delivery Partners**
Phone: 02 6207 8402 | Mobile: [REDACTED] | email: john.hawkins@act.gov.au
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Sent: Friday, 22 April 2022 10:29 AM
To: Hawkins, John <John.Hawkins@act.gov.au>
Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP Panellist EOI - update to procurement documents
Importance: High

OFFICIAL

Hi John

Thank you for the chat this morning. I appreciate your assistance with this.

As discussed, we are seeking some further clarity on the items below taken from Erica's breakdown of the additional costs. We are supportive of the \$16k however need to tick this last box prior to progressing.

- **Update and creation of new procurement documentation as applicable = 6.5 hours** - Can you please confirm the level of change and if there has been any policy changes that are implemented through the new templates that we need to be aware of. Also does the update involve all documents of just one or two? Please note that as with the previous versions EPSDD may need to edit the documents (small corrections etc) for clearance at our end.

The updated procurement documentation includes updates to previous panel procurement documentation including transfer to new templates that incorporate changed procurement criteria and additional probity statement and attachments, in particular.

- **Tender release, briefing and RFI management during tender process = 12.5 hours** – I don't think that we are including a briefing in person as we had prepared an industry briefing presentation as an alternative action. Correct me if I am wrong?

An in person briefing is not envisaged. However, from past experience and in light of the number of respondents for this type of procurement which will include many from inter-state who are unfamiliar with ACT procurement practices, there are likely to be enquiries that will require written responses. For probity reasons, these enquiries may result in the need to issue an addendum to the tender documentation for the benefit of all tenderers.

- **Tender Evaluation, documentation for approval and debriefing = 78 hours (based on potential for up to 20 applications)** – From memory I think MPC is handling all of this for EPSDD as a service. Can you please confirm that this is the correct assumption?

The assumption that this will be a handled by MPC as a service is correct.

Your early response really appreciated John so that I can brief my EBM.

Regards

Adam

From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
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To: Leaver, Panama <Panama.Leaver@act.gov.au>
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Thank you in advance and appreciate your and John's assistance.

Kind regards

Panama

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Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

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Regards

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Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Subject: NCDRP Panellist EOI - update to procurement documents

OFFICIAL

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Kind regards

Panama

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From: Hawkins, John
Sent: Wed, 4 May 2022 01:20:54 +0000
To: Leaver, Panama
Cc: Azzopardi, Adam; Pilgrim-Day, Erica
Subject: NCDRP - DRAFT PANEL PROCUREMENT DOCUMENTS
Attachments: NCDRP RFX 52110.100 - Panel_Procurement Plan Minute.docx, NCDRP RFX 52110.100 - Attachment 4 - Conflict of Interest.docx, NCDRP RFX 52110.100 - Attachment 3 - Deed Poll of Confidentiality and Conflict of Interest.docx, NCDRP RFX 52110.100 - Attachment 2 - Confidentiality Undertaking.docx, NCDRP RFX 52110.100 - Attachment 1 - Probity Notice.docx, NCDRP RFX 52110.100 - Attachment 5 - Communication Protocol.docx, Attachment A - NCDRP RFX 52110.100 Panel_Procurement Evaluation Plan.docx, Attachment B - NCDRP RFX 52110.100 Panel_Procurement Risk Management Plan.doc, Attachment C - NCDRP RFX 52110.100 Panel Management Plan.docx, Attachment D - NCDRP RFX 52110.100 Probity Statement.docx, ACTGS-Services-Panel-Deed-RFT-version.pdf, NCDRP Panel_Panel Request for Tender -MPC-PDF.docx, NCDRP RFX 52110.100 - Appendix A - Probity Principles.docx, NCDRP RFX 52110.100 - Appendix B - Probity Risk Assessment Checklist.docx

OFFICIAL

Panama,

As requested, I have enclosed draft Tender and supporting administration documents for your review and amendment, as required.

Some items are marked in yellow highlight and will require clarification regarding the NCDRP Secretariat's requirements.

Happy to discuss when suitable.

Thanks and regards,

John

John Hawkins | Project Director

Commercial Infrastructure | **Infrastructure Delivery Partners**

Phone: 02 6207 8402 | Mobile: [REDACTED] | email: john.hawkins@act.gov.au

Major Projects Canberra | **ACT Government**

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PO Box 158, Canberra, ACT 2601 | www.act.gov.au



From: Leaver, Panama
Sent: Thu, 2 Jun 2022 04:17:49 +0000
To: Pilgrim-Day, Erica
Cc: Azzopardi, Adam; Parry-Fielder, Peter; Hawkins, John
Subject: RE: NCDRP EOI - draft procurement documents

OFFICIAL

Hi Erica

Just discussed with Adam, our preference is to pay the entire \$16k next FY. Thank you for your quick response and please call if you have any questions.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy
Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Sent: Thursday, 2 June 2022 2:14 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Parry-Fielder, Peter <Peter.Parry-Fielder@act.gov.au>; Hawkins, John <John.Hawkins@act.gov.au>
Subject: RE: NCDRP EOI - draft procurement documents


OFFICIAL

Hi Panama

Thanks for the below, please note we have expended approximately \$1000 of the agreed \$16,000 fee. We are in a position to raise an invoice for this FY however given the small amount, are prepare to roll over to next FY should that be more feasible for you.
Please confirm your preference.

Regards

Erica Pilgrim-Day | A/g Executive Branch Manager - Commercial Infrastructure
Infrastructure Delivery Partners | **Major Projects Canberra** | ACT Government |
T 02 6205 4911 | M [REDACTED] | E erica.pilgrim-day@act.gov.au
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Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Parry-Fielder, Peter <Peter.Parry-Fielder@act.gov.au>
Subject: RE: NCDRP EOI - draft procurement documents

OFFICIAL

Good afternoon Erica and John

Noting the revised timeline mentioned below, could you please confirm whether MPC intends/proposes to invoice EPSDD with the \$16,000 once-off fee within this financial year? If so, could you please let me know if you require any details to arrange this, noting EOFY will be upon us shortly! :) Thank you both.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy

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From: Leaver, Panama
Sent: Tuesday, 31 May 2022 10:30 AM
To: Hawkins, John <John.Hawkins@act.gov.au>
Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>; Parry-Fielder, Peter <Peter.Parry-Fielder@act.gov.au>
Subject: RE: NCDRP EOI - draft procurement documents

OFFICIAL

Good morning John and Erica

Thank you for your assistance to-date, the documents are looking well sorted for use.

To keep you updated, we have decided to hold off on commencement of the NCDRP EOI for now so it doesn't overlap with the Government Architect recruitment process. The Government Architect process

is expected to confirm the new GA in August, with a delay to the NCDRP EOI allowing the new GA to have input on the panel selection.

Please give me a call if you have any questions.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy

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From: Hawkins, John <John.Hawkins@act.gov.au>
Sent: Tuesday, 24 May 2022 4:16 PM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Subject: RE: NCDRP EOI - draft procurement documents

OFFICIAL

Panama,

I have updated and enclosed the documents attached to your email below.

I believe that they should be correct and ready for delegate sign-off.

Thanks,

John

John Hawkins | Project Director

Commercial Infrastructure | **Infrastructure Delivery Partners**

Phone: 02 6207 8402 | Mobile: [REDACTED] | email: john.hawkins@act.gov.au

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From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Friday, 20 May 2022 9:59 AM
To: Hawkins, John <John.Hawkins@act.gov.au>
Subject: RE: NCDRP EOI - draft procurement documents

OFFICIAL

Hi John

Apologies, the vagaries of Objective can be frustrating.

Please find attached the referenced documents.

Kind regards
Panama

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Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au
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From: Hawkins, John <John.Hawkins@act.gov.au>
Sent: Friday, 20 May 2022 9:29 AM
To: Leaver, Panama <Panama.Leaver@act.gov.au>
Subject: RE: NCDRP EOI - draft procurement documents

OFFICIAL

Panama,

I have tried to access the Objective link you provided but it is providing me with a notification that I cannot access the "object".

I am not sure whether this means I am locked out of your NCDRP Objective folders by the IT silo masters.

Thanks,

John

John Hawkins | Project Director
Commercial Infrastructure | **Infrastructure Delivery Partners**
Phone: 02 6207 8402 | Mobile: [REDACTED] | email: john.hawkins@act.gov.au
Major Projects Canberra | ACT Government
Pod B, Level 3, Callam Offices, 50 Easty Street, Woden ACT 2606
PO Box 158, Canberra, ACT 2601 | www.act.gov.au



From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Monday, 16 May 2022 4:16 PM

To: Hawkins, John <John.Hawkins@act.gov.au>

Cc: Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>; Azzopardi, Adam <Adam.Azzopardi@act.gov.au>

Subject: NCDRP EOI - draft procurement documents

OFFICIAL

Hi John

Thank you for providing the updated package for the NCDRP EOI.

I have two remaining items in the below documents I am seeking your input on, otherwise I believe they are ready to be finalised pending EBM review.

Panel Procurement Evaluation Plan

- Refers to Attachment 7 that is not included in current package – MPC to provide document or remove if unnecessary
- Section 3.3 FSEE Criteria – refers to Secure Local Jobs Code Branch – MPC to confirm relevance and adjust text as necessary, noting SLJC does not apply to this type of procurement

- **Panel Management Plan**

- Sch 2.2(a)(xvi)

Could you please review/provide comment/adjust as necessary for the above items? Thank you in advance, please give me a call if you'd like to discuss anything.

Kind regards

Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Avenue Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Pilgrim-Day, Erica
Sent: Tue, 27 Sep 2022 04:42:37 +0000
To: Leaver, Panama; Parry-Fielder, Peter
Cc: Azzopardi, Adam
Subject: RE: National Capital Design Review Panel - Panellist EOI process
Attachments: Attachment A - NCDRP RFX 52110.100 Panel_Procurement Evaluation Plan.docx, Attachment B - NCDRP RFX 52110.100 Panel_Procurement Risk Management Plan.doc, Attachment C - 2- ACTGS-Services-Panel-Deed-RFT-version.pdf, Attachment C - NCDRP RFX 52110.100 Panel Management Plan.docx, Attachment D - NCDRP RFX 52110.100 Probity Statement.docx, NCDRP Panel_Panel Generic Request for Tender -MPC-PDF.docx, NCDRP RFX 52110.100 - Appendix A - Probity Principles.docx, NCDRP RFX 52110.100 - Appendix B - Probity Risk Assessment Checklist.docx, NCDRP RFX 52110.100 - Attachment 1 - Probity Notice.docx, NCDRP RFX 52110.100 - Attachment 2 - Confidentiality Undertaking.docx, NCDRP RFX 52110.100 - Attachment 3 - Deed Poll of Confidentiality and Conflict of Interest.docx, NCDRP RFX 52110.100 - Attachment 4 - Conflict of Interest.docx, NCDRP RFX 52110.100 - Attachment 5 - Communication Protocol.docx, NCDRP RFX 52110.100 - Panel_Procurement Plan Minute.docx

OFFICIAL

Hi Panama

Docs are updated except for securing the final member of evaluation team which we are still coordinating (Sch 2.2(a)(xvi)). Here is the draft set for your review in the meantime in which I have included tracked changes for ease of review.

Regards

Erica Pilgrim-Day | A/g Executive Branch Manager - Commercial Infrastructure
Infrastructure Delivery Partners | **Major Projects Canberra** | ACT Government |
T 02 6205 4911 | M [REDACTED] | E erica.pilgrim-day@act.gov.au
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Please note that whilst some of my email correspondence may be sent outside of standard working hours, that does not immediately translate to the recipient/s being required to respond outside of standard working hours.

From: Leaver, Panama <Panama.Leaver@act.gov.au>
Sent: Tuesday, 27 September 2022 2:40 PM
To: Parry-Fielder, Peter <Peter.Parry-Fielder@act.gov.au>; Pilgrim-Day, Erica <Erica.Pilgrim-Day@act.gov.au>
Cc: Azzopardi, Adam <Adam.Azzopardi@act.gov.au>
Subject: National Capital Design Review Panel - Panellist EOI process

OFFICIAL

Good afternoon Peter and Erica

Hope you are both well.

I am checking in to see how the revisions to the procurement documents are tracking (i.e. updating to remove reference to MPC's ongoing management, post-procurement phase).

Happy to discuss further/if there are any particular issues you would like to work through in the revisions.

Kind regards
Panama

Panama Leaver | A/g Assistant Director Design Services and Government Architect | Planning and Urban Policy

Working remotely | Phone: 02 6205 5390 | Email: panama.leaver@act.gov.au

Planning and Urban Policy | Environment, Planning and Sustainable Development Directorate | ACT Government

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From: [REDACTED]
Sent: Tue, 18 Jun 2019 01:10:11 +0000
To: EPSDD Design Review
Cc: Azzopardi, Adam; Riches, Ben
Subject: FW: comment on draft docs [SEC=UNCLASSIFIED]
Attachments: NCA comments - NCDRP Comms Strategy.pdf, 20190520 - Draft Expression Of Interest.doc

Security: UNCLASSIFIED

Hi all

Further to yesterday's conversation, there are a couple of items that need attention:

- In addition to the comments sent back in May, the Draft Expression of Interest doc has some typos and we're still not sure about how the Evaluation Criteria will align with EoI. The text needs to say more about what information is expected to be provided by the applicants and how it will be considered.
- The other issue relates to the ToR for what proposals are considered for design review. From the NCA perspective, proposal should not be limited to over four storeys. NCA interest is not limited to the Main Avenues and Approach Routes for private development (eg West Block). It should also include the Central National Area.
- An additional criteria should be for 'proposals that the ACT Government Architect and the NCA Chief Planner determine to be of a significance that warrant design review'.

The other documents provided as part of the package of information about NCDRP just need editorial updates to dates, timing and consistency in language.

Happy to discuss further.

Thanks, [REDACTED]

From: [REDACTED]
Sent: Friday, 17 May 2019 4:15 PM
To: 'EPSDD Design Review' <designreview@act.gov.au>
Cc: 'Riches, Ben' <Ben.Riches@act.gov.au>
Subject: comment on draft docs [SEC=UNCLASSIFIED]

Security: UNCLASSIFIED

Hi Cameron

Please find attached comments from the NCA comms Director.

As discussed in the meeting today, the NCA is interested to see what documentation will be given to panel applicants and how this might align with the assessment criteria in the Evaluation Plan. Some further amendment might be needed for the criteria.

In the ToR and elsewhere where noted, proposals for consideration by the NCDRP should not be limited only to proposals over four stories. NCA will suggest alternate wording about what locations should be included with regard to the NCP precincts.

A more general comment is the need to update the dates and timing in the various docs.

Further comment will be provided early next, once I have discussed with Andrew Smith.

Regards, [REDACTED]

[REDACTED] | Director Statutory Planning & Heritage
National Capital Authority

 [REDACTED] |  [REDACTED] [@nca.gov.au](mailto:[REDACTED]@nca.gov.au)

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Australian Government
National Capital Authority



ACT
Government

National Capital Design Review Panel

Communications strategy

1. Background

The ACT Government, in partnership with National Capital Authority (NCA) and the ACT Government Architect has established a National Capital Design Review Panel (the Panel) as a consistent city-wide approach to improve the design quality of the built form ~~built~~ across Canberra. Establishing a city-wide design review panel in the ACT will result in an efficient and consistent approach to delivering design advice and guidance to decision-makers, developers and designers.

Established in September 2017 as an interim panel, the ~~NCDRP~~ ^{Panel.} is now formalised as a means to explore and test design concepts at various scales for significant public and private sector projects as part of the pre-development application process.

The initiative resulted from consistent feedback ~~from~~ ^{and} engagement with the community on a range of urban planning projects across the city, identifying that the Canberra community wanted to see improvements in the design of buildings and public places. Additionally, the development of a design review process is also an action in the Minister for Planning and Land Management's Statement of Planning Intent (2015).

As exemplified by its use in other jurisdictions, design review is an effective means to better deliver on high quality development to improve the quality and amenity of the environment for the benefit of residents, workers and visitors to the ACT.

Design review, early in the design process, can achieve improved quality of development, reduces risks and costs for the developer and to the development and achieves a faster development approval process and timeframe.

2. Communication objectives

The NCA and ACT Government are committed to informing the Canberra community, construction industry and developers of the benefits of the ^{NCDRP} ~~NCDRP~~ as an important part of the pre-development application process. _{panel}

The key objectives in the communication approach will be to:

- Inform the community and industry of this initiative and its objectives; and
- Create awareness ^{by} of the welcoming of Expressions of Interest (EOI) from industry professionals to form part of the design review panel pool. It is anticipated that the EOI will be released in early 2019.

has this been done?

3. Target audience(s)

The NCA and the ACT Government, through the Environment, Planning and Sustainable Development Directorate (EPSDD), will engage with a broad range of stakeholders who will benefit from the initiative including:

External

- Construction industry/developers (Refer Attachment A).
- Industry bodies and professionals: architects, landscape architects, urban planners and designers (Refer Attachment A).
- Broader Canberra community.

Internal

- EPSDD stakeholders
 - Director-General, EPSDD
 - Deputy Director-General, Land Strategy and Environment
 - Deputy Director-General, Sustainability and the Built Environment
 - Planning, Land and Building Policy Division, EPSDD
 - Planning Delivery Division, EPSDD
 - Legal Services, EPSDD
- ACT Government Directorates and boards
 - Chief Minister, Treasury and Economic Development Directorate (CMTED)
 - Transport Canberra and City Services (TCCS)
 - City Renewal Authority (CRA) board
 - Suburban Land Agency (SLA) board
- NCA decision-makers
 - NCA Chief Executive
 - NCA Board
 - NCA Statutory Planning and Heritage

4. Key messages/talking points

Primary messaging

- The National Capital Design Review Panel (the Panel) is a joint initiative between the National Capital Authority and ACT Government to provide a consistent city-wide peer review process for Canberra.
- The Panel is a result from consistent community feedback on a range of urban planning projects across the city, identifying that the Canberra community wanted to see improvements in the design of buildings and public places.
- Design review is an approach that is well established in many jurisdictions across Australia to allow for the independent review of major projects and to enhance and support design quality in cities.
- The Panel will allow for the exploration and testing of ideas and design concepts at various scales for significant projects and development proposals as part of the pre-development application process.
- Implementing a design review process in the ACT will encourage a higher standard of development for improved quality of the built environment and public domain.
- Key benefits to design review lies in the panel's independent, expert and impartial advice to the proponents and the Government's development approval bodies. It will also bring an added value of expertise that supports the skills of the proponent's design team and the pre-development application advice provided by Government.
- There is no cost to applicants to participate in a design review panel process.
- The initiative is an effective means to better deliver on high quality development to improve the quality and amenity of the environment for the benefit of residents, workers and visitors to the ACT.
- A Design review early in the design process can achieve improved quality of developments, reduces risks and costs for the developer and to the development and may achieve a faster development approval process.
- The key focus of the Panel will be Town Centres, Main Avenues and Approach Routes (as identified under the National Capital Plan), development within the CRA's City Renewal Precinct, significant government infrastructure projects, major growth areas including greenfield sites and sale of Territory Land.
- Further information about the National Capital Design Review Panel can be found on the Environment, Planning and Sustainable Development Directorate's website, www.planning.act.gov.au/design-review

what about NCA website?

City Renewal Authority

Secondary messaging

• The Panel:

- is a joint jurisdiction Panel co-chaired by the ACT Government Architect and, where the NCA have a planning interest, the NCA Chief Planner;
- consists of ~~3~~ ^{three Five} to ~~5~~ multidisciplinary built environment professionals for each individual design review session. The pool of panel members will include local and interstate built environment professionals including Architects, Landscape Architects, Urban Planners and Designers;
- is regular and on-going to ensure Government and the development industry can confidently plan for design review sessions into individual project programs;
- is held early in the design development stages of a proposal;
- is informed by staff from ACT Government directorates and the NCA to provide planning context, expertise and background information that will support the Panel's review and recommendations;
- reviews development proposals against a set of established Design Principles to ensure the Panel consistently assesses proposals;
- provides written advice to proponents and Government for individual development proposals; and
- is provided secretariat support by EPSDD.

Is this a single person?

where are these?

5. Issues and risk management

Risk	Solution
There is no legislation that this is a mandatory pre-development approval process	Establishing the NCDRP as a referral entity in the first instance to ensure advice is considered through the <u>DA</u> stage. Establishing a framework for future legislation with possible changes to the Act and Regulations, <i>which ones?</i>
Increased consultations for developers	In the long-term, the design review process will reduce risks and costs for the developer through addressing fundamental design issues in a proposal, resulting in faster development approval process and timeframe.
Inconsistency between Panel members	The Design Principles for the ACT will ensure the Panel consistently assesses proposals to the same criteria and standards irrespective of who the Panel members consist of for that proposal. Individual panel members are also requested to review individual proposals if they return for additional review.
Associated costs	The proponent won't be subject to any fees. The initiative is primarily funded by the ACT Government, with a financial contribution from the NCA being made available in the future.
Note: Questions and Answers are provided at Attachment B	

6. Communication methods

The following communication methods will be used:

Media engagement:

Proactive and collaborative media activities will be managed in relation to the announcement of the initiative. This will include:

- TBC - Joint media alert and event/announcement with NCA Chief Planner, Andrew Smith, EPSDD Chief Planner and ACT Government Architect, Catherine Townsend, xx November 2018;
- Joint NCA and ACT Government media release for distribution, xx March 2019;
- Proactive media pitching with local and industry media outlets. — By who?

this was done.

writing?

Public Information Session:

There will be three information sessions tailored to the community and industry hosted by the NCA and ACT Government to outline the key objectives of design review process, what proposals would be subject to a review and how the Panel will operate. These sessions will be hosted by the NCA and ACT Government Architect during March and April 2019.

EDMs:

Direct emails to relevant stakeholders within the industry informing them of the initiative and information on the EOI requests and upcoming information sessions.

Social media:

Social media platforms including Facebook and Twitter of both NCA and ACT Government relevant directorate(s) will be used from X March 2019 to generate awareness of the initiative following the announcement and thereafter, with focus on the benefits of the initiative, reminders for EOIs from industry professionals as well as details on upcoming information sessions.

Website collateral:

NCA and ACT Government relevant directorate(s) websites (EPSDD) will be updated from X March 2019 with dedicated webpages informing the public of the initiative, EOI information and information sessions.

how many are we doing?

was this done?

was this done?

by whom?

By whom has this been actioned?

7. Project management and spokesperson(s)

Spokespeople

- TBC – possible spokespersons include:
 - Minister for Planning and Land Management, Mick Gentleman MLA
 - NCA spokesperson? — [REDACTED]

Secondary spokespersons

Sch 2.2(a)(xvi)

Project Management

Sch 2.2(a)(xvi)

// who from NCA?

8. Budget

The project has achieved ACT Government funding commencing 2018-19 and will cover costs associated with engagement activities.

Minor costs may be associated with room hire, catering and materials to conduct each information session.

Each public information session associated with the announcement of the Panel is estimated to cost up to \$700 per session.

Do we have to do one? \$700?

9. Action plan

This table in the strategy outlines exactly what is going to happen. It provides detail on dates, tasks, audiences and who is responsible.

Date/ timing	Audience	Channel/ Activity	Responsibility	Cost
Prior to release xx March 2019	Industry – Industry bodies and professionals/ Construction and development	Information session #1	Spokespeople identified in Item 7.	\$700
xx March 2019	Community	Ministerial media announcement (joint with NCA)	EPSDD Comms Planning Policy	NIL
First week	Industry and internal stakeholders	EDM	EPSDD Comms Planning Policy	NIL
First week	Industry and community	Planning website information	EPSDD Comms Planning Policy	NIL
Week 1-2	Community	Our Canberra online Whole of government message	EPSDD Comms Planning Policy	NIL
Week 1-2	Industry and community	EPSDD Facebook social posts EPSDD Twitter social posts	EPSDD Comms Planning Policy	NIL
Week 2	Industry - Construction and development	Information session #2	Spokespeople identified in Item 7.	\$700
Week 3	Industry – Industry bodies and professionals	Information session #3	Spokespeople identified in Item 7.	\$700
Week 4	Existing Forums	Information session #4	Existing Forums identified in Attachment A.	NIL

Minister:
Ref: M

Prior brief reference:

Approved for release:

Director-General: Ben Ponton	Date:
Deputy Director-General: Erin Brady	Date:
Executive Director: Kathy Cusack	Date:
Communications Director: Mayumi Piper	Date:
Contact Officer: Ben Riches	Phone: 6207 1836

Ministerial Approval will be sought by your Communications Manager/Director.

Approved for release:

Minister's Media Advisor: Brenton Sloane	Date:
Minister's Chief of Staff: Daniel Landon	Date:

Comments from Minister's Office:

ATTACHMENT A

List of external stakeholders

Primary

Peak industry groups/construction industry

- Property Council
- Canberra Business Council
- Housing Industry Association
- Master Builders Association of the ACT

Built environment professionals

- Planning Institute of Australia
- Australian Institute of Architects
- Australian Institute of Landscape Architects
- Engineers Australia

Secondary

Younger people advocacy groups

- Youth Advisory Council
- Youth Coalition (*Environment and Planning sub group*)
- Young Planners
- Young architects
- Consult Australia young professional group

Older people groups

- Council on the Ageing (COTA)
- Older Person Assembly

Academic and research groups

- Australian National University
- University of Canberra
- Canberra Urban and Regional Futures
- CSIRO

Existing forums

- Community Councils
- PACICERG
- Environment & Planning Forum
- Climate Change Roundtable
- Housing Choices Reference Group (contains Community Councils and Property Council)

Will this go up on website.

ATTACHMENT B

QUESTIONS AND ANSWERS

Why do we need a design review panel process in the ACT?

In recent years, the Canberra community have expressed a desire to see a higher design quality of our buildings and public spaces as evidenced through community engagement on a range of planning projects across the city.

While several design review panels have existed in recent years in the ACT, these have traditionally focused on specific types of development or have been dedicated to a specific project.

The National Capital Design Review Panel (the Panel) is a joint initiative by the ACT Government and the National Capital Authority to provide a city-wide peer review Panel with the aim to improve design quality and ensure that each development project realises its full potential, for the benefit of the Canberra's community.

Isn't this just more 'red tape'?

In the first year of operation, the Panel will be a voluntary process and will be free for proponents to access.

The design review process is not being established as an additional approval body, but it will provide independent and expert advice to proponents and Government. It is also the aim of the panel to work with proponents at key stages of the design development process to provide constructive advice to ultimately improve a proposal and provide greater amenity for future occupants, neighbours and the broader community.

The experience from other jurisdictions demonstrates that benefits of early design review include improved design quality, reduced project costs for the proponent, and faster development application approval timeframes.

What types of development will the Panel review?

The National Capital Design Review Panel (the Panel) will allow for the exploration and testing design concepts at various scales for significant public sector projects, and as part of the pre-development application process for large scale private sector development proposals.

The Panel has been established will review those private sector developments that are located in areas that are experiencing development pressures and urban renewal. For example new development proposals along Northbourne Avenue and in our town centres.

Development thresholds have been prepared to provide guidance to the industry on the types of development that the Panel can review.

Who is on the Panel?

The National Capital Design Review Panel (the Panel) is chaired by the ACT Government Architect and National Capital Authority's Chief Planner.

The ACT Government and the National Capital Authority will launch an Open Tender process shortly to identify a pool of suitably qualified built environment professionals. The panel will be composed to achieve a balanced representation of skills and experience in professions including Architecture, Landscape Architecture, Planning and Urban Design. The panel will also include advice from specialist fields such as heritage, education, sustainability and environmental services and universal design where a specific skill set is required. More information about the Panel and upcoming expression of interest process can be found on the EPSDD website.

What are the benefits to establishing a city-wide design review process in the ACT?

The aim of design review is to improve the design quality of a proposal and ensure that each development project realises its full potential, for the benefit of the community, through independent peer review and before a development application is lodged.

The key benefits of the Panel lies in its independent, expert and impartial advice to the proponent and Government's development approval bodies. It will also bring an added value of expertise that supports the skills of the proponent's design team and the pre-development application advice provided by Government for significant projects.

Additionally, establishing a city wide design review process in the ACT will allow for a more competitive process in attracting preeminent built form experts from across Australia and to bring a fresh perspective to the way buildings and public spaces are designed in Canberra.

What are the benefits of the design review process for proponents?

The experience from other jurisdictions has demonstrated that the benefit of early design review includes improved design quality, reduced project costs for the proponent and faster development approval timeframes. The design review process also provides an opportunity for proponents to gain support for innovative design intentions for a proposal.

How does the Panel assess a development proposal?

The National Capital Design Review Panel (the Panel) process has been established using the United Kingdom's Design Council's ten principles for successful design review to ensure the panel's advice remains independent and transparent.

Additionally, design principles have been prepared for the Panel to use and to ensure that individual proposals are consistently assessed by the Panel. The design principles are available on the EPSDD website.

Has the ACT Government investigated other established design review panels?

EPSDD have benchmarked other design review panel processes nationally and internationally. The Government of South Australia, through the Office of Design and Architecture SA (ODASA) is recognised as best practice in developing design review panel approaches in Australia and has been used as the primary model to establish the Panel.

ADVERTISEMENT

Call for Expressions of Interest – National Capital Design Review Panel

Do you want to contribute to a better designed Canberra?

The ACT Government, in partnership with the National Capital Authority and the ACT Government Architect, is seeking expressions of interest from design professionals with qualifications and demonstrated experience in the areas of planning, urban design, architecture and landscape architecture to become members of the National Capital Design Review Panel (NCDRP). Expressions of interest will also be accepted from other built environment professions including heritage, sustainability, civil engineering and transport infrastructure.

The establishment of an independent single design review panel process in the ACT provides the opportunity to review and raise important design issues early in the development process, through structured peer review sessions. It will also bring an added value of expertise that supports the skills of the proponent's design team and the pre-application advice provided by government.

An interim panel has been operating for the last year and a half, and has shown the value in independent review of proposals prior to application for development or works approval. We're excited to be able to offer positions on the formal panel to individuals who are interested in further enhancing the quality of design in the ACT.

The NCDRP will comprise a pool of members who can be called upon to form panels with expertise to review developments in the ACT. Successful applicants will be invited to be a member for a three year term with the option to extend.

An information session will be held at **TIME DATE 2019** at Canberra Museum and Gallery (CMAG), Corner of London Circuit and Civic Square, Canberra City, ACT. Registration for the information session is required by **5pm on DATE 2019** by email to designreview@act.gov.au

- Evaluation criteria and process to apply [LINK](#)
- Terms of Reference [LINK](#)
- More information about the NCDRP [LINK](#)

APPLICATIONS ARE OPEN UNTIL **DATE 2019**