

24 September 2020

Victorian Auditor-General's Office

[REDACTED]

Via email: [REDACTED]

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Dear [REDACTED]

File No: O20/334

Procurement process of Parks Victoria for archaeological advice

Thank you for your submission of 2 September 2020 requesting an audit of Parks Victoria's procurement process for archaeological advice, specifically the procurement process for Mr Gunn. The information provided has been passed along to my relevant audit team for initial inquiry.

Given the particular nature of your concerns I suggest, if you have not already, that you raise this matter with the Victorian Ombudsman as she can enquire into or investigate actions or decisions made by a Victorian public organisation. The Ombudsman's online complaints form can be found on their website [here](#) or you can contact them directly via phone (03) 9613 6222.

For your concerns regarding your Freedom of Information requests of Parks Victoria, the Office of the Victorian Information Commissioner (OVIC) is the most suitable avenue as they can investigate complaints about agency responses when performing functions or meeting their obligations under the *Freedom of Information Act 1982 (Vic)*. For more information about making a complaint through OVIC, please visit their website (<https://ovic.vic.gov.au/freedom-of-information/for-the-public/make-a-complaint/>).

Yours sincerely



ANDREW GREAVES
Auditor General

During the last 3 years, Parks Victoria has attempted to prevent rock climbers from accessing multiple locations within the Grampians/Gariwerd National Park and Mount Arapiles/Tooan State Park. It is believed that more than 3 million dollars has been spent by Parks Victoria in efforts to justify these exclusions.

I request an audit of procurement processes used by Parks Victoria in seeking archaeological advice in relation to known rock climbing sites at these locations. I have attached supporting evidence, obtained from Parks Victoria under the Freedom of Information Act, giving rise to the following concerns for your further investigation:

1) Failure by Parks Victoria to seek competitive tenders and subsequently appointing Robert (Ben) Gunn for items of archaeological consulting work as "sole supplier in the market" and "Gunn being the only qualified person to complete this task in the State". It is my contention that several qualified archaeological consultants were available to do this work, located both in Victoria and in other states.

2) On 09/08/2019 Mr Gunn was appointed for a 10-month contract under procurement reference No. ITS1-00611. Justification for exemption from tendering was again claimed as "sole supplier in the market", despite the extensive nature of the works and the availability of alternative providers.

3) Evidence of multiple archaeological contracts awarded to Robert (Ben) Gunn indicates that contract values may have been broken into smaller portions in efforts to avoid scrutiny.

4) The attached Parks Victoria documents, released under the Freedom of Information Act 1982, have been heavily redacted, including removal of dollar values. It is my contention that this level of redaction contravenes the Act.

5) The veracity of Mr Gunn's archaeological work at Dyurrite 1 (Mount Arapiles), is currently under Ministerial review – see attached letter from the Australian Climbing Association Victoria to the Minister for Aboriginal Affairs. It appears that the Minister may have been misled as a result of inaccurate scientific advice from Mr Gunn. The sole-supplier quotation for this work "DYURRITE 1 (DYR-01) detailed art recording" is dated 16th July 2019 and this quotation is included in the attachments.

Note that two additional Freedom of Information applications made on 11th May 2020 remain unresolved and Parks Victoria has, to date, refused to release this information.

This request for audit seeks to bring probity to the procurement of scientific advice sought by Parks Victoria to assist in the proper protection of Aboriginal Cultural heritage at these locations.