SCOPE OF SERVICES – CONTAMINATION MANAGEMENT

1. **Background**
	1. Defence manages a large property portfolio that contains a number of known and suspected contaminated sites as a legacy of past industrial and military activities and practices. Appropriate management of these sites limits the potential for risk to human health and the environment, reduced land capability for Defence purposes, risk of legal liability and reputational risk.
2. **Commonwealth Objectives**
	1. Contamination of the environment can have a range of legal, environmental, economic, social and planning implications for the Commonwealth and the wider community. The presence of contamination can limit the uses that the Commonwealth may have for its property and has the potential to significantly increase costs for redevelopment and day-to-day management.
	2. To ensure the most effective and efficient management of contamination on Defence sites (including the prevention of contamination and the management of current contamination and site remediation), Defence delivers a series of investigations and projects that implement remediation activities where contamination risks have been identified.
	3. Potential projects cover all aspects of contamination including general contamination, unexploded ordnance (and related materials) and explosive ordnance waste contamination. Potential contaminants include fuels, solvents, acids, heavy metals, asbestos, per – and poly fluoroalkyl substances, explosive ordnance residues, pesticides, emerging contaminants and other organic and inorganic contaminants.
	4. The Commonwealth's objectives for the Services is to support Commonwealth management of contaminated land in accordance with the relevant Statutory Requirements (Commonwealth, State and Territory, where required) and policy framework. The Consultant will be required to provide the following Services:
		1. Contamination advisory services;
		2. Environmental auditing;
		3. Data management and remediation design;
		4. Site investigation and monitoring activities; and
		5. Assessments, reviews and program audits.
	5. The specific scope of Services for an Engagement will depend on the circumstances that arise at that point in time.
3. **Skills and Qualifications**
	1. The Commonwealth requires a range of suitably skilled persons to be offered by the Consultant, matched to the specific needs of the Services. The Consultant must have and maintain for the term of the Engagement an in-depth understanding of all relevant Statutory Requirements and policy frameworks for the Project, including any relevant applicable Australian and international standards.
	2. Specific requirements include:
		1. Contaminated Site Auditors - the Commonwealth requires that the Consultant to retain Australian State regulator accredited Contaminated Site Auditors. Each State and Territory has EPA legislation and all Contaminated Site Auditors are to remain compliant with the appropriate EPA legislation.
		2. EPA Recognised Practitioners - the Commonwealth requires that nominated personnel at the Experienced Practitioner, Discipline Specialist and Pre-eminent Consultant levels are recognised practitioners as defined by EPA legislation and other Statutory Requirements.
	3. For the purposes of paragraph 3.2(b), Experienced Practitioner, Discipline Specialist and Pre-eminent Consultant levels have the following requirements:

| **Standard** | **Experienced Practitioner**  | **Discipline Specialist**  | **Pre-eminent**  |
| --- | --- | --- | --- |
| **Qualifications** | Higher degree qualifications or relevant continual training to maintain professional competencies and knowledge | Qualified practitioner with specific qualifications or industry training  | Specific tertiary qualifications (Masters Degree or above) and expert industry experience |
| **Experience** | Minimum 10 years in the broad industry stream and 3 years in the specialist stream  | Minimum 10 years in the broad industry stream and 5 years in the specialist stream | Minimum 10 years in the broad industry stream and 7 years in the specialist stream |

1. **Strategic, Advisory and Policy Services**
	1. The Consultant must provide strategic, advisory or policy services in accordance with the timeframes outlined by the Commonwealth's Representative.
	2. The Consultant will be required to provide the following Services:
		1. Contamination Advisory services:
			1. Provide high level technical advice to the Commonwealth with regard to the conduct of its contamination investigation management and/or remediation projects, including compliance with relevant WHS Legislation, environmental legislation and international policy.
		2. Environmental Auditing - Undertake statutory and non-statutory contaminated site audits and provide technical advisory services, including:
			1. hazardous material assessments; and
			2. prepare and issue site audit statements to meet Defence requirements and where necessary relevant Statutory Requirements, including for properties subject to disposal and acquisition by Defence.
		3. Data management – collect, collate, interpret and manage data to support investigations and trend analysis using corporate systems and any future enhancement relating to contamination management including:
			1. Garrison and Estate Management System Contaminated Sites Register data;
			2. Contamination Risk Assessment Tool;
			3. Geographic Information Systems, EsDat, NSIMS and GEO.e (Defence programs); and
			4. Within the guidance of the Defence Contamination Management Manual Annex L.
		4. Site investigation and monitoring activities - Undertake desktop and detailed intrusive contamination investigations in accordance with the *National Environment Protection (Assessment of Site Contamination) Measure* 1999 (Cth) (and subsequent versions) and, where appropriate, other Statutory Requirements, other requirements and guidance. Further, undertake contamination remediation investigation, remediation project design and monitoring activities, including:
			1. environmental approvals;
			2. remediation action plans;
			3. remediation options analysis including remediation design;
			4. cost benefit analysis;
			5. development of works consultant tender documentation;
			6. participation in tender processes and assessment;
			7. site monitoring programs and plans;
			8. validation design and delivery in support of remediation projects;
			9. validation of remediation outcomes; and
			10. soil, sediment, biota, water quality, surface and ground water testing and monitoring programs.
		5. Assessments, reviews and program audits - prepare documentation relating to:
			1. assessments, reviews, policy position and information papers, operational plans, and audits in support of programs aimed at improving the life-cycle management of activities and substances with the potential for pollution; and
			2. *Environment Protection and Biodiversity Conservation Act* 1999 (Cth) referrals and environmental assessments (as they relate to contamination investigation and remediation projects), including:
				1. Environmental Impact Statements; and
				2. Public Environment Reports.
	3. All Services must be delivered in a manner which ensures compliance with the Consultant's work health and safety duties under the WHS Legislation.
	4. The Consultant must identify risks arising from or associated with the delivery of the Services and eliminate those risks so far as is reasonably practicable and if elimination is not possible, minimise those risks so far as is reasonably practicable.
2. **Services**
	1. The Consultant must provide the following Services in accordance with the timeframes outlined by the Commonwealth's Representative:
		1. Assist in the preparation of Tender and contract documentation for Commonwealth projects, including performing Tender briefings, assistance with the preparation of Tender Evaluation Board Reports and pre-tender site inspections;
		2. Coordinate and conduct stakeholder engagement;
		3. Undertake the role of the Environmental Consultant on Commonwealth projects;
		4. Assist other Commonwealth appointed consultants and project managers to manage and administer remediation works or services contractors on Commonwealth projects; and
		5. Achievement of required time and quality outcomes.
3. **Technical Requirements - Legislative and Policy Compliance Requirements**
	1. The Consultant is to maintain an in-depth knowledge of the following Statutory Requirements and their application, where relevant, but is not limited to, the conduct of investigations to be delivered:
		1. *Environment Protection and Biodiversity Conservation Act* 1999(Cth);
		2. *Work Health and Safety Act* 2011 (Cth);
		3. *National Environment Protection (Assessment of Site Contamination)* *Measure* 1999 (Cth);
		4. Relevant Australian Standards;
		5. Other relevant Statutory Requirements;
		6. Relevant or new nationally adopted plans, frameworks or guidelines, such as the PFAS National Environmental Management Plan and CRC CARE National Remediation Framework;
		7. Commonwealth and Defence policy including procurement policy; and
		8. Defence Contamination Management and Pollution Prevention Manuals .
	2. Under the Engagement, all relevant personnel engaged in the performance of the Services must maintain current skills and qualifications as outlined in the ‘Skills and Qualifications’ section in paragraph 4 above.
4. **Meetings**
	1. The Consultant may be required to attend and participate in meetings as specified for a particular Engagement including project team meetings and meetings with stakeholders.
	2. The Consultant may be required to travel to Defence sites or other locations as part of delivering the Services.
5. **Deliverables**
	1. As specified for a particular Engagement including reports, presentations, papers, reviews and advices.
6. **Interpretation**

Unless the context otherwise requires, capitalised terms in the Scope of Services or Brief will have the meaning given to them by the Defence Infrastructure Panel - Environment, Heritage and Estate Engineering 2020 - 2027 Terms of Engagement, Panel Conditions, Official Order, or the meaning given to them by the Commonwealth as published on the Defence website (<https://www.defence.gov.au/business-industry/procurement/panel-arrangements/dip-ehee>), from time to time.