**SCOPE OF SERVICES – INDIGENOUS HERITAGE**

1. **Background**
   1. As one of Australia’s largest land managers, Defence is responsible for the management of a large, complex and diverse estate that has a mix of Indigenous, natural and historic heritage values. Defence must meet the challenges of balancing the requirement to identify, assess, conserve and manage heritage values while continuing to enable Defence’s operational and capability requirements.
   2. Defence has a range of obligations to identify, protect and manage the heritage values across the Defence estate under the *Environment Protection and Biodiversity Conservation Act* 1999 (**EPBC Act**) and *Environment Protection and Biodiversity Conservation Regulations* 2000 (**Regulations**). The EPBC Act protects places included on the:
      1. Commonwealth Heritage List (**CHL**);
      2. National Heritage List (**NHL**); and
      3. World Heritage List (**WHL**).
   3. There are currently over 130 CHL places spread over 60 Defence properties. Several of these places are also included in the NHL either in their own right (RAAF Williams, Point Cook Victoria), or as part of a wider National Heritage listing (the Ningaloo Coast and the West Kimberley, Western Australia). Some properties are also part of, or adjacent to, a place on the WHL. For example Shoalwater Bay Training Area is located within the Great Barrier Reef World Heritage Declared property area. Defence also has 85 properties with assessed Commonwealth Heritage values not currently included on the CHL.
   4. Defence is required to carry out due diligence heritage tasks across the Defence estate and capability lifecycle - from acquisitions, operate and maintain to the disposals stages of the asset/property life cycle.
   5. Further information about heritage management of the Defence estate is provided in the Defence Estate Heritage Strategy 2017 available online at:  
      <https://www.defence.gov.au/sites/default/files/2023-04/defenceheritagestrategy.pdf>.
2. **Commonwealth Objectives** 
   1. The objectives of the Services provided by the Consultant are to:
      1. support Defence compliance with the EPBC Act and Regulations throughout the asset/property lifecycle by providing Indigenous heritage advice;
      2. provide independent, best practice and high quality Indigenous heritage advice, guidance and documentation for a wide range of heritage matters across the Defence estate;
      3. bring innovative solutions to the heritage management of the Indigenous heritage values of the Defence estate, including methods to communicate and celebrate our diverse history heritage;
      4. work collaboratively with Defence and its partners, including major contract providers, to learn about and stay up to date with Defence business practices, the Australian Defence Force and their capability requirements now and into the future;
      5. support Defence, through advice or other services, to build and maintain strong relationships with Traditional Owners and other Aboriginal and Torres Strait Islander interested parties as it undertakes heritage values assessments, develops management plans, prepares impact assessments and implements works projects across the Defence estate; and
      6. ensure continuous improvement in all Engagements undertaken under the Panel and support Defence to increase efficiency and beneficial heritage outcomes in the management of the Defence estate.
   2. The specific scope of Services for an Engagement will depend on the circumstances that arise at that point in the estate lifecycle.
3. **Skills and Qualifications**
   1. The Commonwealth requires suitably skilled persons to be offered by the Consultant, matched to the specific needs of the Services.
   2. The Consultant will be required to have at least two years’ experience with the identification, assessment and management of heritage values under Commonwealth legislation and policy.
   3. The Consultant will be required to have and maintain skills in the identification, assessment and management of heritage values against relevant Statutory Requirements.
   4. The Consultant must have and maintain for the term of an Engagement an in-depth understanding of all relevant Statutory Requirements and policy frameworks for the Services, including any relevant applicable Australian and international standards. These include:
      1. the EPBC Act and Regulations and EPBC Act policies and guidelines published by the Department of the Environment and Energy and the Australian Heritage Council;
      2. the Defence Environment and Heritage Manual;
      3. the Defence Heritage Toolkit and other relevant Defence policies (where they apply to the Services);
      4. other Commonwealth policy guidance in existence, or which may be created, that relates to heritage management;
      5. Ask First, The Australia ICOMOS Burra Charter, and the Natural Heritage Charter; and
      6. periodic Defence information sessions for heritage Panel Consultants conducted during the term of the Panel.
4. **Strategic Advisory and Policy** 
   1. The Consultant must provide strategic, advisory or policy services in accordance with the timeframes outlined by the Commonwealth's Representative. These Services include:
      1. strategic heritage advice that is focused on Defence compliance with the EPBC Act and Regulations;
      2. provide technical input to policy, guidelines and associated documentation developed by Defence;
      3. provide input to the review and update of the Defence Estate Heritage Strategy; and
      4. provide peer review of technical heritage documentation.
5. **Services**
   1. The Consultant must provide the following Services in accordance with the timeframes outlined by the Commonwealth's Representative:
      1. prepare relevant documentation to support Defence’s EPBC Act compliance including:
         1. plain English Heritage Impact Assessments for Indigenous heritage matters;
         2. draft nomination documentation for the Commonwealth and/or National Heritage List;
         3. heritage surveys, technical or cultural advice and condition reports of Indigenous sites as required;
         4. input to Defence referral documentation under the EPBC Act;
         5. archival and/or photographic recordings in accordance with current Defence heritage policy and guidelines;
         6. plain English Heritage Interpretation Plans;
         7. covenants, heritage management strategies and nominations to State/Territory heritage registers for properties proposed for disposal from Commonwealth ownership; and
         8. undertake or assist with liaison and/or negotiation with Traditional Owners about proposed works at Indigenous heritage sites on Defence land;
      2. undertake condition inspections, provide advice and assist with any condition monitoring projects for Indigenous heritage assets, areas and properties on the Defence estate, including:
         1. Indigenous archaeological sites and/or areas;
         2. rock shelters, scarred trees, hearths, and other occupation sites and areas;
         3. large, intact, natural areas;
         4. specific important landscape features including burial mounds; and
         5. areas contributing to National and World Heritage Places;
      3. provide strategic technical heritage advice on:
         1. planning, development and management of Indigenous heritage sites and values on the Defence estate; and
         2. Defence heritage policy;
      4. develop, review and/or implement:
         1. the Defence Estate Heritage Strategy; and/or
         2. Defence heritage guidelines;
      5. conduct thematic and typological studies for known and potential heritage places and values on the Defence estate;
      6. scope, design and/or supervise heritage works to, and maintenance plans for, heritage places on the Defence estate including for major capital works including advice, interpretive strategies, signage and other interpretive media;
      7. assist Defence with compliance reviews including heritage audits, including Defence’s input into the five yearly review of the CHL, NHL and WHL conducted by the Department of the Environment and Energy under the requirements of the EPBC Act;
      8. undertake or assist with public consultation, stakeholder engagement and advocacy on Indigenous heritage management matters across the Defence estate;
      9. develop and deliver heritage awareness training;
      10. develop, review and/or facilitate the interpretation of heritage assets, areas and properties on the Defence estate;
      11. provide specialist advice relating to the conservation of heritage places, items and areas including cultural landscapes, or other heritage issues;
      12. provide information requested by the Commonwealth's Representative in the required format for input into the Garrison and Estate Management System and the maintenance planning process; and
      13. provide images, data layers and mapping required supporting the relevant document (shape files, photos as TIFs – min 300dpi for colour and 600dpi for black and white).
6. **Meetings**
   1. The Consultant may be required to attend, and at times facilitate, the following meetings in the course of providing the Services:
      1. project industry briefings;
      2. project start-up meetings;
      3. stakeholder meetings and workshops;
      4. project progress meetings; and
      5. project feedback meetings.
   2. The Consultant may be required to attend other project specific meetings to be scoped and agreed with the Commonwealth during the course of delivering the Services.
   3. The Consultant may be required to travel to Defence sites or other locations as part of delivering the Services.
7. **Deliverables**
   1. The Consultant will be required to prepare a range of deliverables in delivering the Services including:
      1. concise project execution, stakeholder consultation and communication plans;
      2. Historic Heritage Impact Assessments prepared in accordance with the Defence Environment and Heritage Manual (available online at [https://www.defence.gov.au/business-industry/procurement/panel-arrangements/dip-ehee/who-engage](https://www.defence.gov.au/sites/default/files/2023-06/environment_heritage_manual_0.pdf)), EPBC Act, Regulations and policies. At least two drafts will be required before a final draft is provided for Defence finalisation approval;
      3. project progress updates;
      4. archival and photographic recordings prepared in accordance with current Defence policy and guidelines;
      5. Heritage Interpretation Plans;
      6. heritage training and induction presentations and handouts;
      7. draft nomination/reporting documentation, heritage interpretive materials, draft print articles or conference presentations or other products as requested; and
      8. heritage technical advice.
8. **Interpretation**
   1. 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>), from time to time.