

# Review of Contaminated Land Consultant Certification Policy

## Consultation outcomes

This document provides a high-level overview of the consultation process and outcomes. After the NSW Environmental Protection Authority (EPA) has finished reviewing the submissions, it will publish a more detailed report giving its responses.

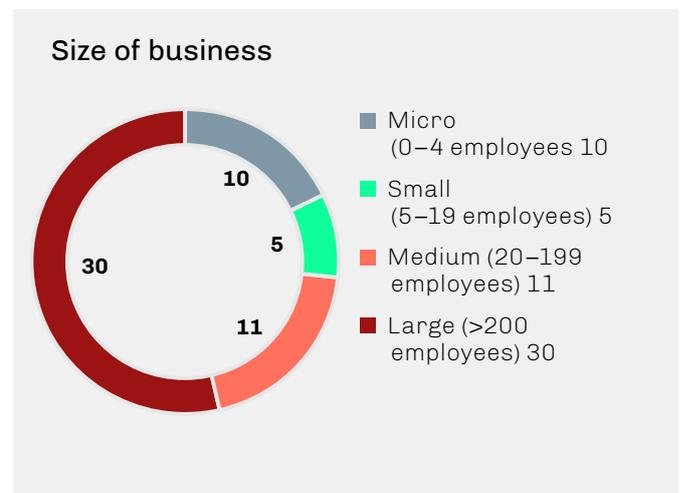
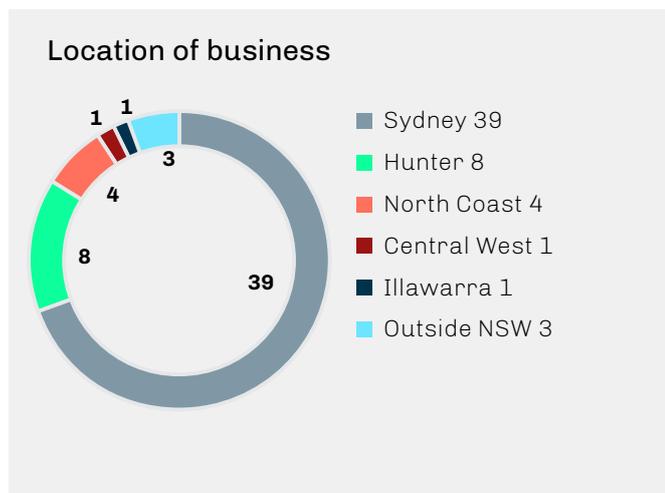
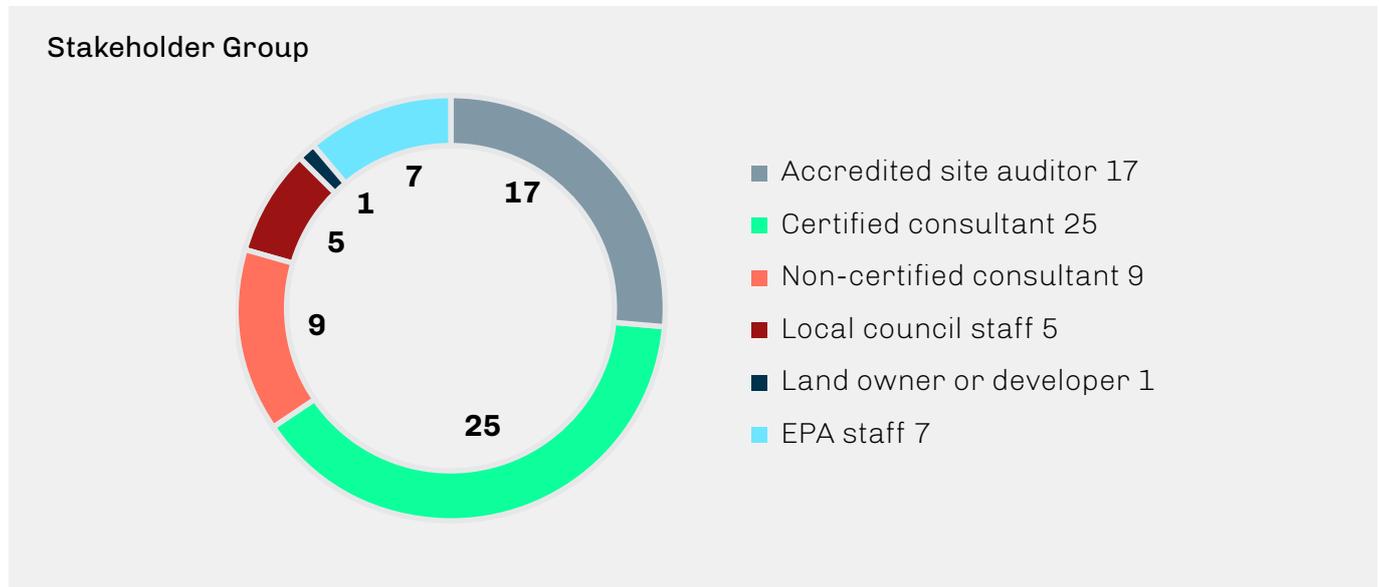
The EPA held a targeted consultation with invited stakeholders between 8 March and 14 April 2021 to seek feedback on the following aspects of the policy:

	relevance of the policy to stakeholder groups
	changes to the availability of certified consultants and the quality of reports being produced
	benefits and disadvantages of certification
	complaints handling and barriers to certification

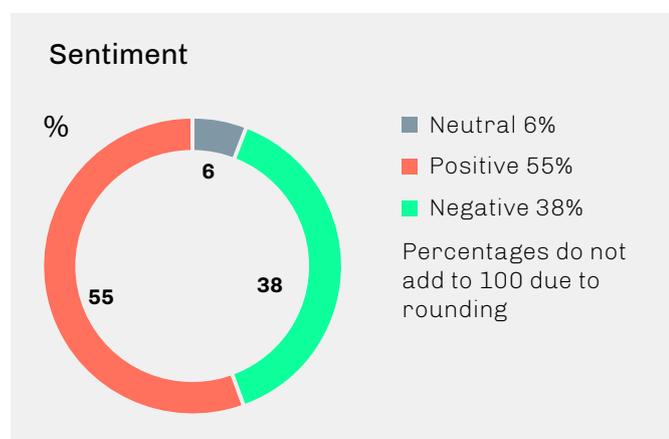
## What was the process and what were the outcomes?



## Who did we engage with?



## What did we hear?



## Benefits

- There are now more certified consultants in both regional and metropolitan areas, and contaminated land reports are noticeably better.
- There is general agreement about the benefits of consultants being certified, such as
  - they don't have to outsource work
  - their competence is recognised
  - it lifts the standard of the whole industry.
- Most respondents said that becoming certified had not led them to increase fees.

## Opportunities

- Respondents noted some disadvantages to getting certified, mainly cost and time, but most said these were not especially significant.
- Respondents raised several concerns about the certification process, including barriers to certification and administrative issues with the certification schemes themselves.
- Opinions differed about the rigour of the selection criteria. Several respondents said that the requirements are too lax, leading to poor-quality work being produced. Others said that the requirements are too strict, leading to some experienced practitioners being excluded from certification.

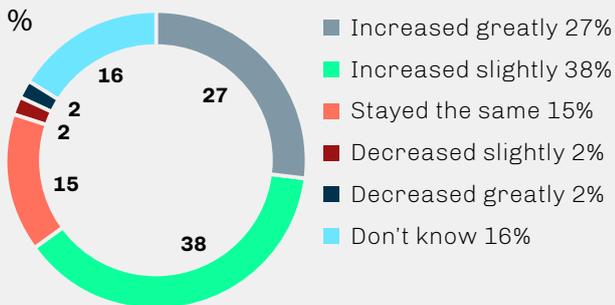
- There were concerns that certified consultants are increasingly being used in place of site auditors, and that work being produced is therefore lower in quality.
- Several respondents asked for the terms 'reviewed and approved' to be defined in the policy because there is uncertainty about the level of review required. There have been incidents of low-quality reports being 'rubber-stamped' by certified consultants.
- Most respondents were not aware of the complaints-handling process available through the certification schemes. Those who had accessed the complaints process were dissatisfied with the experience
- There is some confusion around the different types of certification available. There have been instances of contaminated land reports being signed off by asbestos assessors or WorkSafe assessors.

## Neutral observations

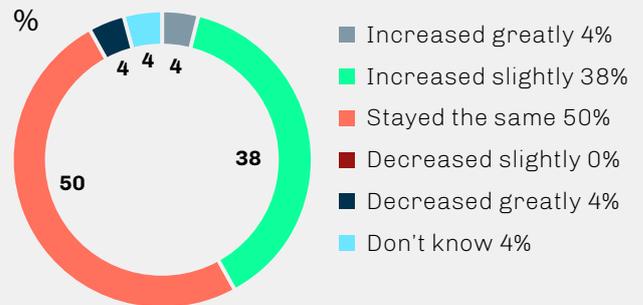
- Some respondents suggested better aligning the policy with requirements in other jurisdictions and allowing states to recognise certification gained in other states.
- Other suggestions included linking the certification schemes to recognised training schemes, to avoid accreditation being too dependent on referees or years of experience.
- The policy requires that all reports submitted to the EPA to comply with the requirements of the *Contaminated Land Management Act 1997* should be prepared, or reviewed and approved, by a certified contaminated land consultant. Some local councils have also adopted this requirement for reports submitted to them. This has led to some confusion about whether the policy applies to reports submitted to local councils.
- Several respondents recommended that the policy be expanded to apply to all contaminated site reports that are prepared as part of the planning process or that are provided to a site auditor.

## Key survey results

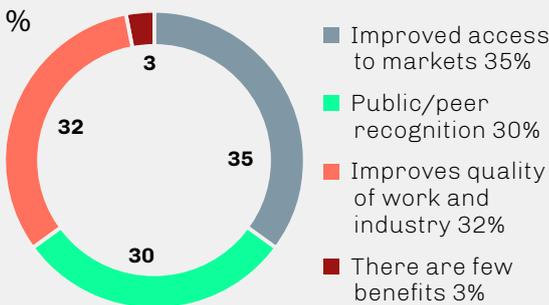
Has the availability of certified consultants changed in your area?



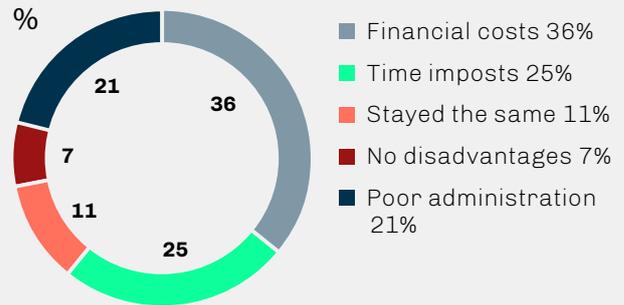
Has the cost of being a certified consultant required you to increase your fees?



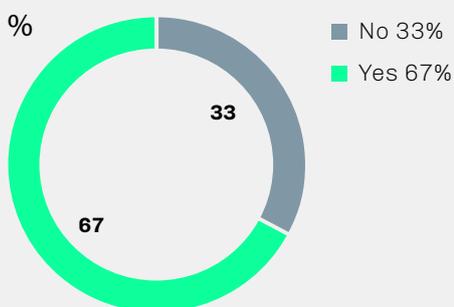
What are the benefits of becoming certified?



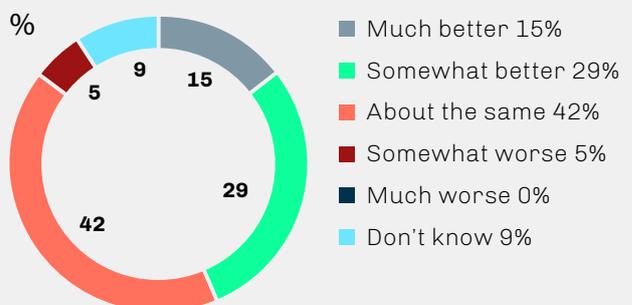
What are the disadvantages of becoming certified?



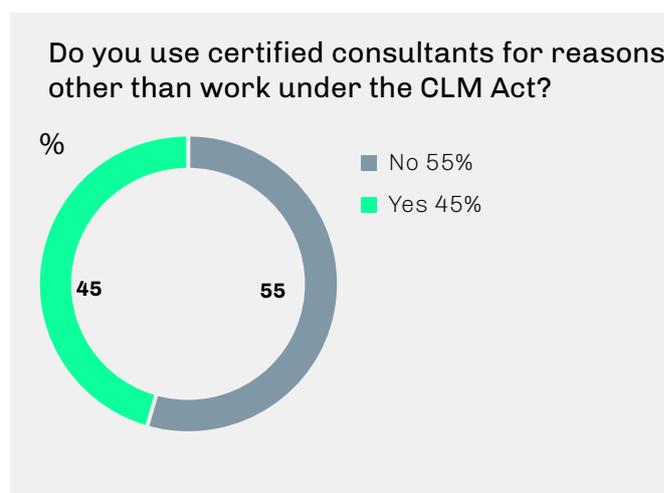
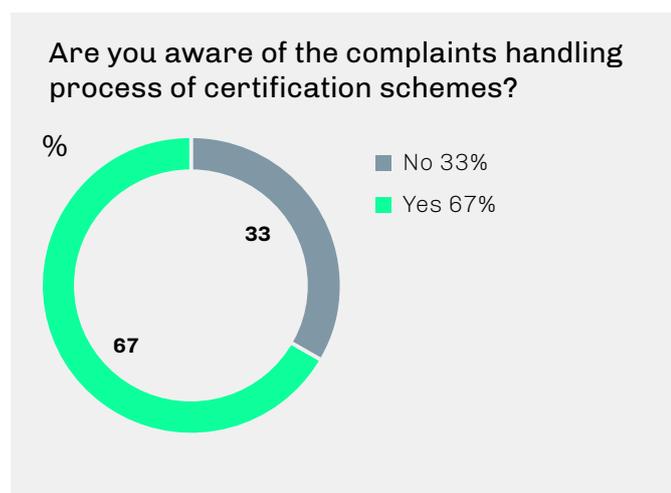
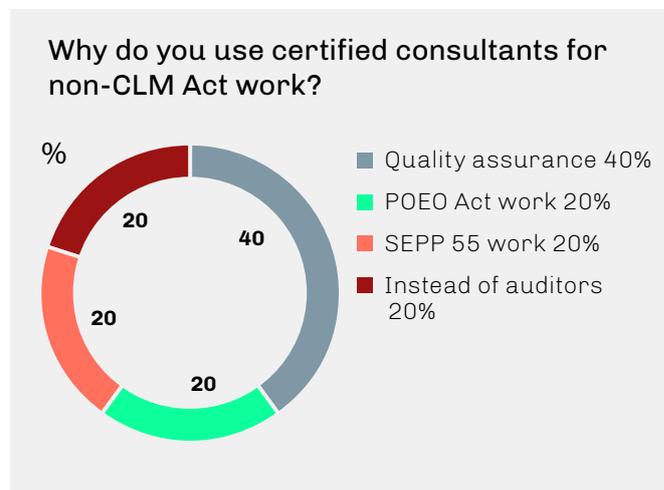
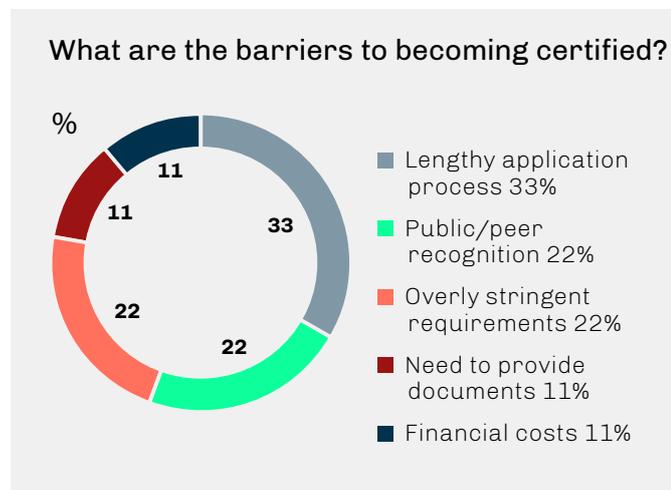
Is there a certified consultant in your business?



Has the requirement to use a certified consultant changed the quality of contaminated land reports?



## Key survey results (continued)



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