



POSITION DESCRIPTION

Position Title:	Infrastructure Counsel
Cluster / Business Unit / Division	Chief Operating Officer
Section or Unit:	Legal Services
Classification:	Band 8
Position Description Number:	PD-2335
Work Contract Type:	Professional
Job Family:	Legal
STEMM/NON-STEMM:	NON-STEMM

POSITION PURPOSE

There are three main components to this role.

The first purpose of the Infrastructure Counsel is to provide in-house expert legal advice and support in relation to the preparation of equipment supply, consultancy, design and construction contracts to support **infrastructure, construction, and capital projects**.

In addition, the Infrastructure Counsel will support the **contract, disputes and litigation management for infrastructure, construction, and capital projects**, including providing legal advice on legal claims or disputes that arise in relation to them. This includes the management of any resulting litigation.

Finally, the Infrastructure Counsel will also be required to lead initiatives which support proactively the improvement of contract management processes and skills across ANSTO including the development of templates, draft notices and responses and other associated materials.

The role will report to the General Counsel and be within the Legal Unit. However, the role will be dedicated to and also embedded within the Capital Program Management Office and expected to work directly with that office as well as Procurement.

ORGANISATIONAL ENVIRONMENT

ANSTO leverages great science to deliver big outcomes. We partner with scientists and engineers and apply new technologies to provide real-world benefits. Our work improves human health, saves lives, builds our industries and protects the environment. ANSTO is the home of Australia's most significant landmark and national infrastructure for research. Thousands of scientists from industry and academia benefit from gaining access to state-of-the-art instruments every year.

The Chief Operating Officer Group brings together several Corporate Services Functions from across ANSTO, creating greater synergies across operational areas of our organisation, and more streamlined interfaces with the Department of Industry, Science, Energy and Resources and other Federal agencies.

- Finance and Operational Services
- Corporate Affairs
- Legal Services
- People, Performance and Capability
- Regulatory and Safety Assurance
- Capital Program Management Office

Legal provides required in-house legal advice and support, including the provision of proactive assistance to support the development of knowledge and capability of others within Legal to efficiently complete legal documentation and ensure compliance.

ACCOUNTABILITIES & RESPONSIBILITIES

Key Accountabilities

- Providing expert strategic legal expertise, advice and support in relation to all **infrastructure, construction, capital project contracts** including consultancy, design and construction contracts. This will include responsibility for preparation and drafting as well as advice on provisions.
- Providing strategic legal expertise, advice and support on the legal structure of contracts and arrangements with suppliers for **infrastructure, construction, and capital projects** to most effectively and efficiently support the objectives of the projects. This includes advice in relation to the different construction models available to support a project. This also includes advice in relation to the proposed contract and project management, contracting and procurement strategies for the projects
- Managing and leading contract dispute and claims management in relation to **infrastructure, construction, and capital projects**, including the handling of litigation and security of payment claims related to any such matters.
- Proactively identifying legal risks to the business and developing strategies to mitigate the risks in relation to all **infrastructure, construction, and capital projects**.
- Advice on interpretation of and compliance with legislation relevant to the above support and advice.
- Leading initiatives which proactively support the improvement of contract and project management across ANSTO for **infrastructure, construction, and capital projects** including the development of templates, draft notices and responses and other associated materials
- Keep abreast of legal changes in infrastructure, construction and property related legislation and case law.
- ANSTO uses a matter management and contract management system. It would be expected that such systems and used and support in use of the contract management system is provided to the business.
- Effectively managing external legal service providers, where relevant, to ensure that these services are of high quality, timely, delivered economically and only utilised where necessary.
- Reporting to and working with the ANSTO General Counsel and the General Manager, Capital Program Management Office, GM Enterprise Services (procurement) in relation to the above in a highly collaborative manner.
- Undertake additional duties as required and during period of leave of other staff.

Decision Making

- Providing advice and making decisions in relation to and inherent in the above accountabilities.
- The position works within a framework of legislation, policies, regulatory requirements, professional standards and resource parameters.
- The ANSTO values, organisational corporate plan, business plan, operational excellence program, the ANSTO Legal strategy and objectives provide the context for the position.
- The position is fully accountable for the accuracy, integrity and quality of the content of advice provided, and is required to ensure that decisions are based on sound evidence, but at times may be required to make effective judgements under pressure or in the absence of complete information or expert advice.
- The levels of authority delegated to this position are those approved and issued by the Chief Executive Officer. All delegations will be in line with the ANSTO Delegation Manual AS-1682 (as amended or replaced).

Key Challenges

- Being dedicated to a specific office outside of ANSTO Legal.
- Understanding the varied operational and business requirements of ANSTO.
- Working on a diverse and large number of projects.
- Being able to quickly understand complex technical and engineering concepts/technologies.

- Being able to simply convey complex legal concepts and requirements and convey them to a range of audiences.
- Balance competing priorities and manage multiple projects simultaneously.
- Ability to understand varied scientific concepts and technologies in a diverse organisation.
- Ability to work collaboratively and to identify potential ANSTO-wide risks and to ensure that risk transfer through relevant contracts is appropriately assessed and managed.
- Manage long-lead priorities from early stage projects through to implemented outcomes.
- Focus on continuous improvement, as well as the provision of routine legal advice and support.
- Working in a highly collaborative manner.
- Ability to provide legal services under time pressures that are of high quality and strategic value.
- Keeping abreast of legal, legislative and policy changes affecting the regulatory environment within which ANSTO operates and relevant developments in case law.
- Recognising when it is appropriate to refer a matter to an external provider for specialist legal advice and management of that external provider.

KEY RELATIONSHIPS

Who	Purpose
Internal	
General Counsel	<ul style="list-style-type: none"> • Receive day-to-day guidance and direction and approval for initiatives • Work collaboratively • Provide research and expert advice on specific topics
Legal Colleagues	<ul style="list-style-type: none"> • Work collaboratively • Provide research and expert advice on specific topics • Contribute to group decision making processes, planning and goals
Other Internal Colleagues	<ul style="list-style-type: none"> • Work collaboratively • Contribute to group decision making processes, planning and goals • Provide advice and support • Negotiate and resolve conflicts
External	
ANSTO external clients and stakeholders	<ul style="list-style-type: none"> • Work to develop successful outcomes for particular transactions and for the relationship ANSTO holds with those clients and partners • Negotiation in relation to transactions • Support a positive and forward-looking project management approach to relationships
Other Government agencies	<ul style="list-style-type: none"> • Fostering collaboration and relationships with Legal Counsel in other agencies and departments

Special / Physical Requirements

Location:	Lucas Heights with options for remote working also
Travel:	May be required travel to ANSTO sites from time to time Some travel to other ANSTO sites within Australia
Physical:	Office based physical requirements (sitting, standing, minimal manual handling, movement around office and site, extended hours working at computer) Public speaking

Radiation areas:	Not expected to perform duties in an area where radioactive materials are handled
Hours:	To be agreed Willingness to work extended and varied hours based on operational requirements
Clearance requirements:	Satisfy ANSTO Security and Medical clearance requirements

Workplace Health & Safety

Specific role/s as specified in <u>AG-2362</u> of the ANSTO WHS Management System	All Workers Officer (definitions found in appendix 1 of AG-2362) Other specialised roles identified within the guideline a position holder may be allocated to in the course of their duties
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KNOWLEDGE, SKILLS AND EXPERIENCE

1. Significant legal experience and qualifications (law degree or higher; 10+ years experience)
2. Extensive experience in infrastructure or construction legal practice and demonstrated experience preferably gained as an associate with a leading Australian law firm. This experience should cover both front end and back end support to infrastructure and construction projects.
3. *Situational Adaptability.* A positive team player attitude, and can easily handle multi-tasking between shifting priorities with ease and calm.
4. Demonstrated flexibility and the ability to prioritise in a fast paced, demanding environment.
5. *Building Collaborative Relationships.* The ability to build strong relationships within the Legal office, and other cross-functional stakeholders including procurement, capital management project office, engineering and asset management.
6. Strong customer focus, with emphasis on building strong relationships and providing prompt, accurate and commercially focussed legal advice within required response timeframes.
7. *Focus on Improvements.* Experience in implementing / managing process improvement solutions in contract and project management
8. *Consultative Mindset.* Analytical skills and solutions oriented, with the ability to draw review options, reach conclusions and make informed recommendations, with input from subject matter experts; capable of being creative and supporting new innovations and services
9. *Clear Communication.* Exceptional communication skills (verbal and written) and experience communicating results
10. Confidence to work with clients and colleagues at all levels.
11. *Discretion and Adaptability.* Discretion and sensitivity and a strong awareness of ensuring communications are appropriate to audience.