

Conflict of interest declaration by NSW site auditor accredited under the Contaminated Land Management Act 1997

I, [INSERT AUDITOR’S NAME], make the following declaration prior to carrying out a site audit of land at [INSERT SITE NAME, ADDRESS AND LOT/DP] (the land):

1. I am a site auditor accredited by the NSW Environment Protection Authority (EPA), accreditation number [INSERT AUDITOR’S ACCREDITATION NUMBER].
2. I am not related[[1]](#footnote-1) to a person by whom any part of the land is owned or occupied.
3. I do not have any pecuniary interest[[2]](#footnote-2) in any part of the land or any activity carried out on any part of the land.
4. The site audit that I have been engaged to carry out does not involve my reviewing any aspect of work carried out by, or a report written by, me or a person to whom I am related.
5. I have not been engaged by the consultant[[3]](#footnote-3) whose work is to be reviewed;

**OR**

If I have been engaged by the consultant, I provide the following reasoning why this engagement will not reasonably be seen to give rise to a conflict between my duties as a site auditor and the consultant’s interests under the engagement. **[Strike out the sentence if not applicable.]**

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I will advise the EPA and the person who commissioned the site audit in writing of any significant change in circumstances that affects the accuracy of this declaration.

Signature:

Date:

Print name:

NSW Environment Protection Authority

Email: [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

Website: [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au/)

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1. A site auditor is related to a person for the purposes of section 54 the *Contaminated Land Management Act 1997* if the site auditor is an employer, partner or employee of the person, or is a spouse, de facto partner, sibling, parent or child of the person, or has a contractual arrangement with the person that might reasonably be seen to give rise to a conflict between the site auditor’s duties as a site auditor and the site auditor’s interests under the arrangement, or is employed by the same employer as the person. [↑](#footnote-ref-1)
2. A site auditor has a pecuniary interest for the purposes of section 54 the *Contaminated Land Management Act 1997* if there is a reasonable likelihood or expectation of appreciable financial gain or loss to the site auditor, or to a person to whom he or she is related, from the relevant part or activity, but does not have such an interest if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision that the site auditor might make in relation to a site audit of the land. [↑](#footnote-ref-2)
3. Within the context of this declaration form, contaminated site ‘consultants’ means individuals or corporations engaged to carry out the assessment, remediation, management and validation of contaminated sites. [↑](#footnote-ref-3)