

# **Queensland auditor handbook for contaminated land**

Module 1: Introduction to the Auditor Handbook

Prepared by: Impact Assessment and Operational Support, Regulatory Capability and Customer Service, Department of Environment and Science

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# 1 Introduction

The Queensland Auditor Handbook for Contaminated Land is an information resource for people who are, or want to become, auditors for contaminated land in Queensland. It also provides information to people who investigate contaminated land and write contaminated land investigation documents. Furthermore, it provides some background information to the community about how contaminated land may be investigated, managed, and regulated.

To help readers find information more readily, the handbook is divided into six modules that deal with different aspects of applying to become an auditor and performing an auditor's functions.

The content of the six modules is as follows:

**Module 1: Introduction to the Auditor Handbook:** outlines the structure and content of the handbook; gives a brief overview of the legislation that regulates their functions; and provides advice on where to find additional information about contaminated land auditors.

**Module 2: Auditor application requirements:** explains how to apply to become an auditor in Queensland, either as a new applicant or by mutual recognition of an approval from another state; and explains how to apply to renew an auditor's existing approval.

**Module 3: Assessment of auditor applications:** describes the separate assessment processes for an auditor's first-time application, renewal application, or mutual recognition application; and provides new applicants with advice on how to prepare for the examination and interview.

**Module 4: Code of professional conduct:** sets out how an auditor must conduct their functions; lists the legally binding expectations for an auditor's professional behaviour; and lists the obligations for how they administer their work.

**Module 5: Auditor's functions:** describes what an auditor does, and how they do it; provides information about how auditors interact with those who own or investigate contaminated land; and gives an overview of how the government oversees the performance of auditors.

**Module 6: Content requirements for contaminated land investigation documents, certifications and audit reports:** provides advice about the required content of a contaminated land investigation document, an auditor's certification, and an audit report.

Module 2 is the guideline prescribed for s. 570(f) the *Environmental Protection Act 1994* (EP Act), while Module 4 is the code of conduct prescribed for s. 574D(b) of the EP Act.

## 2 What an auditor for contaminated land does

In Queensland, an auditor for contaminated land prepares an auditor's certification for a contaminated land investigation document under Chapter 7, Part 8 of the EP Act (see *Module 5: Auditor's functions* for more detailed information about what an auditor does).

An auditor does not investigate contaminated land, nor do they undertake projects to remediate contaminated land. Furthermore, they do not write reports about the investigation or remediation of contaminated land. Such work is undertaken by a *suitably qualified person*—see *Module 5: Auditor's functions* for more information about suitably qualified persons. A person who is an approved auditor may also take on work separately as a suitably qualified person, but they cannot undertake both roles for the same project or in relation to the same land.

An auditor independently evaluates a contaminated land investigation document that has been prepared by a suitably qualified person, and, when appropriate, certifies that the contaminated land investigation document complies with the requirements for its content that are stipulated in ss. 389(1) and 389(2) of the EP Act. The government then relies on the auditor's certification to determine what action should be taken regarding the contaminated land—again see *Module 5: Auditor's functions* for more information about how contaminated land is regulated and managed by the Queensland government.

## 3 Regulation of auditors' functions

Approval to be an auditor in Queensland is a legal status that can only be granted by the chief executive of the department administering the EP Act, which currently is the Department of Environment and Science (DES). Without that approval, a person cannot act as an auditor. It is an offence to pretend to be an auditor. Approval as an auditor is only available to individuals, not to companies.

As noted above, for someone wishing to become an auditor, *Module 2: Auditor application requirements* and *Module 3: Assessment of auditor applications* of the *Queensland auditor handbook for contaminated land* provide information about the expected qualifications and experience, how to apply, and the approval process. Also, *Module 5: Auditor's functions* provides information about how an auditor's functions are regulated in Queensland.

The main internet-based starting point for copies of the Queensland legislation that regulates contaminated land and an auditor's functions is as follows: <https://www.legislation.qld.gov.au>

Table 1 provides a list of the most relevant parts of Queensland legislation at the time this version of the handbook was written.

**Table 1 Legislation relevant to the approval and functions of auditors**

Subject	Legislation	Part
Auditors	<i>Environmental Protection Act 1994</i>	Chapter 1, Part 2, s. 5; Chapter 12, Part 3A, ss. 567 to 574M inclusive.
Suitably qualified person	<i>Environmental Protection Act 1994</i>	Chapter 1, Part 2, s. 5; Chapter 12, Part 3, ss. 564 to 566 inclusive.
Contaminated land (inclusion on land registers; investigation; and reporting)	<i>Environmental Protection Act 1994</i>	Chapter 7, Part 8, ss. 370 to 408 inclusive.
Contaminated land—prescribed waste for notifiable activities	Environmental Protection Regulation 2008	Section 67.
Suitably qualified persons and auditors (prescribed organisations; functions; guideline for application ; code of conduct)	Environmental Protection Regulation 2008	Sections 115A to 115D inclusive.
Fees for auditor's approval applications	Environmental Protection Regulation 2008	Schedule 10, Part 3, s. 15.
Mutual recognition of auditors from another state.	<i>Mutual Recognition (Queensland) Act 1992</i>	Part 3, ss. 16 to 42 inclusive.

## 4 Other sources of information about contaminated land and auditors' functions

The Queensland government's business portal on the internet provides several pages of information about the regulation of contaminated land, including an auditor's functions. It also provides links to a variety of guidelines and application forms. At the time of writing, the main starting point for information, and downloadable guidelines and forms, is as follows:

<https://www.qld.gov.au/environment/pollution/management/contaminated-land/>