

# GUTHRIE LEGAL

ENVIRONMENT & PLANNING LAW



## Contamination:

A National legal update for the  
Australian Environment Business  
Network

ENVIRONMENT  
*Express*



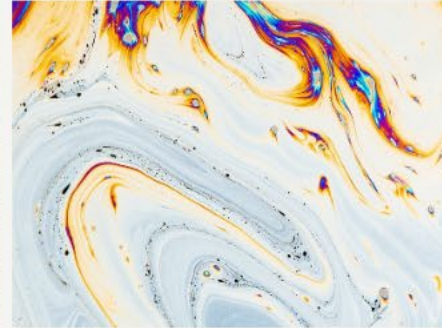


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1

SET THE  
SCENE



2

QLD



3

NSW



4

SA, WA, TAS



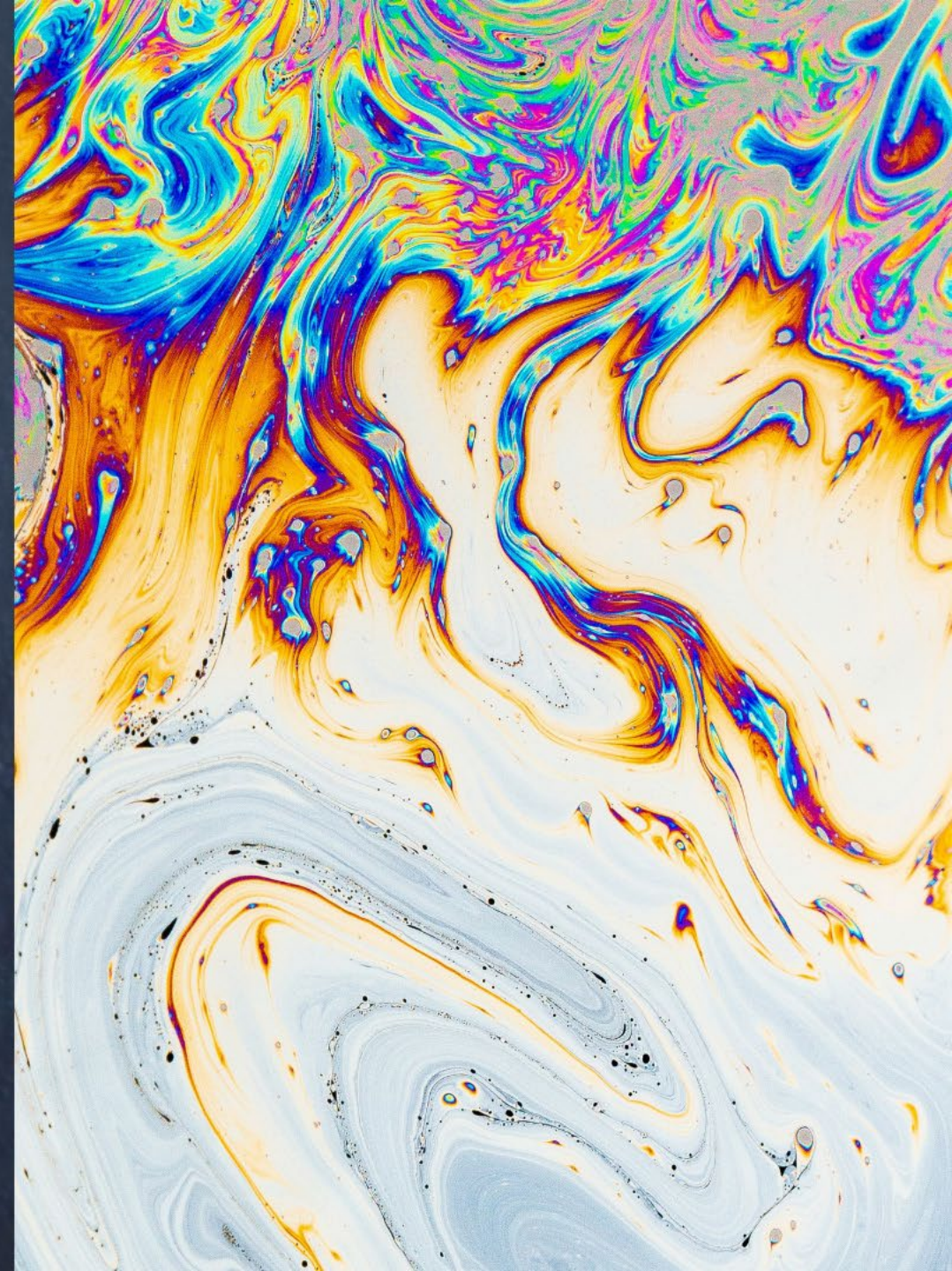
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Q&A



Contamination means the condition of land or water where any chemical substance or waste has been added as a direct or indirect result of human activity at above background level and represents, or potentially represents, an adverse health or environmental impact.

*The National Environment Protection (Assessment of Site Contamination) Measure 1999 (the ASC NEPM) made under the National Environment Protection Council Act 1994 (Cth)*





## NSW

Protection of the Environment Operations Act 1997  
Contaminated Land Management Act 1997  
State Environmental Planning Policy (Resilience and Hazards) 2021  
Managing Land Contamination - Planning Guidelines

## WA

Environmental Protection Act 1986  
Contaminated Sites Act 2003

## VIC

Environment Protection Act 2017  
Planning and Environment Act 1987  
Ministerial Direction No 1 - Contaminated Land

## TAS

Environmental Management and Pollution Control Act 1994  
Land Use Planning and Approvals Act 1993

## SA

Environment Protection Act 1993  
Planning, Development and Infrastructure Act 2016

## QLD

Environmental Protection Act 1994  
Planning Act 2016

## ACT

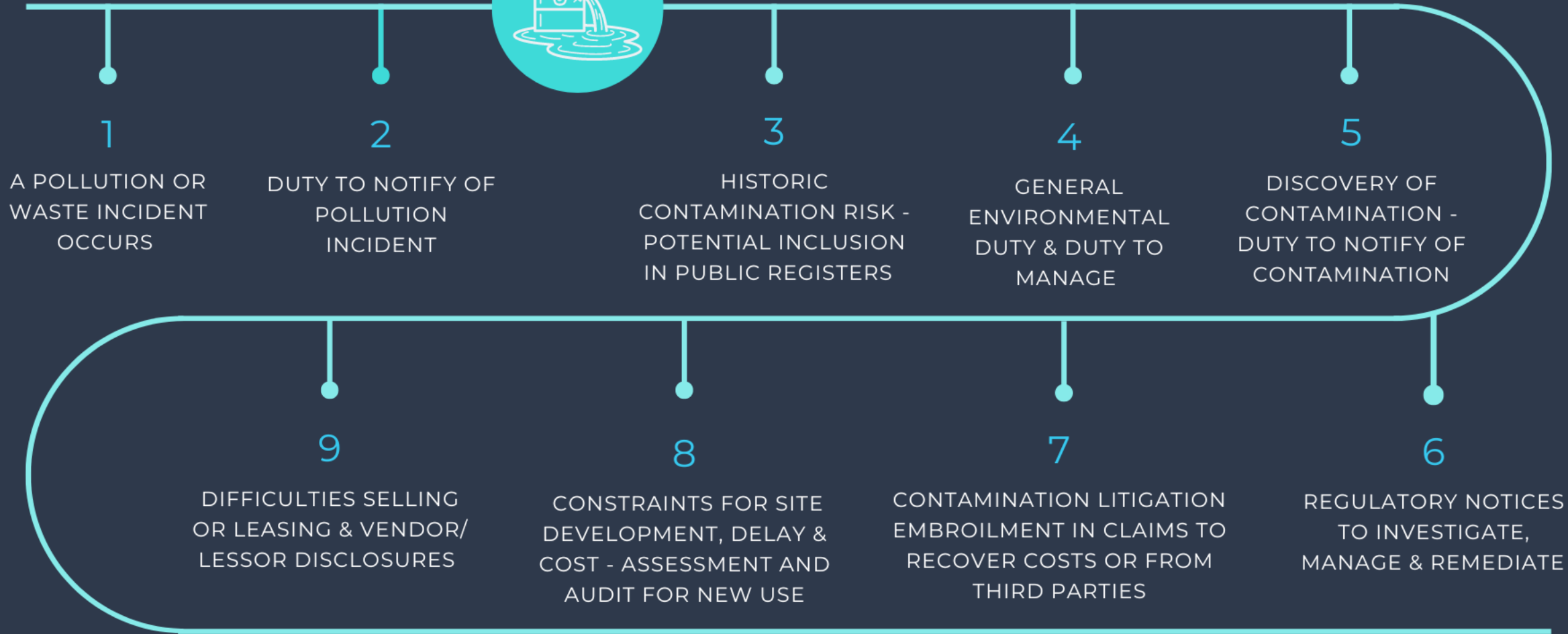
Environment Protection Act 1997

## CTH

National Environment Protection (Assessment of Site Contamination) Measure 1999 (the NEPM)

## NT

Waste Management and Pollution Control Act 1998





# QLD

1

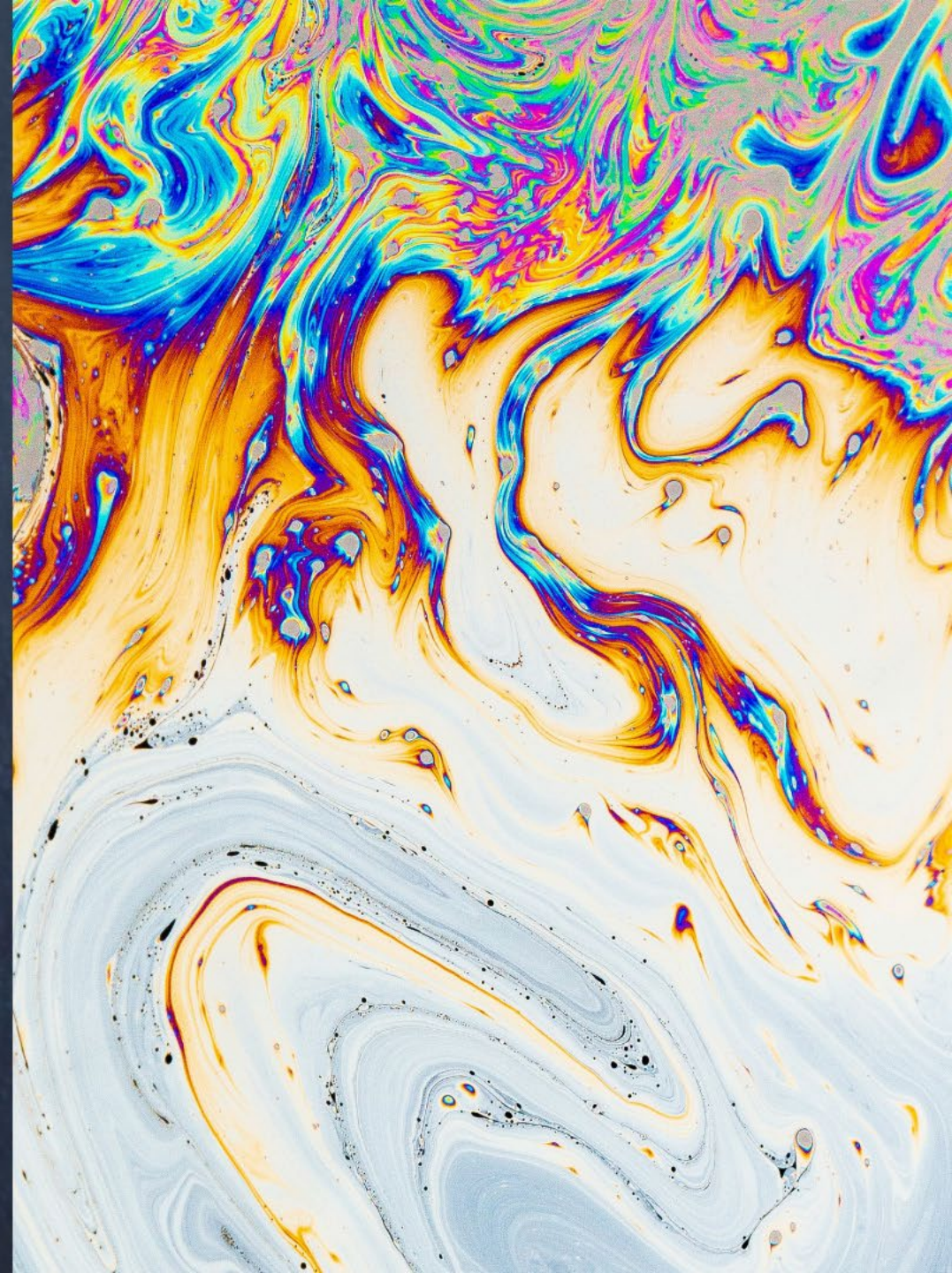
11 June 2024 - the Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024

2

General Environmental Duty - an offence provision

3

New duty to restore





# NSW

1

1 July 2024 - Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Act 2024 commenced

2

Amends Contaminated Land Management Act

3

Increased penalties





# SA, WA, TAS & CTH

1

SA - Release of new Guidelines for groundwater quality monitoring of regulated activities; continues to establish groundwater prohibition areas

2

WA - drone surveillance & disclosure requirements

3

TAS - continued focus on Underground Petroleum Storage System (UPSS) sites

4

CTH & International



# THANK YOU

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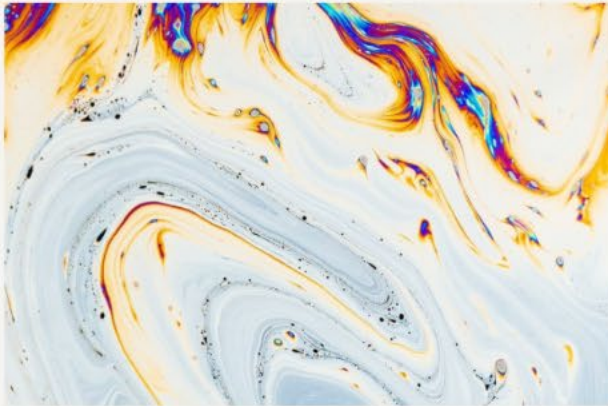
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## ENVIRONMENT

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5 Essential Tips: Make sense of environmental liability in corporate transactions

10 Dec 2022



3 Things To Know About Contamination Risk

1 Sep 2022



Contamination in planning matters - Victoria

2 Mar 2022



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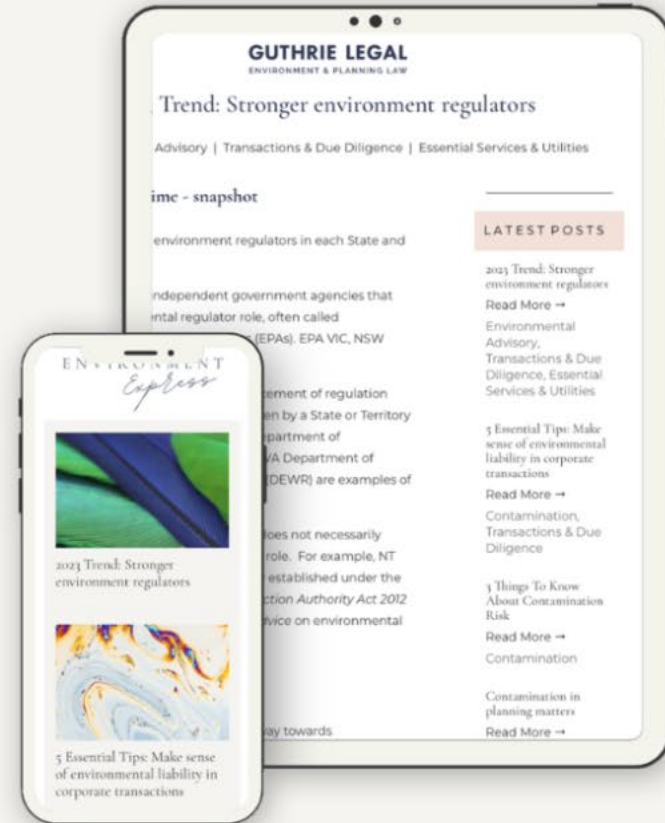
Current role or organisation

## Interests

- Environmental regulation, compliance & governance
- Renewables
- Climate & Sustainability
- Contamination
- Major projects & EIA

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## QUESTIONS & DISCUSSION

