

OBJECTIVES

These Summaries are designed to provide the reader with a clear understanding of the legislation, guidelines, other documentation and government policies that underlie the approaches taken in Australian jurisdictions in addressing the issue of contaminated sites management.

The Summaries are not intended to present a critical evaluation of the various regulatory approaches to contaminated sites management adopted throughout Australia. However, they form the basis for future analytical and comparative work proposed to be undertaken in the future by CRC CARE.

The documentation provides the opportunity for professionals working within the contaminated sites area to access details of the applicable regulatory regimes.

CONSULTATION WITH REGULATORS

The Summaries have been prepared in consultation with regulators working in the contaminated sites sections and branches of relevant environmental agencies. We thank these officers for the time spent in reviewing drafts of the summaries and discussing them in face to face meetings.

Those using the summaries are encouraged to communicate to CRC CARE any omissions or errors they may identify.

CURRENCY

The Summaries for the Australian Capital Territory, South Australia, Tasmania and Australia (National) are current to 31st March 2009.

The legislation referred to in the Summaries prepared for New South Wales, Queensland, Victoria and Western Australia is current to 31st March 2009. However, although generally current, the guidelines and supporting information in those summaries is reliable only to 30th November 2007.

It is proposed to update the Summaries at least every 12 months to maintain the currency of the information as far as is reasonably practicable. The first update will ensure that the ancillary information referred to above that is current only to November 2007 is updated.

Users of the Summaries are strongly advised to consult the original sources of information relied on to compile the Summaries before making significant economic, contractual or other commercial decisions. Legal advice should be obtained in order to ensure that the relevant laws are being applied to the particular situation.

THE AUSTRALIAN SUMMARY MATRIX

As a service to users we have developed the Australian Summary Matrix that summarises certain of the critical issues identified through the process of compiling the jurisdictional documents. The matrix facilitates rapid comparison of critical issues relating to contaminated sites regulation across the states. It is available from the Select page of the website as an option under Regulatory Process.

USING THE SUMMARIES

Structure

Each Summary uses a common template to permit easy access to issues common to each jurisdiction. The topics within each template are:

- INTRODUCTION
- RESPONSIBILITY FOR REMEDIATION
- THE ROLE OF PRIVATE PROFESSIONALS
- IDENTIFICATION, INVESTIGATION AND ASSESSMENT
- THE REMEDIATION PROCESS
- VOLUNTARY REMEDIATION (BROWNFIELDS MEASURES)
- REMEDIATION UNDER THE LAND USE PLANNING PROCESS
- POST REMEDIATION CONTROLS
- PUBLIC PARTICIPATION
- LIABILITY IN TORT & CONTRACT

Being PDF documents, each Jurisdiction can be navigated by using both bookmarks and “within text” linking which are features of the software used in viewing PDFs.

Bookmarks

Every Section and heading in the document can be navigated to using the bookmark link.

The bookmark links appear on the left hand side of the screen. If the bookmark links are not visible when the PDF is opened the user will need to press the “bookmarks” button, which is on the left hand side of the screen or search the menus of the PDF viewing software to determine the option to show bookmarks.

Within Text Linking

The text of the main headings within the table of contents is linked.

The document also text links cross references. That is, where the text refers to another Section of the document (for example, “See Summary Section 4.1”) the reader is able to navigate to that Section of the document by clicking on the text. These links are highlighted in **purple**.

HTML Linking

References in the document to external websites are generally not live links as the content and currency of external websites changes frequently. However, references to legislation in the header to each Section of the document are linked to the Act available in the relevant government legislation website. Additionally, a compilation of links to principal legislation and government agency websites is presented on the “Links” page accessible by clicking on “Links” on the menu bar.