

1985-86

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

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Presented and read a first time, 17 April 1986

*(Minister for Arts, Heritage and Environment)*

**A BILL**

FOR

**An Act to amend the *Environment Protection (Impact of Proposals) Act 1974***

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**Short title, &c.**

5     **1. (1)** This Act may be cited as the *Environment Protection (Impact of Proposals) Amendment Act 1986*.

**(2)** The *Environment Protection (Impact of Proposals) Act 1974*<sup>1</sup> is in this Act referred to as the Principal Act.

**Commencement**

10     **2.** This Act shall come into operation on a day to be fixed by Proclamation.

### **Approved procedures**

#### **3. Section 6 of the Principal Act is amended—**

- (a) by omitting paragraph (2) (a) and substituting the following paragraph:

“(a) enabling the Minister to require the supply of information for the purpose of consideration, by or on behalf of the Minister, of the necessity for environmental impact statements or public environment reports;”;

- (b) by inserting after paragraph (2) (b) the following paragraph:

“(ba) authorizing the Minister to direct the preparation or obtaining, and the submission to the Minister, of reports to be known as public environment reports;”;

- (c) by inserting in paragraph (2) (c) “and reports” after “statements”; and

- (d) by inserting in paragraphs (2) (d), (f) and (g) “and public environment reports” after “statements” (wherever occurring).

### **Minister to furnish certain information**

#### **4. Section 10 of the Principal Act is amended—**

- (a) by omitting “him” and substituting “the person”; and

- (b) by omitting “promptly” and substituting “as soon as practicable, and in any event within 3 months after the date of the notice,”.

### **Inquiries by Commissioners**

#### **5. Section 11 of the Principal Act is amended—**

- (a) by inserting in sub-section (1) “or public environment report” after “environmental impact statement”;

- (b) by omitting sub-section (4) and substituting the following sub-sections:

“(3A) The Minister may direct a Commission to report its findings and recommendations within a reasonable period as specified in the direction.

“(4) The Commission—

- (a) shall report its findings and recommendations to the Minister;

- (b) where a period has been specified under sub-section (3A)—shall so report within that period; and

- (c) after so reporting, but subject to sub-section (5)—shall make public those findings and recommendations.”;

- (c) by omitting “sub-section (1)” from sub-section (6) and substituting “sub-sections (1) and (3A)”.

**Minor and consequential amendments**

6. The Principal Act is amended as set out in the Schedule.

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**SCHEDULE**

Section 6

**MINOR AND CONSEQUENTIAL AMENDMENTS**

**Section 3 (definition of “environment”)—**

Omit the definition, substitute the following definition:

“‘environment’ includes all aspects of the surroundings of human beings, whether affecting human beings as individuals or in social groupings;”.

**Section 4—**

Omit “other than Papua New Guinea”.

**Section 8—**

Omit “him” (first occurring), substitute “the Minister”.

**Paragraph 8 (a)—**

(a) Omit “him”, substitute “the Minister”.

(b) Omit “he”, substitute “the Minister”.

**Paragraph 8 (b)—**

(a) After “statement”, insert “or public environment report”.

(b) Omit “him”, substitute “the Minister”.

(c) Omit “he”, substitute “the Minister”.

**Sub-section 12 (1)—**

Omit “he”, substitute “the Commissioner”.

**Sub-section 12 (3)—**

Omit “1973-1974”, substitute “1973”.

**Section 15—**

Omit “him”, substitute “the Commissioner”.

**Paragraph 16 (b)—**

Omit “himself”.

**Paragraph 18 (b)—**

Omit “he”, substitute “the person”.

**Paragraph 18 (c)—**

(a) Omit “he”, substitute “the person”.

(b) Omit “him”, substitute “the person”.

**Sub-section 19 (1)—**

Omit “his duties as”, substitute “the duties of”.

**SCHEDULE—continued**

**Paragraph 20 (a)—**

- (a) Omit “his” (twice occurring), substitute “the”.
- (b) Omit “as”, substitute “of”.

**Section 22—**

Omit “his”.

**Sub-section 23 (1)—**

- (a) Omit “his”, substitute “the person’s”.
- (b) Omit “him”, substitute “the person”.

**Paragraph 23 (2) (a)—**

After “his” (twice occurring), insert “or her”.

**Paragraph 23 (2) (b)—**

After “his” (twice occurring), insert “or her”.

**Paragraph 23 (3) (a)—**

- (a) After “his”, insert “or her”.
- (b) Omit “he” (wherever occurring), substitute “the employee”.

**Paragraph 23 (3) (b)—**

- (a) After “his” (twice occurring), insert “or her”.
- (b) Omit “he” (wherever occurring), substitute “the employee”.

**Sub-section 24 (2)—**

Omit “him” (twice occurring), substitute “the Commissioner”.

**Sub-section 24 (3)—**

Omit “he”, substitute “the Commissioner or that person”.

**Sub-section 24 (5)—**

Omit “he”, substitute “the Commissioner or the person”.

**NOTE**

1. No. 164, 1974, as amended. For previous amendments, see No. 36, 1975; No. 61, 1981; and Nos. 26 and 80, 1982.