

1986

PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

ENVIRONMENT PROTECTION (IMPACT OF PROPOSALS)

AMENDMENT BILL 1986

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister  
for Arts, Heritage and Environment,  
the Hon. Barry Cohen, M.P.)

## OUTLINE

This is a Bill for an Act to amend the Environment Protection (Impact of Proposals) Act 1974.

The purpose of the Bill is to overcome some specific administrative constraints which have arisen in the course of administering the Act and to improve some other aspects of the administration.

The amendments essentially:

- (a) more clearly define the power of the Minister to seek and require provision of the information necessary for a determination of the need for environmental impact assessment in any particular circumstance;
- (b) provide for a new simplified form of document for environmental impact assessment - the public environment report, to apply in certain circumstances;
- (c) require the Minister to respond to certain requests for information within a defined time period; and
- (d) allow the Minister to place a time limit on a Commission of Inquiry.

## FINANCIAL IMPLICATIONS

There are no direct cost implications arising from these amendments.

## NOTES ON CLAUSES

### Clause 1 - Short Title etc.

Formal. Provides for citation.

### Clause 2 - Commencement

This clause provides that the legislation will come into operation on a day to be fixed by Proclamation.

### Clause 3 - Approved procedures

This clause amends section 6 of the Principal Act to enable approved administrative procedures to be made giving the Minister the power to require the supply by Commonwealth Government departments and authorities of information for the purpose of consideration of the need for environmental impact statements or public environment reports. This represents a strengthening of the current position under the Act.

This clause also provides that approved administrative procedures may be made authorizing the Minister to direct the preparation or obtaining, and submission to the Minister, of Public Environment Reports. Such reports are expected to be a less involved and less costly form of documentation for environmental impact assessment than that provided for by Environmental Impact Statements.

This clause further amends section 6 to refer throughout to Public Environment Reports.

#### Clause 4 - Minister to furnish certain information

This clause amends section 10 of the Principal Act to require the Minister to advise a person who has by written notice sought information as to the action taken or proposed for ensuring consideration of the environmental aspects of a matter deemed environmentally significant as soon as practicable and at the latest 3 months from the date of the notice.

#### Clause 5 - Inquiries by Commissioners

This clause amends section 11 of the Principal Act to enable the Minister to direct a Commission of Inquiry to report its findings and recommendations to the Minister within a particular time period.

#### Clause 6 - Minor and Consequential Amendments

This clause refers to a Schedule to the Bill which effects minor amendments to the Principal Act, the majority of which related to the introduction into the Act of gender neutral language. This conforms with current drafting practice.