

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY**

ENVIRONMENT PROTECTION (AMENDMENT) BILL 1999

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Circulated by authority of

Brendan Smyth MLA
Minister for Urban Services

Outline

The amendments are in response to the Scrutiny of Bills Committee Report No. 8 into the Environment Protection (Amendment) Bill 1999. The proposed amendments clarify a number of matters and provide additional rights of review in respect of various decisions under the Bill to the Administrative Appeals Tribunal.

Clause 16. Division 5- Assessment and remediation

1. Clarifies that proposed section 91B deals with matters that the Authority must include in assessing whether land is contaminated so as to pose a significant risk of harm.
2. Clarifies in proposed section 91E that the Authority in deciding whether to approve an application for an extension of time to conduct an assessment or remediation or to approve a lesser period than applied for.
3. Amends section 91C(1)(b) & 91D(1)(b) to allow for the review of the decision by the Authority in determining the appropriate person against whom to issue a notice to recover costs.

Clause 19. Review of decisions

4. Provides for review of the decision by the Authority to remove an entry from the Register of contaminated sites.
5. Corrects a drafting error to refer to subsection 91D(8) for the review of the decision by the Authority on the transfer or subletting of land while a remediation order is in force.
6. Provides for review of the decision by the Authority under proposed section 91E(1).
7. A consequential amendment due to revised appeal rights.
8. A consequential amendment due to amendments made to Clause 19.