

LEGISLATIVE ASSEMBLY

PORT SERVICES AMENDMENT BILL 2007

(Amendments to be moved by Dr Napthine)

1. Clause 4, line 18, after this line insert—
"***Environment Protection Authority*** has the same meaning as ***Authority*** has in the **Environment Protection Act 1970**;"
2. Clause 5, line 34, after this line insert—
"(2) At the end of section 14A of the **Port Services Act 1995** insert—
"(2) If excavated or dredged material is being placed or disposed of under subsection (1)(d) in Port of Melbourne waters, the Port of Melbourne Corporation must, at the end of each week in which the material is placed or disposed of, prepare a report setting out the matters listed in subsection (3).
(3) A report under subsection (2) must set out the following—
 - (a) the amount of excavated or dredged material that has been placed or disposed of within the week;
 - (b) the location, within Port of Melbourne waters, at which excavated or dredged material has been placed or disposed of;
 - (c) the nature of the material that has been excavated or dredged and the place from which the material has been excavated or dredged;
 - (d) if any excavated or dredged material is contaminated, the nature and level of the contamination.

Note

Examples of contamination that should be reported on include, but are not limited to, contamination by heavy metals or by toxic chemicals.

- (4) The Port of Melbourne Corporation must, within 3 days after the end of each week for which a report must be prepared under subsection (2), submit the report for the week to the Environment Protection Authority.
- (5) Within 3 days of receiving a report from the Port of Melbourne Corporation under subsection (4), the Environment Protection Authority must certify as to whether or not the excavated or dredged material has been disposed of in a manner that is—
 - (a) safe to humans; and
 - (b) environmentally sound.
- (6) The Port of Melbourne Corporation must—

- (a) within 3 days after preparing a report under subsection (2), cause the report to be laid before each House of Parliament, or, if the House is not then sitting, on the earliest sitting day after that date; and
- (b) within 3 days after receiving the certificate from the Environment Protection Authority under subsection (4), cause the certificate to be laid before each House of Parliament, or, if the House is not then sitting, on the earliest sitting day after that date."."

3. Clause 6, line 19, after this line insert—

"(2) At the end of section 22 of the **Port Services Act 1995** insert—

"(2) If excavated or dredged material is being placed or disposed of under subsection (1)(d) in port waters, VRCA must, at the end of each week in which the material is placed or disposed of, prepare a report setting out the matters listed in subsection (3).

(3) A report under subsection (2) must set out the following—

- (a) the amount of excavated or dredged material that has been placed or disposed of within the week;
- (b) the location, within port waters, at which excavated or dredged material has been placed or disposed of;
- (c) the nature of the material that has been excavated or dredged and the place from which the material has been excavated or dredged;
- (d) if any excavated or dredged material is contaminated, the nature and level of the contamination.

Note

Examples of contamination that should be reported on include, but are not limited to, contamination by heavy metals or by toxic chemicals.

(4) The VRCA must, within 3 days after the end of each week for which a report must be prepared under subsection (2), submit the report for the week to the Environment Protection Authority.

(5) Within 3 days after receiving a report from the VRCA under subsection (4), the Environment Protection Authority must certify as to whether or not the excavated or dredged material has been disposed of in a manner that is—

- (a) safe to humans; and
- (b) environmentally sound.

(6) The VRCA must—

- (a) within 3 days after preparing a report under subsection (2), cause the report to be laid before each House of

Parliament, or if the House is not then sitting, on the earliest sitting day after that date; and

- (b) within 3 days after receiving the certificate from the Environment Protection Authority under subsection (4), cause the certificate to be laid before each House of Parliament, or, if the House is not then sitting, on the earliest sitting day after that date."."