

LEGISLATIVE COUNCIL

PORT SERVICES AMENDMENT BILL 2007

(Amendments to be proposed in Committee by Ms PENNICUIK)

1. Clause 1, lines 7 and 8, omit paragraph (c).
2. Clause 4, lines 19 to 21, omit all words and expressions on these lines.
3. Clause 4, page 3, lines 1 to 3, omit all words and expressions on these lines.
4. Clause 5, line 34, after this line insert—

"(2) At the end of section 14A of the **Port Services Act 1995** insert—

"(2) Despite subsection (1)(d), excavated or dredged material must not be placed or disposed of in port of Melbourne waters if the excavated or dredged material is—

 - (a) noxious or poisonous; or
 - (b) harmful or potentially harmful to the health, welfare, safety or property of human beings; or
 - (c) poisonous or harmful or potentially harmful to animals, birds, wildlife, fish or other aquatic life; or
 - (d) poisonous or harmful or potentially harmful to plants or other vegetation; or
 - (e) detrimental to any beneficial use made of the waters in which it is placed or disposed of."."
 5. Clause 6, line 19, after this line insert—

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

"(2) Despite subsection (1)(d), excavated or dredged material must not be placed or disposed of in port waters of VRCA if the excavated or dredged material is—

 - (a) noxious or poisonous; or
 - (b) harmful or potentially harmful to the health, welfare, safety or property of human beings; or
 - (c) poisonous or harmful or potentially harmful to animals, birds, wildlife, fish or other aquatic life; or
 - (d) poisonous or harmful or potentially harmful to plants or other vegetation; or
 - (e) detrimental to any beneficial use made of the waters in which it is placed or disposed of."."
 6. Clause 14, omit this clause.