



Statutory Rules 1997 No. 1

TRIPLICATE COPY

Administering Department
documents sent to
Parliament in connection
Ex. Co. Secretariat
Insertion of signatures and date of making, and send
to: Legislative Services Section,
Office of Legislative Drafting, Attorney-General's
Department.



201/

Airports (Environment Protection) Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia,
acting with the advice of the Federal Executive Council, make the
following Regulations under the *Airports Act 1996*.

Dated 1 1997.

23 July/

1 WILLIAM DEANE/
Governor-General

By His Excellency's Command,

1
Minister for Transport and Regional Development

JOHN SHARP/

1. Amendment

1.1 The Airports (Environment Protection) Regulations are
amended as set out in these Regulations.

[Note: These Regulations commence on gazettal: see *Acts Interpretation
Act 1901*, s. 48.]

2. Regulation 6.01 (Existing pollution to be reported)**2.1 Subregulations 6.01 (1) and (2):**

Omit the subregulations, substitute:

“6.01. (1) An airport environment officer for an airport may direct the occupier of an area at the airport, in writing, to give to the airport environment officer a copy of any information held by, or available to, the occupier relating to that part of the airport site, that discloses:

- (a) former uses of the land, and other activities of the occupier or a previous occupier; and
- (b) when a matter disclosed under paragraph (a) occurred; and
- (c) the manner in which a former land use, or other activity, was undertaken; and
- (d) how waste, or any other material requiring to be disposed of, was disposed of; and
- (e) if any part of the land is contaminated by pollution, the character and extent of the contamination; and
- (f) any known impact of pollution generated on the site of the undertaking:
 - (i) on the site; and
 - (ii) outside the site.”.

2.2 Subregulation 6.01 (4):

Omit the subregulation, substitute:

“(4) The airport environment officer must give a copy of the information to the airport-lessee company for the airport unless the information was provided by the airport-lessee company.

Penalty: 10 penalty units.”.

2.3 Subregulation 6.01 (6):

Omit the subregulation, substitute:

“(6) In this regulation:

‘occupier’ of an area at an airport means:

- (a) if the area is not subject to a sublease or licence subordinate to the relevant airport lease—the airport-lessee company; or

- (b) if the area is subject to such a sublease or licence—the person having the right to occupy the area under:
 - (i) the sublease or licence; or
 - (ii) any lease or licence subordinate to the sublease or licence.”.

3. Regulation 6.09 (Expert site examination)

3.1 Subregulation 6.09 (1):

Omit “occupier of the site”, substitute “occupier of the area”.

3.2 Subregulation 6.09 (6):

Omit the subregulation, substitute:

- “(6) In this regulation:
‘**occupier**’ of an area at an airport means:
- (a) if the area is not subject to a sublease or licence subordinate to the relevant airport lease—the airport-lessee company; or
 - (b) if the area is subject to such a sublease or licence—the person having the right to occupy the area under:
 - (i) the sublease or licence; or
 - (ii) any lease or licence subordinate to the sublease or licence.”.

4. Regulation 6.14 (Occupier may prepare remedial plan)

4.1 Subregulation 6.14 (4):

Omit the subregulation, substitute:

- “(4) In this regulation:
‘**occupier**’ of an area at an airport means:
- (a) if the area is not subject to a sublease or licence subordinate to the relevant airport lease—the airport-lessee company; or
 - (b) if the area is subject to such a sublease or licence—the person having the right to occupy the area under:
 - (i) the sublease or licence; or
 - (ii) any lease or licence subordinate to the sublease or licence.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on
2. Statutory Rules 1997 No. 13 as amended by 1997 No. 112.

K

1997. 24 July/