



Airports (Environment Protection) Amendment Regulation 2012 (No. 1)¹

Select Legislative Instrument 2012 No. 187

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Airports Act 1996*.

Dated 2 August 2012

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

ANTHONY ALBANESE
Minister for Infrastructure and Transport

1 Name of regulation

This regulation is the *Airports (Environment Protection) Amendment Regulation 2012 (No. 1)*.

2 Commencement

This regulation commences on the day after it is registered.

3 Amendment of *Airports (Environment Protection) Regulations 1997*

Schedule 1 amends the *Airports (Environment Protection) Regulations 1997*.

Schedule 1 Amendments

(section 3)

[1] Regulation 1.03A

omit

131A (b)

insert

131A (1) (b)

[2] Subregulation 1.05 (1), definition of *site of indigenous significance*

omit

[3] Subregulation 1.05 (1), after definition of *water pollution*

insert

Note Several other words and expressions used in these Regulations have the meaning given by section 5 of the Act. For example:

- airport lease
- airport-lessee company
- airport-management company
- airport site
- environment strategy.

[4] Part 3

omit

[5] Paragraphs 4.04 (1) (b) and (c)

substitute

- (b) there are no adverse consequences for:
- (i) a species or ecological community listed as threatened under the *Environment Protection and Biodiversity Conservation Act 1999*; or
 - (iii) sites of indigenous significance on the airport site; and
- (c) if it is reasonably discoverable that, at the airport site, there is a listed threatened species or ecological community—the operation, or other work, is not inconsistent with action intended to lessen the threat to the species or ecological community; and

[6] Subregulation 4.04 (2)

omit

Endangered Species Act 1992

insert

Environment Protection and Biodiversity Conservation Act 1999.

[7] Paragraph 5.04 (2) (c) and 5.09 (2) (g)

omit

draft, or final, environment strategy, as the case may be; and

insert

environment strategy; and

[8] Paragraph 6.02 (2) (a)

omit

regulation 3.09

insert

subregulation 5.02B (5) of the *Airports Regulations 1997*

[9] Paragraph 6.02 (2) (b)

omit

paragraph 3.09 (d)

insert

paragraph 5.02B (5) (d) of the *Airports Regulations 1997*

[10] Subregulation 6.02 (4)

omit

[11] Paragraph 6.03 (1) (a)

omit

paragraph 6.02 (3)

insert

subregulation 6.02 (3)

[12] Paragraph 6.07 (1) (b)*omit*

paragraph 116 (2) (b) or (3) (b)

insert

subparagraph 71 (2) (h) (ii) or (3) (h) (ii)

[13] Schedule 4, paragraphs 2.05 (2) (b) and (3) (e) and subparagraph 4.01 (2) (b) (ii)*omit*

final environment strategy

*insert*final master plan

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.comlaw.gov.au.