

Fisheries Industry (Interim Protection and Environmental Assessment) Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows:

- (a) to provide interim protection to licences and other authorities to conduct fishing activities granted by the Minister for Fisheries, by suspending the operation of Part 5 of the *Environmental Planning and Assessment Act 1979* in respect of those activities, pending an environmental assessment of those activities,
- (b) to require the Minister for Fisheries to obtain the approval of the Minister for Urban Affairs and Planning in relation to fishing activities proposed to be approved by the Minister for Fisheries.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 provides that the principles of the proposed Act are as follows:

- (a) the principles of ecologically sustainable development,
- (b) public consultation,
- (c) thorough and adequate environmental assessment.

Clause 5 sets out the objects of the proposed Act.

Clause 6 suspends the operation of Part 5 of the *Environmental Planning and Assessment Act 1979* in respect of fishing activities approved by the Minister for Fisheries, pending an environmental assessment of those activities. The Minister is required to obtain an environmental impact statement in respect of each designated fishery (that is, each share management fishery, restricted fishery or other fishery in which a person is authorised to take fish by or under the *Fisheries Management Act 1994*) in accordance with the timetable set out in Schedule 1, for submission to the Minister for Urban Affairs and Planning. The Minister for Urban Affairs and Planning is to be the approving authority in respect of those activities.

Clause 7 provides for the matters to be covered by an environmental impact statement.

Clause 8 requires an environmental impact statement to be publicly exhibited and to be the subject of public consultation.

Clause 9 requires the state of each designated fishery to be reviewed every 5 years after an approval is given by the Minister for Urban Affairs and Planning under Division 4 of Part 5 of the *Environmental Planning and Assessment Act 1979*.

Clause 10 requires the proposed Act to be reviewed after it has been in operation for 5 years.

Schedule 1 sets out the timetable for completion of the environmental assessment process.