



**STATUTES REPEAL AND AMENDMENT
(DEVELOPMENT) (ENVIRONMENTAL IMPACT
STATEMENTS) AMENDMENT ACT 1997**

No. 60 of 1997

SUMMARY OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of s. 18—Transitional provisions—Environmental impact statements



ANNO QUADRAGESIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1997

No. 60 of 1997

An Act to amend the Statutes Repeal and Amendment (Development) Act 1993.

[Assented to 31 July 1997]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Statutes Repeal and Amendment (Development) (Environmental Impact Statements) Amendment Act 1997*.

(2) The *Statutes Repeal and Amendment (Development) Act 1993* is referred to in this Act as "the principal Act".

Commencement

2. This Act will be taken to have come into operation on 2 January 1997.

Amendment of s. 18—Transitional provisions—Environmental impact statements

3. Section 18 of the principal Act is amended—

- (a) by striking out from subsection (3) "subject to" and substituting "subject of";
- (b) by inserting in subsection (3) "and including an environmental impact statement that is then amended under the *Development Act 1993*" after "by virtue of this section";
- (c) by striking out from subsection (3) "under Division 2 of Part 4 of the *Development Act 1993*" and substituting "under section 48 of the *Development Act 1993* (being, from the commencement of the *Development (Major Development Assessment) Amendment Act 1996*, section 48 as amended by that Act and despite subsection (1) of that section)";
- (d) by striking out from subsection (4) "unless amended" and substituting "subject to any amendment";

(e) by inserting after subsection (5) the following subsections:

(6) A requirement for an environmental impact statement under section 46 of the *Development Act 1993* before the commencement of the *Development (Major Development Assessment) Amendment Act 1996* will continue in force and effect as if it were a determination of the Major Developments Panel under section 46 of the *Development Act 1993* (and, subject to any regulations under the *Development Act 1993*, on the basis that the provisions of the *Development Act 1993* (as amended by the *Development (Major Development Assessment) Amendment Act 1996*) will then apply to any process commenced by virtue of that requirement from the stage reached immediately before the commencement of the *Development (Major Development Assessment) Amendment Act 1996*).

(7) A development that is the subject of an environmental impact statement under the *Development Act 1993* by virtue of the operation of section 46 or 48 of that Act before the commencement of the *Development (Major Development Assessment) Amendment Act 1996* or by virtue of this section (including an environmental impact statement that is amended after the commencement of the *Development (Major Development Assessment) Amendment Act 1996*) will be assessed under section 48 of the *Development Act 1993* (being, from the commencement of the *Development (Major Development Assessment) Amendment Act 1996*, section 48 as amended by that Act and despite subsection (1) of that section).

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

E. J. NEAL Governor