

ENVIRONMENTAL PROTECTION AMENDMENT BILL (NO. 2) 2020

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Stephen Dawson (Minister for Environment)**, read a first time.

Second Reading

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [9.32 pm]: I move —

That the bill be now read a second time.

The Environmental Protection Amendment Bill (No. 2) 2020 is a technical bill that complements proposed amendments under the Environmental Protection Amendment Bill 2020. It will amend the Environmental Protection Act 1986 to support cost-recovery arrangements for environmental impact assessment under part IV and environmental monitoring programs under part VIIB. There are no cost-recovery arrangements to support environmental impact assessment processes under part IV of the EP act. To address this, the Environmental Protection Amendment Bill 2020 allows a fee or charge to be imposed on the proponent for environmental impact assessment through new regulations. The Environmental Protection Amendment Bill (No. 2) 2020 will support this new head power by inserting sections 48AA(3) and (4) to clarify that a prescribed fee or charge imposed by regulations under section 48AA can include an amount that is a tax. These amendments are in accordance with state government policy for cost recovery and the need to reflect a fair and reasonable true cost of services.

The Environmental Protection Amendment Bill 2020 also establishes the framework for developing important environmental monitoring programs to monitor cumulative effects on the environment by industry. The Environmental Protection Amendment Bill (No. 2) 2020 supports this framework by inserting part VIIB, division 2A, which will impose a levy to recover costs from relevant industry to fund environmental monitoring programs.

Under section 46(7) of the Constitution Acts Amendment Act 1899, bills imposing taxation shall only deal with the imposition of taxation. For this reason, proposed cost recovery for environmental monitoring programs under proposed part VIIB, division 2A, and environmental impact assessments under section 48AA, which could be characterised as a tax, are the subject of this bill.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and I table the explanatory memorandum.

[See paper [3929](#).]

Debate adjourned, pursuant to standing orders.