

ENVIRONMENTAL PROTECTION AMENDMENT BILL (NO. 2) 2020

Introduction and First Reading

Bill introduced, on motion by **Mr R.R. Whitby (Parliamentary Secretary)**, and read a first time.

Explanatory memorandum presented by the parliamentary secretary.

Second Reading

MR R.R. WHITBY (Baldivis — Parliamentary Secretary) [1.06 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.

I commend the bill to the house.

Debate adjourned, on motion by **Mr A. Krsticevic**.