1. The *Environmental Protection Regulation 1998* is a mechanism for achieving the object of the *Environmental Protection Act 1994*, which is to protect the environment while providing for ecologically sustainable development. The 1998 Regulation was due to expire on 31 August 2008 but has been extended to allow the *Environmental Protection Regulation 2008* to commence on 1 January 2009.
2. The new Regulation adopts a methodology called Environmental Emissions Profiles which allocates an aggregate environmental score to environmentally relevant activities (ERAs). The scores are based on the average annual emissions to air, land and water. This score then links directly to the annual licence fee.
3. The Environmental Protection Agency consulted on the combined Regulatory Impact Statement and draft Public Benefit Test (RIS/PBT) for eight weeks in February and March 2008. The new Regulation adopts a fee unit of $200 for all ERAs, except for intensive animal activities (sheep, cattle, pigs, poultry and aquaculture). The Regulation adopts a lower fee unit of $100 for these activities.
4. The new Regulation also updates the list of ERAs required to be regulated. Some ERAs will be newly regulated and some have been deregulated due to their low potential to cause environmental harm. Many small businesses will be deregulated.
5. The new Regulation rewards businesses that achieve good environmental outcomes by including a scheme to provide a potential discount of 50 percent off the annual fee for activities meeting strict eligibility criteria.
6. The new Regulation devolves to local governments the responsibility for managing environmental nuisance except where environmental nuisance is generated by a State or local government activity or regulated under another law.
7. The new Regulation also includes an updated list of prescribed water contaminants which if released is an offence under the *Environmental Protection Act 1994* and an updated list of matters to be considered when making an environmental management decision.
8. Cabinet approved that the *Environmental Protection Regulation 2008* be recommended to the Governor in Council for approval.
9. Cabinet noted that the *Environmental Protection Regulation 2008* will be laid before the Legislative Assembly within 14 sitting days after publication in the Government Gazette.
10. *Attachments*
* [*Environmental Protection Regulation 2008*](attachments/Environmental%20Protection%20Regulation.pdf)
* [Explanatory Notes](attachments/Environmental%20Protection%20Regulation%20EXPNOTES.pdf)
* [Regulatory Impact Statement](attachments/RIS%20Environmental%20Protection%20Regulation.pdf)
* [Final Public Benefit Test](attachments/Final%20Public%20Benefit%20Test%20Report.docx)