

FACT SHEET

Environmental Management and Pollution Control Amendment Bill 2022

The Bill improves the accountability and transparency of environmental management in Tasmania by establishing a legal foundation for the independence of the Environment Protection Authority (EPA), enabling public access to environmental monitoring information, and allowing for the creation of Environmental Standards and supporting Technical Standards to manage environmentally significant activities and pollutants.

The key elements of the Bill include:

- A requirement that the Minister's Statement of Expectation to the EPA Board further the objectives of the *Environmental Management and Pollution Control Act 1994* (EMPCA);
- A requirement for the Director EPA to act independently, within the scope of their functions and powers;
- Powers for the Director to release relevant monitoring data provided under EMPCA, subject to consideration of whether information relating to the business affairs of a person would be exempt within the meaning of the *Right to Information Act 2009*. Exemptions would include matters such as business affairs of a third party, disclosure of personal information and information obtained in confidence;
- An explanation of the types of monitoring information that may be released;
- Powers for the Minister to make Environmental Standards, and an explanation of what activities, pollutants, chemicals, conditions, or other matters an Environmental Standard may include;
- A requirement for the Minister to undertake public consultation when making, amending, or revoking Environmental Standards;
- A requirement for the Minister to table Standards in both Houses of Parliament, allowing for oversight and potential disallowance;
- Powers for the Director to make Technical Standards to help industry and regulators comply with and implement statutory instruments such as Environmental Standards, State Policies, Environment Protection Policies and National Environment Protection Measures;
- Broad parameters for the creation and contents of Technical Standards which will typically describe acceptable scientific methods for environmental assessment, measurement, monitoring and data management;
- A requirement for the Director to publish Technical Standards on the EPA's website and make them available to the public in any other manner the Minister considers appropriate; and
- A requirement for the Director to publish a notice of any revocation or amendment of a Technical Standard, and the reasons for taking those actions.