1. The *Environmental Protection Act 1994* (EP Act) regulates activities that cause environmental harm, including environmental nuisance and prescribes when an activity that causes serious or material environmental harm, environmental nuisance or that contravenes a noise standard will be unlawful.
2. The EP Act also provides for where certain types of environmental nuisance are excluded from being an offence. These exclusions apply where environmental nuisance is better managed in another way, for example, by appropriate conditioning of development approvals under the *Planning Act 2016.*
3. The Environmental Protection (Ministerial Designations) Amendment Bill 2021 amends the EP Act to provide that development carried out or use of premises that causes environmental nuisance is not an offence under the EP Act to the extent it has been assessed and is explicitly regulated by a requirement of an infrastructure designation by the Planning Minister under the *Planning Act 2016.*
4. Cabinet approved that the Environmental Protection (Ministerial Designations) Amendment Bill 2021be prepared and introduced into the Legislative Assembly.
5. Cabinet notedthat the amendments to the *Environmental Protection Act 1994* in the Environmental Protection (Ministerial Designations) Amendment Bill 2021 be included in the Health and Other Legislation Amendment Bill 2021.
6. *Attachments*

* [Health and Other Legislation Amendment Bill 2021](Attachments/Bill.PDF)
* [Explanatory Notes](Attachments/ExNotes.PDF)
* [Human Rights Statement of Compatibility](Attachments/SoC.PDF)