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To: [Bilateral Regulations](#)
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Subject: Main Roads comment on Draft Environmental Protection (Bilateral Agreements) Regulations 2021
Date: Sunday, 12 September 2021 4:38:42 PM
Attachments: [image002.png](#)
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[image010.png](#)

Thank you for your email dated 24 August 2021 requesting feedback on the *Draft Environmental Protection (Bilateral Agreements) Regulations 2021* (the Draft Regulations).

It is understood the Draft Regulations are intended to set out the procedures that would allow a person to apply for a matter (as defined in s124A of the Environmental Protection [EP] Act) to be dealt with under a Bilateral Agreement in place between the State and Commonwealth Governments. The Regulations would apply to the existing 2014 Assessment Bilateral Agreement and any new Bilateral Agreements that may be entered into, such as the Approval Bilateral Agreement.

The existing (2014) Assessment Bilateral Agreement currently applies to the assessment of the clearing permit applications under Part V, Division 2 of the EP Act. Assessments of proposals by the EPA under Part IV of the EP Act are not covered by the existing Assessment Bilateral Agreement and are accredited by the Commonwealth on a case-by-case basis to enable assessment undertaken by the State under the EP Act to inform Commonwealth decisions under the EPBC Act.

Main Roads welcomes the implementation of processes that update legislation and is supportive of the *Draft Environmental Protection (Bilateral Agreements) Regulations 2021*.

It is understood that this consultation applies to the Draft Regulations only and not to any potential Approval Bilateral Agreement.

Kind regards

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