

From: [SCHELTEMA Martine \(ME\)](#)
To: [Publication and Confidentiality Regulations](#)
Cc: [AXTON Tom \(CC\)](#)
Subject: HPE CM: Main Roads comment on Draft Environmental Protection Regulations Amendment (Publication and Confidentiality)
Date: Monday, 6 September 2021 6:01:25 PM
Attachments: [image002.png](#)
[image004.png](#)
[image006.png](#)
[image008.png](#)
[image010.png](#)

Thank you for the email dated 24 August 2021 requesting feedback on the draft *Environmental Protection Regulations Amendment (Publication and Confidentiality) Regulations 2021*.

It is understood the Draft Regulations are intended to continue current practices by the Environmental Protection Authority (EPA) and Department of Water and Environmental Regulation (DWER) in relation to protecting confidential information received in connection to proposals submitted under Part IV of the EP Act, and clearing permits under Part V Division 2 of the EP Act following the introduction of the *Environmental Protection Amendment Act 2020*, and have been drafted to achieve close alignment with the *Freedom of Information Act 1992*.

Main Roads encourages the implementation of processes that update and modernise legislation. Main Roads is generally supportive of the draft *Environmental Protection Regulations Amendment (Publication and Confidentiality) Regulations 2021*, however it is suggested that the EPA and/or the CEO of DWER may also keep the precise location of sites of significance to Aboriginal people confidential without a request being made for the information to be kept confidential.

Kind regards

Martine Scheltema

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From: Publication and Confidentiality Regulations
<publicationconfidentialityregulations@dwer.wa.gov.au>

Sent: Tuesday, 24 August 2021 5:35 PM

Subject: Consultation on Draft Publication and Confidentiality Regulations

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Dear stakeholder,

The [Environmental Protection Amendment Act 2020](#) was passed by the Western Australian Parliament on 19 November 2020. It introduces a raft of amendments to Western Australia's primary environmental legislation – the *Environmental Protection Act 1986* (EP Act). These amendments are being introduced through a staged approach. The Department of Water and Environmental Regulation is developing regulations and guidance which will support the effective implementation of amendments being proclaimed under each stage. Further information is available [here](#).

The Department is seeking your feedback on the draft Environmental Protection Regulations Amendment (Publication and Confidentiality) Regulations 2021, which have been developed as part of this process. The Draft Regulations will improve and streamline the materials the State can publish and hold in confidence. This will provide greater transparency on the matters that can be held confidential and those matters that the public can expect to be published. These regulations are intended to continue current Environmental Protection Authority and Department of Water and Environmental Regulation practices in relation to protecting confidential information that has been received in connection with proposals submitted under Part IV of the EP Act and clearing permits under Part V Division 2 of the EP Act.

To view these Draft Regulations and for further information on how to submit your views, please click [here](#).

Kind regards,
Department of Water and Environmental Regulation

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