



Government of **Western Australia**
Department of **Water and Environmental Regulation**

*We're working for
Western Australia.*



Annual report
2018-19

Contents

01 1 Overview

- 2 Fast facts
- 3 2018–19 review
- 9 About us

02 21 Our operational performance

- 22 How we report on our operational performance
- 23 Strategy 1
- 38 Strategy 2
- 48 Strategy 3
- 71 Strategy 4
- 84 Strategy 5

03 91 Significant issues impacting the agency

04 95 Disclosures and legal compliance

- 96 Auditor General independent auditor’s report
- 99 Financial statements
- 186 Ministerial directives
- 186 Other financial disclosures
- 187 Governance disclosures
- 191 Other legal requirements
- 194 Government policy requirements

Feature

- 28 Lightweight plastic bag ban and reducing single-use plastics
- 36 Revitalising Geographe Waterways
- 45 Container deposit scheme
- 60 Murujuga – hip bone sticking out
- 74 Lake Argyle: traditional owners recognised
- 83 Drone power over Mount Pierre Creek
- 89 Tina takes the lead in water licensing support

197 Appendices

- 198 A: Legislation
- 202 B: Summary of our services
- 204 C: Index to operational performance
- 206 Contact us
- 207 Feedback form



Shortened forms

Term	Definition
AAS	Australian Accounting Standards
CALD	cultural and linguistically diverse backgrounds
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DFES	Department of Fire and Emergency Services
DMIRS	Department of Mines, Industry Regulation and Safety
DWER	Department of Water and Environmental Regulation
EPA	Environmental Protection Authority
FOGO	food organics and garden organics
FTE	full-time equivalent

Term	Definition
MLA	Member of the Legislative Assembly
MLC	Member of the Legislative Council
NAIDOC	National Aborigines and Islanders Day Observance Committee
NEPM	National Environment Protection Measure
OSH	occupational safety and health
PFAS	per- and polyfluoroalkyl substances
WALGA	Western Australian Local Government Association
WARR	waste avoidance and resource recovery
WIR	Water Information Reporting
WSS	WestState Superannuation Scheme



03
Significant issues
impacting the agency

In 2018–19, we continued to develop and deliver on the government’s priority to create a ‘one-stop-shop’ for industry and developers by integrating and streamlining Western Australia’s water and environmental regulation. The creation of the new Regulatory Capability Division is driving the identification of regulatory innovation and integration initiatives for our regulatory reform program. This division will also be responsible for implementing the Environment Online initiative to consolidate upon the existing Water Online portal, creating a streamlined application, assessment and approvals process for both applicants and the department.

We obtained an improved cost recovery model for environmental regulation services, the additional revenue from which will be reinvested in the department to improve service delivery and efficiency in these services. The revenue will be used to employ additional staff in environmental regulation and compliance functions, and to invest in new systems including Environment Online. This investment will improve the timeliness of decision making on environmental assessments and ensure an appropriate response to the increasing demand for

environmental assessments and approvals relating to economic growth. The model will also better reflect the true cost of the department’s environmental regulation for industry.

We introduced fees for assessing water licences and permit applications in the mining and public water supply scheme sectors. These will support effective regulation and sustainable management of the state’s water resources. Reinvested revenue will be directed towards customer-centred service delivery and improved online systems.

From 1 July 2018, we implemented the government’s ban on the supply of lightweight plastic bags in Western Australia to reduce the impacts of plastic waste on the environment. The department and its implementation partners have engaged with retailers and the community to raise awareness and support the introduction of the ban, including managing the potential impacts of the ban on consumers and businesses.

The government will introduce a new container deposit scheme, called Containers for Change, on 2 June 2020 to reduce litter, increase recycling rates and support social enterprises, charities and community organisations. Over 97 per cent of people who responded to our online survey support a container deposit scheme for Western Australia. The scheme is expected to generate 500 direct jobs and over 20 years, recycle an extra 6.6 billion containers, 5.9 billion of which would have gone to landfill and 706 million of which would have been littered. A coordinator has been announced for the scheme.

We continue to promote water sensitive urban design principles and advocate a waterwise approach to urban development. We will work with major developers and government agencies to ensure that major projects, such as the government’s METRONET project, embrace waterwise design elements.

We are supporting the Environmental Protection Authority (EPA) to help tackle the high active assessment workload, which includes formal assessments of new proposals and schemes, changes to Ministerial-approved proposals and conditions, and approval of management plans required under Ministerial Statements. The trend in the high overall assessment workload continues from 140 in 2015–16 to 241 in 2018–19.

Additional resources are being used to carry out environmental assessments of significant proposals such as mining, oil and gas, infrastructure, processing plants and irrigated agriculture. The additional resources will help ensure projects are not delayed through the assessment process, enabling them to move into construction, development and production phases as quickly as possible.

As well as an increase in the volume of proposals, there has also been an increase in the complexity and variety of the projects coming to the EPA, which reflects the current diversity and innovation in the Western Australian economy. To future-proof the EPA from busy periods, we will be developing in 2019–20 an environmental accreditation scheme to enable environmental consultants

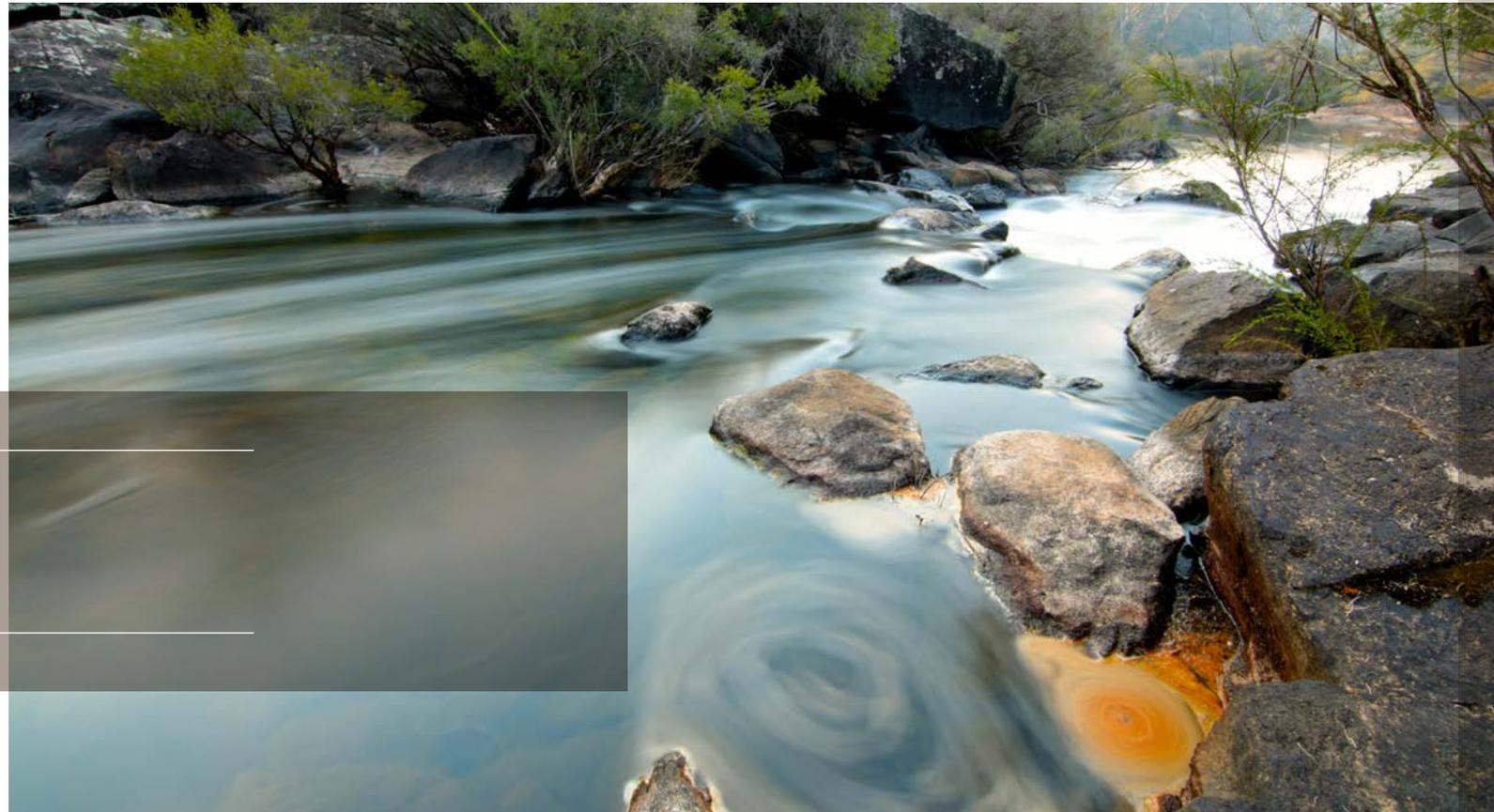
to conduct assessments to agreed standards. This is an important measure employed by the government to provide industry with the certainty and timeliness it needs to deliver jobs and economic growth in Western Australia.

Groundwater makes up about 70 per cent of Perth’s water supply; half of the scheme supply and almost all the self-supply water used for parks, sporting grounds, horticulture, large gardens and around one in four backyard gardens. As a result of climate change, the south-west of Western Australia is experiencing declining annual rainfall. To ensure the sustainable use of groundwater resources in Perth, and to provide long-term supply, amenity and environmental benefits for the community, we are developing a new Gnangara water allocation plan. In parallel, the department is collaborating with local governments and other partners to investigate and identify longer term water supply strategies for local areas across the Perth and Peel region.

We will continue work to implement actions to reverse serious impacts in the Peel-Harvey and Leschenault estuaries, improve outcomes from offsets through the Pilbara Environmental Offsets Fund, and address the cumulative impacts of clearing.

We began work on a water allocation plan for the Fitzroy River to help in achieving objectives for the Fitzroy River contained in the government’s plan for the Kimberley.

Administering our legal compliance and finances



Appendices

Appendix A: Legislation 198

Legislation administered by the Department of Water and Environmental Regulation as at 30 June 2019 198

Regulations administered by the Department of Water and Environmental Regulation as at 30 June 2019 199

Other subsidiary legislation affecting our activities 200

Other key legislation affecting our activities 200

Appendix B: Summary of our services 202

Appendix C: Index to operational performance 204

Contact us 206

Feedback form 207

Appendix A: Legislation

Legislation administered by the Department of Water and Environmental Regulation as at 30 June 2019

- *Carbon Rights Act 2003*
- *Contaminated Sites Act 2003*
- *Country Areas Water Supply Act 1947*
- *Environmental Protection Act 1986*
- *Environmental Protection (Landfill) Levy Act 1998*
- *Litter Act 1979* [The Department of Water and Environmental Regulation is the agency principally assisting the Minister for Environment in the administration of this Act assisted by the Keep Australia Beautiful Council (Western Australia)]
- *Metropolitan Arterial Drainage Act 1982*
- *Metropolitan Water Supply, Sewerage and Drainage Act 1909*
- *National Environmental Protection Council (Western Australia) Act 1996*
- *Plumbers Licensing Act 1995* (except part 5A which is administered by the Minister for Commerce principally assisted by the Department of Mines, Industry Regulation and Safety) – alternative citations are *Water Services Coordination Act 1995* and *Water Licensing Act 1995*
- *Rights in Water and Irrigation Act 1914*
- *Waste Avoidance and Resource Recovery Act 2007* [The Department of Water and Environmental Regulation is the agency principally assisting the Minister for Environment in the administration of this Act assisted by the Waste Authority]
- *Waste Avoidance and Resource Recovery Levy Act 2007* [The Department of Water and Environmental Regulation is the agency principally assisting the Minister for Environment in the administration of this Act assisted by the Waste Authority]
- *Water Agencies (Powers) Act 1984*
- *Water Agencies Restructure (Transitional and Consequential Provisions) Act 1995*
- *Water Corporations Act 1995*
- *Water Efficiency Labelling and Standards Act 2006*
- *Water Resources Legislation Amendment Act 2007*
- *Water Services Act 2012*
- *Water Services Coordination Act 1995*
- *Water Services Licensing Act 1995*
- *Waterways Conservation Act 1976*



Regulations administered by the Department of Water and Environmental Regulation as at 30 June 2019

- Clean Air (Determination of Air Impurities in Gases Discharged to the Atmosphere) Regulations 1983
- Contaminated Sites Regulations 2006
- Country Areas Water Supply (Clearing Licence) Regulations 1981
- Environmental Protection (Abattoirs) Regulations 2001
- Environmental Protection (Abrasive Blasting) Regulations 1998
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004
- Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998
- Environmental Protection (Controlled Waste) Regulations 2004
- Environmental Protection (Fibre Reinforced Plastics) Regulations 1998
- Environmental Protection (Goldfields Residential Areas) (Sulfur Dioxide) Regulations 2003
- Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992
- Environmental Protection (Metal Coating) Regulations 2001
- Environmental Protection (NEPM-NPI) Regulations 1998
- Environmental Protection (NEPM-UPM) Regulations 2013
- Environmental Protection (Noise) Regulations 1997
- Environmental Protection (Packaged Fertiliser) Regulations 2010
- Environmental Protection (Petrol) Regulations 1999
- Environmental Protection (Plastic Bag) Regulations 2018
- Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995
- Environmental Protection (Rural Landfill) Regulations 2002
- Environmental Protection (Solid Fuel Burning Appliances and Firewood Supply) Regulations 1998
- Environmental Protection (Unauthorised Discharges) Regulations 2004
- Environmental Protection Regulations 1987
- Litter Regulations 1981
- Noise Abatement (Noise Labelling of Equipment) Regulations (No. 2) 1985
- Plumbers Licensing and Plumbing Standards Regulations 2000
- Rights in Water and Irrigation Regulations 2000

Other subsidiary legislation affecting our activities

- Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019
- Waste Avoidance and Resource Recovery Regulations 2008
- Waste Avoidance and Resource Recovery Amendment Regulations 2019
- Waste Avoidance and Resource Recovery Levy Regulations 2008
- Water Agencies (Entry Warrant) Regulations 1985
- Water Agencies (Infringements) Regulations 1994
- Water Corporations (Transitional Provisions) Regulations 2013
- Water Services Regulations 2013
- Water Services Coordination Regulations 1996
- Water Services (Water Corporations Charges) Regulations 2014
- Waterways Conservation Regulations 1981

For all other subsidiary legislation including by-laws, notices, declarations, proclamations, approvals, exemptions, orders, policy, pollution control areas, vesting orders, irrigation districts, standards, and guidelines, please go to: www.legislation.wa.gov.au

Other key legislation affecting our activities

In the performance of our functions, the department complied with the following laws:

- *Aboriginal Heritage Act 1972*
- *Auditor General Act 2006*
- *Corruption and Crime Commission Act 2003*
- *Disability Services Act 1993*
- *Equal Opportunity Act 1984*
- *Financial Management Act 2006*
- *Freedom of Information Act 1992*
- *Government Employees Housing Act 1964*
- *Industrial Relations Act 1979*
- *National Environmental Protection Council Act 1997 (Cwlth)*
- *Long Service Leave Act 1958*
- *Minimum Conditions of Employment Act 1993*
- *Native Title Act 1993 (Cwlth)*
- *Occupational Safety and Health Act 1984*
- *Public Interest Disclosure Act 2003*

- *Public Sector Management Act 1994*
- *Salaries and Allowances Act 1975*
- *State Records Act 2000*
- *State Supply Commission Act 1991*
- *Workers' Compensation and Injury Management Act 1981*



Appendix B: Summary of our services

We support the government goal of 'Better places: A quality environment with liveable and affordable communities and vibrant regions'. The diagram below illustrates the relationship between our services and desired outcomes, and the government goal to which we contribute. See [Section 04](#) for more detail.

Government goal: Better places: A quality environment with liveable and affordable communities and vibrant regions			
Outcome	Key effectiveness indicator	Services	Key efficiency indicator
<p>1</p> <p>Western Australia's growth and development is supported by the sustainable management of water resources for the long term benefit of the state</p>	<ul style="list-style-type: none"> Proportion of stakeholders who perceive the department to be effectively managing the state's water as a resource for sustainable, productive use Proportion of priority growth areas that have a water supply planning strategy 	 1. Water information and advice	<ul style="list-style-type: none"> Proportion of statutory referrals from decision-making authorities where advice is provided within target timeframes Average cost per statutory referral assessment Average cost per water measurement site managed
		 2. Water planning, allocation and optimisation	<ul style="list-style-type: none"> Average cost per plan, report or guidance document to support water planning, allocation and optimisation Average cost per hour of scientific support for water planning, allocation and optimisation
		 3. Water regulation, licensing and industry governance	<ul style="list-style-type: none"> Average cost of assessing a water licence application by risk assessment category Average time taken (days) to assess a licence application by risk assessment category Average cost of compliance monitoring and enforcement action
<p>2</p> <p>Emissions, discharges and clearing of native vegetation are effectively regulated to avoid unacceptable risks to public health and the environment</p>	<ul style="list-style-type: none"> Percentage of regulatory compliance activities completed as planned Percentage of potential environmental risks identified during compliance monitoring program that are rectified within two months 	 4. Environmental regulation	<ul style="list-style-type: none"> Average cost per works approval and licence application Average cost per native vegetation clearing permit application

Government goal: Better places: A quality environment with liveable and affordable communities and vibrant regions

Outcome	Key effectiveness indicator	Services	Key efficiency indicator
<p>3</p> <p>Development and implementation of strategic policy and legislation that promoted sustainable environmental outcomes</p>	Percentage of advice and recommendations that met Ministerial approval, without the need for significant modification	 <p>5. Water and environment policy</p>	Average cost per hour of policy advice and recommendations
<p>4</p> <p>Waste avoided and the recovery of materials from landfill maximised</p>	<ul style="list-style-type: none"> Percentage of municipal solid waste reported as diverted from landfill through recycling compared to waste strategy target in the Perth metropolitan region Percentage of commercial and industrial waste reported as diverted from landfill through recycling compared to the statewide waste strategy target Percentage of construction and demolition waste reported as diverted from landfill through recycling compared to the statewide waste strategy target 	 <p>6. Waste strategies</p>	Cost of landfill levy compliance as a percentage of landfill levy income collected
<p>5</p> <p>Quality advice to the EPA and the Minister for Environment on significant proposals and environmental issues</p>	<ul style="list-style-type: none"> The EPA's satisfaction with the department's Environmental Impact Assessment (EIA) service, during the year, in line with Best Practice Principles of EIA Percentage of project-specific conditions which did not require significant change following the appeal process Percentage of assessments that met agreed timelines The EPA's satisfaction with the department's provision of environmental management services during the year 	 <p>7. Environmental impact assessment services to the EPA</p>	Cost per standardised unit of assessment output
		 <p>8. Environmental management services to the EPA</p>	Cost per standardised unit of environmental management services output
<p>6</p> <p>Compliance with Ministerial statement implementation conditions are monitored effectively</p>	The number of Ministerial statements audited compared to targets	 <p>9. Compliance monitoring services to the Minister for Environment</p>	Average cost per environmental audit completed

Appendix C: Index to operational performance

See [Section 02](#) for more detail.

<hr/>		
Strategy 1		
Sharing responsibility for water and the environment		
Our climate	24	
Electric vehicles	24	
Waste Avoidance and Resource Recovery Strategy 2030	25	
Waste Reform Advisory Group	26	
Cockburn community volunteers	27	
Dust monitoring	27	
Fitzroy River catchment	30	
Rural water planning	30	
Water deficiency declarations	31	
Gingin: investing in community	32	
Armadale drainage works	33	
Regional estuaries	33	
Aboriginal Water and Environmental Advisory Group	34	
Other shared activities	34	
<hr/>		
Strategy 2		
Delivering effective legislation and policy		
Waste not, want not	39	
If it didn't grow, it's not FOGO	40	
Hazardous waste in the household	41	
Waste Wise Schools expansion	41	
Controlled waste	42	
MyCouncil website expanded to include waste data	42	
Waste levy	43	
Updating the <i>Environmental Protection Act 1986</i>	43	
Guidance	44	
Managing groundwater	46	
Water policies	47	
<hr/>		
Strategy 3		
Being a responsive and credible regulator		
Balancing environmental values and growth	49	
Industry regulation	49	
Improving delivery	49	
Environmental impact assessment	50	
Development proposals	50	
Planning schemes and scheme amendments	50	
Formal assessment	50	
Completed assessments	52	
EPA guidelines and procedures framework review	52	
Contaminated sites	53	
Port Hedland dust management	54	
Controlling odour emissions	54	
Illegal dumping and littering	55	
Significant incidents response	56	
New intelligence branch	57	
Emergency preparedness	57	
Native vegetation	58	
Native vegetation regulation	58	
Managing roadside vegetation	59	
Clearing statistics webpage	59	
Water licensing	61	
Delivery of water licences	62	
Protecting drinking water sources	63	
Compliance and enforcement	64	
Environmental compliance	64	
Waste levies compliance	65	
Environmental breaches	66	
Water compliance	66	
Cost recovery	67	
Water licensing fees	68	
Online services	69	
Environment Online	69	
Water information reporting	69	
Water Online	70	



Strategy 4
Delivering trusted information, science and evidence-based advice

Biodiversity surveys72
 Marine ecosystems 72
 Environmental noise73
 PFAS management plan73
 Land use planning advice76
 Surface water and groundwater investigations76
 Healthy rivers79
 Aquatic science 79
 Water for Peel Food Zone80

High value horticulture80
 Finding water in southern forests80
 Distinctive water model82

Strategy 5
Building organisational excellence

Prime House officially opened85
 Our first Reconciliation Action Plan85
 Awards and recognition86
 Graduation ceremony87
 Stakeholder survey88
 Diversity and inclusion88
 Students bring fresh knowledge and skills . .89

Features

Lightweight plastic bag ban and reducing single-use plastics28
 Revitalising Geographe Waterways36
 Container deposit scheme45
 Murujuga – hip bone sticking out60
 Lake Argyle: traditional owners recognised . .74
 Drone power over Mount Pierre Creek83
 Tina takes the lead in water licensing support89

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Feedback form

Your feedback on our 2018–19 annual report would be greatly appreciated. We will use your comments to help improve the clarity and presentation of our publications. Thank you.

► Did the report help you understand the department, its purpose, services and performance?

not at all | not really | somewhat | yes | absolutely

► Did you find the design and presentation functional and effective?

not at all | not really | somewhat | yes | absolutely

► Was the report clear, concise and easy to read?

not at all | not really | somewhat | yes | absolutely

► Did you find the structural format of the report simple and logical?

not at all | not really | somewhat | yes | absolutely

When completed please return to:

Corporate Communications

Email: communications@dwer.wa.gov.au

or

Mail to:

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Please send your comments by 5 pm, 6 December 2019

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