



Government of Western Australia
Department of Water

Monitoring compliance with water resource legislation



July 2013

Looking after all our water needs

The Department of Water is the lead agency responsible for managing water resources in Western Australia.

Under the *Rights in Water and Irrigation Act 1914* (the Act), the Department of Water governs:

- access to water resources
- water use activities
- the disturbance of watercourses, and
- the construction of works (such as wells and dams).

The Act provides for the issuing of licences and permits in order to regulate water use, with an aim to:

- ensure that water is allocated for productive use in an equitable manner
- protect those parts of the environment that depend on water, and
- protect the rights of other water users

The department is responsible for making sure that licensees are complying with the terms and conditions of their licences, and if they are not, for taking appropriate action to enforce compliance.



Officer recording reading.

The compliance and enforcement strategy

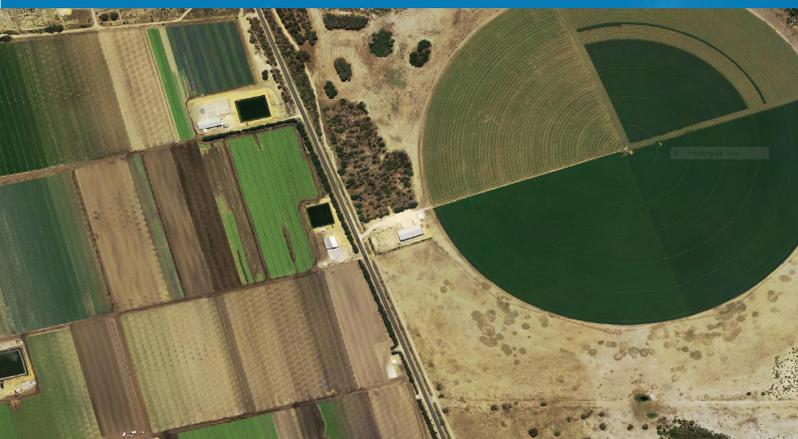
The department's approach to monitoring and enforcing compliance is outlined in the fact sheet *A strategy for compliance and enforcement of water resource legislation in Western Australia (2013)*. Undertaking monitoring activity to detect non-compliance is one component of the strategy.

The department issues licences to take water for agricultural, industrial and urban purposes, from ground and surface water resources. With licences spread from the southern coast to the far north-west it is necessary for the department to allocate its monitoring resources to where they will produce the most benefit.

Western Australia is a signatory to the *National framework for compliance and enforcement systems for water resource management* which prescribes a risk-based approach to monitoring and enforcing compliance.

The Framework defines a 'risk-based compliance strategy' as one that "identifies 'at risk' water resources and targets breaches of water resources legislation most likely to further stress the resource or which undermine the public's confidence in effective water resource management".

In accordance with this approach, the department has categorised the state's water resources according to risk, based on the existing level of use, current and future demand and the threat of damage to specific environmental features.



Aerial photograph of irrigated horticulture.

The monitoring activities

Regional water licensing staff and dedicated compliance officers undertake compliance monitoring throughout the state. Monitoring of licensed and unlicensed water use is undertaken, both on and off site.

By carrying out monitoring 'in the field' the department not only detects cases of non-compliance but also maintains a presence in the community which both promotes compliance and increases awareness of the consequences of non-compliance. Compliance monitoring activities reinforce to licensees the need to comply with licence conditions.

During on-site inspections, officers will check compliance with licence terms and conditions, including those relating to:

- authorised draw points
- authorised water use activities and
- water storage volume.

Where water use is metered, the department will inspect the meters and associated infrastructure to ensure that all water taken under the licence is metered according to licence requirements, and that the volume of water used is within the annual water entitlement.

The monitoring of compliance can also be done in the office. Aerial imagery may be used to check that water is only used for authorised purposes and to check the irrigated area.

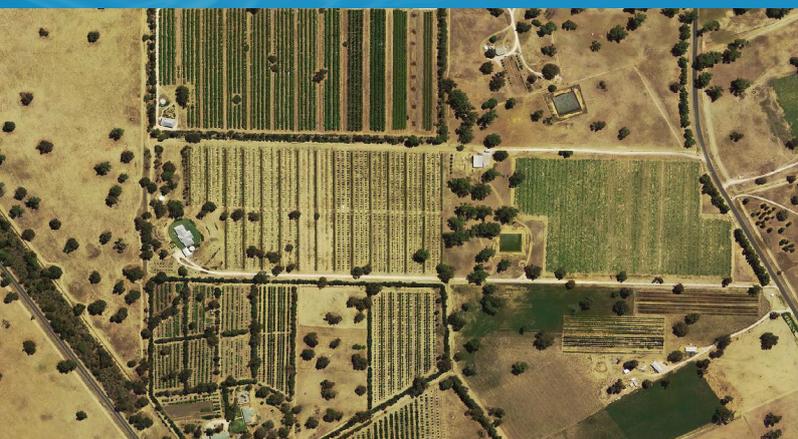
The department also monitors compliance by reviewing information submitted by licensees, such as annual water quality monitoring reports, water use data, meter installation information, bore construction details and survey reports on constructed dams. This process may indicate the need for an on-site inspection.

Monitoring of unlicensed water use activities may be carried out if there is a risk that the water use may have adverse effects on other water users or the environment, and where there is intense and/or widespread public interest or complaints.

The compliance monitoring plan

The department aims to carry out compliance monitoring activities consistently, thoroughly and transparently, and to gather evidence that will allow appropriate enforcement action to be taken against water users found to be in breach of relevant legislation.

The state-wide compliance monitoring plan sets out the minimum levels of compliance monitoring to be undertaken for each category of water resource and the minimum standards for carrying out various compliance monitoring activities. The plan also provides guidelines for recording and reporting compliance monitoring information.



Aerial photograph of irrigated horticulture.



Sprinkler irrigation of reserve

Compliance monitoring targets

The focus of the department's compliance monitoring is on licensed activity related to high risk water resources.

Of this, priority is given to the monitoring of licences where:

- the annual water entitlement is large
- there is a history of non-compliance
- water is drawn from, or close to, an environmental feature that has a high value or is at risk
- water use is irregular or inconsistent
- intensive compliance monitoring is a requirement of a regional water allocation plan for the area
- water use is metered.

What will compliance monitoring achieve?

By monitoring and promoting compliance with water licences, the agency is working to ensure that water use is being effectively regulated through licensing. Regulating water use helps to secure a sustainable supply of water for authorised water users, and protects water resources and their water dependant environment from damage.

Further information

For more information about the regulation of water use, visit the Department of Water's website, <www.water.wa.gov.au>, contact your local regional office or email enquiries to <compliance.enforcementunit@water.wa.gov.au>.