



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

# Annual Assurance Program 2024-25

Department of Water and Environmental Regulation  
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# 1. Purpose

The Department of Water and Environmental Regulation (the department) has wide-ranging statutory and regulatory responsibilities across the environment and water legislative portfolios, and proactively manages and monitors compliance to relevant legislation through delivery of assurance services.

The department is dedicated to building accountability, credibility and trust by working with our stakeholders to promote a culture of delivering positive environmental outcomes.

This document sets out the department's Annual Assurance Program, and compliance focus areas and priorities for 2024–25.

# 2. Scope

This document describes a part of our planned work for the period from 1 July 2024 to 30 June 2025.

Proactive compliance activities include the work captured in the Annual Assurance Program (Table 1), and part of the Strategic Assurance Program (Table 2). The department has also commenced setting targets to reflect reactive compliance work, through the Strategic Assurance Program (Table 2) and the Compliance Focus Areas (Section 7). The reactive compliance activities cannot, by their nature, be planned but the department has nominated areas where our reactive work will focus based on intelligence, risk and support of the agency priorities in the 2024-25 financial year.

This document does not address the department's response to any breaches of legislation identified through assurance activities, which is guided by the departments [Compliance and Enforcement Policy](#).

# 3. Context

Monitoring compliance with regulatory instruments and legislation is an essential part of improving the department's regulatory capability and delivering our Assurance services. Information obtained from Assurance activities, such as audits and inspections, provides valuable data and information to encourage continual improvement and enhance public health, environmental and water resource outcomes.

This information can also be used to drive prioritisation of our work, to identify emerging issues and risks, to improve statutory instruments and to guide development and modification of policies, guidelines and regulations.

Assurance promotion and monitoring are elements of the department's strategy to ensure stakeholders meet their regulatory requirements and support improved

management of the environment. The department works to ensure we educate and support stakeholders in understanding their obligations as well as undertaking activities to improve and modify behaviours. Assurance promotion and monitoring may assist in the effective implementation of strategic solutions to environmental challenges.

Following the establishment of the new Assurance Directorate in 2023 to align with the department's Portfolio Operating Model, the structure and formation of the Directorate continues to adjust.

The Annual Assurance Program 2024-25 recognises the value of continued improvement within the directorate including refinement of our existing service delivery approach, improved integration, and development of new approaches to undertaking our work. The Directorate is currently undergoing significant reform as a result from feedback from stakeholders, including re-structure and reevaluating our Operational Assurance Operating Model. As a result, the Annual Assurance Program 2024-2025 will be reviewed and updated as assurance delivery priorities change throughout the year.

You can find more information about our Compliance and Enforcement Policy and our Strategic plan 2022-2026 on our website ([www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)).

## 4. Legislation

This program outlines Assurance monitoring activities related to the following Acts and their subsidiary legislation:

- [Environmental Protection Act 1986 \(EP Act\)](#)
- [Contaminated Sites Act 2003 \(CS Act\)](#)
- [Waste Avoidance and Resource Recovery Act 2007 \(WARR Act\)](#)
- [Rights in Water and Irrigation Act 1914 \(RIWI Act\)](#)
- [Country Areas Water Supply Act 1947](#)
- [Metropolitan Arterial Drainage Act 1982](#)
- [Metropolitan Water Supply, Sewerage, and Drainage Act 1909](#)
- [Water Agencies \(Powers\) Act 1984](#)
- [Water Corporations Act 1995](#)
- [Water Efficiency Labelling and Standards Act 2006](#)
- [Water Services Act 2012](#)
- [Waterways Conservation Act 1976](#)
- [Environmental Protection \(Darling Range Bauxite Mining Proposals\) Exemption Order 2023](#)

## 5. Compliance Priorities

### 5.1 Compliance Reform

In 2023, the department commenced a program to address the findings and recommendations of the Auditor General's Report 11:2023-2024 [Assessing Compliance with Environmental Mining Conditions](#) (Auditor General's Report).

In 2024-2025 we will continue to focus on:

- finalising our assurance governance framework to deliver a balanced, holistic and effective regulatory approach.
- increasing regulatory consistency and efficiency.
- implementing an integrated approach to assurance activities for premises and activities subject to regulation.
- refreshing our training and development capability to support greater workforce mobility to respond to priority issues.

The 2024-2025 Annual Assurance program represents our journey towards integrated compliance delivery, with the majority of our annual program and focus areas being delivered to include audits and inspections for multiple instruments that apply to a single operator or project.

### 5.2 Water Assurance

A new Water Assurance program is being established to provide added focus and greater capacity in the department's management of water resources, to meet sustainable use and development needs. This will include a range of new initiatives, working across regional areas to support integrated and risk-based compliance programs, engagement, education and transparency as well as technology and systems. This new program is expected to be endorsed and initiated during the 2024-25 year.

Water Assurance is also responsible for delivering on the governments commitments for added compliance and oversight of Alcoa of Australia's mining activities under the EP Act *Environmental Protection (Darling Range Bauxite Mining Proposals) Exemption Order 2023*, in accordance with the published [Assurance Plan 2024](#).

### 5.3 Prosecutions, Notices and Penalties

In accordance with our Compliance and Enforcement Policy and Prosecutions Guideline, the department is committed to being a responsive and credible regulator by consistently applying and enforcing the legislation it administers. Compliance with the law is not a matter of choice but a requirement, and the department has a range of regulatory tools to promote, monitor and enforce compliance.

The Department tracks and reports publicly on the issue of notices and the completion of prosecutions [here](#).

## 6. 2024-2025 Annual Assurance Program

The Annual Assurance Plan 2024-2025 outlines our planned proactive compliance program for the financial year and provides transparency to both regulated entities and the community.

Table 1 provides a summary of our planned assurance activities that involve proactive audits of activities that are subject to approvals or requirements under relevant legislation.

Table 2 provides a summary of targeted proactive assurance programs that support strategic work undertaken by the department on behalf of government, Authorities and to monitor the impact of strategic program implementation.

The selection of specific audit and inspection subjects is designed to be risk-based, with reference to both past audit findings, and to current intelligence.

**Table 1: Annual Assurance Audit and Inspection Program**

Program	Target description	2024-25 Target
<b>Ministerial Statement Audits</b> for approved proposals under Part IV EP Act	Number of Ministerial Statement audits completed	60 Audits
<b>Prescribed Premises Instrument Audits/Inspections</b> for works approvals and licences granted under Part V EP Act	Number of proactive audits and reactive inspections completed	60 audits or inspections
	Timeliness of non-compliance rectification  * Reported in DWER's regulatory performance report	40% of registered non-compliances (ICMS records) finalised within two months.
	Number of Prescribed Activity Audits delivered as integrated audits For a proportion of Ministerial Statement Audits where the proponent also holds a works approval and/or licence, an integrated Prescribed Activity Audit will also be undertaken	80% integrated Prescribed Activity Instrument Audits undertaken where relevant
<b>Controlled Waste Audits</b> for carriers or operators that hold a licence under the CW Regulations	Number of Controlled Waste Audits delivered as integrated audits For every Prescribed Activity Instrument Audit where the operator is also subject to a licence under the CW Regulations, an Integrated Controlled Waste Audit will also be undertaken	100% integrated Controlled Waste Audits undertaken where relevant
<b>Waste Levy Audits</b> for premises that are subject to levy requirements or exemptions under the WARR Act	Number of premises subject to waste levy requirements or exemptions audited or inspected	100 audits or inspections
	Number of Waste Levy Audits delivered as integrated audits For every Prescribed Activity Instrument Audit where the operator is also subject to requirements or has requested exemptions under the WARR Act, an integrated Waste Levy Audit will also be undertaken.	100% integrated Waste Levy Audits undertaken where relevant



Program	Target description	2024-25 Target
<b>Native Vegetation Clearing</b> For activities that are subject to regulation or exemption under Part V Division 2 of the EP Act	Investigation and close out of reported instances of illegal clearing	150 reports investigated and closed
	Number of Native vegetation clearing permits audited or inspected	20 audits or inspections
<b>Alcoa Assurance Program</b> assessment of compliance to the <i>Environmental Protection (Darling Range Bauxite Mining Proposals) Exemption Order 2023</i>	Inspections completed to check compliance with exemption order	Site inspections completed according to approved <a href="#">Assurance Plan 2024</a> (Huntly and Willowdale mine sites)
	Number of Alcoa's self-reported notifications that have been responded to	100% of notifications responded to and closed

**Table 2 Strategic Assurance Programs and Services 2024–25**

Program	Target or description	Outcome reported at end of period
<b>Emergency Response service provision</b>	Provision of 24/7 environmental and pollution response services. Provision of support services to the State under the <i>Emergency Management Act 2005</i> .  * Reported in DWER's regulatory performance report	Number of reports registered in Environment WAtch  Number of callouts/incidents attended by the DWER Emergency Response Team
<b>Light industry Program</b> <a href="#">LIP webpage</a>	Number of inspections undertaken in partnership with participating local governments.  * Reported in DWER's regulatory performance report	Number of inspections completed
<b>Minor Pollutants Program</b> for monitoring of alleged offences under the Unauthorised Discharges Regulations	Number of unannounced inspections undertaken. <a href="#">Fact sheet</a> on Unauthorised Discharged Regulations	Number of inspections completed
<b>Waste Authority Reporting</b> Quarterly report for services provided to support the Waste Authority	Quarterly reporting on each of the priority areas in line with the department's service level agreement with the Waste Authority.	Number of reports provided to the Waste Authority
<b>Single Use Plastics</b> <a href="#">SUP webpage</a>	Investigation of complaints received from members public regarding SUP program compliance.	Total number of complaints received  Total number of complaints responded to
	Proactive contact of businesses and individuals that are or were subject to exemption from the regulations.	Number of businesses contacted
	Number of unannounced audits to monitor compliance with Stage 1 items.	Number of unannounced audits undertaken

Program	Target or description	Outcome reported at end of period
<b>Water compliance and enforcement</b>	<p>Number of compliance monitoring activities audits, inspections, or desktop reviews of suspected or confirmed non-compliance with instruments or requirements under the <i>Rights in Water and Irrigation Act 1914</i></p> <p>Number of enforcement actions initiated and completed</p> <p>* Reported in DWER's regulatory performance report</p>	<p>Number of audits, inspections or compliance reviews</p> <p>Total number of investigations commenced</p> <p>Number of enforcement actions closed</p>
<b>Container Deposit Scheme</b> <a href="#">CDS website</a>	Investigations or inquiries commenced following receipt of referrals alleging supply of beverages without a current supply agreement with Western Australia Return Recycle Renew Limited (WARRRL)	<p>Number of referrals received</p> <p>Number of investigations or inquiries undertaken</p>
<b>E-Waste Ban</b> <a href="#">E-waste ban website</a>	<p>Number of audits or inspections undertaken to monitor compliance with the prohibition of the disposal of regulated e-waste to landfill</p> <p>Target of 20 audits</p>	Number of audits or inspections undertaken
<b>Environmental compliance and enforcement</b>	<p>Total number of audits and inspections undertaken (EP Act and WARR Act)</p> <p>Total number of enforcement actions initiated and completed.</p> <p>* Reported in DWER's regulatory performance report</p>	<p>Number or audits or inspections undertaken</p> <p>Number of enforcement actions recorded and number closed</p>

## 7. Focus Areas

The 2024-2025 Assurance Focus Areas aim to provide transparency around our priorities and our work programs that align with departmental, State and national environmental risks.

The Focus Areas are determined using a range of data and information, including community complaints made through Environment Watch, detected non-compliances and monitoring information. It is noted that, while we intend to focus our assurance efforts in the areas outlined below, we retain capacity and have discretion to pursue other matters or shift our focus accordingly with emerging trends.

The outcomes of the programs and activities completed as part of our Focus Areas for the year, will be showcased in our 2024-2025 compliance program report.

**Table 3. Assurance Focus Areas 2024-2025**

Focus area	Description
Regional Food & Beverage, Industrial Processing Premises.	<p>The department will focus on planned and targeted audits on Agri-business (food, beverage and industrial processing premises related to agricultural industries) in the South-west and Great Southern Regions. The program scope will include both licenced businesses and businesses that are not required to hold a licence under the EP Act.</p> <p>The program will include intelligence analysis and data collation, risk-based review of activities and operational practices that have the potential to cause harm to the environment or water resources.</p> <p>The aim of the program is to address non-compliant practices in a risk-based manner, and to identify recommendations and educational tools to promote positive environmental outcomes from business operations.</p> <p>The program will aim to support improved environmental outcomes and water quality indicators within sensitive surface water catchments in the regions supporting agricultural industries.</p>

Focus area	Description
Environment Watch – rebranding and reinvigoration	<p>The 2024-25 year will see the implementation of the Environment WAtch – rebranding plan.</p> <p>In 2023-24 the department endorsed a plan to re-brand and re-invigorate the function and operation of Environment WAtch (formerly known as Pollution Watch) to deliver enhanced integrated intelligence to support Assurance activities and prioritisation. The other purpose of the plan was to improve the information available to the public on the department’s activities.</p> <p>Environmental WAtch re-brand includes refreshed internal and external intelligence tools and communications platforms; enhances business intelligence tools; new geospatial systems; and intelligence analysis enhancement for advanced treat identification.</p> <p>The implementation of the plan aims to improve the public’s awareness of our reactive environmental assurance activities and to support effective risk-based planning and prioritisation of assurance programs with our intelligence data.</p>
Illegal dumping	<p>The department has developed trials of new technology to detect and deter illegal dumping offenders.</p> <p>One of the trials aims to test overt monitoring approaches to assess the relative effectiveness of overt vs. covert monitoring to mitigate recurrence of illegal dumping activities. The trial will assess effectiveness of secure overt technology at deterring and detecting repeat dumping offenders, in partnership with selected local government agencies.</p> <p>The other trial aims to test the use of AI technology to detect occurrences of illegal dumping or unlawful operation for future use for targeted compliance programs and enhance surveillance in remote areas.</p> <p>If successful, local governments will be provided with a range of options to consider in their own campaigns to support integrated whole-of-government compliance delivery.</p> <p><a href="#">Illegal Dumping webpage</a></p>

Focus area	Description
Investigation of risk of garden mulch contamination in Western Australia.	<p>2024-25 will see the completion of a focused inspection campaign involving prescribed premises that process or store organic wastes and receive asbestos-contaminated waste, or process and store wastes that have a high potential to contain asbestos.</p> <p>The campaign was designed to align with similar programs being implemented in other Australian jurisdictions following the detection of asbestos in mulch products used in public spaces in another State. The inspections involved review of on-site controls to prevent contamination and targeted sampling of mulch products to assess risk.</p> <p>Any risks identified will be mitigated using the Department's compliance and enforcement tools to ensure public safety is protected. The outcome of the campaign will seek to understand the risk of harmful materials being present in organic products (produced on licensed premises) commonly used in public spaces in Western Australia. It will also aim to consider recommendations for enhanced regulation of premises that process and store a variety of wastes to prevent contamination and to protect the public and environment.</p>
Water use in irrigation districts to support sustainable horticultural industry in Western Australia	<p>The Water Assurance focus area aims to include targeted reviews of water licence compliance and unlicensed activities in selected intensive horticultural precincts, including; Gnangara, Myalup, and Carnarvon. It will also have a focus on strategic water resource management challenges across the State.</p> <p>The scope of the 2024-25 program will be to use intelligence and regional responsiveness to promote positive compliance behaviours, to proactively assist users who are close to licence limits, and to progress compliance and enforcement actions where unlawful activities take place.</p> <p>The aim is to ensure sensitive water resources that are utilised to support essential agricultural industries remain protected for future generations.</p>
Implementation of Annual Compliance Fee services	<p>The Annual Compliance Fee (ACF) came into effect in 2021. The department committed to review of the ACF processes including industry and stakeholder consultation on the <a href="#">Interim Guideline – Determining compliance priority rating for cost recovery</a>.</p> <p>In 2024-25 the department aims to undertake consultation and implement additional procedures to support the administration of the ACF services.</p>

Focus area	Description
Support local government administration of the Noise Regulations	<p>The department will support local government administration of the Noise Regulations through:</p> <ul style="list-style-type: none"> <li>• delivery of metropolitan, regional and online noise training to local government officers appointed under the Environmental Protection Act;</li> <li>• responding to requests for technical advice in relation to acoustic assessments for land use planning proposals;</li> <li>• conducting a noise survey of local government covering noise complaints received, enforcement actions undertaken and noise approvals issued; and</li> <li>• responding to noise queries and requests for technical advice from officers appointed under the Environmental Protection Act.</li> </ul>
Environmental noise policy for wind farms	To better address and reduce risks associated with wind farms and improve efficiency in assessing and approving wind farm developments, the department will explore options for an environmental noise policy and regulation.
Air quality monitoring	<p>To investigate ambient air quality in a range of settings, including community areas that are in the vicinity of industrial premises, the following surveillance monitoring campaigns and related work are planned for 2024-26:</p> <ul style="list-style-type: none"> <li>• Pinjarra dust campaign – particle mass and composition monitoring in the town over the summer period</li> <li>• North-West survey - remote sensing survey of gaseous pollutants close to industrial premises</li> <li>• Kwinana Industrial Area – in collaboration with the Kwinana Industries Council, establishing new monitoring stations in residential areas to measure for priority pollutants.</li> <li>• Regional particle monitoring – implement technology updates for regional stations.</li> </ul> <p>In addition, the department's statewide network of permanent monitoring stations that measure <i>National Environment Protection Measure</i> (NEPM) criteria pollutants will continue to provide continuous data for community benefit.</p>
Contaminated Sites	In 2024-2025, Contaminated Sites aims to focus on establishing a practicable scope which allows identification of high-risk sites to be prioritised for review. This will include review of auditor annual returns (which provide updates on all Mandatory Audits in progress) and identifying actions out of the completed landfill prioritisation project.

## 7. Reporting

The Annual Assurance Report is a new initiative developed through the reform project that summarises the findings of audits and inspections and will aim to allow for better prediction and coordination of Strategic Audits and industry wide audit programs. The department further

provides an overview of its assurance outcomes quarterly in its [Regulatory performance reports](#).

The findings are a valuable tool to help the Department understand and manage emerging risks and integrate with other regulators to provide better service delivery and coverage.