

Government of Western Australia Department of Environment Regulation

## Strategic Outline | 2016–17



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## Foreword



Efficient and effective environment regulation is vital to support sustainable economic growth and development.

I congratulate the Department for its commitment to developing a framework for environment regulation in this State that strikes the right balance between proactive engagement of industry and environmental protection.

I am pleased to endorse this Strategic Outline for 2016–17, which will guide the Department of Environment Regulation to further improve environmental regulation, and develop and implement key programs in Western Australia.

Hon Albert Jacob, MLA Minister for Environment; Heritage

## **Environment Regulation in Western Australia**

#### Message from the Director General

The 2015–16 period saw the development of the Environmental Regulatory Framework for the State.

Significant achievements for 2015–16 included:

- The Department developed and published its new framework and guidance material for discharging its functions under Part V of the *Environmental Protection Act 1986* (the Act).
- As part of the changes made through reform, existing industries can now seek approval for material changes to their premises through a licence amendment. The Department has also given effect to its guidance statement on licence duration by amending the expiry dates for most licences, to increase their duration to up to 20 years. This program has already resulted in a reduced administrative burden for both industry and the Department, with further efficiencies anticipated as reform progresses.
- The Department's Illegal Dumping Program has been established to provide dedicated enforcement capacity to address illegal dumping across the State. The program focuses on fostering key strategic partnerships with local governments to provide support and training in investigative strategies and techniques, covert surveillance and enforcement.
- The Light Industry Program, a joint initiative with the Department of Parks and Wildlife, is aimed at reducing the contaminants from non-residential land uses—light industrial and commercial activities—to groundwater and drainage systems in the priority Swan and Canning River catchments.

The Department is also continuing to focus on improving its performance through capability and cultural development with the introduction of:

- targeted professional development programs to build identified core capabilities;
- succession management strategies for critical occupational groups;
- training programs;
- scheduled performance assessments aligned to organisational priorities; and
- additional strategies to embed the Department's values—Responsive, Enabling, Focused, Innovative, Responsible and Effective.





Jason Banks Director General Department of Environment Regulation

## Agency Overview

### **Our Services**



**Environmental Regulation**—regulate activities with potential impacts on the environment.

**Desired Outcome**—emissions, discharges and clearing of native vegetation are effectively regulated to avoid unacceptable risks to public health and the environment.

**Environment Policy**—develop and implement policies and strategies that promote environmental outcomes. **Desired Outcome**—development and implementation of strategic policy and legislation that promoted sustainable environmental outcomes.

**Waste Strategies**—reduce the environmental impact of waste. **Desired Outcome**—waste avoided and the recovery of materials from landfill maximised.

#### **Our Values**





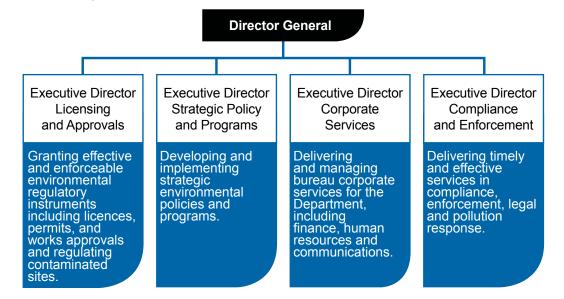
Innovative



#### Our Purpose

To advise on and implement strategies for a healthy environment for Western Australia.

### **Our Corporate Structure**



## Performance

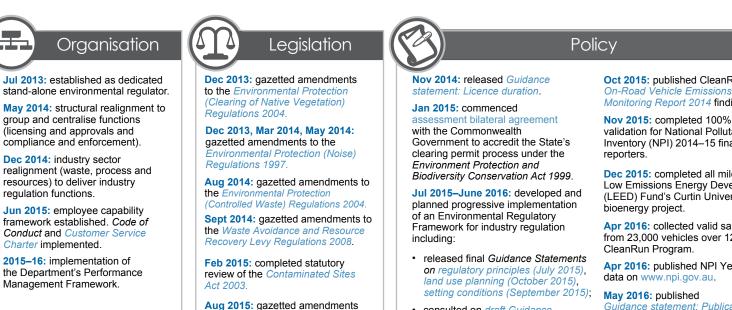
### Services and Key Efficiency Indicators

#### \*\*\*Outcome 1. Emissions, discharges and clearing of native 2016-17 Regulate activities with potential 2016-17 vegetation are effectively regulated to avoid unacceptable **Budaet** cervice , impacts on the environment **Budget target** risks to public health and the environment target 1.1 Percentage of major resource project works approvals 100% and licences applications decided within 60 working days. Average Cost per Works Approval \$ 19.823\* and Licence Application. 1.2 Percentage of other project works approvals and licences 80% applications decided within 60 working days. 1.3 Percentage of native vegetation clearing permit applications 80% decided within 60 working days. Average Cost per Native Vegetation \$ 7,296\*\* Clearing Permit Application. 1.4 Percentage of investigations finalised within 60 working days. 80% \*\*\*During 2016-17 the Department will further consider additional KPIs that can be developed which, together with supporting information, will be relevant to report on the Department's effectiveness as an environmental regulator. Outcome 2. Development and implementation of 2016-17 **Develop and implement policies** cervice 2 2016-17 strategic policy and legislation that promoted sustainable and strategies that promote **Budget Budget target** environmental outcomes environmental outcomes target 2.1 Percentage of advice and recommendations that met Average Cost per Hour of Policy 95% \$103 Ministerial approval, without the need for Advice and Recommendations. ment significant modification. Outcome 3. Waste avoided and the recovery of materials 2016-17 2016-17 cervice , Reduce the impact of waste from landfill maximised **Budget Budget target** target 3.1 Percentage of Municipal Solid Waste reported as diverted Cost of Landfill Levy Compliance as 3% 50% from landfill through recycling compared to the Waste a Percentage of Income Collected. e Strate Strategy target in the Perth Metropolitan Region. \* The Average Cost per Works Approval and Licence Application is calculated by 3.2 Percentage of Commercial and Industrial Waste reported dividing the total cost of Works Approval and Licence services by the total number 55% as diverted from landfill through recycling compared to of applications decided. the State-wide Waste Strategy target. \*\* The Average Cost per Native Vegetation Clearing Permit Application is calculated by dividing the total cost of Native Vegetation activities by the total number of 3.3 Percentage of Construction and Demolition Waste reported 60% applications decided. as diverted from landfill through recycling compared to the State-wide Waste Strategy target.

**Outcomes and Key Effectiveness Indicators** 

## Where Have We Come from? (2013–14 to 2015–16)

The 'four pillars' (Organisation, Legislation, Policy and Process) represent the building blocks under which the agency delivers services.



to the Litter Regulations 1981.

the Environmental Protection

Oct 2015: completed statutory

Resource Recovery Act 2007.

Waste Avoidance and Resource

to the Environmental Protection

Regulations 1987 to introduce

fees for applications to amend works approvals and licences.

Recovery Regulations 2008.

Regulations 1987.

Aug 2015: gazetted amendments to

review of the Waste Avoidance and

June 2016: gazetted amendments to

the Waste Avoidance and Resource

June 2016: gazetted amendments

Recovery Levy Regulations 2008 and

- consulted on *draft Guidance* Statement: Separation distances;
  - released environmental risk and application assessment frameworks for consultation (March 2016); and
- · released final draft of Environmental Standard (Composting) for specific industry category, method and types of emissions (June 2016).

Aug 2015: completed the BurnWise winter program of community education events with the BurnWise wood heater demonstration trailer successfully.

Sep 2015: released Guideline: A quide to grazing of native vegetation. Oct 2015: published CleanRun's **On-Road Vehicle Emissions** Monitoring Report 2014 findings.

Nov 2015: completed 100% of data validation for National Pollutant Inventory (NPI) 2014–15 financial year

Dec 2015: completed all milestones for Low Emissions Energy Development (LEED) Fund's Curtin University

Apr 2016: collected valid samples from 23,000 vehicles over 12 days for

Apr 2016: published NPI Year 17

Guidance statement: Publication of Annual Audit Compliance Reports to increase transparency of environmental compliance.

May 2016: All nine LEED-funded projects completed.

#### June 2016: Released Environmental Standard: Approved

manner for estimating the volume or weight of waste received at and disposed of to landfills.

June 2016: Released consultation paper for proposed amendments to the Waste Avoidance and Resource Recovery Regulations 2008 to require record-keeping and annual reporting of waste and recycling data.

## Process

Aug 2014: released Clearing of native vegetation-offsets procedure.

Aug 2014: released a suite of fact sheets for the controlled waste industry in line with the newly amended regulations.

Dec 2014: updated A guide to the assessment of applications to clear native vegetation. Released A guide to native vegetation clearing processes under the assessment bilateral agreement.

Dec 2014: released updated contaminated sites fact sheets and new Guideline: Assessment and management of contaminated sites.

Jan 2015: released updated application forms and fact sheets on the native vegetation clearing processes under the assessment bilateral agreement.

Sept 2015: released licence template, library of conditions and guidance materials for consultation.

Mar 2016: released application forms for licences and works approvals and quidelines for consultation.

June 2016: released fact sheets for amendments to the Waste Avoidance and Resource Recovery Levy Regulations 2008 and Waste Avoidance and Resource Recovery Regulations 2008

## Where are We Going? (2016–17 to 2019–20)

## Organisation

**2016–17:** continued development and implementation of the Capability Development Program, including regulatory and Policy Officer training.

**2016–17:** continued implementation of the Expertise Framework, incorporating a succession management strategy for critical occupational groups.

**2016–18:** continued development and implementation of improved business systems and customer service solutions.

## Legislation

2016–17: continue to progress legislative amendments to the *Environmental Protection Act* 1986, *Environmental Protection Regulations* 1987 and *Environmental Protection (Clearing of Native Vegetation) Regulations* 2004.

2016–17: continue to progress amendments to the *Environmental Protection Act 1986* and *Environmental Protection Regulations 1987* to facilitate bilateral agreements under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

**2016–17:** consider amendments to Schedule 1 of the *Environmental Protection Regulations 1987* to clarify the definition of landfill and application of the levy following the Eclipse decision.

**2016–17:** develop amendments to the *Environmental Protection (Controlled Waste) Regulations 2004* to streamline processes for the regulation of the transportation of controlled waste.

**2016–17:** the National Environment Protection (Assessment of Site Contamination) Measure 1999 gazettal and the making and revocation of contaminated sites guidelines.

**2016–17:** develop and progress amendments to the *Contaminated Sites Regulations 2006.* 

# 3

**2016–17:** continue to develop and implement an Environmental Regulatory Framework for industry regulation.

Policy

**2016–17:** complete the development of a WA offsets tool and guide for the agricultural south west of Western Australia, to support decision-making including for processes part of bilateral agreements under the *Environment Protection and Biodiversity Conservation Act* 1999.

**2016–17:** develop waste plans under the *Waste Avoidance and Resource Recovery Act 2007*, consistent with the outcomes of the statutory review, to promote alignment of local government planning with State planning.

#### Process

**2016–17:** continue to improve Industry Regulation performance through development and implementation of Operational Procedures.

**2016–17:** continue to develop and implement a Compliance and Enforcement Strategy, including through Operational Procedures.

**2016–17:** release final guideline: Identification, reporting and classification of contaminated sites in Western Australia and updated guidance for the WA accredited auditor scheme.

**2016–17**: continue to improve regulation of contaminated sites through development and implementation of Operational Procedures.



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