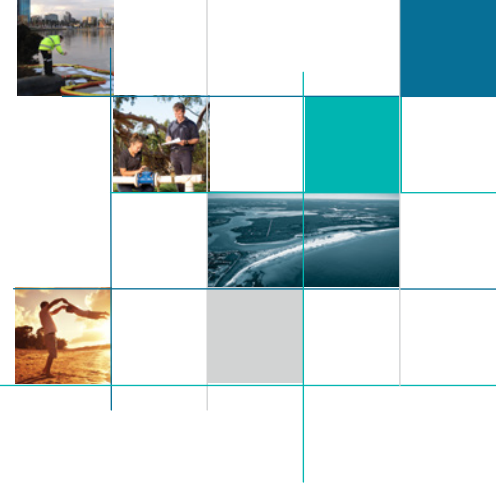




Compliance and Enforcement Policy (Interim)

3 July 2017



The Department of Water, Department of Environment Regulation and the Office of the Environmental Protection Authority was amalgamated on 1 July 2017, to form the Department of Water and Environmental Regulation (DWER).

As a result of the formation of DWER, this interim Compliance and Enforcement Policy has been developed to provide immediate and overarching guidance on the DWER's compliance and enforcement functions.

Compliance and enforcement principles

In undertaking its compliance and enforcement functions, DWER will apply its best practice regulatory principles, as follows:

1. Risk based

- Compliance monitoring will be targeted to the premises, activities and water resources that represent, or are at, the greatest level of risk.
- Enforcement action will be taken proportionate to the magnitude or seriousness of the alleged offence and based on the level of risk to public health, the environmental or water resources.

2. Evidence based

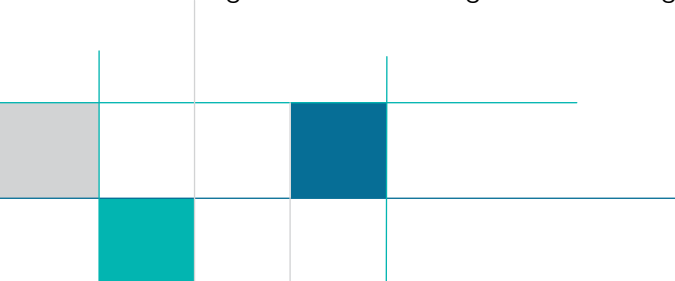
- Evidence will be collected and used to guide decision making on enforcement responses including when and when not to take action.

3. Transparent

- Compliance obligations will be clearly communicated to industry, community and government.
- The principles of procedural fairness will be applied during compliance monitoring and in the application of enforcement responses.

4. Effective regulation across government

- Compliance monitoring and enforcement action will be taken based on the department's statutory obligations and with regard to other regulatory agencies roles and responsibilities.
 - Enforcement action will be taken to achieve the best environmental and community outcomes and based on whether or not it is in public interest to take certain actions.





5. Consistent

- Compliance monitoring and enforcement action will be applied consistently across all sectors of industry, the community and government.
- Enforcement action will only be taken when the statutory prerequisite for that action has been satisfied.

6. Responsive

- Decisions on enforcement action will be made in a timely manner.

Compliance and enforcement policies

The following compliance and enforcement policies will continue to be applied by DWER in the interim, based on the applicable legislation, as detailed below.

Policy	Legislation
Department of Environment Regulation, Enforcement and Prosecution Policy (July 2013)	<ul style="list-style-type: none"> • <i>Contaminated Sites Act 2003</i> • <i>Environmental Protection Act 1986 (Part V)</i> • <i>Waste Avoidance and Resource Recovery Act 2007</i>
Department of Water, Compliance and Enforcement Policy (October 2015)	<ul style="list-style-type: none"> • <i>Country Areas Water Supply Act 1947</i> • <i>Metropolitan Arterial Drainage Act 1982</i> • <i>Metropolitan Water Supply, Sewage and Drainage Act 1909</i> • <i>Rights in Water and Irrigation Act 1914</i> • <i>Water Agencies (Powers) Act 1984</i> • <i>Water Services Act 2012</i> • <i>Waterways Conservation Act 1976</i>
Office of the Environmental Protection Authority, Compliance and Enforcement Policy (2015)	<ul style="list-style-type: none"> • <i>Environmental Protection Act 1986 (Parts III & IV)</i>

Duration and review

This interim Compliance and Enforcement Policy is intended to be applied from 1 July 2017 for a period not exceeding one year. A final Compliance and Enforcement Policy is intended to be developed consistent with DWER's policy framework and through a process of stakeholder engagement and consultation.