



Media contact: Natasha Farrell

Mobile: 0427 953 993

Email: natasha.farrell@audit.wa.gov.au

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Audit finds risk of cumulative pollution is being overlooked

The Auditor General's report [Regulating Minor Pollutants](#) has tabled in Parliament today.

The audit found the Department of Water and Environmental Regulation (DWER) is not effectively regulating the unauthorised discharge of minor pollutants by small and medium businesses where there is no requirement for a licence.

Auditor General Ms Caroline Spencer said DWER adopts a risk-based approach to its regulatory activity that focusses its limited resources on licensed businesses.

'By focusing only on licensed businesses, DWER is overlooking the risk that other businesses may be inappropriately disposing of products such as paint, detergent, animal waste and pesticides, which can cause cumulative harm to our environment and community.

'It is clear from this audit that unlicensed operators also warrant inclusion in DWER's proactive risk-based regulatory framework, as they accounted for 55% of recent hazardous material incidents reported to DWER, including 72% of those rated as high risk,' Ms Spencer said.

The audit also found that DWER is referring environmental complaints to local government (LG) entities even though most are not authorised by legislation to deal with them.

'Only 65 of Western Australia's 148 LG entities can regulate in this area because they voluntarily participate in a program run by DWER, with only 21 LGs across the State specifically trained in this area. Only 9 of the 29 metropolitan LGs participate in joint light industry inspections with DWER.

'Some LG entities may be able to address DWER referrals under their own by-laws, however this capability varies across the sector.

'It was pleasing to see that the 2 audited LG entities – Armadale and Wanneroo - had taken steps to protect their local environment in recognition that this is important to their communities, and I would encourage more LGs to participate and draw on DWER programs and support,' Ms Spencer said.

The report includes recommendations to help DWER and LG entities improve their regulation of businesses that do not require a licence.

This audit provides a useful case study to illustrate that there are areas in which successive governments have empowered entities to regulate, but which are not on the radar of those entities to the extent that Parliament and the community may expect and is warranted, and that delegation of State-legislated functions to LGs is often misunderstood or incomplete.

Report resources

- [PDF version](#)
- [summary video](#)