



Government of **Western Australia**  
Department of **Environment Regulation**

# Department of Environment Regulation Information Statement

*This document has been prepared in accordance with section 94 of the Freedom of Information Act 1992 (WA).*

**Version: Final**

July 2015

DER2013/2260

### **Produced and published by**

Department of Environment Regulation  
168 St Georges Terrace, Perth, Western Australia

July 2015

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Locked Bag 33 Cloisters Square  
PERTH WA 6850  
Phone: +61 8 6467 5000  
Fax: +61 8 6467 5562  
Email: [info@der.wa.gov.au](mailto:info@der.wa.gov.au)  
Web: [www.der.wa.gov.au](http://www.der.wa.gov.au)

**Accessibility** This document is available in alternative formats and languages upon request.

## Foreword

This statement has been prepared as a guide for the public about information held by the Department of Environment Regulation (DER). Where an agency is related to the Department, DER will be responsible for processing and responding to all Freedom of Information applications and must also comply with section 94 of the *Freedom of Information Act 1992 (WA)* (FOI Act) in providing sufficient information regarding each of the agencies.

Pursuant to clause 2(4) of the Glossary to the FOI Act, regulation 10 declares that the following specified offices or bodies listed in Schedule 2 of the *Freedom of Information Regulations 1993 (WA)* (FOI Regulations) are not to be regarded as separate agencies for the purposes of the FOI Act but are to be regarded as part of DER:

- Cockburn Sound Management Council (CSMC);
- Contaminated Sites Committee (CSC);
- Keep Australia Beautiful Council (WA) (KABC); and
- Waste Authority (WA).

This statement also includes guidance for the public in relation to the following:

- Legislation administered by DER and its related agencies;
- Structure and decision-making functions of the agency; and
- Availability and accessibility of information held by the agency.

KELLY FAULKNER  
ACTING DIRECTOR GENERAL  
16 July 2015

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## 1. About the Department

### Our purpose:

- To advise on and implement strategies for a healthy environment, for all Western Australians.

### Our functions:

To efficiently, effectively and objectively deliver:

#### Service 1

- Environmental Regulation - regulating through approvals, compliance and enforcement.

#### Service 2

- Environmental Policy - advising on and implementing State Government environmental policies and programs, including response to climate change.

#### Service 3

- Waste Policy and Programs - facilitating enhanced and coordinated waste management.

The Department has responsibility under Part V of the *Environmental Protection Act 1986* (EP Act) for works approvals and licences for prescribed premises, clearing permits and administration of a range of regulations. It also monitors and audits compliance with works approvals, licences, clearing permits and their conditions, as well as regulations, and take enforcement action as appropriate. The Department's regulatory role is supported by sound science and policy.

The Department publishes an annual *Strategic Outline* which provides an overview of its purpose, functions and focus, and how it does business. The Department also produces a range of fact sheets and technical reports to help improve community knowledge of environmental issues and understanding and support for the Department's activities, services and policies. These publications can be accessed via the DER website, [www.der.wa.gov.au](http://www.der.wa.gov.au).

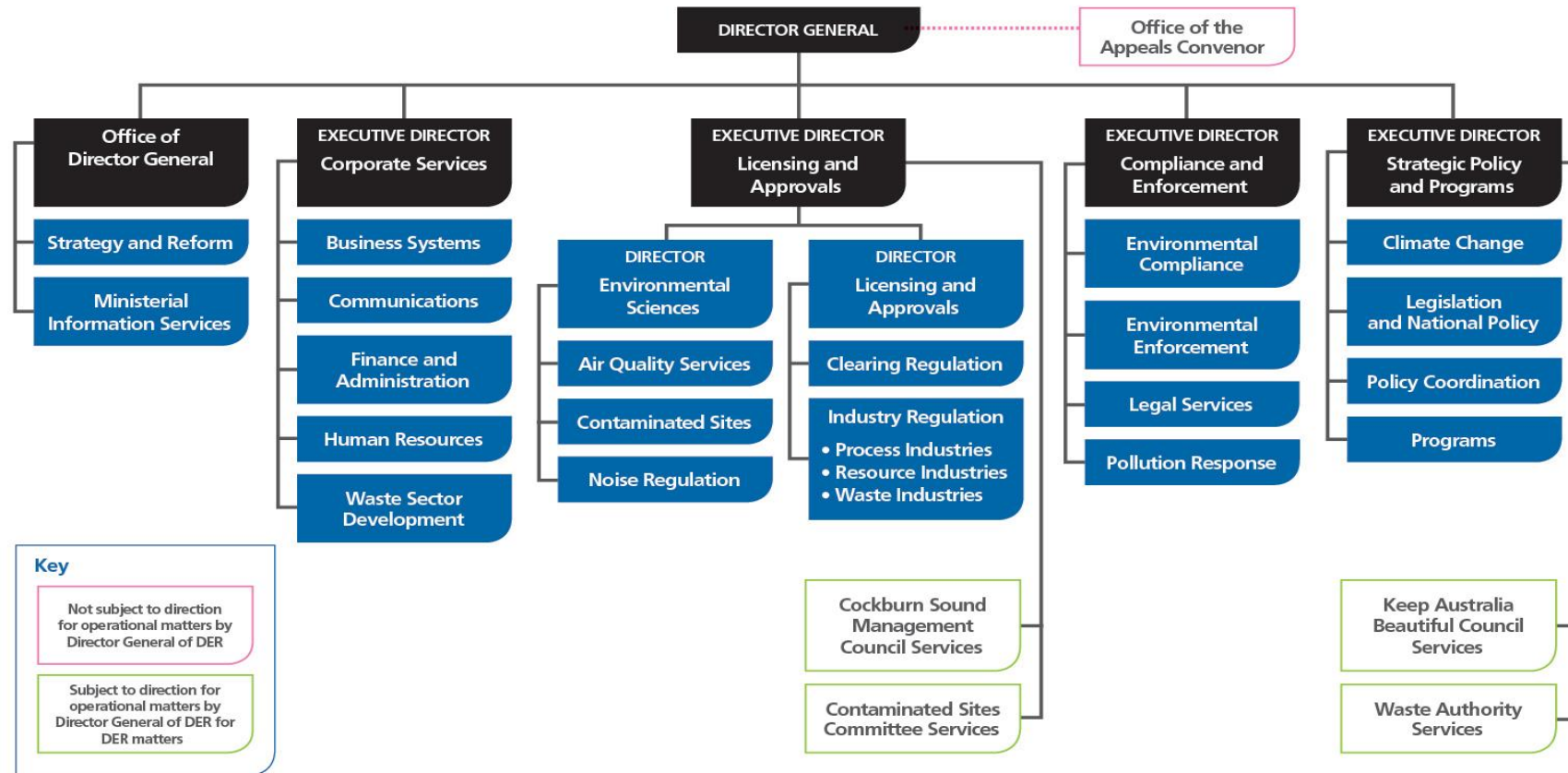
## 2. Organisational structure of DER



Government of **Western Australia**  
Department of **Environment Regulation**

# Organisational Structure

Current July 2015



### 3. Legislation administered by DER

Acts:

- *Carbon Rights Act 2003*
- *Contaminated Sites Act 2003*
- *Environmental Protection Act 1986*
- *Environmental Protection (Landfill) Levy Act 1998*
- *Litter Act 1979*
- *National Environment Protection Council (Western Australia) Act 1996*
- *Waste Avoidance and Resource Recovery Act 2007*
- *Waste Avoidance and Resource Recovery Levy Act 2007*

Regulations:

- *Clean Air (Determination of Air Impurities in Gases Discharged into the Atmosphere) Regulations 1983*
- *Contaminated Sites Regulations 2006*
- *Environmental Protection Regulations 1987*
- *Environmental Protection (Abattoirs) Regulations 2001*
- *Environmental Protection (Abrasive Blasting) Regulations 1998*
- *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*
- *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998*
- *Environmental Protection (Controlled Waste) Regulations 2004*
- *Environmental Protection (Domestic Solid Fuel Burning Appliances and Firewood Supply) Regulations 1998*
- *Environmental Protection (Fibre Reinforced Plastics) Regulations 1998*
- *Environmental Protection (Goldfields Residential Areas) (Sulphur Dioxide) Regulations 2003*
- *Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992*
- *Environmental Protection (Metal Coating) Regulations 2001*
- *Environmental Protection (NEPM-NPI) Regulations 1998*
- *Environmental Protection (NEPM-UPM) Regulations 2013*
- *Environmental Protection (Noise) Regulations 1997*
- *Environmental Protection (Packaged Fertiliser) Regulations 2010*
- *Environmental Protection (Petrol) Regulations 1999*
- *Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995*
- *Environmental Protection (Rural Landfill) Regulations 2002*
- *Environmental Protection (Unauthorised Discharges) Regulations 2004*
- *Litter Regulations 1981*
- *Noise Abatement (Noise Labelling of Equipment) Regulations (No. 2) 1985*
- *Waste Avoidance and Resource Recovery Regulations 2008*
- *Waste Avoidance and Resource Recovery Levy Regulations 2008*

Part III of the EP Act authorises the Environmental Protection Authority to draft Environmental Protection Policies as it considers necessary for the protection of any portion of the environment or the prevention, control or abatement of pollution or environmental harm. Environmental Protection Policies must be approved by order of the Minister for Environment.

For more information on Environmental Protection Policies, please visit the Environmental Protection Authority website at [www.epa.wa.gov.au](http://www.epa.wa.gov.au).



## 4. Functional areas of DER

### Office of the Director General

Functional groups within the area of the Office of the Director General:

#### Strategy and Reform

- Primary responsibility for the delivery of environmental regulatory reform, which will provide:
  - Clear regulatory policy and process;
  - Efficient and effective application and assessment processes;
  - Valid and effective regulatory instruments; and
  - Consistency in regulatory activities and outcomes.
- Primary responsibility for coordinating and implementing legislative reform, policy development and program delivery.

#### Ministerial Information Services

- Primary responsibility for the coordination of timely, quality advice and correspondence services to the Minister and the Director General.
- Primary responsibility for the recording, management and dissemination of corporate information.

#### Corporate Services

- Efficiently and effectively deliver corporate services to DER.
- Primary responsibility for direct delivery and management of bureau corporate services.

Functional groups within the area of Corporate Services:

#### Business Systems

- Primary responsibility for the effective and efficient development and maintenance of DER's business systems.

#### Communications

- Primary responsibility for corporate communications through website content management, publishing, and community information and engagement.
- Coordinates the Department's internal communications.
- Provides media liaison services and is responsible for communications protocols during critical incidents.

#### Finance and Administration

- Primary responsibility for the overall financial management of the agency.
- Primary responsibility for managing and maintaining all accommodation, fleet and other fixed assets.

## Human Resources

- Primary responsibility for the Department's overall strategic human resource management function to build capacity and support business outcomes. This includes:
  - Workforce planning;
  - Recruitment and selection;
  - Performance management;
  - Organisational learning and development; and
  - Discipline.

## Waste Sector Development

- Primary responsibility for the governance of procurement and grant processes for waste infrastructure.
- Primary responsibility for facilitating delivery of waste infrastructure aligned with the State Waste Strategy.
- Provision of strategic advice to government on outcomes related to waste avoidance and resource recovery.

## Licensing and Approvals

- Efficiently grant environmental regulatory instruments which are effective and enforceable, within target timeframes.
- Primary responsibility for oversight of environmental management of activities for which environmental regulatory instruments have been granted.
- Primary responsibility for management of contentious issues associated with activities for which environmental regulatory instruments have been granted.
- Contaminated site regulation.

Functional groups within the area of Licensing and Approvals:

### Environmental Sciences

- Primary responsibility for the provision of quality, timely and professional technical advice in the disciplines of Noise, Air Quality and Contaminated Sites, to support the Department's statutory function.
- The provision of external technical advice in the specified disciplines.
- Building and sustaining technical expertise in the specified disciplines.
- Assessment and classification of contaminated sites.

Functional groups within Environmental Sciences:

### Air Quality Services

- Primary responsibility for efficiently providing an effective legislated air quality monitoring network.
- Primary responsibility for providing high quality and timely strategic specialist air quality investigations dispersion modelling assessments and technical advice.

### **Contaminated Sites**

- Primary responsibility for classifying reported contaminated sites, within target timeframes in accordance with the *Contaminated Sites Act 2003*.
- Primary responsibility for the review of contaminated site investigations and updating of classifications.
- Provides specialist advice on the recording, assessment and management of contaminated sites, acid sulfate soils and other land and water quality issues to local and state government agencies, industry and the community.
- Provides effective and efficient support to the Contaminated Sites Committee.
- Maintains the contaminated sites register of all known and reported contaminated sites and the publically accessible contaminated sites database.

### **Noise Regulation**

- Primary responsibility for efficiently assessing and appropriately determining noise regulation exemptions, within target timeframes.
- Provides timely quality strategic specialist noise services and technical advice.

### **Clearing Regulation**

- Primary responsibility for efficiently assessing and appropriately determining applications for native vegetation clearing permits, within target timeframes.
- Primary responsibility for ensuring clearing permits granted contain conditions which are necessary, effective and enforceable.
- Primary responsibility for resolving contentious issues that arise from native vegetation clearing permits.

### **Industry Regulation**

- Primary responsibility for efficiently and effectively assessing and appropriately determining applications for industry works approvals and licences across the state, within target timeframes.
- Primary responsibility for ensuring works approvals and licences contain conditions which are necessary, effective and enforceable.
- Primary responsibility for oversight of operational environmental management of activities subject to a works approval or licence.
- Support role for compliance program on premises subject to a works approval or licence.
- Primary responsibility for resolving contentious issues that arise from activities subject to a works approval or licence.

### **Cockburn Sound Management Council Services**

- Primary responsibility for providing effective and efficient executive support services including research and monitoring, for the Cockburn Sound Management Council.
- Primary accountability for administering funds relating to the Cockburn Sound Management Council.

### **Contaminated Sites Committee Services**

- Primary responsibility for the provision of efficient and effective administrative support to the Contaminated Sites Committee to enable it to fulfil its responsibilities under the *Contaminated Sites Act 2003*.

### **Compliance and Enforcement**

- Efficiently deliver integrated environmental compliance, enforcement, pollution response services which are effective and timely.
- Primary responsibility for environmental compliance programs across the state.
- Primary responsibility for environmental enforcement activities across the state.
- Provision of efficient, quality and timely legal services across DER.

Functional groups within the area of Compliance and Enforcement:

#### **Environmental Compliance**

- Primary responsibility for effectively and efficiently delivering the annual environmental compliance program across the state.
- Primary responsibility for regulating and monitoring controlled waste movements across the state.
- Primary responsibility for the administration of the landfill levy.

#### **Environmental Enforcement**

- Primary responsibility for complaint handling across the state.
- Primary statewide responsibility for all environmental enforcement action.

#### **Legal Services**

- Provides efficient and effective legal services and advice.
- Coordinates and manages requests made under the FOI Act.

#### **Pollution Response**

- Primary responsibility for coordinating pollution incident response across the state.
- Primary responsibility for the receipt of complaints.

#### **Strategic Policy and Programs**

- Efficiently and effectively deliver the Government's environmental policy agenda and programs within agreed timeframes.
- Primary responsibility for all legislative amendments to Acts and subordinate legislation administered by DER.
- Primary responsibility for delivery of all of DER's programs.
- Provision of efficient and effective services to the Waste Authority and the Keep Australia Beautiful Council.

Functional groups within the area of Strategic Policy and Programs:

### Climate Change

- Develops and guides implementation of climate change policy including the Government's climate change strategy, *Adapting to our changing climate*.
- Provides advice to government and other stakeholders on climate change adaptation and mitigation policy.

### Legislation and National Policy

- Primary responsibility for all legislative review and reform programs.
- Coordinates and supports participation in national policy development.

### Policy Coordination

- Primary responsibility for inter-Departmental policy initiatives.
- Primary responsibility for developing and maintaining key Departmental policies in partnership with functional areas.
- Coordinates all regulatory gatekeeping requirements.

### Programs

- Effectively and efficiently develops and implements environmental programs currently including Low Emissions Energy Development Fund, *CleanRun*, *Burnwise* and the National Pollutant Inventory.

### Keep Australia Beautiful Council Services

- Effectively and efficiently provides services to the Keep Australia Beautiful Council WA.
- Provides Minister/DER support services in relation to litter.

### Waste Authority Services

- Effectively and efficiently provides services to the Waste Authority.
- Provides Minister/DER support services in relation to waste policy.

## 5. Decision making functions

The most significant decision-making functions and powers exercised by the Minister for Environment, the Chief Executive Officer of DER (CEO) and officers of DER under the EP Act and the *Contaminated Sites Act 2003* are summarised below.

The opportunity for public participation in these processes, and appeal rights in relation to decisions and the exercise of powers is also set out below.

### *Environmental Protection Act 1986*

#### Works approvals and licences

- Occupiers of ‘prescribed premises’ defined in the *Environmental Protection Regulations 1987* (EP Regulations) may apply to the CEO for a works approval or licence in relation to their premises.
- These approvals provide certain defences to environmental offences that might otherwise result from emissions caused by the works or activities being carried out at the premises, and may also impose conditions on the way in which the works or activities may be undertaken.
- The CEO seeks comment on applications from any public authority or person who, in the opinion of the CEO, has a direct interest in the subject matter of an application.
- The CEO also advertises prescribed details of applications for works approvals and licences in *The West Australian* newspaper and on the Department’s website on the Monday ads page, inviting any person who wishes to comment to do so within the timeframe provided in the advertisement.
- When assessing an application, the CEO is required to take into account any comments received.
- An applicant for, or holder of, a works approval or licence may appeal to the Minister for Environment against:
  - the refusal by the CEO to grant a works approval or licence;
  - the refusal by the CEO to transfer a works approval or licence to another person;
  - a condition imposed on a works approval or licence by the CEO; or
  - the amendment, revocation or suspension of a works approval or licence by the CEO.
- Any other person may appeal to the Minister for Environment against:
  - any condition imposed on a works approval or licence by the CEO; or
  - the amendment of any works approval or licence by the CEO.

## Clearing permits

- A person may apply to the CEO for a clearing permit which authorises clearing which would otherwise amount to an offence, and may impose conditions on the way in which the clearing may be undertaken if necessary or convenient for the purposes of preventing, controlling, abating or mitigating environmental harm or offsetting the loss of the cleared vegetation.
- The CEO seeks comment on applications for clearing permits from any public authority or person who, in the opinion of the CEO, has a direct interest in the subject matter of an application.
- Each week the CEO also advertises prescribed details of applications for clearing permits in *The West Australian* newspaper and on the Department's website on the Monday ads page, inviting any person who wishes to comment to do so within the timeframe provided in the advertisement.
- When assessing an application, the CEO must take into account any comments received.
- An applicant for, or the holder of, a clearing permit may appeal to the Minister for Environment against:
  - the refusal by the CEO to grant a clearing permit, in whole or part;
  - a condition imposed on a clearing permit by the CEO; or
  - the amendment, revocation or suspension of a clearing permit by the CEO.
- Any other person may appeal to the Minister for Environment against:
  - a decision by the CEO to grant a clearing permit;
  - a condition imposed upon a clearing permit by the CEO; or
  - an amendment to a clearing permit made by the CEO.

## Notices, orders and directions

- The CEO has the power under the EP Act to give a range of notices, orders and directions, including environmental protection notices, closure notices, vegetation conservation notices and environmental protection directions.
- The Minister for Environment has the power under the EP Act to issue a stop order.
- An inspector or authorised officer has the power under the EP Act to issue a prevention notice.
- Each of these notices, orders and directions require certain specified actions to be taken.
- Failure to comply with an obligation imposed by these notices is an offence.

- Prior to the giving of a vegetation conservation notice requiring a person to take specified measures following clearing that the CEO reasonably suspects is unlawful, the CEO must give the person an opportunity to make submissions on the proposed whether or not the person should have to take the specified measure.
- Any person may appeal to the Minister against:
  - a requirement contained in an a closure notice, environmental protection notice, vegetation conservation notice or prevention notice; or
  - an amendment made to an environmental protection notice, closure notice or vegetation conservation notice made by the CEO.

### Enforcement Powers

- Part VI of the EP Act sets out the enforcement powers of the CEO, authorised persons, inspectors and police officers including powers to enter premises, obtain information, stop vehicles, seize evidence, forfeit abandoned property, and a range of powers in relation to vehicles, vessels and audible alarms.
- Part VIA of the EP Act sets out the powers of the CEO and inspectors to commence prosecutions, issue modified penalties and issue infringement notices in respect of offences under the Act.

### *Contaminated Sites Act 2003 (CS Act)*

#### Classification of Sites

Under section 13 of the CS Act, the CEO is to classify a site upon receipt of a report under section 11 of the CS Act that the site is, or is suspected to be contaminated, and may classify a site at any other time.

A site classification is a description assigned to an area of land that has been reported to the DER under the CS Act, as a site that is known or suspected to be contaminated.



Schedule 1 of the CS Act sets out the seven possible classifications that a CEO can apply to a site, which are as follows:

Classification	Criterion
Report not substantiated	A report under section 11 or 12 of the CS Act provides no ground to indicate possible contamination of the site.
Possibly contaminated – investigation required	There are grounds to indicate possible contamination of the site.
Not contaminated – unrestricted use	After investigation, the site is found not to be contaminated.
Contaminated – restricted use	The site is contaminated but suitable for restricted use.
Remediated for restricted use	The site is contaminated but has been remediated so that it is suitable for restricted use.
Contaminated – remediation required	The site is contaminated and remediation is required.
Decontaminated	The site has been remediated and is suitable for all uses.

- Any person may report a site to the CEO that the person knows or suspects is contaminated, and certain specified persons are under an obligation to make a report to the CEO;
- The CEO has the power to classify a site based on its known or suspected level of contamination.
- DER maintains a publically available database of sites classified as *contaminated – remediation required*, *contaminated – restricted use* and *remediated for restricted use*.
- DER maintains database register of all sites reported to the DER under the CS Act. Information on sites not on the public database, including sites classified as *report not substantiated*, *possibly contaminated – investigation required*, *not contaminated – unrestricted use* and *decontaminated* can be obtained through a summary of records request to DER.
- There are a range of appeal rights to the Contaminated Sites Committee (CSC) against the CEO's classification, which depend upon the classification category.
- The CSC is an independent administrative tribunal and its decisions on appeals are final and without appeal. The CEO is obliged to publish and implement the CSC's decisions on appeals.

### Issue of Notices

- The CEO may give a clean up notice, hazard abatement notice or investigation notice to a person specified in Part 4 of the CS Act, which requires a person given the notice to undertake specified actions.
- Failure to comply with a notice given by the CEO is an offence.
- A person bound by an investigation or clean up notice may appeal to the CSC against a requirement of a notice, and in some cases, against the CEO's decision to give a notice to that person.

### Determination of responsibility

- The CSC makes decisions as to the responsibility for remediation of a site.
- The CSC is required to give notice to a person who may be held responsible, setting out the reasons for the proposed decision, and inviting that person to make submissions to be considered before a final decision is made.
- A person aggrieved by a determination as to responsibility for remediation may appeal the decision of the CSC to the Supreme Court on a question of law.
- The Act contains no provisions about publication of decisions of the CSC on responsibility for remediation, so publication is constrained by the Act's confidentiality provisions.

## Public participation in DER policy and decision-making functions

In accordance with the requirements of the EP Act, DER carries out public consultation to gain the views of all stakeholders and interested parties to inform a transparent and accountable decision-making processes.

Notification of applications received for works approvals and licences, and clearing permits and amendments, available for public submissions and/or registrations of interest are advertised in *The West Australian* newspaper and posted on DER's website on the Monday ads page.

Notification of works approvals, licences and clearing permits granted, refused, amended, revoked or suspended, and notices given, available for public appeal are also advertised in *The West Australian* newspaper and posted on DER's website on the Monday ads page.

To access copies of applications for works approvals, licences and amendments, please contact:

Locked Bag 33  
Cloisters Square  
PERTH WA 6850

Information on clearing permits granted, vegetation conservation notices given and clearing permits under assessment, is available through the Clearing Permit System on the DER website at <https://cps.der.wa.gov.au/main.html>.

New and revised policy guidance statements and legislative reforms that deal with contentious issues or matters of public interest will generally be made available for public comment, prior to finalisation. Policies and legislative reforms available for public comment are posted on DER's website on the Consultation page (<http://www.der.wa.gov.au/our-work/consultation>).

When the consultation process has ended all responses are reviewed and made available on DER's website. Submitters may request their submission be treated as confidential. A request for confidentiality may limit the ability for the review to include issues that are not subject to the transparency that applies to published submissions. A paper to address issues raised during public consultation is made available on DER's website.

## 6. Freedom of Information

The FOI Act gives every person the right to seek access to documents held by government agencies and to amend personal information held on Departmental documents where it is inaccurate, incomplete, out of date or misleading.

Documents may comprise written material, plans and drawings, photographs, tape recordings, films, videotapes or information stored in a computerised form.

It is the aim of DER to make information available as soon as possible and at the least possible cost. Whenever possible, documents will be made available to the public outside the Freedom of Information (FOI) process.

In accordance with section 12 of the FOI Act, access applications must:

- Be in writing;
- Give enough detail to identify the requested documents, or if the application is for amendment of personal information, details must be provided to show how or why the agency's records are inaccurate, incomplete, out of date or misleading;
- Give an Australian address;
- Give any other information or details required under the FOI Regulations; and
- Be lodged at the office of the agency that would be expected to hold the documents, together with any application fee payable.

Pursuant to section 46 of the FOI Act, applications for the amendment of personal information must:

- Be in writing;
- Give enough details to enable the document that contains the information to be identified;
- Give details of the matters in relation to which the person believes the information is inaccurate, incomplete, out of date or misleading;
- give the person's reasons for holding that belief;
- give details of the amendment that the person wishes to have made;
- give an address in Australia;
- give any other information or details required under the FOI Regulations; and
- be lodged at an office of the agency.

Applications and enquiries should be addressed to the FOI Coordinator and can be sent:

**By mail:**

Locked Bag 33  
Cloisters Square  
PERTH WA 6850

**In person:**

Level 4, The Atrium  
168 St Georges Terrace  
Perth WA 6000

**By fax:**

+61 8 6467 5562

**By email:**

[foi@der.wa.gov.au](mailto:foi@der.wa.gov.au)

Section 11 of the FOI Act requires agencies to take reasonable steps to help an applicant with their request if they are having difficulty making an application. For example, if an applicant is having trouble defining the documents they are seeking, the agency may describe the kinds of documents and records kept to help narrow the scope of their application. An agency may refuse to deal with a large request where the work involved would divert a substantial and unreasonable portion of the agency's resources away from its other operations.

If you would like assistance with lodging an access application or have any questions in relation to the FOI process within DER, please email your query to [foi@der.wa.gov.au](mailto:foi@der.wa.gov.au).

Applications will be acknowledged in writing and the applicant will be notified of the decision within 45 days.

### Fees and charges

- No fees or charges apply for applications for access to or amendment of personal information about the applicant.
- Applications for access to other information which are non-personal in nature require a \$30.00 application fee to be paid when the application is lodged.
- The agency may also impose the following types of charges for the processing of non-personal applications:
  - \$30.00 per hour for staff time (or pro rata for part of an hour) for dealing with an application. Agencies cannot charge for locating the documents within the scope of an application.
  - \$30.00 per hour (or pro rata for part of an hour) for supervision by staff when access is given to view documents; or the time taken by staff to prepare a transcript from a tape or make photocopies.
  - 20 cents per photocopy.
  - Actual cost incurred by the agency for preparing a copy of a tape, film or computerised information, or arranging delivery or packaging and postage of documents.

### Estimates of charges

An estimate of charges can be requested by an applicant upon lodgement of an application. If the charges are likely to exceed \$25.00 the agency must give an estimate of charges and inquire whether the applicant wishes to proceed with the application. The applicant must notify the agency within 30 days of their intention to proceed with the application. In some cases the agency may request an advance deposit be paid.

The applicant should advise the agency if they are financially disadvantaged as a 25 per cent reduction of charges may apply.

## Notices of Decision

A notice of decision will be provided to the FOI applicant as soon as practicable but in any case within 45 days of receipt of the application. Pursuant to section 30 of the FOI Act the notice of decision will include the following details:

- The day on which the decision was made;
- The name and designation of the officer who made the decision;
- If the decision is that a document is an exempt document and that access is to be given to a copy of the document from which exempt matter has been deleted –
  - The fact that access is to be given to an edited copy; and
  - The reasons for classifying the matter as exempt matter and the findings on any material questions of fact underlying those reasons, referring to the material on which those findings were based;
- If the decision is that access to a document is to be deferred – the reasons for the deferral and, if applicable, the period for which access is likely to be deferred;
- If the decision is to give access to a document through a suitably qualified person in accordance with section 28 of the FOI Act, the arrangements to be made for giving access to the document;
- If the decision is to refuse access to a document – the reasons for the refusal and the findings on any material questions of fact underlying those reasons, referring to the material on which those findings were based;
- If the decision is that the applicant is liable to pay a charge to the agency – the amount of the charge and the basis on which the amount was calculated; and
- The rights of review and appeal under the FOI Act and the procedure to be followed to exercise those rights.
- If the decision is that a document is an exempt document and that access is to be given to a copy of the document from which exempt matter has been deleted –
  - The fact that access is to be given to an edited copy; and
  - The reasons for classifying the matter as exempt matter and the findings on any material questions of fact underlying those reasons, referring to the material on which those findings were based;
- If the decision is that access to a document is to be deferred – the reasons for the deferral and, if applicable, the period for which access is likely to be deferred;
- If the decision is to give access to a document through a suitably qualified person in accordance with section 28 of the FOI Act, the arrangements to be made for giving access to the document;
- If the decision is to refuse access to a document – the reasons for the refusal and the findings on any material questions of fact underlying those reasons, referring to the material on which those findings were based;
- If the decision is that the applicant is liable to pay a charge to the agency – the amount of the charge and the basis on which the amount was calculated; and
- The rights of review and appeal under the FOI Act and the procedure to be followed to exercise those rights.

## Review process

A person who is aggrieved by a decision made by an agency in relation to an access application or an application to amend personal information, has a right to have the decision internally reviewed by the agency (section 39 of the FOI Act).

Under section 40 of the FOI Act applications for internal review of a decision must:

- Be in writing;
- Give particulars of the decision which the aggrieved person wishes to have reviewed;
- Give an address in Australia to which notices can be sent;
- Given any other information or details required under the FOI Regulations; and
- Be lodged at an office of the agency.

Applications for internal review are to be lodged within 30 days after the aggrieved person was given the notice of decision. There are no application fees or other charges payable in respect of applications for review (section 44 of the FOI Act). Internal Review applications will not be dealt with by the person who made the original decision or by a person who is subordinate to that person (section 41 of the FOI Act). Applicants will be notified of the outcome of the internal review within 15 days of the Department's receipt of the application for review (section 43 of the FOI Act).

If a person remains aggrieved following receipt of the agency's internal review decision, a complaint can be made to the Information Commissioner under section 65 of the FOI Act. Details on how to apply for an external review by the Information Commissioner will be included within the internal review notice of decision. For further details on the external review process, please refer to Part 4 of the FOI Act or visit the website of the Office of the Information Commissioner at [www.foi.wa.gov.au](http://www.foi.wa.gov.au).



## APPLICATION FOR ACCESS TO DOCUMENTS

(Under section 12 of the *Freedom of Information Act 1992* (FOI Act))

### DETAILS OF APPLICANT

<b>Applicant</b>	
<b>Name of Organisation</b>	
<b>On behalf of Name of Organisation or Individual</b>	
<b>Address</b> <i>(For receipt of notices under section 12(1)(c) of the FOI Act give an address in Australia [not email address] )</i>	<b>Postcode</b>
<b>Telephone</b>	
<b>Email</b>	
<b>Your Reference</b>	

### DETAILS OF FOI APPLICATION

<b>Subject matter to which your application relates.</b> <i>(e.g. property details street, lot numbers, suburb, certificate of title, infringement number, etc)</i>	
<b>Details of specific document/s requested</b> <i>Subject to s.12(1)(b) of the FOI Act (e.g. type of document, name of sender/recipient of document)</i> <i>Refer to the department's website (<a href="http://www.der.wa.gov.au">www.der.wa.gov.au</a>) as a guide or contact relevant area of DER to assist you.</i>	
<b>Date/s or range of dates of document/s requested</b>	
<b>Other information to facilitate your application</b> <i>(e.g. such as documents that you already have and can be excluded from the scope of your request)</i>	
<b>INSTRUCTIONS:</b> <ul style="list-style-type: none"> <li>Clearly describe the documents to which you seek access and attach any additional information you believe will assist, so that your request can be dealt with promptly.</li> <li>If your application concerns a large number of documents, please clarify the particular document/s that you seek.</li> <li>If not sure of the documents you require, please clarify with officers of the functional area that best relates to your request.</li> </ul>	



<p><i>The FOI Act requires DER to consult with all related third party individuals and companies, as well as all agency officers, in regards to all information proposed for release. Accordingly, deleting personal information, company information or prescribed details of officers, such as names, position titles, contact details and signatures, means that DER may not have to consult with those third parties or officers. This means that applications can be dealt with quicker and may incur lower charges.</i></p>	
<p>Please delete any “personal information” relating to third parties from the requested documents</p>	<p><u>YES / NO</u></p>
<p>Please delete any identifying details relating to third party companies from the requested documents</p>	<p><u>YES / NO</u></p>
<p>Please delete any “prescribed details” relating to agency officers from the requested documents</p>	<p><u>YES / NO</u></p>
<p><b>Exceptions</b> <i>(Individuals or companies that are NOT to be deleted, even if you have selected ‘Yes’ to any of the above)</i></p>	

#### CONTAMINATED SITES INFORMATION

Please note that certain information on contaminated sites can be accessed under the *Contaminated Sites Act 2003* and is therefore **not available through FOI**.

<p>Is your request for information on contamination issues at a site?</p>	<p><u>YES / NO</u></p>
<p>Have you already lodged a request for a basic or detailed summary of records (BSR or DSR) with DER?</p>	<p><u>YES / NO</u></p>
<p><b>Details of specific contaminated sites information requested through FOI</b> <i>Only required if your request is to include information on contamination not available under the Contaminated Sites Act 2003.</i></p>	

Search the Contaminated Sites Database at [www.der.wa.gov.au/contaminatedsites](http://www.der.wa.gov.au/contaminatedsites) for information on sites classified:

- Contaminated – Remediation Required
- Contaminated – Restricted Use
- Remediated for Restricted Use

Information on **all other reported sites**, including those awaiting classification, is recorded on the Reported Sites Register.

For more information on accessing information on contamination, including how to lodge a summary of records request (Form 2 BSR or DSR), please visit [www.der.wa.gov.au/contaminatedsites](http://www.der.wa.gov.au/contaminatedsites).

### NOTES FOR APPLICANTS

- If your application is for access to or amendment of your personal information, please provide a certified copy of one of the following documents:
  - Driver's Licence;
  - Aged Pensioner Concession Card;
  - Passport;
  - Birth Certificate (and Marriage Certificate if name has changed); or
  - Proof of Age Card (issued by the Department of Transport).

### **DOCUMENTS MUST BE CERTIFIED BY A PERSON AUTHORISED TO WITNESS STATUTORY DECLARATIONS UNDER SCHEDULE 2 TO THE OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005**

If proof of identity in the manner described above, is not provided, DER will not provide access to, or amend the requested information until satisfied of your identity (section 29(a) of the FOI Act).

- If you are lodging an application on behalf of an organisation or another individual, please provide a letter of authority, authorising you to act on their behalf.
- Your application will be dealt with as soon as practicable (statutory maximum time limit within 45 days) after it is received. However, where necessary, extensions may be required.

The FOI Act can be purchased from the State Law Publisher on +61 8 9321 7688 or can be viewed online at the FOI Commissioner's website: [www.foi.wa.gov.au](http://www.foi.wa.gov.au).

### FEES & CHARGES

- Applications seeking personal information or amendment of personal information are free of any fee or charge.
- **The application fee for all non-personal applications is \$30.**
- The department only accepts payment by cheque or credit card (MasterCard or Visa accepted only).
- If necessary, DER may impose a charge for processing the application. If charges apply, DER will send you a statement of payable charges as soon as possible.
- Currently, where a processing charges applies, the breakdown of fees is as follows:
  - \$30.00 p/hr of staff time processing charge (if number of pages is greater than 50)
  - \$30.00 p/hr of staff time photocopying time (if number of pages is greater than 50)
  - \$ 0.20 p/photocopy (if number of pages is greater than 50)

Please see Schedule 1 of the *Freedom of Information Regulations 1993* for a full list of charges

Please visit [www.der.wa.gov.au/about-us/legislation/freedom-of-information](http://www.der.wa.gov.au/about-us/legislation/freedom-of-information) for more information.

Any enquiries can be emailed to [foi@der.wa.gov.au](mailto:foi@der.wa.gov.au).

Alternatively, you can contact the DER FOI Coordinator directly on +61 8 6467 5105.

**PAYMENT BY CHEQUE**

Please attach a cheque to your completed application form to cover the application fee.

Cheques are to be made out to:  
Department of Environment Regulation

**PAYMENT BY CREDIT CARD**

Please fill out your details below.

MASTERCARD [ ]                      VISA [ ]  
CARD NUMBER \_\_\_\_ / \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
CARD HOLDER'S NAME \_\_\_\_\_  
STREET ADDRESS \_\_\_\_\_  
  
SUBURB \_\_\_\_\_ STATE \_\_\_\_\_ POSTCODE \_\_\_\_\_  
EXPIRY DATE \_\_ / \_\_                      TOTAL AMOUNT \_\_\_\_\_

I authorise the Department of Environment Regulation to debit my credit card with the amount shown above. I certify that I am over 18 years of age.

SIGNATURE \_\_\_\_\_

**SUBMISSION**

I understand that before I have access to documents I **may** have to pay processing charges and that in this case I will be supplied with a letter relating to the statement of charges that would be incurred, prior to proceeding with the request.

**APPLICANT'S SIGNATURE:** .....

**Date:** ...../...../.....

Applications should be addressed to:

FOI Coordinator  
Department of Environment Regulation

Applications can be lodged:

- |   |  |                                   |  |
|---|--|-----------------------------------|--|
| <b>By Mail:</b><br>Locked Bag 33<br>Cloisters Square<br>PERTH WA 6850 | <b>In Person:</b><br>Level 4, The Atrium<br>168 St George's Terrace<br>Perth WA 6000 | <b>By Fax:</b><br>+61 8 6467 5562 | <b>By Email:</b><br><a href="mailto:foi@der.wa.gov.au">foi@der.wa.gov.au</a> |
|---|--|-----------------------------------|--|

## 7. Access Services

### National Relay Service

For access to DER information for people who are deaf, hearing or speech impaired, please call this free service:

Voice: 1800 555 660  
TTY (for hearing impaired): 1880 555 630  
Fax: 1800 555 690

### Viewing the Register of Modified Penalty Notices

In accordance with section 99F(2) of the EP Act, the Register of Modified Penalty Notices can be viewed in person at:

Level 4 The Atrium  
168 St Georges Terrace  
Perth WA 6000  
Phone: +61 8 6467 5000

### Ordering Publications

Copies of publications of DER and its related agencies can be ordered by phoning +618 6467 5000 or emailing [info@der.wa.gov.au](mailto:info@der.wa.gov.au).

## 8. Types of documents held by DER

The table below lists the types of documents held by each of the functional areas of DER. This list is not to be taken as comprehensive.

**All publically available documents are accessible via the DER website [or have previously been available through the website \(e.g. expired licences\)](http://www.der.wa.gov.au) at [www.der.wa.gov.au](http://www.der.wa.gov.au). Access to any documents that DER does not make otherwise available may only be requested through the FOI process.**

Functional Area	Types of Documents Held
<b>General documents</b>	<ul style="list-style-type: none"> <li>• Annual Reports</li> <li>• Annual financial reports</li> <li>• DER organisation charts</li> <li>• DER Strategic Outlines</li> </ul>
<b>Office of the Director General</b>	<ul style="list-style-type: none"> <li>• CEO correspondence</li> <li>• Ministerial correspondence</li> <li>• Ministerial briefing notes</li> <li>• Parliamentary question responses</li> <li>• Cabinet documents</li> <li>• Executive Council documents</li> <li>• Recordkeeping policy and plan</li> <li>• Retention and disposal schedule</li> <li>• Correspondence authority policy</li> <li>• Executive risk management policy</li> <li>• Project management policy</li> <li>• Policy documents</li> <li>• Internal memoranda and communications</li> <li>• Reports</li> <li>• Project plans</li> </ul>

Functional Area	Types of Documents Held
<p><b>Corporate Services</b></p>	<ul style="list-style-type: none"> <li>• Business plans</li> <li>• Internal memoranda</li> <li>• Administrative policies</li> <li>• Administrative procedures/instructions</li> <li>• Service Level Agreements with external organisations</li> <li>• Meeting minutes</li> <li>• Contract specification documents</li> <li>• Evaluations of tender/quotation submissions</li> <li>• Computer system design documents</li> <li>• Project work plans, reports, steering committee minutes, evaluations</li> <li>• Reports on staff usage of systems</li> <li>• Personnel information (including breaches of human resource procedures)</li> <li>• Media statements</li> <li>• Publications list</li> <li>• Media enquiries</li> <li>• Corporate advertising campaigns</li> <li>• Staff newsletters</li> <li>• Market research reports</li> </ul>

Functional Area	Types of Documents Held
<p><b>Licensing and Approvals</b></p>	<ul style="list-style-type: none"> <li>• DER appeal advice with respect to appeals that concern environmental protection notice, and decisions on clearing permit applications, works approval and licence applications etc. (i.e. all reports to the Minister under section 106(1)(b) of the EP Act)</li> <li>• Approvals issued by the CEO</li> <li>• Contaminated sites database</li> <li>• DER acid sulfate soils investigations, reports and monitoring data</li> <li>• Local government noise complaint survey reports</li> <li>• Community noise survey reports</li> <li>• Local government noise investigation/monitoring/analysis/assessment reports</li> <li>• DER noise monitoring data</li> <li>• Works approvals and licences</li> <li>• Applications and supporting documentation for works approvals, licences and registrations</li> <li>• Licence and works approval decision documentation</li> <li>• Revocations and closure notices and related documentation</li> <li>• Works approval and licence monitoring and other data and periodic reports required as a condition of approval</li> <li>• Monitoring and other data and periodic reports, provided under direction</li> <li>• Air quality monitoring data</li> <li>• Inspection reports e.g. licensed premises site visits</li> <li>• Advice provided to OEPA, WAPC or other government departments</li> <li>• Application forms relating to the clearing of native vegetation</li> <li>• Policies and Guidelines relating to the clearing of native vegetation</li> <li>• Fact sheets</li> <li>• Clearing permit applications and supporting documentation and additional supporting information provided by a proponent</li> <li>• Clearing permits, plans and Decision Reports</li> <li>• Decision reports for refusals to grant a clearing permit</li> <li>• Map of Environmentally Sensitive Areas</li> <li>• Manuals</li> </ul>

Functional Area	Types of Documents Held
<p><b>Licensing and Approvals</b></p>	<ul style="list-style-type: none"> <li>• Draft letters and other draft DER advice to government agencies or private companies before it has been signed by the Director General and provided to the recipient</li> <li>• Departmental corporate files</li> <li>• Non-Departmental research reports</li> <li>• Internal memoranda and reports</li> <li>• Inspection reports (e.g. permit inspections)</li> <li>• Documents containing information concerning private property (e.g. hydrological data)</li> <li>• Documents supplied by a permit holder in compliance with a permit condition</li> <li>• Individual submissions made on an indicative/draft management plan</li> <li>• Assessment information not contained in the Decision Report (e.g. site inspection reports, submissions/correspondence from other agencies or individuals) for clearing permit applications</li> <li>• Inspection reports relating to alleged unlawful clearing</li> <li>• Reports of known or suspected contaminated sites (Form 1)</li> <li>• Summary of Records requests (Form 2)</li> <li>• Contaminated Sites Accredited Auditor documentation</li> <li>• Contaminated site classification disclosure documentation (Form 6)</li> <li>• Information provided to inform site classifications</li> <li>• Contaminated site investigation reports</li> <li>• Mandatory Auditor’s Reports</li> <li>• Requests for technical advice from planning authorities and the OEPA</li> <li>• Technical advice provided to planning authorities and the OEPA</li> <li>• Acid sulfate soils closure reports</li> <li>• Condition clearance advice</li> <li>• Contaminated sites investigation notices</li> <li>• Contaminated sites guidelines</li> <li>• Contaminated Sites Management Account requests for applications, applications and responses</li> </ul>



Functional Area	Types of Documents Held
<p><b>Licensing and Approvals</b></p>	<ul style="list-style-type: none"> <li>• Contaminated Sites Management Account financial information and investigation status information</li> <li>• Classification appeal documentation</li> <li>• Decision on responsibility documentation</li> <li>• Disclosure statements</li> <li>• Site classification notification and intent to classify notification</li> <li>• Department of Health approval classification documentation (CSPO4)</li> <li>• Memorial lodgement documentation</li> </ul>
<p><b>Compliance and Enforcement</b></p>	<ul style="list-style-type: none"> <li>• Prosecution briefs and investigation reports</li> <li>• Caution and infringement notices</li> <li>• Vegetation Conservation Notices</li> <li>• Modified penalty notices</li> <li>• Pollution incident reports</li> <li>• Complaint reports</li> <li>• Inspection reports (hazardous material sites)</li> <li>• Target industries survey reports</li> <li>• Operational procedures</li> <li>• Administrative files and documents</li> <li>• Legal advice (including requests for advice, notes and correspondence)</li> <li>• Files and documents relating to FOI applications processed by DER</li> <li>• Files and documents relating to the administration of FOI within DER</li> <li>• FOI statistics</li> <li>• Compliance and audit reports and correspondence</li> </ul>

Functional Area	Types of Documents Held
<p><b>Strategic Policy and Programs</b></p>	<ul style="list-style-type: none"> <li>• Waste disposal data</li> <li>• Waste Avoidance and Resource Recovery Account</li> <li>• Waste Avoidance and Resource Recovery Account – Successful grant applications</li> <li>• Reports relating to waste management and recycling, including reports by external consultants commissioned by DER or the Waste Authority</li> <li>• Development of the climate change strategy, <i>Adapting to our changing climate</i></li> <li>• Low Emissions Energy Development Fund application forms and final decisions</li> <li>• Low Emissions Energy Development Fund applications and assessment data</li> <li>• Climate Change Policy Interdepartmental Steering Group (CCPISG) and sub-groups meeting agendas and minutes</li> <li>• Mitigation and adaptation policy development papers</li> <li>• Climate change fact sheets</li> <li>• Climate Change Case Studies</li> <li>• Western Australia Greenhouse Strategy Western Australia Complementary Measures Review Final Report</li> <li>• Western Australia greenhouse gas abatement potential</li> <li>• Guidance statements</li> <li>• Guidelines</li> <li>• Manuals</li> <li>• Fact sheets</li> <li>• Brochures</li> <li>• Reports</li> <li>• Draft policy documents</li> <li>• CleanRun Eco Drive Guide</li> <li>• National Pollutant Inventory data reports and correspondence</li> <li>• National working group papers</li> <li>• Smoky Vehicle Reporting Program data reports and correspondence</li> <li>• Remote sensing vehicle testing data reports and correspondence</li> </ul>

## 9. Structure of related agencies

### Cockburn Sound Management Council (CSMC)

The CSMC is an environmental advisory council to the Minister for Environment established under Section 25 of the EP Act. It was originally established in 2000 as a sub-committee of the Waste and Rivers Commission board (under section 109 of the *Water Agencies (Powers) Act 1986*) and reported and advised both the Minister for Water and the Minister for Environment. It was transferred in January 2007 to be wholly within the Minister for Environment's portfolio. The CSMC is now supported by the Department of Environment Regulation.

Under its constitution, the CSMC comprises of representatives from the community, industry, recreational bodies, conservation groups, local, State and Commonwealth Government. The CSMC has 23 members with an Executive Council of twelve members formed within the Full Council Membership.

The role of the CSMC is to provide advice to the Minister for Environment, as requested, on:

- i. issues impacting, or potentially impacting, the environment and water quality of Cockburn Sound;
- ii. management actions to protect the environment and water quality of the Sound;
- iii. monitoring of the environment and water quality of the Sound; and
- iv. strategies to improve the environment and water quality of the Sound.

The CSMC also reports to the Minister for Environment annually on the result of environmental and water quality monitoring of Cockburn Sound and the extent to which these meet the water and environmental quality objectives and criteria set in the State Environmental (Cockburn Sound) Policy.

The objects of the CSMC are to:

- i. Facilitate stakeholder and community input to environmental management of Cockburn Sound, particularly water quality;
- ii. Provide advice to the Minister for Environment on environmental management of Cockburn Sound, particularly water quality; and
- iii. Report annually to the Minister for Environment and the Environmental Protection Authority on the progress and the state of the environment of Cockburn Sound and Owen Anchorage.

The CSMC website is [www.csmc.wa.gov.au/index.html](http://www.csmc.wa.gov.au/index.html).

## Contaminated Sites Committee (CSC)

The CSC is an independent statutory tribunal established under section 33 of the CS Act to make decisions under the CS Act including those in relation to who is responsible for remediation of contaminated sites and to determine appeals against certain decisions of the CEO. Under section 33(2) of the CS Act, the CSC is to have between three and five members who are appointed by the Minister for Environment. The CSC is independent of DER in its decision making role and is empowered under the CS Act to establish its own procedures.

The CSC is supported by Contaminated Sites Committee Services (CSCS) which includes a part-time coordinator, a full-time administration officer and a part-time administration officer.

Under the CS Act, the CSC is responsible, among other things, for:

- Deciding appeals from eligible persons against classifications allocated to sites by the DER CEO (under section 83 of the CS Act, the CEO is required to publish and implement the CSC's decisions on appeals);
- Deciding appeals from eligible persons against the issue or a requirement of notices given by the DER CEO;
- Determining responsibility for remediation when requested to do so by an "interested person" as prescribed by the *Contaminated Sites Regulations 2006* or on its own initiative (there is presently no power to publish the CSC's decisions on responsibility);
- Receiving and assessing disclosure statements and deciding whether the criteria for issuing exemption certificates are met (the window of opportunity for receipt of disclosure statements has now closed);
- Determining whether or not to cancel, amend or transfer exemption certificates; and
- Determining responsibility for remediation to facilitate the recovery of State costs incurred at orphan sites.

The CSC's decision-making role is clearly defined under the CS Act. Information concerning the CSC's role is published on its website and members of the public accessing the website may provide feedback to the CSC through a direct on-line email system.

The CSC website is [www.consitescommittee.wa.gov.au](http://www.consitescommittee.wa.gov.au).

## Keep Australia Beautiful Council (WA) (KABC)

The KABC was established in May 1980 following the proclamation of the *Litter Act 1979*.

Fifteen people from business, community and government, conservation, consumer and workplace interests for the Council. KABC reports to the Minister for Environment.

KABC's vision is to strive for a litter-free Western Australia and its mission is to help reduce litter and littering in WA through the development and implementation of effective policy, education and enforcement initiatives, including the State Government's *2015-20 Litter Prevention Strategy*.

The members of the KABC are:

Title	First Name	Last Name	Position
Mr	Mel	Hay	Chair
Ms	Virginia	Scott	Deputy Chair
Mr	William (Bill)	Adams	Member
Mr	Howard	Flinders	Member
Mr	Brian	Rogers	Deputy
Mr	Jeff	Anderton	Member
Ms	Genette	Keating	Member
Ms	Joan	Milne	Deputy
Mr	Dave	Tapley	Member
Ms	Nola	Green	Deputy
Mr	Malcolm	Jenkinson	Member
Mr	Simon	Withers	Deputy
Mr	Michael	Tuffin	Member
Ms	Lynley	Brown	Deputy

KABC offers a range of innovative programs in which everyone can participate, including individuals, schools, businesses, community groups and local government authorities. These programs include Adopt-a-Spot, Tidy Towns, Clean Clubs, Bin Your Butt and the Litter Report Scheme.

The KABC website is [www.kabc.wa.gov.au](http://www.kabc.wa.gov.au).

## Waste Authority

The Waste Authority is a statutory body established under the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act). The five members, including the Chairman and Deputy Chairman are appointed by the Governor to provide advice to the Minister for Environment on strategic direction and priorities for waste in Western Australia and to administer the Waste Avoidance and Resource Recovery Account. The Waste Authority commenced full operation on 1 July 2008.

The functions of the Waste Authority are set out in detail in Schedule 2 of the *Waste Avoidance and Resource Recovery Act 2007* and include:

- To develop, promote and review a waste strategy for Western Australia and coordinate its implementation;
- To monitor and assess the adequacy of, and report to the Minister for Environment on the operation of, the waste strategy, product stewardship plans and extended producer responsibility schemes;
- To promote resource efficiency, waste avoidance and resource recovery;
- To advise and make recommendations to the Minister for Environment on matters relating to the WARR Act; and
- To advise and make recommendations to the DER CEO on the regulation of waste services.

DER, through Waste Authority Services, provides executive, administrative and technical support to the Authority. These officers provide briefings to the Authority and implement projects on behalf of the Authority in accordance with the Authority's annual business plan.

Officers also manage the expenditure of funds held in the Waste Avoidance and Resource Recovery Account on behalf of the Waste Authority that receives revenue from the State's landfill levy.

The Authority is fully funded by the Waste Avoidance and Resource Recovery Account.

The Waste Authority website is [www.wasteauthority.wa.gov.au](http://www.wasteauthority.wa.gov.au).

## 10. Types of documents held by DER related agencies

The below table lists the types of documents held by each of the related agencies of DER. This list is not to be taken as comprehensive.

**All publically available documents are accessible via the relevant website. Any documents of a related agency that the related agency does not make otherwise available may only be requested through the FOI process.**

Related Agency	Types of Documents Held
<p><b>Cockburn Sound Management Council (CSMC)</b></p>	<ul style="list-style-type: none"> <li>• State Environmental (Cockburn Sound) Policy</li> <li>• Environmental Management Plan for Cockburn Sound</li> <li>• Council minutes</li> <li>• CSMC submissions, formal advice and correspondence</li> <li>• CSMC technical reports</li> <li>• CSMC technical reports</li> <li>• CSMC internal reports</li> <li>• Annual State of the Sound Report and Environmental Report Cards</li> <li>• Budget</li> <li>• CSMC Strategic Plan 2010-2015</li> <li>• Environmental data</li> <li>• Library documents, maps and photos</li> </ul>

Related Agency	Types of Documents Held
<p><b>Contaminated Sites Committee (CSC)</b></p>	<ul style="list-style-type: none"> <li>• Notices of CSC given under section 39 of the CS Act</li> <li>• Summary of CSC decisions in relation to Appeals</li> <li>• Exemption certificates</li> <li>• Information sheets</li> <li>• Notices of Appeal received by CSC</li> <li>• Reports, information and correspondence received by CSC</li> <li>• Advice or information received from the CEO, other Government officers</li> </ul> <p>In all cases for determination by the CSC, the person or organisation lodging a request for a decision by the CSC is required to provide the Committee with details of the matter, or the grounds of the appeal, or the relevant information, in writing and in the form prescribed by the CS Act, the <i>Contaminated Sites Regulations 2006</i>, and/or as requested by the CSC.</p>
<p><b>Keep Australia Beautiful Council (KABC)</b></p>	<ul style="list-style-type: none"> <li>• Annual Reports</li> <li>• KABC meeting minutes</li> <li>• Information about litter reports</li> <li>• Information about litter reporters</li> <li>• Judging feedback for awards programs</li> <li>• Programs and operation information</li> <li>• Publications and fact sheets</li> </ul>



Related Agency	Types of Documents Held
<p><b>Waste Authority</b></p>	<ul style="list-style-type: none"> <li>• Correspondence</li> <li>• Meeting agendas</li> <li>• Meeting minutes</li> <li>• Meeting notes and memos (including subcommittee meetings)</li> <li>• Waste Strategy</li> <li>• Approved Annual Business Plan</li> <li>• Draft Annual Business Plan</li> <li>• Ministerial Briefing Notes</li> <li>• Policy documents</li> <li>• Meeting papers</li> <li>• Internal manuals including:                             <ul style="list-style-type: none"> <li>○ Code of Conduct</li> <li>○ Charter</li> <li>○ Conflict of interest</li> <li>○ Members Procedures Manual</li> <li>○ Meeting Procedures Guide</li> <li>○ Assessment criteria and guidance documentation for funding programs (Strategic Waste Initiative Scheme and Community Grants Scheme)</li> <li>○ Sponsorship Guidelines</li> </ul> </li> <li>• Additional information on the Waste Authority is available on the website <a href="http://www.wasteauthority.wa.gov.au">www.wasteauthority.wa.gov.au</a>.</li> </ul>

## 11. Related agency offices

### **Cockburn Sound Management Council**

C/- Level 4, 168 St Georges Terrace  
Perth WA 6000  
Postal: Locked bag 33  
Cloisters Square WA 6850  
Telephone: +61 8 6467 5454  
E: [csmc@der.wa.gov.au](mailto:csmc@der.wa.gov.au)  
W: [www.csmc.wa.gov.au/index.html](http://www.csmc.wa.gov.au/index.html)

### **Contaminated Sites Committee**

Level 22, The Forrest Centre  
221 St Georges Terrace  
PERTH WA 6000  
P: +61 8 6467 5201  
F: +61 8 6467 5209  
E: [admin@csc.wa.gov.au](mailto:admin@csc.wa.gov.au)  
W: [www.consitescommittee.wa.gov.au](http://www.consitescommittee.wa.gov.au)

### **Keep Australia Beautiful Council (WA)**

Level 7, The Atrium  
168 St Georges Terrace  
PERTH WA 6000  
P: +61 8 6467 5122  
F: +61 8 6467 5532  
E: [kabc@kabc.wa.gov.au](mailto:kabc@kabc.wa.gov.au)  
W: [www.kabc.wa.gov.au](http://www.kabc.wa.gov.au)

### **Waste Authority**

Level 4 The Atrium  
168 St Georges Terrace  
PERTH WA 6000  
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Cloisters Square WA 6850  
P: +61 8 6467 5325  
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E: [info@wasteauthority.wa.gov.au](mailto:info@wasteauthority.wa.gov.au)  
W: [www.wasteauthority.wa.gov.au](http://www.wasteauthority.wa.gov.au)