



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

GUIDELINE

Annual Audit Compliance Reports

Guidelines for Licences Granted Under Part V of the Environmental Protection Act 1986

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Accessibility

This document is available in alternative formats and languages on request.

Purpose

This Guideline has been developed to assist licence holders in preparing Annual Audit Compliance Reports (AACR) under condition of licences granted under Part V of the *Environmental Protection Act 1986* (EP Act).

Introduction

Occupiers of prescribed premises are required to submit annual reports on compliance with their licence conditions through an AACR.

This allows licence holders to self-audit their operations for compliance with their licence requirements throughout the reporting period.

The requirement for licence holders to audit and report on their environmental compliance is an integral part of the Department of Environment Regulation's (DER) wider compliance management framework, which includes planned and targeted compliance activities aimed at promoting and ensuring compliance across industry.

Structure of AACRs

The [AACR Form](#) is made up of six sections and can be downloaded in Word format from www.der.wa.gov.au/aacr.

Section A – Licence Details

This section details the licence to which the AACR relates and will include the licence holder's name, Australian Company Number (ACN), registered address and licence number.

Section B – Statement of Compliance

The statement of compliance requires the licence holder to assess its performance against each licence condition and determine whether it is compliant.

Section C – Statement of Actual Production

This section requires the licence holder to report the actual production quantity for the reporting period. Supporting documentation is required to be attached.

Section D – Statement of Actual Part 2 Waste Discharge Quantity

This section requires reporting of Part 2 waste discharged for the reporting period. Supporting documentation is required if Part 2 waste is applicable. Part 2 waste is defined in regulation 5D(6) of the *Environmental Protection Regulations 1987*.

Section E– Details of Non-Compliance

Where a licence holder reports non-compliance with a condition, the AACR requires additional information relating to:

- the specific date(s) the non-compliance occurred;
- details of the non-compliance and any environmental impact associated with the non-compliance;

- the cause or suspected cause of the non-compliance;
- action taken to mitigate any adverse effects of the non-compliance and prevent recurrence of the non-compliance; and
- whether this non-compliance was previously reported to DER.

The information above is required in the AACR for each condition that is declared as being non-compliant for a time during the reporting period.

Section F – Declaration

Licence holders are no longer required to obtain the approval of the Chief Executive Officer (CEO) of DER in respect of persons authorised to sign AACRs.

AACRs can only be signed by the licence holder or an authorised person with the legal authority to sign on behalf of the licence holder.

The responsibility for the accuracy and veracity of the AACR resides with the person who signs the AACR.

A person who signs and certifies the AACR must satisfy themselves that information being reported is accurate and verifiable.

It should be noted that it is an offence under section 112 of the EP Act for a person to give information that to their knowledge is false or misleading in a material particular.

In line with the *Guidance Statement: Publication of Annual Audit Compliance Reports*, Section F contains in the declaration the consent of the signatory that the AACR will be published on DER's website. If the licence holder considers that some information is confidential and should not be published, the information proposed to be redacted from the AACR is to be marked as confidential for consideration of the CEO of DER. The licence holder must include a justification as to the reasons for its confidentiality. In determining confidentiality, DER will review the information from the licence holder together with the provisions of the *Freedom of Information Act 1992*. DER will advise the licence holder of the outcome of its determination.

Submission of AACRs

All prescribed premises' licences contain a condition requiring submission of an AACR by a specific date.

Failure to provide the AACR by the due date amounts to non-compliance with a licence condition.

The licence holder must submit the AACR by email to info@der.wa.gov.au.

DER Process for Reviewing AACRs

DER reviews the statements made in the AACR in order to be satisfied that:

- the impacts of any instances of non-compliance have been appropriately addressed
- the cause or suspected cause of the non-compliance has been identified; and;
- the actions to mitigate any adverse effects and prevent recurrence of the non-compliance are reasonable and appropriate in the circumstances.

Whether or not the non-compliance has previously been reported to DER is also considered.

DER will contact the licence holder if any additional action or information is required.

Further Information

Telephone: Please contact the relevant licensing officer or Environmental Compliance on (08) 6467 5000.

Email: Please contact the licensing officer or send your query to info@der.wa.gov.au

Website: www.der.wa.gov.au