



## Annual Audit Compliance Report Form

*Environmental Protection Act 1986, Part V Division 3*

Once completed, please submit this form either via email to [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au), or to the below postal address:

Department of Water and Environmental Regulation  
Locked Bag 10  
Joondalup DC WA 6919

Section A – Licence details			
Licence number:	L8684/2012/2	Licence file number:	2012/0062664
Licence holder name:	Shire of Cocos Keeling Islands		
Trading as:	Shire of Cocos Keeling Islands		
ACN:			
Registered business address:	Lot 256 Jalan Malati Home Islands Cocos Keeling Islands		
Reporting period:	01/ 07/2021 to 01/07/2022		

Section B – Statement of compliance with licence conditions
Did you comply with all of your licence conditions during the reporting period? (please tick the appropriate box)
<input type="checkbox"/> Yes – please complete: <ul style="list-style-type: none"><li>• section C;</li><li>• section D (if required); and</li><li>• sign the declaration in Section F.</li></ul>
<input checked="" type="checkbox"/> No – please complete: <ul style="list-style-type: none"><li>• section C;</li><li>• section D (if required);</li><li>• section E; and</li><li>• sign the declaration in Section F.</li></ul>

Section C – Statement of actual production	
Provide the actual production quantity for this reporting period. Supporting documentation is to be attached.	
Prescribed premises category	Actual production quantity
Category 64 Putrescible Class 2	483 T
Category 64 Plastic Class 2	0.15 T
Category 62 Aluminum Cans	0.08 T
Category 62 Glass	6 T
Category 62 Batteries	95 units
Category 62 Tyres	65 units
Category 62 Metal	17T
Category 62 Vehicles	3 Vehicles

Section D – Statement of actual Part 2 waste discharge quantity			
Provide the actual Part 2 waste discharge quantity for this reporting period. Supporting documentation is to be attached.			
Prescribed premises category	Actual Part 2 waste discharge quantity		
Category 64 Inert Waste type 2 Putrescible & plastics	125 Tonne Bottom Ash		
Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	1.3.3	Date(s) of non-compliance:	July 2020 - January 2022
Details of non-compliance:			
<p>The Licence Holder advised the department in August 2021 the incinerator had malfunctioned and had been nonoperational since at least May 2021, therefore the Licence Holder was open burning.</p> <p>The department also learnt in August the Licence Holder had failed to comply with the open burning requirements as the Licence Holder was burning waste streams other than putrescible waste ie hard plastics etc. The unauthorised burning was causing toxins to be released to the environment that could have an impact on public health.</p> <p>Batteries are accepted, however they are not accepted or stored in a fully enclosed bunded area/container, prior to offshore disposal to a licenced facility.</p> <p>The Inspection found batteries were placed indiscriminately outdoors outside any bunded area/container. The found that batteries appeared to be partly in the process of draining for pallet stacking and wrapping for offshore disposal, however this process occurred outdoors that was not in a bunded area.</p> <p>The Inspection also found those used batteries that had been drained, pallet stacked and wrapped for final disposal were not stored in a container for final disposal offshore.</p> <p>Asbestos is accepted and has been sealed, labelled, and placed within a crate, however the crated/packaged asbestos are not stored in a containment infrastructure prior to export for disposal offshore.</p>			
What was the actual (or suspected) environmental impact of the non-compliance?			
<p><b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p> <p>Hazardous waste accepted for offshore disposal not appropriately stored. Potential for soil and contamination.</p> <p>Open burning plastic materials released toxins into the environment.</p>			

Section E – Details of non-compliance with licence condition			
Cause (or suspected cause) of non-compliance:			
Inadequate infrastructure in place to store and handle hazardous waste. Poor management and process.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>The Shire has purchased two battery storage boxes within the shed at the Premises. The Shire has closed 24/7 public access to the Premises, with scheduled and staffed opening times. Staff are able to inspect and ensure, where practicable, that all batteries are received and stored in the appropriate location. A schedule of fortnightly(or as required), packing of the batteries is being implemented prior to transfer to alternate undercover storage in preparation for offshore disposal. As with other waste received, batteries received are recorded. The Shire has purchased six shipping containers for the purpose of an offshore waste disposal.</p> <p>Staff are able to inspect and ensure, where practicable, that only putrescible waste is being burnt in the open. There is provision of a large trailer for separation of plastics. Public communication has also been issued advising of the need to exclude hard plastics from the household waste bins. Staff have commenced baling plastic water bottles.</p> <p>The crated asbestos at the Premises has been moved to an undercover facility in preparation for offshore disposal. The Shire is partnering with the Commonwealth in an Asbestos Removal Project, with the import licence application and costs prepared and covered by the Commonwealth. The Shire has budgeted for this removal and recently purchased six shipping containers. It is intended that all existing prepared asbestos will be transported offshore before 30 June 2023. Currently no means to transport containers on Home Island.</p>			
Was this non-compliance previously reported to DWER?			
No – the non-compliance was identified by DWER in the Annual Inspection Audit in November 22.			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date: / /	
<input type="checkbox"/> Reported to DWER in writing		Date:	
Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	1.3.7	Date(s) of non-compliance:	June 2020 - January 2022
Details of non-compliance:			
The Licence Holder has failed to implement sufficient security measures at the site. The site is open to the public 24/7 and materials such as batteries are being deposited at the premises in a manner that causes the Licence Holder to contravene the acceptance and waste processing requirements of this licence L8684.			

Section E – Details of non-compliance with licence condition			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p><b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>The Shire was unable to adequately monitor the incoming waste stream to ensure only permitted wastes were received – potential for non-permitted waste to be disposed of and associated soil and water contamination risks.</p>			
<p>Cause (or suspected cause) of non-compliance:</p>			
<p>The site was open to the public 24/7</p>			
<p>Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:</p>			
<p>The Shire has closed 24/7 public access to the Premises, with scheduled and staffed opening times.</p>			
<p>Was this non-compliance previously reported to DWER?</p>			
<p>No – the non-compliance was identified by DWER in the Annual Inspection Audit in November 22.</p>			
<p><input type="checkbox"/> Yes, and</p>			
<p><input checked="" type="checkbox"/> Reported to DWER verbally</p>		<p>Date: / /</p>	
<p><input checked="" type="checkbox"/> Reported to DWER in writing</p>		<p>Date: 12/08/2021</p>	
<p>Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.</p>			
<p>Condition no:</p>	<p>5.2.1</p>	<p>Date(s) of non-compliance:</p>	<p>September 21</p>
<p>Details of non-compliance:</p>			
<p>The Licence Holder failed to comply by submitting to DWER the 2020-21 annual reports (AER/AACR) by 1 September 2021 of the reporting year. The AACR submitted by the Licence Holder for the 2020-21 was signed by the Licence Holder CEO and Manager Works on 9 September 2021. This is the second reporting year the Licence Holder has failed to meet the requirements of this condition.</p>			

Section E – Details of non-compliance with licence condition			
<p>What was the actual (or suspected) environmental impact of the non-compliance?  <b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>No environmental impact</p>			
<p>Cause (or suspected cause) of non-compliance:</p>			
<p>Poor management and process</p>			
<p>Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:</p>			
<p>A reminder has been established in the calendars of the Executive Team at the Shire to ensure the requirement to complete the annual environment report is not forgotten. Further, systems being developed to record data on a regular basis will ensure the reporting can be undertaken in a timely manner at the completion of the financial year.</p>			
<p>Was this non-compliance previously reported to DWER?</p>			
<p>No – the non-compliance was identified by DWER in the Annual Inspection Audit in November 22.</p>			
<p><input type="checkbox"/> Yes, and</p>			
<p><input type="checkbox"/> Reported to DWER verbally</p>			
<p><input type="checkbox"/> Reported to DWER in writing</p>			
<p>Condition no:</p>	<p>5.2.2</p>	<p>Date(s) of non-compliance:</p>	<p>September 2021</p>
<p>Details of non-compliance:</p>			
<p>The Licence Holder failed to provide for the 2020-21 Annual Environmental Reporting period an assessment of the information and supporting documentation against previous monitoring results and Licence limits and/or targets.</p>			

Section E – Details of non-compliance with licence condition	
<p>What was the actual (or suspected) environmental impact of the non-compliance?  <b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>	
<p>No environmental impact</p>	
<p>Cause (or suspected cause) of non-compliance:</p>	
<p>Poor management and record keeping</p>	
<p>Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:</p>	
<p>Schedule the preparation and submission of the AACR in diary. Establish clear record management spreadsheet so data can be compared from year to year.</p>	
<p>Was this non-compliance previously reported to DWER?</p>	
<p>No – the non-compliance was identified by DWER in the Annual Inspection Audit in November 22.</p>	
<p><input type="checkbox"/> Yes, and</p>	
<p><input type="checkbox"/> Reported to DWER verbally</p>	<p>Date: / /</p>
<p><input type="checkbox"/> Reported to DWER in writing</p>	<p>Date: / /</p>

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	5.1.3	Date(s) of non-compliance:	September 21
<p>Details of non-compliance:</p>			
<p>The Licence Holder failed to declare in the 2020-21 annual reporting period AACR the non-compliance with condition 5.2.1 of failure to submit the 2019-20 Annual Environmental Report (AER) and AACR reports by 1 September 2020. This non-compliance is a false and misleading statement by omission</p>			

Section E – Details of non-compliance with licence condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p><b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>No environmental impact</p>			
<p>Cause (or suspected cause) of non-compliance:</p>			
<p>Poor management and processes</p>			
<p>Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:</p>			
<p>Training for key staff to ensure understanding of Licence Conditions and reporting requirements</p>			
<p>Was this non-compliance previously reported to DWER?</p>			
<p>No – the non-compliance was identified by DWER in the Annual Inspection Audit in November 22.</p>			
<p><input type="checkbox"/> Yes, and</p>			
<p><input type="checkbox"/> Reported to DWER verbally</p>		<p>Date: / /</p>	
<p><input type="checkbox"/> Reported to DWER in writing</p>		<p>Date: / /</p>	
Section E – Details of non-compliance with licence condition			
Condition no:	5.1.4	Date(s) of non-compliance:	July/August 2021
Details of non-compliance:			
<p>The Licence Holders complaints management system did not record any evidence of complaints made to the CEO, firstly on 19 July 2021 (made on official Government letterhead) and secondly by email to the CEO on 12 August 2021.</p>			

<b>Section E – Details of non-compliance with licence condition</b>			
<b>Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.</b>			
What was the actual (or suspected) environmental impact of the non-compliance? <b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
No environmental impact			
Cause (or suspected cause) of non-compliance:			
Poor management and processes			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
Shire compliant register updated with details of the complaints and action taken to address			
Was this non-compliance previously reported to DWER?			
No – the non-compliance was identified by DWER in the Annual Inspection Audit in November 22.			
<input type="checkbox"/> Yes, and			
<input checked="" type="checkbox"/> Reported to DWER verbally		Date: / /	
<input checked="" type="checkbox"/> Reported to DWER in writing		Date: 12/08/2021	
<b>Section E – Details of non-compliance with licence condition</b>			
<b>Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.</b>			
Condition no:	5.3.1	Date(s) of non-compliance:	May 2021- Dec 2021
Details of non-compliance:			
The Licence Holder failed to provide notification of the malfunction of incinerator to the department within 48 hours of identification of the malfunction. The department was not provided with the required notification until 12 August 2021 and on the same day the department received a written material complaint regarding the open burning and the extent of environment impact			



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that was occurring by the Licence Holders unauthorized open burning of waste streams in the open ie hard plastics.	
What was the actual (or suspected) environmental impact of the non-compliance? <b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.	
Potential toxins being released into the environment, public health impact	
Cause (or suspected cause) of non-compliance:	
Poor management and processes	
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:	
The Shire has amended the current Incineration Checklist to include a checkbox which identifies that the incinerator is not working and to complete a DWER notification form. A notification form has been developed which includes <ul style="list-style-type: none"> <li>• Identification of date/time of failure, malfunction, or abnormal operation.</li> <li>• Measures to be undertaken to rectify issue/s; and</li> <li>• Timeframes for completion</li> </ul>	
Was this non-compliance previously reported to DWER?	
No – the non-compliance was identified by DWER in the Annual Inspection Audit in November 22.	
<input type="checkbox"/> Yes, and	
<input checked="" type="checkbox"/> Reported to DWER verbally	Date: / /
<input checked="" type="checkbox"/> Reported to DWER in writing	Date:
<b>Section F – Declaration</b>	

I / We declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular<sup>1</sup>.

I / We consent to the Annual Audit Compliance Report being published on the Department of

Department of Water and Environmental Regulation

Water and Environmental Regulation's (DWER) website.			
Signature <sup>2</sup> :		Signature:	
Name: (printed)		Name: (printed)	
Position:	Chief Executive Officer	Position:	Infrastructure Manager
Date:	17/08/2023	Date:	01/09/2022
Seal (if signing under seal):			

<sup>1</sup> It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular.

<sup>2</sup> 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.