



## 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:	L9323	Licence file number:	DER2022/000061
Licence holder name:	Australia Western Railroad Pty Ltd Kalgoorlie Rail Depot		
Trading as:			
ACN:	094 792 275		
Registered business address:	Level 8 900 Anne Street Fortitude Valley QLD 4006		
Reporting period:	1 / 1 / 2023 to 31 / 12 / 2023		

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 61: Liquid waste facility	0
Category 62: Solid waste depot	2,387 tonnes

**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 61: Liquid waste facility	0
Category 62: Solid waste depot	0

**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:	3	Date(s) of non-compliance:	March to August 2023
Details of non-compliance:			
<p>&gt;300 tonnes of waste were stored at the premises at any one time when the Mt Walton Road was closed on several occasions during the annual period due to flooding. The road closure prevented containers being transported from the Kalgoorlie container terminal to the Mt Walton landfill for disposal.</p>			
<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>There was no actual or potential environmental impact from the storage of the waste over the threshold.</p>			
Cause (or suspected cause) of non-compliance:			
<p>Availability of trucks and drivers to transport containers            Closure of the Mt Walton Road on several occasions between March and August 2023 due to flooding.            Contract conditions preventing holding containers at the waste generators site.</p>			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<ul style="list-style-type: none"> <li>The non-compliance was because of a matter that was outside of the control of Aurizon, being the Mt Walton Rd was closed from 1st – 4th April, 24-29 June, 6 July and 11-17 Aug due to flooding.</li> <li>Aurizon proactively notified DWER of same on 5th April and requested a temporary amendment to both L9319 and L9323 to allow for a larger volume of storage and holding time for packaged controlled waste to remedy the non-compliance.</li> <li>Aurizon received a temporary amendment from DWER for the storage and handling of packaged controlled waste on 6/4/23.</li> <li>Due to the ongoing road closures, an amended waste storage licence application for Licence L9323 was submitted to DWER on 29 May 23. A draft amended licence was</li> </ul>			

### Section E – Details of non-compliance with licence condition

received on 9 October 23. After considering comments on the draft licence, the amended final licence was received on 7 November 23.

- Changes to future contract conditions to remove the time limit on which the waste has be removed from waste generator's site.
- Aurizon's key spill controls remain in place at both depots.

Was this non-compliance previously reported to DWER?

☒ Yes, and

☒ Reported to DWER verbally

Date: 5 / 4 / 23

☒ Reported to DWER in writing

Date: 5 / 4 / 23

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:	8	Date(s) of non-compliance:	March to August 2023
Details of non-compliance:			
105 containers of waste remained on site in the Kalgoorlie Container terminal for more than 72 hours. Storage time varied for each container.			
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.			
There was no actual or potential environmental impact from the storage of the waste about the limit. The storage containers were sealed and stacked on top of one another			
Cause (or suspected cause) of non-compliance:			
Availability of trucks and drivers to transport containers Closure of the Mt Walton Road on several occasions between March and August 2023 due to flooding. Contract conditions preventing holding containers at the waste generators site			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<ul style="list-style-type: none"> <li>The non-compliance was because of a matter that was outside of the control of Aurizon, being the Mt Walton Rd was closed from 1st – 4th April, 24-29 June, 6 July and 11-17 Aug due to flooding.</li> <li>Aurizon proactively notified DWER of same on 5th April and requested a temporary amendment to both L9319 and L9323 to allow for a larger volume of storage and holding time for packaged controlled waste to remedy the non-compliance.</li> <li>Aurizon received a temporary amendment from DWER for the storage and handling of packaged controlled waste on 6/4/23.</li> <li>Due to the ongoing road closures, an amended waste storage licence application for Licence L9323 was submitted to DWER on 29 May 23. A draft amended licence was received on 9 October 23. After considering comments on the draft licence, the amended final licence was received on 7 November 23.</li> <li>Changes to future contract conditions to remove the time limit on which the waste has be removed from waste generator's site.</li> <li>Aurizon's key spill controls remain in place at both depots.</li> </ul>			
Was this non-compliance previously reported to DWER?			
<input checked="" type="checkbox"/> Yes, and			



### 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.

<input checked="" type="checkbox"/> Reported to DWER verbally	Date: 5 / 4 / 23
<input checked="" type="checkbox"/> Reported to DWER in writing	Date: 5 / 4 / 23

### Section F – Declaration

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 Water and Environmental Regulation's (DWER) website.

Signature <sup>2</sup> :		Signature:	
Name: (printed)		Name: (printed)	
Position:		Position:	
Date:	30/1/23	Date:	30/1/23
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.