**Statement of Compliance**

# Proposal and Proponent Details

|  |  |
| --- | --- |
| Proposal Title | Enter the proposal title as it appears on the Ministerial Statement. |
| Statement Number | Enter the Ministerial Statement Number |
| Proponent Name | Enter the proponent name as it appears on the Ministerial Statement. |
| Proponent’s Australian Company Number*(where relevant)* |  |

# Statement of Compliance Details

|  |  |
| --- | --- |
| Reporting Period  | Click to enter start date to Click to enter end date |

|  |
| --- |
| Implementation phase(s) during reporting period (please tick ✓ relevant phase(s)) |
| Pre-construction |  | Construction |  | Operation |  | Decommissioning |  |

|  |  |
| --- | --- |
| Audit Table for Statement addressed in this Statement of Compliance is provided at Attachment: | 2 |
| An audit table for the Statement addressed in this Statement of Compliance must be provided as Attachment 2 to this Statement of Compliance. The audit table must be prepared and maintained in accordance with the Department of Water and Environmental Regulation (DWER) *Post Assessment Guideline for Preparing an Audit Table*, as amended from time to time. The ‘Status Column’ of the audit table must accurately describe the compliance status of each implementation condition and/or procedure for the reporting period of this Statement of Compliance. The terms that may be used by the proponent in the ‘Status Column’ of the audit table are limited to the Compliance Status Terms listed and defined in Table 1 of Attachment 1. |

|  |
| --- |
| Were all implementation conditions and/or procedures of the Statement complied with within the reporting period? (please tick ✓ the appropriate box) |
| No (please proceed to Section 3) |  | Yes (please proceed to Section 4) |  |

# Details of Non-compliance(s) and/or Potential Non-compliance(s)

The information required Section 3 must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

Non-compliance/potential non-compliance 3‑1

|  |
| --- |
| Which implementation condition or procedure was non-compliant or potentially non-compliant? |
|  |
| Was the implementation condition or procedure non-compliant or potentially non-compliant? |
|  |
| On what date(s) did the non-compliance or potential non-compliance occur (if applicable)? |
|  |

|  |
| --- |
| Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER? |
|  🞏 Reported to DWER verbally Date \_\_\_\_\_\_\_\_\_\_ 🞏 Reported to DWER in writing Date \_\_\_\_\_\_\_\_\_\_ |  |

|  |
| --- |
| What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance? |
|  |
| What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates) |
|  |
| What was the cause(s) of the non-compliance or potential non-compliance? |
|  |
| What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance? |
|  |
| What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence? |
|  |
| Please provide information/documentation collected and recorded in relation to this implementation condition or procedure:* in the reporting period addressed in this Statement of Compliance; and
* as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance.

(the above information may be provided as an attachment to this Statement of Compliance) |

*For additional non-compliance or potential non-compliance, please duplicate this page as required.*

# **Proponent Declaration**

I, ………………………………………............................……………….…., *(full name and position title)*

declare that I am authorised on behalf of ………………………………..……………………………….….

*(being the person responsible for the proposal)* to submit this form and that the information contained in this form is true and not misleading.

Signature:.................................................................... Date:.....................................

Please note that:

* it is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
* the Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

# Submission of Statement of Compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

# Contact Information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

**Manager, Compliance (Ministerial Statements)**

**Department of Water and Environmental Regulation**

Postal Address: Locked Bag 10

 Joondalup DC

WA 6919

Phone: (08) 6364 7000

Email: compliance@dwer.wa.gov.au

# Post Assessment Guidelines and Forms

Post assessment documents can be found at [www.epa.wa.gov.au](http://www.epa.wa.gov.au/)

**ATTACHMENT 1**

Table 1 Compliance Status Terms

|  |  |  |  |
| --- | --- | --- | --- |
| **Compliance Status Terms** | **Abbrev** | **Definition** | **Notes** |
| Compliant | C | Implementation of the proposal has been carried out in accordance with the requirements of the audit element. | This term applies to audit elements with:* ongoing requirements that have been met during the reporting period; and
* requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as ‘completed’.
 |
| Completed | CLD | A requirement with a finite period of application has been satisfactorily completed. | This term may only be used where:* audit elements have a finite period of application (e.g. construction activities, development of a document);
* the action has been satisfactorily completed; and
* the DWER has provided written acceptance of ‘completed’ status for the audit element.
 |
| Not required at this stage | NR | The requirements of the audit element were not triggered during the reporting period. | This should be consistent with the ‘Phase’ column of the audit table. |
| Potentially Non-compliant | PNC | Possible or likely failure to meet the requirements of the audit element. | This term may apply where during the reporting period the proponent has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred. |
| Non-compliant | NC | Implementation of the proposal has not been carried out in accordance with the requirements of the audit element. | This term applies where the requirements of the audit element are not “complete” have not been met during the reporting period. |
| In Process | IP | Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending. | **The term ‘In Process’ may not be used for any purpose other than that stated in the Definition Column.**The term ‘In Process’ may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan). |