

NOTICE TO CARRY OUT ENVIRONMENTAL AUDIT PROGRAM

Issued pursuant to section 48 of the Waste Management and Pollution Control Act 1998

Issued to: Mr Brad Morgan
Chief Executive Officer / Holder of EPL218
Darwin Turf Club Inc.
ABN 21 373 066 193
20 Dick Ward Drive Fannie Bay NT 0820

**Relating to the premises
at:** Darwin Turf Club Inc.
ABN 21 373 066 193
Lot 05298 Town of Darwin Plan(s) S 79/109
(20 Dick Ward Dr, Fannie Bay)

TAKE NOTICE THAT I, Leonie Cooper, Director, Environmental Authorisations an authorised delegate of the Northern Territory Environment Protection Authority (NT EPA) for the purposes of section 48 of the *Waste Management and Pollution Control Act* (the Act), have reason to believe that:

- 1) Darwin Turf Club Inc. is the duty holder of Environment Protection Licence 218 (EPL218) pursuant to section 34 of the Act.
- 2) EPL218:
 - (a) commenced on 1 September 2017 and expires on 31 August 2022.
 - (b) authorises Darwin Turf Club Inc. to undertake the scheduled activity being:
 - (i) Collecting, transporting, storing, re-cycling, treating or disposing of a listed waste on a commercial or fee for service basis, other than in or for the purpose of a sewage treatment plant;
 - (ii) Operate premises, other than a sewage treatment plant, associated with collecting, transporting, storing, re-cycling or treating a listed waste on a commercial or fee for service basis;
 - (iii) The handling of listed waste specified in Table 1 of EPL218, being *Waste mixtures, or waste emulsions, of oil and water or hydrocarbon and water*;
 - (iv) The licensed activity is conducted at Lot 5298 Town of Darwin Plan(s) S 79/109 (20 Dick Ward Dr, Fannie Bay) for the purpose of conditioning the track twice yearly.
- 3) Darwin Turf Club Inc. has breached conditions of EPL218 by failing to comply with the environmental monitoring program specified in:
 - (a) Condition 26 – failure to undertake the annual environmental monitoring program for the 2017-18 and 2018-19 annual licensing periods;
 - (b) Condition 40 – failure to submit Annual Monitoring Reports for the 2017-18, 2018-19 and 2019-20 periods; and
 - (c) Condition 41 – failure to declare non-compliances in the annual returns for the 2017-18, 2018-19, 2019-20 annual periods.
- 4) The non-compliance with monitoring and reporting conditions of the licence makes it problematic to assess the environmental risk and potential environmental harm caused by the licensed activity.

AND I HEREBY REQUIRE, pursuant to section 48 of the Act, Darwin Turf Club Inc. (ABN 21 373 066 193) to conduct an environmental audit program to determine:

- A. the adequacy of the monitoring program to detect potential environmental harm and offsite environmental impact to:
 - a. Surface water
 - b. Groundwater
 - c. Residents from air/odour emissions
- B. the environmental risk of the licenced activities, in particular the potential for waste oils to migrate offsite.
- C. areas for improvement as it relates to environmental management and mitigation measures and environmental monitoring.
- D. alternative options for conditioning the track other than the current method of applying waste oil containing hydrocarbons on an ongoing basis.
- E. the extent to which compliance has been achieved;
 - a. with this Act; and
 - b. The conditions of the licence including the Fannie Bay Racecourse Environmental Management Plan specified in Table 2.

NOTICE CONDITIONS

- 1) The results of the Environmental Audit Program must be submitted to the NT EPA by close of business on 31 May 2021, in the form of an Environmental Audit Report ("the report").
- 2) The report must:
 - (a) be developed by a qualified person pursuant to Section 67 of the Act;
 - (b) include an endorsement of the report by the qualified person; and
 - (c) include a remedy for knowledge gaps, where identified.
- 3) All submissions to the NT EPA required as a condition of this notice are to be submitted electronically via email to waste@nt.gov.au

END OF CONDITIONS

Signed on the 23rd day of February 2021



Leonie Cooper
Director Environmental Authorisations
Delegate of the Northern Territory Environment Protection Authority

Important Notice

1. Failure to comply with a notice to conduct an environmental audit is an offence under section 51(1) of the Act and may incur significant penalties and/or other statutory action.
2. You will not be taken to have submitted the results of the environmental audit program required by this Notice until the requirements of section 51(2) of the Act have been satisfied.
3. Additional offences specific to the conduct of an environmental audit are established under section 52 of the Act.
4. Pursuant to section 67 of the Act, a person must not perform an environmental audit for the purposes of an environmental audit program unless the person is registered in a register established under section 68 of the Act or is specifically exempted from that requirement by Regulation. A current register of qualified persons is available from: http://www.ntepa.nt.gov.au/waste-pollution/compliance/audits/qualified_persons or by contacting the NT EPA on telephone (08) 8924 4218.
5. The NT EPA is as defined in the Act or its authorised Delegate.
6. This notice takes effect on the date on which it is served upon you.