



Northern
Territory
Government

WASTE DISCHARGE LICENCE

(Pursuant to section 74 of the *Water Act*)

Licence Number: WDL240

Licensee INPEX Operations Australia Pty Ltd (for and on behalf of Ichthys LNG Pty Ltd)

ACN: 150 217 299

Registered Business Address: Level 22, 100 St Georges Terrace
PERTH WA 6000

Contact Person: Obelia Akerman

Position Title: Environmental Approvals and Compliance Advisor

Contact Details

b/h	08 6213 6406
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Commencement Date: 31 January 2018

Expiry Date: 31 January 2023

24 Hour Emergency Contact

Contact Person: Mark Wilson

Position Title: Maintenance Manager - Operations

Contact Details

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Licensed Activity Disposal of material dredged from East Arm, Darwin Harbour, via dredge vessel at sea in the approved dredge spoil disposal area located within the boundary defined by the chart in Figure 1, Appendix A and coordinates in Table 1.

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INFORMATION ABOUT THIS LICENCE

Duration of Licence

- In accordance with section 74(4) of the Act, the Minister has advised there are special circumstances that justify granting a licence for more than the prescribed two years. These circumstances are:
 - the environmental controls defined under the Maintenance Dredging and Spoil Disposal Management Plan are based on dredging a maximum of 1.5 Mm³ of seafloor sediment entirely within the capital dredge footprint, to be carried out over five years, with no single campaign to exceed a dredge volume of 0.75 Mm³
 - a five-year licence period will provide appropriate flexibility to accommodate maintenance dredging, when needed, as this is not a planned annual event
 - requirements for environmental controls, notification, monitoring and reporting over a five year period are covered by the conditions of the licence
 - the Controller of Water Resources has the power to amend conditions of the licence or revoke the licence, if justified in accordance with section 90 of the Act.
- This licence will remain in force until its expiry date, it is surrendered by the licensee, or until it is suspended or revoked by the Controller of Water Resources.
- The licensee must notify the administering agency within 14 days after ceasing to conduct the activity.
- The licensee may, surrender the licence to the administering agency.

Amendment, Modification or Revocation of Licence (section 93 of the *Water Act*)

- As set out in section 93 of the *Water Act*, the Controller of Water Resources may, by notice:
 - amend or modify the terms and conditions of a licence;
 - revoke a licence; or
 - suspend a licence.

Public Register

- A copy of the waste discharge licence and any plans for environmental management, reports, submissions or documents required as a condition of a waste discharge licence, will be placed on a register.
- A copy of the Annual Return will be placed on the register.
- The administering agency makes this register freely available from the NT EPA website.

Environmental Interests

- This section highlights relevant beneficial uses as declared under the *Water Act* and the sensitivity of surrounding land use and environment associated with the location of the approved activity. Declared beneficial uses and sites of significance:
 - Declaration of Beneficial Uses and Objectives, Darwin Harbour Region, Northern Territory Government Gazette No. G27, 7 July 2010

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- Declaration of Beneficial Uses and Objectives, Vernon Islands Area Waterways, Northern Territory Government Gazette No. G27, 7 July 2010
- Sites of Conservation Significance, SOCS Number 6, Darwin Harbour
- Sites of Conservation Significance, SOCS Number 8, Shoal Bay
- East Point Aquatic Life Reserve, declared by notice Gazette No S51 published 8 October 1992

Cultural Interests

- It is the licensee's responsibility to contact the Aboriginal Areas Protection Authority and to ensure that any Authority Certificates required as a result of conducting the licenced activity are obtained and complied with.

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RULES FOR INTERPRETING THE CONDITIONS OF THIS LICENCE

- Where there is a discrepancy between the conditions of this licence and any plan, standard, guideline or other document referred to in this licence, the conditions of this licence prevail to the extent of the inconsistency.
- Any reference to any standard (Australian or international) in this licence means the relevant parts of the current version of that standard.
- A reference to any guideline or code of practice (or to the relevant parts of any guideline or code of practice) in this licence means the current version of the guideline or code of practice.
- Under section 76 of the *Water Act*, any contravention of or failure to comply with this licence by the licensee may be an offence.
- In determining whether the licensee has committed an offence, the licensee may be liable for the conduct of its directors, employees or agents.
- The licensee should ensure that each of its directors, employees, contractors or agents are aware of, and comply with, this licence.
- In this licence, unless the contrary intention appears, words that are defined in the *Water Act* are intended to have the meaning given to them in that Act.

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LICENCE CONDITIONS

GENERAL

1. The licensee must notify the administering agency within 24 hours if there is a change to the licensee or emergency contact details as provided on page one of this licence.
2. The licensee must at all times have a 24 hour emergency contact.
3. The licensee must notify the administering agency prior to making any operational change that will cause, or is likely to cause, an increase in the potential for environmental harm.
4. The licensee must cause a copy of this licence to be available for inspection by any person, in hard copy form on the bridge of the dredge vessel and at the licensee's Darwin corporate office.
5. The licensee must provide to the administering agency, within 10 business days of a request, a copy of any document, monitoring data or other information in relation to the activity, in the format requested by the administering agency.
6. All notices, reports, documents or other correspondence required to be provided as a condition of this licence, unless otherwise specified as a condition of this licence, must be provided in electronic form by emailing waste@nt.gov.au.

Maintenance Dredging and Spoil Disposal Management Plan

7. The licensee must implement and comply with the INPEX Ichthys Project *Maintenance Dredging and Spoil Disposal Management Plan*. Document No L060-AH-PLN-60010 (Maintenance DSDMP) which is deemed acceptable provided updates to the DSDMP have been completed as required by administering agency correspondence dated 25 October 2017, reference NTEPA2017/0052~0024.
8. The licensee must, for any works not addressed in the accepted Maintenance DSDMP, if those works will or may cause or increase the potential for environmental harm or pollution:
 - 8.1. revise the Maintenance DSDMP or prepare an Addendum to the Maintenance DSDMP;
 - 8.2. have the revised Maintenance DSDMP or Maintenance DSDMP Addendum reviewed and endorsed by a Qualified Professional as having properly identified and mitigated any environmental risk; and
 - 8.3. submit the revised Maintenance DSDMP or Maintenance DSDMP Addendum at least 10 business days prior to implementation of the works with:
 - 8.3.1. a tabulated summary of the amendment(s) with document references
 - 8.3.2. reasons for the amendment(s);
 - 8.3.3. an assessment of environmental risk associated with the amendment(s); and
 - 8.3.4. with a copy of the Qualified Professional's endorsement and review to the administering agency.
9. Within 10 business days of a typographical revision where the revision has only included

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document formatting, correction of typographical errors or inclusion of reference to other documents where that revision does not trigger condition 8 must provide the amended document to the administering agency.

10. The licensee must ensure the most current Maintenance DSDMP is available on the licensee's webpage during each maintenance dredging campaign.
11. The administering agency may require the licensee to revise or amend and resubmit any amended document.
12. The licensee must notify the administering agency within 14 days after completion of monitoring and reporting for the final maintenance dredging campaign, being completion of the licensed activity.

Environmental Auditing

13. The licensee must commission an environmental audit to be undertaken by a qualified person at least once prior to the expiry of the licence, and during a period when dredging and dredge spoil disposal is underway to evaluate compliance with:
 - 13.1. the conditions of this licence, including the Maintenance DSDMP;
 - 13.2. the *Water Act*; and
 - 13.3. the *Waste Management and Pollution Control Act*.
14. The licensee must submit the proposed scope for the environmental audit to the administering agency for approval no later than 20 business days prior to the proposed commencement date of the environmental audit. The commencement date for the audit must be specified in the proposed audit scope.
15. The licensee must receive written approval for the audit scope from the administering agency before the environmental audit can commence, noting that the administering agency may require the licensee to revise, amend or resubmit the proposed scope.
16. The licensee must ensure the environmental audit report is:
 - 16.1. completed within one calendar month of receipt of approval from the administering agency unless otherwise agreed;
 - 16.2. certified by the qualified auditor conducting the audit; and
 - 16.3. provided to the administering agency within five business days of being certified and signed by the qualified auditor conducting the audit.

Consultation and Communication Plan

17. The licensee must, for the duration of this licence, implement, maintain and follow a Consultation and Communication Plan which includes a strategy for communicating with persons who are likely to have a real interest in, or be affected by, the activity.
18. The licensee must operate and maintain a community feedback number.
19. The licensee must display the community feedback number:
 - 19.1. where the licensee has a website, in a prominent location on the licensee's website;

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- 19.2. in the Consultation and Communication Plan; and
- 19.3. in other publicly available documents relating to the activity.
20. The licensee must maintain a Complaint Log for all complaints received by the licensee in relation to the activity.
21. The licensee must ensure that the Complaint Log includes, for each complaint received by the licensee, the following information:
- 21.1. the person to whom the complaint was made;
 - 21.2. the person responsible for managing the complaint;
 - 21.3. the date and time the complaint was reported;
 - 21.4. the date and time of the event(s) that led to the complaint;
 - 21.5. the contact details of the complainant if known, or where no details are provided a note to that effect;
 - 21.6. the nature of the complaint;
 - 21.7. the nature of event(s) giving rise to the complaint;
 - 21.8. prevailing weather conditions at the time relevant to the complaint;
 - 21.9. the action taken in relation to the complaint, including any follow-up contact with the complainant; and
 - 21.10. if no action was taken, why no action was taken.
22. The licensee must implement, maintain and follow an Emergency Response Plan that addresses procedures for responding to emergencies associated with the activity that may cause environmental harm.

EARLY SURRENDER OF LICENCE

23. Any reports, records or other information required or able to be provided by the licensee under this licence must be submitted to the administering agency prior to the licensee surrendering the licence. If the date on which a report, record or other information is required falls after the date the licensee requests to surrender this licence, the licensee must provide the report, record or information as far as possible using data available to the licensee up to and including the date the request to surrender the licence is made.

OPERATIONAL

24. The licensee must, without limiting any other condition of this licence, in conducting the activity do all things reasonable and practicable to ensure the activity does not adversely affect the Declared Beneficial Uses and Objectives as declared from time to time, including those applying to:
- Darwin Harbour Region; and
 - Vernon Islands.

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25. The licensee must ensure all plant and equipment used by the licensee in conducting the activity:
- 25.1. is fit for the purpose and use to which it is put;
 - 25.2. is maintained; and
 - 25.3. is operated by a person trained to use the plant and equipment.

DISCHARGES

Dredge Spoil Disposal Area

26. The licensee must ensure that discharge of dredge material is not placed outside the dredge spoil disposal area (DSDA) located in Beagle Gulf (NT Portion 7634 (A)) defined by the boundary corner coordinates specified in Table 1 and shown in Appendix A.

Table 1: Authorised Spoil Disposal Area¹

Boundary Corner Coordinates	Latitude	Longitude
Point 1	130.81391	-12.21963
Point 2	130.83060	-12.23516
Point 3	130.79902	-12.26799
Point 4	130.78233	-12.25246

¹ Comprising an area of approximately 1,250 hectares.

Discharge Quality

27. The licensee must use visual and/or qualitative observations and maintain records to ensure that all discharges to the DSDA do not:
- 27.1. contain any debris, oil, grease, petroleum hydrocarbon sheen, scum, litter or other objectionable matter;
 - 27.2. cause or generate odours which would adversely affect the use of surrounding waters;
 - 27.3. cause algal blooms in the receiving water;
 - 27.4. cause visible change in the behaviour of fish or other aquatic organisms in the receiving water;
 - 27.5. cause mortality of fish or other aquatic organisms;
 - 27.6. cause adverse impacts on plants.

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MONITORING

28. The licensee must implement and maintain an environmental monitoring program in accordance with the Maintenance DSDMP to demonstrate that discharges at the DSDA do not cause adverse impact to the receiving environment.
29. The licensee must, for each discharge event at the DSDA, maintain a record of:
 - 29.1. the time the discharge commenced and the duration of the discharge;
 - 29.2. the discharge volume. and
 - 29.3. the location within the DSDA that discharge commenced and ceased for each discharge.
30. The licensee must ensure all samples collected in connection with the activity or this licence, are obtained by, or under the supervision of a qualified sampler.
31. The licensee must ensure that all water samples and field environmental data are representative of the conditions at the time of sampling and are collected in accordance with recognised Australian Standards and guidelines (e.g. AS/NZS 5667, ANZECC/ARMCANZ).

RECORDING AND REPORTING

Notification of commencing a dredging campaign

32. The licensee must notify the administering agency at least 10 days prior to commencement of any maintenance dredging activities.
33. Notification of commencement of maintenance dredging must include:
 - 33.1. name of dredge vessel and contact details for the dredge contractor;
 - 33.2. volume of material to be dredged;
 - 33.3. proposed commencement date of dredging;
 - 33.4. expected duration of dredging.

Notification of completion of dredging campaign

34. The licensee must notify the administering agency within seven days of completing a dredging campaign.
35. The licensee must provide the administering agency, as soon as practicable, following the completion of each dredging campaign:
 - 35.1. certified surveyed bathymetric charts of the dredged area and final configuration of the spoil disposal area; and
 - 35.2. volume of material dredged from the seafloor within the dredge footprint.
36. The licensee must keep records of all non-compliances with this licence. These records must be adequate to enable the licensee to comply with the non-compliance notification conditions of this licence.

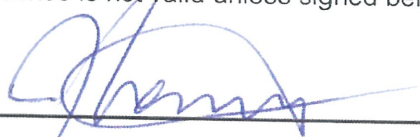
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37. The licensee must notify the administering agency of any non-compliance with this licence as soon as practicable after (and in any case within 24 hours) first becoming aware of the non-compliance.
38. The licensee must include in the notification of non-compliance the following information, as available:
 - 38.1. when the non-compliance was detected and by whom;
 - 38.2. the date and time of the non-compliance;
 - 38.3. the actual and potential causes and contributing factors to the non-compliance;
 - 38.4. the risk of environmental harm arising from the non-compliance;
 - 38.5. the action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance;
 - 38.6. corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur; and
 - 38.7. if no action was taken, why no action was taken.
39. The licensee must complete and provide to the administering agency an Environmental Monitoring Report in accordance with the Maintenance DSDMP, within 60 business days following completion of the monitoring activities for each dredging campaign.
40. The licensee must ensure that each Environmental Monitoring Report is prepared in accordance with the DSDMP, in the format described in the National Water Quality Management Strategy, *Australian Guidelines for Water Quality Monitoring and Reporting*, Chapter 7 and includes:
 - 40.1. assessment of the likely impact of release of fine material to sensitive ecological receptors; and
 - 40.2. for discharges to water, data analysis and interpretation using the National Water Quality Management Strategy, *Australian Guidelines for Water Quality Monitoring and Reporting*, Chapter 6.
41. The licensee must complete an Annual Return and provide it to the administering agency within 60 business days following notification in accordance with condition 34 for completion of each dredging campaign covering the preceding 12 month period.
42. The administering agency may require the licensee to revise or amend and resubmit any Annual Return. Where the administering agency requires the Annual Return to be resubmitted the date for resubmission will be specified and will become a condition of this licence.

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END OF LICENCE CONDITIONS

This licence is not valid unless signed below:



Jo Townsend

Controller of Water Resources

31 January 2018

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DEFINITIONS

All terms in the licence which are defined in the *Water Act* have the meaning given in that Act unless otherwise or further defined in this section.

Term	Definition
	In this licence, unless a contrary intention appears:
24 hour emergency contact	the phone number of a person who can be contacted at any time and be capable of responding to and providing information about any incident associated with the activity.
Activity	the licenced activity as described on the covering page of this licence.
Administering agency	means the Northern Territory Department of Environment and Natural Resources or its successor.
Annual return	an administering agency prescribed format for demonstrating and reporting compliance with the conditions of this licence.
ANZECC & ARMCANZ	Australian and New Zealand Environment Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, with reference to: <ul style="list-style-type: none">• National Water Quality Management Strategy, Paper No.4 <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality</i>. October 2000.• National Water Quality Management Strategy, Paper No.7 <i>Australian Guidelines for Water Quality Monitoring and Reporting</i>. October 2000.
AS/NZS 5667	Australian and New Zealand Standards. <i>Water Quality – Sampling</i> . Series.
Business days	a day not Saturday, Sunday or a public holiday, in the Northern Territory.
Community feedback number	a telephone number enabling members of the public to contact, at any time, a person or voice mail system that can accept, on behalf of the licensee, enquiries or complaints about the activity, and to which the licensee must respond.
Complaint Log	a register of complaints to be maintained by the Licensee that records the details of each complaint received in relation to the activity.
Consultation and Communication Plan	a written plan documenting proposed consultation and communications for the activity before, during and after the activity which includes a strategy for communicating with members of the public who are likely to have a real interest in, or be affected by, the activity.
Contaminant	a solid, liquid or gas or any combination of such substances and includes: <ul style="list-style-type: none">(a) noise, odour, heat and electromagnetic radiation;(b) a prescribed substance or prescribed class of substances; and(c) a substance having a prescribed property or prescribed class of properties.
Discharge	allow a liquid, gas or other substance to flow out from where it has been confined.

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Emergency Response Plan	a written plan documenting the licensee's procedures for responding to emergencies caused by, resulting from or associated with the activity and that may cause environmental harm.
Environment	means all aspects of the surroundings of man, including the physical, biological, economic, cultural and social aspects.
Environmental harm	means any harm to or adverse effect on, or potential harm to or adverse effect on the environment.
Incident	includes: (a) an accident, emergency or malfunction; and (b) a deliberate action, whether or not that action was taken by the person conducting the activity in the course of which the incident occurred.
Land	includes water and air on, above or under land.
Litter	litter, garbage, rubbish, refuse or waste matter, and includes the body of a dead animal.
Maintain	kept in a manner that it does not present or cause a risk of environmental harm or a hazard to persons or property, or, for the purposes of documents including plans, a process of reviewing and amending documentation to ensure it is relevant.
Maintenance DSDMP	Dredging and Spoil Disposal Management Plan, and means the INPEX Ichthys Project <i>Maintenance Dredging and Spoil Disposal Management Plan</i> . Document No L060-AH-PLN-60010.
Material environmental harm	environmental harm that: (a) is not trivial or negligible in nature; (b) results, or is likely to result, in not more than \$50,000 or prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the harm or rehabilitate the environment; or (d) results in actual or potential loss or damage to the value of not more than \$50,000.
Non-compliance	failure or refusal to comply, whether by act or omission, with obligations or requirements and includes any exceedance of a licence limit.
PAR	photosynthetic active radiation
Plant and equipment	all material items used in association with the activity, including (but not limited to) storage vessels and containers, pipe work and hosing, vehicles (including vessels), tools, and measuring equipment.
Pollute	in relation to water, means directly or indirectly to alter the physical, thermal, chemical, biological or radioactive properties of the water so as to render it less fit for a prescribed beneficial use for which it is or may reasonably be used, or to cause a condition which is hazardous or potentially hazardous to: (a) public health, safety or welfare; (b) animals, birds, fish or aquatic life or other organisms; or (c) plants.
Pollution	(a) a contaminant or waste that is emitted, discharged, deposited or disturbed

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or that escapes; or

(b) a contaminant or waste, effect or phenomenon, that is present in the environment as a consequence of an emission, discharge, deposition, escape or disturbance or a contaminant or waste.

Premises	the premises identified in this licence which includes equipment, plant and structures, whether stationary or portable, and the land on which premises are situated.
Qualified person	Means a person included on the register established and maintained pursuant to section 68 of the WMPC Act, with suitable experience in the matter being assessed.
Qualified professional	a person who has professional qualifications, training and skills and experience relevant to the nominated subject matters and can give authoritative assessment, advice and analysis about performance relevant to the subject matters using relevant protocols, standards, methods, literature.
Qualified sampler	Means a person who has been suitably trained and has suitable experience obtaining quality controlled environmental samples from the relevant environmental medium.
Serious environmental harm	environmental harm that is more serious than material environmental harm and includes environmental harm that: (a) results or is likely to result in more than \$50,000 or prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the harm or rehabilitate the environment; (b) results in actual or potential loss or damage to the value of more than \$50,000; (c) damages an aspect of the environment that is of a high conservation value or of special significance; and (d) is irreversible or otherwise of a high impact or on a wide scale.
Trigger values	assigned value for each indicator used to assess the risk to an environmental value, a value that initiates some type of pre-defined management action.
Waste	includes matter or a thing, whether wholly or partly in a solid, liquid or gaseous state, which, if added to water, may pollute the water.
Wastewater	water that contains a contaminant or waste.
Water	means water, whether or not it contains impurities.
WMPC Act	the Northern Territory <i>Waste Management and Pollution Control Act</i> .

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APPENDIX A – Location of Dredge Spoil Disposal Area

