

ENVIRONMENT PROTECTION APPROVAL

(Pursuant to section 34 of the *Waste Management and Pollution Control Act*)

Approval Holder	J.J. Richards & Sons Pty Ltd
Approval Number	EPA284 - 01
Registered Business Address	J.J. Richards & Sons Pty Ltd 3 Grant Street Cleveland QLD 4163
ACN	000 805 425
ABN	40 000 805 425
Premises Address	N.T. Portion 07425 plan(s) S2014/021 311 BREWER RD, HUGH
Anniversary Date:	03 December
Commencement Date:	03/12/2021
Expiry Date:	02/12/2023
Scheduled Activity	Constructing, installing or carrying out works in relation to premises, other than sewage treatment plants, for the storage, re-cycling, treatment or disposal of listed wastes on a commercial or fee for service basis.
Description	J.J. Richards is authorised to develop a premise at 311 Brewer Road, Hugh, for the purpose of consolidating and storing listed wastes.

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ATTACHMENTS

There are no attachments

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INFORMATION ABOUT THIS APPROVAL

- This approval does not in any way relieve the approval holder from its obligations to comply with the *Waste Management and Pollution Control Act* (WMPC Act), including the general environmental duty in section 12 of the WMPC Act and the duty to notify of incidents causing or threatening to cause pollution under section 14 of the WMPC Act.

Duration of an approval (section 41 of the WMPC Act)

- An approval will remain in force until:
 1. its expiry date; or
 2. a licence for the premises to which the approval relates comes into force; or
 3. where no expiry date is stated in the approval, two years.
- The approval holder may apply to the NT EPA for an extension or reduction of the period specified on an approval.

Amendment or Revocation of conditions of an approval (section 37 of the WMPC Act)

- The approval holder may apply to amend or revoke a condition of this approval.
- A fee applies and the application must be made using the designated form via NT EPA Online.
- The NT EPA may also amend or revoke a condition of this approval as set out in section 38 of the WMPC Act.

Transfer of an approval (section 46 of the WMPC Act)

- The approval holder can apply to transfer their approval to another person.

Extension of an approval (section 41 of the WMPC Act)

- The approval holder may apply to extend their approval not earlier than 90 days, and not later than 30 days , before their approval expires.
- A fee applies and the application must be made via NT EPA Online.

Public Register

- A copy of environment protection approvals and any plans for environmental management, required as a condition of an environment protection approval, will be placed on a register in accordance with section 9 of the WMPC Act.
- A copy of the Annual Return will be placed on the register.
- The NT EPA makes this register freely available from the NT EPA website.

Environment Protection Objectives (Part 4 of the WMPC Act), and Water Quality Standards (section 73 of the *Water Act*)

- An Environment Protection Objective (EPO) is a statutory instrument to establish principles on which:
 - a. environmental quality is to be maintained, enhanced, managed or protected;
 - b. pollution, or environmental harm resulting from pollution, is to be assessed, prevented, reduced, controlled, rectified or cleaned up; and
 - c. effective waste management is to be implemented or evaluated.
- In accordance with section 18 of the WMPC Act a beneficial use, quality standard, criteria or objective declared under section 73 of the *Water Act* and in force is an environment protection objective for the purposes of the WMPC Act.

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- The following EPOs and Beneficial Use Declarations (BUDs) are relevant to this approval:
 - Lower Alice Springs Catchment Area - Surface Water; *environment, cultural, rural stock and domestic*; NTGG 2007, G34.

Environmental Interests

- This section highlights sensitivity of the surrounding land use and environment associated with the location of the approved activity.
- Sites of Conservation Significance - nil

Cultural Interests

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

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RULES FOR INTERPRETING THE CONDITIONS OF THIS APPROVAL

- Where there is a discrepancy between the conditions of this approval and any plan, standard, guideline or other document referred to in this approval, the conditions of this approval prevail to the extent of the inconsistency.
- Any reference to any standard (Australian or international) in this approval 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 approval means the current version of the guideline or code of practice.
- Under section 39 of the WMPC Act, any contravention of or failure to comply with this approval by the approval holder may be an offence.
- In determining whether the approval holder has committed an offence, the approval holder may be liable for the conduct of its directors, employees or agents.
- The approval holder should ensure that each of its directors, employees, contractors or agents are aware of, and comply with, this approval.
- In this approval, unless the contrary intention appears, words that are defined in the WMPC Act are intended to have the meaning given to them in that Act.

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APPROVAL CONDITIONS

GENERAL

- 1 The approval holder must ensure the contact details recorded in NT EPA Online for this approval are correct at all times.
- 2 The approval holder must at all times have a 24 hour emergency contact.
- 3 The approval holder must cause clear and legible signage, in English, to be displayed in a prominent location at each public entrance to the premises that includes the following details:
 - 3.1 environment protection approval number issued under the WMPC Act; and
 - 3.2 24 hour emergency contact details.
- 4 The approval holder must provide to the NT EPA, 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 NT EPA.
- 5 All notices, reports, documents or other correspondence required to be provided as a condition of this approval, unless otherwise specified as a condition of this approval, must be provided in electronic form by uploading the document via NT EPA Online (or by emailing waste@nt.gov.au).
- 6 Within 10 business days of any amendment being made to a document listed in Table 1 the approval holder must provide the amended document to the NT EPA, along with:
 - 6.1 a tabulated summary of the amendment(s) with document references;
 - 6.2 reasons for the amendment(s); and
 - 6.3 an assessment of environmental risk associated with the amendment(s).

Table 1 - Documents Relevant to the Licensed Activity

Reference	Document Title
1	EPL / EPA Application Depot and Waste Storage Facility 311 Brewer Road, Hugh Portion 7425 S2014/021 Including: <ul style="list-style-type: none">• Environmental Risk Assessment• Environmental Management Plan• Emergency Response Plan• Site Based Management Plan (selected sections)

- 7 The NT EPA may require the approval holder to revise or amend and resubmit any amended document. Where the NT EPA requires a document to be resubmitted, the approval holder must submit it to the NT EPA by the date specified by the NT EPA.
- 8 The approval holder must, for the duration of this approval, 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.
- 9 The approval holder must maintain a Complaint Log for all complaints received by the approval holder in relation to the activity.

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- 10 The approval holder must ensure that the Complaint Log includes, for each complaint received by the approval holder, the following information:
- 10.1 the person to whom the complaint was made;
 - 10.2 the person responsible for managing the complaint;
 - 10.3 the date and time the complaint was reported;
 - 10.4 the date and time of the event(s) that led to the complaint;
 - 10.5 the contact details of the complainant if known, or where no details are provided a note to that effect;
 - 10.6 the nature of the complaint;
 - 10.7 the nature of event(s) giving rise to the complaint;
 - 10.8 prevailing weather conditions at the time (where relevant to the complaint);
 - 10.9 the action taken in relation to the complaint, including any follow-up contact with the complainant; and
 - 10.10 if no action was taken, why no action was taken.

OPERATIONAL

- 11 The approval holder must ensure any plant and equipment used by the approval holder in conducting the activity:
- 11.1 is reasonably fit for the purpose and use to which it is put;
 - 11.2 is maintained;
 - 11.3 is operated by a person trained to use the plant and equipment; and
- 12 The approval holder must ensure that wastewater generated from washing plant and equipment associated with the activity does not cause pollution.
- 13 The approval holder must segregate waste generated at the premises in clearly designated areas for recycling, re-use or disposal.
- 14 The approval holder must ensure all materials likely to cause environmental harm are handled and stored in areas with a containment system compliant with the relevant Australian Standard. Where no relevant Australian Standard exists, the containment system must be sized to contain 110% of the volume of the largest container within the area.
- 15 Prior to carrying out works in relation to premises, the approval holder must develop and implement a Construction Environmental Management Plan (CEMP). The CEMP must identify environmental risks associated with the works and mitigation measures to be implemented, including:
- 15.1 an Emergency Response Plan with procedures for responding to emergencies that may cause environmental harm;
 - 15.2 erosion and sediment control measures;
 - 15.3 environmental nuisance control measures;
 - 15.4 waste management measures; and

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- 15.5 any other control measure for managing potential environmental impacts associated with carrying out works.
- 16 The approval holder must ensure all relevant personnel are aware of and trained in their responsibilities under the CEMP.
- 17 The approval holder must provide a Construction Quality Assurance Plan (CQAP) for the activity to the NT EPA at least 5 business days prior to commencing construction of the activity. The CQAP must:
- 17.1 include a scope of works;
 - 17.2 include the final specifications and design drawings of the works;
 - 17.3 provide the technical qualifications of the person(s) who will be overseeing the CQAP;
 - 17.4 describe the details of any proposed inspection, testing and verification methods (including procedures, responsibilities, frequency and reporting); and
 - 17.5 include roles and responsibilities for the implementation of the CQAP.
- 18 The NT EPA may require the approval holder to revise, amend and/or resubmit the CQAP submitted under condition 17. Where the NT EPA requires the CQAP to be resubmitted, the approval holder must submit it to the NT EPA by the date specified by the NT EPA.

DISCHARGES AND EMISSIONS

- 19 The approval holder must ensure there is no migration or overflow of a contaminant or waste, which causes or may cause environmental harm, beyond the boundary of the land on which the premises are located. (For the avoidance of doubt, this condition is not intended to authorise the discharge of a contaminant or waste to any land or water which discharge has not been specifically authorised by another condition of this approval.)
- 20 The approval holder must not allow a contaminant or waste, which causes or may cause environmental harm, to enter water.
- 21 The approval holder must ensure that stormwater does not come into contact with a contaminant or waste, which causes or may cause environmental harm.
- 22 The activity must not cause or release, beyond the boundary of the premises:
- 22.1 visible steam;
 - 22.2 smoke;
 - 22.3 offensive odour;
 - 22.4 dust or particulates; or
 - 22.5 noise which unreasonably interferes with or is likely to unreasonably interfere with the enjoyment of the area by persons who occupy a place within the area or are otherwise lawfully in the area.

MONITORING

- 23 There are no specified conditions relating to monitoring of point source discharges in this approval.
- 24 The NT EPA may require the approval holder to submit a Monitoring Plan. Where the NT EPA requires a Monitoring Plan to be submitted, the approval holder must submit it to the NT EPA by the date specified by the NT EPA.

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RECORDING AND REPORTING

- 25 The approval holder must keep records of all non-compliances with this approval. These records must be adequate to enable the approval holder to comply with the non-compliance notification conditions of this approval.
- 26 The approval holder must notify the NT EPA of any non-compliance with this approval by completing the Non-Compliance Notification via NT EPA Online (or by emailing waste@nt.gov.au), as soon as practicable after (and in any case within 24 hours after) first becoming aware of the non-compliance.
- 27 The approval holder must include in the notification of non-compliance the following information:
- 27.1 when the non-compliance was detected and by whom;
 - 27.2 the date and time of the non-compliance;
 - 27.3 the actual and potential causes and contributing factors to the non-compliance;
 - 27.4 the risk of environmental harm arising from the non-compliance;
 - 27.5 the action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance;
 - 27.6 corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur;
 - 27.7 if no action was taken, why no action was taken.
- 28 The approval holder must submit a completed Annual Return via NT EPA Online within 10 business days after each anniversary date of this approval, which relates to the preceding 12 month period.
- 29 The approval holder must submit to the NT EPA, at the completion of the activity, a review of the completed activity with certification from a qualified person(s) that the works:
- 29.1 were constructed in accordance with the plans provided under condition 17 or as revised under condition 18;
 - 29.2 'as constructed' will deliver the intended purpose; and
 - 29.3 'as constructed' meets the storage, containment and operational requirements of relevant Australian and industry standards.

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END OF APPROVAL CONDITIONS

This approval is not valid unless signed below:



Leonie Cooper
Director Environment Authorisations
Delegate of the Northern Territory
Environment Protection Authority
Dated: 09/12/2021

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DEFINITIONS

All terms in the Approval which are defined in the *Waste Management and Pollution Control Act* have the meaning given in that Act unless otherwise or further defined in this section.

DEFINITION	In this approval, 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 Scheduled activity as described on the covering page of this approval.
Air	includes any layer of the atmosphere.
Annual fee	yearly fee payable in respect of the activity as specified in the WMPC Act and the Regulations.
Annual Return	an NT EPA prescribed format for demonstrating and reporting compliance with the conditions of this approval and providing information on waste volumes for the preceding 12 month period.
Business days	a day not Saturday, Sunday or a public holiday, in the Northern Territory.
Complaint Log	a register of complaints to be maintained by the approval holder 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.
Contact details	includes the 24 hour emergency contact, and name, position title and phone number of a representative of the approval holder who can be contacted about the approval and activity.
Contaminant	a solid, liquid or gas or any combination of such substances and includes: (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.
Discharges	allow a liquid, gas or other substance to flow out from where it has been confined.
Emergency Response Plan	a written plan documenting the approval holder's procedures for responding to emergencies caused by, resulting from or associated with the activity and that may cause environmental harm.
Environmental audit	has the meaning given in section 47 of the WMPC Act.
Environmental harm	(a) any harm to or adverse effect on the environment; or (b) any potential harm (including the risk of harm and future harm) to or potential adverse effect on the environment, of any degree or duration and includes environmental nuisance.
Environmental nuisance	means: (a) an adverse effect on the amenity of an area that: (i) is caused by noise, smoke, dust, fumes or odour; and (ii) unreasonably interferes with or is likely to unreasonably interfere with the

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enjoyment of the area by persons who occupy a place within the area or are otherwise lawfully in the area; or
(b) an unsightly or offensive condition caused by contaminants or waste.

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.
Listed waste	a waste included under Schedule 2 of the Regulations.
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.
Material environmental harm	environmental harm that: (a) is not trivial or negligible in nature; (b) consists of an environmental nuisance of a high impact or on a wide scale; (c) results, or is likely to result, in not more than \$50,000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or (d) results in actual or potential loss or damage to the value of not more than \$50,000 or the prescribed amount (whichever is greater).
Non-compliance	failure or refusal to comply, whether by act or omission, with obligations or requirements and includes any exceedance of a approval limit.
Non-compliance notification	an NT EPA prescribed format for notifying the NT EPA of a non-compliance.
NT EPA Online	online system for Environment Protection Approval (EPA), Environment Protection Licence (EPL) and Waste Discharge Licence (WDL) lodgement and maintenance.
NT EPA Online Vehicle Register	the vehicle register found at NT EPA Online.
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.
Point source discharge	means any discernible, confined or discrete conveyance from which contaminants or waste are or may be discharged.
Pollute	(a) emit, discharge, deposit, or disturb, directly or indirectly, a contaminant or waste; or (b) cause, permit, or fail to prevent, directly or indirectly, the emission, discharge, deposition, disturbance or escape of a contaminant or waste.
Pollution	(a) a contaminant or waste that is emitted, discharged, deposited or disturbed 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 approval which includes equipment, plant and structures, whether stationary or portable, and the land on which premises are situated.

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Public entrance	access to the premises that is utilised by the public.
Regulations	<i>Waste Management and Pollution Control (Administration) Regulations.</i>
Serious environmental harm	environmental harm that is more serious than material environmental harm and includes environmental harm that: (a) is irreversible or otherwise of a high impact or on a wide scale; (b) damages an aspect of the environment that is of a high conservation value, high cultural value or high community value or is of special significance; (c) results or is likely to result in more than \$50,000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or (d) results in actual or potential loss or damage to the value of more than \$50,000 or the prescribed amount (whichever is greater).
Solid inert waste	solid waste that has no active chemical or biological properties. These wastes do not undergo environmentally significant physical, chemical or biological transformation.
Stormwater	water flowing over ground surfaces, in natural streams and drains as a direct result of rainfall over a catchment and consists primarily of rainfall runoff.
Waste	(a) a solid, a liquid or a gas; or (b) a mixture of such substances, that is or are left over, surplus or an unwanted by-product from any activity (whether or not the substance is of value) and includes a prescribed substance or class of substances.
Waste transport certificate	the NT EPA waste tracking documentation used to track listed waste being transported interstate as required in accordance with the National Environment Protection (Movement of Controlled Waste Between States and Territories) Measure.
Wastewater	water that contains a contaminant or waste.
Water	includes: (a) surface water, ground water and tidal waters; (b) coastal waters of the Territory, within the meaning of the <i>Coastal Waters (Northern Territory Powers) Act 1980</i> of the Commonwealth; and (c) water containing an impurity.
WMPC Act	the Northern Territory <i>Waste Management and Pollution Control Act</i> .