

ENVIRONMENT PROTECTION LICENCE

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

Licensee	City of Darwin
Licence Number	EPL188 - 04
Registered Business Address	City of Darwin 1 Harry Chan Avenue Darwin NT 0800
ABN	11 503 313 301
Premises Address	Lot 03952 Town of Sanderson plan(s) S 79/149A VANDERLIN DR, HOLMES
Anniversary Date:	02 July
Commencement Date:	02/07/2021
Expiry Date:	01/07/2026
Scheduled Activity	<p>Operating premises for the disposal of waste by burial that service, or are designed to service, the waste disposal requirements of more than 1000 persons.</p> <p>Collecting, transporting, storing, re-cycling, treating or disposing of a listed waste (as per Table 1) on a commercial or fee for service basis, other than in or for the purpose of a sewage treatment plant.</p> <p>Operating premises, other than a sewage treatment plant, associated with collecting, transporting, storing, re-cycling, treating or disposing of a listed waste (as per Table 1) on a commercial or fee for service basis.</p>

Description

The Shoal Bay Waste Management Facility is a municipal waste resource recovery and disposal site operated by the City of Darwin. It is authorised to operate the following facilities under this licence:

- Stage 1 to 6 landfill waste cells
- Three temporary leachate storage tanks
- Three leachate storage ponds.

Table 1 - Listed Wastes Authorised to be Handled

Listed Waste	Collection	Transport	Storage	Treatment	Recycling	Disposal
Clinical and related wastes	✗	✗	✗	✗	✗	✓
Lead, lead compounds	✗	✗	✓	✗	✗	✗
Sewage sludge and residues including nightsoil and septic tank sludge	✗	✗	✗	✗	✗	✓
Soils contaminated with a listed waste	✗	✗	✗	✗	✗	✓
Tyres	✗	✗	✓	✓	✓	✓
Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	✗	✗	✓	✗	✗	✗
Waste mineral oils unfit for their original intended use	✗	✗	✓	✗	✗	✗
Acidic solutions or acids in solid form	✗	✗	✓	✗	✗	✗
Animal effluent and residues	✗	✗	✗	✗	✗	✓
Asbestos	✗	✗	✗	✗	✗	✓

✓ Activity authorised by this licence

✗ Activity not authorised by this licence

ENVIRONMENT PROTECTION LICENCE 188 - 04

TABLE OF CONTENTS

INFORMATION ABOUT THIS LICENCE	5
RULES FOR INTERPRETING THE CONDITIONS OF THIS LICENCE	7
LICENCE CONDITIONS	8
GENERAL	8
EARLY SURRENDER OF LICENCE	9
OPERATIONAL	9
DISCHARGES AND EMISSIONS	12
MONITORING	13
RECORDING AND REPORTING	15
PERFORMANCE IMPROVEMENT	17
DEFINITIONS	19

ATTACHMENTS

- 1 Attachment 1 - Waste Acceptance Criteria.pdf
- 2 Attachment 2 - Shoal Bay Waste Management Facility Site Layout and Monitoring Locations.pdf
- 3 Attachment 3 - Surface Water Monitoring Program and Trigger Values.pdf
- 4 Attachment 4 - Groundwater Monitoring Program.pdf
- 5 Attachment 5 - Groundwater Monitoring Locations.pdf
- 6 Attachment 6 - Leachate Monitoring Program.pdf

ENVIRONMENT PROTECTION LICENCE 188 - 04

INFORMATION ABOUT THIS LICENCE

- This licence does not in any way relieve the licence 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 a licence (section 40, 43 and 45 of the WMPC Act)

- A licence will remain in force until its expiry date or until it is surrendered by the Licensee or is suspended or cancelled in accordance with the WMPC Act.
- The Licensee must notify the Northern Territory Environment Protection Authority (NT EPA) within 14 days after ceasing to conduct the activity.
- The Licensee may, with the approval of the NT EPA, surrender the licence to the NT EPA.

Amendment or Revocation of a licence (section 37 of the WMPC Act)

- The Licensee may apply to amend or revoke a condition of this licence.
- 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 licence as set out in section 38 of the WMPC Act.

Transfer of a licence (section 46 of the WMPC Act)

- The Licensee can apply to transfer their licence to another person.
- A fee applies and the application must be made via NT EPA Online.

Renewal of a licence (section 40 of the WMPC Act and section 3 of the Regulations)

- The Licensee may apply for the renewal of their licence not earlier than 90 days, and not later than 30 days, before their licence expires.
- A fee applies and the application must be made via NT EPA Online.

Public Register

- A copy of environment protection licences and any plans for environmental management, reports, submissions or documents required as a condition of an environment protection licence, 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.

ENVIRONMENT PROTECTION LICENCE 188 - 04

- 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.
- The following EPOs and Beneficial Use Declarations (BUDs) are relevant to this licence:
 - Declared Beneficial Use for the Darwin Harbour Area: Water Quality Objectives, NTG Gazette 29 June 2010.

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
 - SOC 6 - Darwin Harbour
 - SOC 8 - Shoal Bay

Cultural Interests

- It is the Licensee's responsibility to contact the Aboriginal Areas Protection Authority, appropriate land council or other governing body and ensure that any Authority Certificates required as a result of conducting the licensed activity are obtained and complied with.

ENVIRONMENT PROTECTION LICENCE 188 - 04

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 39 of the WMPC 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 WMPC Act are intended to have the meaning given to them in that Act.

ENVIRONMENT PROTECTION LICENCE 188 - 04

LICENCE CONDITIONS

GENERAL

- 1 The Licensee must ensure the contact details recorded in NT EPA Online for this licence are correct at all times.
- 2 The Licensee must at all times have a 24 hour emergency contact.
- 3 The licensee must pay via NT EPA Online the annual fee calculated in accordance with the method prescribed in the Regulations within 10 business days of the anniversary date of this licence, for each year or part of a year that this licence is in force.
- 4 The Licensee 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:
 - 4.1 environment protection licence number issued under the WMPC Act; and
 - 4.2 24 hour emergency contact details.
- 5 The Licensee must cause a copy of this licence to be available for inspection by any person, in hard copy form, at the premises.
- 6 The Licensee 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.
- 7 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 uploading the document via NT EPA Online (or by emailing environmentalregulation@nt.gov.au).
- 8 Within 10 business days of any amendment being made to a document listed in Table 2 the Licensee must provide the amended document to the NT EPA, along with:
 - 8.1 a tabulated summary of the amendment(s) with document references;
 - 8.2 reasons for the amendment(s); and
 - 8.3 an assessment of environmental risk associated with the amendment(s).

Table 2: Documents to apply

Document Title	Document Reference
Environmental Management Plan - Shoal Bay Waste Management Facility - City of Darwin	217373-99

- 9 The NT EPA may require the Licensee to revise or amend and resubmit any amended document. Where the NT EPA requires a document to be resubmitted, the Licensee must submit it to the NT EPA by the date specified by the NT EPA.
- 10 The Licensee must operate and maintain a community feedback number.
- 11 The Licensee must display the community feedback number:
 - 11.1 where the Licensee has a website, in a prominent location on the Licensees website;

ENVIRONMENT PROTECTION LICENCE 188 - 04

- 11.2 in other publicly available documents relating to the activity.
- 12 The Licensee must maintain a Complaint Log for all complaints received by the licensee in relation to the activity.
- 13 The Licensee must ensure that the Complaint Log includes, for each complaint received by the Licensee, the following information:
- 13.1 the person to whom the complaint was made;
 - 13.2 the person responsible for managing the complaint;
 - 13.3 the date and time the complaint was reported;
 - 13.4 the date and time of the event(s) that led to the complaint;
 - 13.5 the contact details of the complainant if known, or where no details are provided a note to that effect;
 - 13.6 the nature of the complaint;
 - 13.7 the nature of event(s) giving rise to the complaint;
 - 13.8 prevailing weather conditions at the time (where relevant to the complaint);
 - 13.9 the action taken in relation to the complaint, including any follow-up contact with the complainant; and
 - 13.10 if no action was taken, why no action was taken.
- 14 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

- 15 Any reports, records or other information required or able to be provided by the Licensee under this licence must be submitted to the NT EPA 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 Licensee, 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

- 16 Waste must only be accepted that meets the waste classification and acceptance criteria detailed in Attachment 1 of this licence.
- 16.1 Stage 1 and Stage 2 are unlined and cannot accept waste detailed in Attachment 1 of this licence;
 - 16.2 Stage 2 is designed for asbestos disposal as per Table 3;
 - 16.3 Stage 3 and Stage 4 are closed and must not be used to dispose of waste.
 - 16.4 Stage 5 and Stage 6 use a composite liner system and must not accept waste with concentrations greater than the upper limits defined for composite liners in Attachment 1.
- 17 The maximum interim waste filling height of landfill waste cells 6A and 6B must not exceed RL50mAHD.

ENVIRONMENT PROTECTION LICENCE 188 - 04

- 18 The Licensee must maintain a clear and legible survey marker showing where RL50mAHD is located for line of sight for landfill waste cells 6A and 6B.
- 19 The Licensee must ensure that wastewater generated from washing plant and equipment associated with the activity does not cause pollution.
- 20 The Licensee must segregate waste received and generated at the premises in clearly designated areas for recycling, re-use or disposal.
- 21 The Licensee must cover waste in accordance with the NT EPA *Guideline for the Siting, Design and Management of Solid Waste Disposal Sites* in the Northern Territory.
- 22 The Licensee must ensure that litter:
 - 22.1 is contained within the boundary of the operational footprint.
 - 22.2 is not deposited or allowed to accumulate in stormwater drain(s), water or leachate dam(s).
 - 22.3 does not accumulate along the boundary of the operational footprint.
 - 22.4 is collected and disposed of on a daily basis.
- 23 The Licensee must not cause or permit waste to be burned at the premises.
- 24 The Licensee must maintain a log of fires occurring within the operational footprint including the following information:
 - 24.1 the time and date of when the fire was reported;
 - 24.2 the circumstance which ignited the fire;
 - 24.3 the time and date of when the fire ceased and whether it burnt out or was extinguished;
 - 24.4 the location of the fire within the operational footprint (e.g. timber stockpile, putrescible waste);
 - 24.5 prevailing weather conditions;
 - 24.6 observations made in regard to smoke direction and dispersion;
 - 24.7 the amount of waste combusted by the fire; and
 - 24.8 action taken to extinguish the fire.
 - 24.9 measures taken to reduce the risk of further fire at the premises.
- 25 The Licensee must ensure that neither leachate nor water pond on the surface of the premises.
- 26 The Licensee may only store water on the surface of the premises in the northern borrow pit identified in Attachment 2.
- 27 The Licensee must only store leachate:
 - 27.1 in covered ponds identified as 'leachate storage ponds' in Attachment 2; or
 - 27.2 in enclosed storage tanks with bunded areas constructed, sized, operated and maintained to contain 110% capacity of the largest container within the bund.
- 28 The Licensee must not directly cause or pump any leachate (including treated or concentrate leachate) into any landfill waste cell or landfill of Stage 6 without NT EPA approval.
- 29 The Licensee must ensure that the level of leachate within any lined landfill waste cell of Stage 6 does not exceed 300mm at any time.

ENVIRONMENT PROTECTION LICENCE 188 - 04

- 30 The Licensee must ensure that all materials that are likely to cause environmental harm are handled and stored in areas with a containment system in accordance 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.

Listed Wastes

- 31 The Licensee must not collect, transport, store, recycle, treat or dispose of listed waste other than the listed waste specified in Table 1.
- 32 Soils contaminated with a listed waste may include any of the listed waste prescribed in Schedule 2 of the *Waste Management and Pollution Control (Administration) Regulations 1998* and/or or per-and poly-fluoro alkyl substances (PFAS).
- 33 The Licensee must only handle asbestos containing material which is packed and contained in accordance with Section 4.8 of the *NT Worksafe and Safe Work Australia How to Safely Remove Asbestos Code of Practice*.
- 34 The Licensee must dispose of asbestos containing material in accordance with the NT EPA *Asbestos Disposal in the Northern Territory* disposal requirements within Stage 2 designated area only as defined by boundary coordinates in Table 3.

Table 3: Stage 2 Designated Asbestos Burial Area

Asbestos burial location within the following boundary coordinates	
Easting	Northing
709535	8630550
709823	8630482
709891	8630007
709518	8630001

- 35 The Licensee must maintain a record of all asbestos containing material buried at the premises including the quantity of the material buried.
- 36 The Licensee must dispose of asbestos containing material by burying it:
- 36.1 in the case of asbestos fibre and dust waste, at a minimum depth of 3 metres; and
- 36.2 in the case of stabilised asbestos waste in a bonded matrix, at a minimum depth of 1 metre.
- 37 The Licensee must ensure that any tyres stored on the premises do not exceed the limits specified in Table 4:

Table 4: Tyre Stockpile Limits

Height of stockpile	< or equal to 3 metres
Width of stockpile	< or equal to 5 metres
Length of stockpile	< or equal to 45 metres
Separation distance between stockpiles	> or equal to 15 metres
Separation to distance from end of stockpile	> or equal to 10 metres
Firebreak perimeter around each tyre stockpile	> or equal to 4 metres

ENVIRONMENT PROTECTION LICENCE 188 - 04

- 38 The Licensee must not store tyres within 50 metres of any vegetation that is more than 50mm high.
- 39 The Licensee must ensure that all listed waste being transported to and from the premises is transported by a person suitably licenced under section 30 of the WMPC Act to transport the listed waste.

Incidents

- 40 The Licensee must notify the NT EPA of any incidents at the premises causing or threatening to cause pollution including but not limited to fires, leachate breakouts, loss of containment from dams or storage.
- 41 The Licensee, as soon as practicable after (and in any case, within 24 hours after) first becoming aware of any incident, must:
- 41.1 contact the Pollution Hotline on telephone number 1800 064 567 and include the status of the incident and this licence number; and
 - 41.2 complete a section 14 incident report form and submit to both environmentalregulation@nt.gov.au and pollution@nt.gov.au.
- 42 Following any notification of an incident the Licensee must submit to the NT EPA an incident investigation report within 14 days. The incident investigation report must include:
- 42.1 when the incident was detected and by whom;
 - 42.2 the date and time of the incident;
 - 42.3 the actual or potential causes and potential contributing factors to the incident;
 - 42.4 the risk of environmental harm arising from the incident;
 - 42.5 the action(s) that were or will be undertaken to mitigate any environmental harm arising from the incident;
 - 42.6 correction actions that have or will be undertaken to ensure the incident does not reoccur; and
 - 42.7 if no action was taken, why no action was taken.
- 43 For any incidents continuously occurring for more than 14 days, an interim investigation report must be submitted within 14 days of the Licensee first becoming aware of the incident, and a final investigation report submitted within 14 days of when the incident has ceased.

DISCHARGES AND EMISSIONS

- 44 The Licensee must ensure there is no migration or overflow of a contaminant or waste, which causes or may cause environmental harm, beyond the operational footprint. The operational footprint is the area of land within the perimeter fence (shown as a yellow outline in Attachment 2) and includes infrastructure at the GWILP monitoring point.

(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 licence).

- 45 The Licensee must not allow a contaminant or waste, which causes or may cause environmental harm, to enter water.

46

ENVIRONMENT PROTECTION LICENCE 188 - 04

The Licensee must ensure that the quality of surface water leaving the operational footprint does not exceed the limits specified in Attachment 3 of this licence.

- 47 The Licensee must ensure that stormwater is diverted away from all landfill waste cells.

Emissions to air

- 48 The activity must not cause environmental nuisance or harm beyond the boundary of the operational footprint by the emission or release of:

- 48.1 visible steam;
- 48.2 smoke;
- 48.3 offensive odour;
- 48.4 dust or particulates; or
- 48.5 noise.

MONITORING

- 49 The Licensee must implement and undertake the following monitoring programs from the commencement date of this licence:

- 49.1 surface water as detailed in Attachment 3 of this licence;
- 49.2 groundwater monitoring as detailed in Attachment 4 and Attachment 5 of this licence;
- 49.3 leachate monitoring as detailed in Attachment 6 of this licence;

For the purposes of this condition, the word "land" does not include water or air on or above land.

- 50 The Licensee must for all land based monitoring points:

- 50.1 install and maintain appropriate identification signage so that they are reasonably identifiable at all times.
- 50.2 maintain safe access and egress, as is reasonably practicable.

- 51 The Licensee must ensure any samples collected in connection with the activity or this licence, are obtained by, or under the supervision of a qualified sampler.

- 52 The Licensee must ensure that, for each sample collected in connection with the activity or this licence, the following information must be recorded and retained:

- 52.1 the date on which the sample was collected;
- 52.2 the time at which the sample was collected;
- 52.3 the location at which the sample was collected;
- 52.4 the name of the person who collected the sample;
- 52.5 the chain of custody forms relating to the sample;
- 52.6 the field measurements (if any) and analytical results (if any) relating to the sample; and
- 52.7 laboratory quality assurance and quality control documentation.

ENVIRONMENT PROTECTION LICENCE 188 - 04

The Licensee must ensure that every sampling location is sampled according to the frequency specified for each monitoring program. Where a sampling location is inaccessible or dry during the sampling period the Licensee must provide reasons for the absence of any sample results.

ENVIRONMENT PROTECTION LICENCE 188 - 04

- 54 The Licensee must ensure that all monitoring samples are analysed at a laboratory with current NATA accreditation or equivalent.
- 55 The Licensee must ensure that laboratory results for all surface water, groundwater, and leachate monitoring undertaken in accordance with this licence are made available to the NT EPA within one month of sampling.
- 56 The licensee must at all times maintain an up to date monitoring database which records:
- 56.1 leachate pumping volumes or leachate relocated or moved within the operational footprint; and
 - 56.2 monitoring results for any monitoring required under this licence from January 2010 to present.

RECORDING AND REPORTING

- 57 The Licensee must maintain records of the nature, quantities and source of waste, other than listed waste, received at the premises in each successive 12 month period following the commencement date of this licence.
- 58 The Licensee must keep and maintain records relating to the activity undertaken and the listed waste handled by the Licensee in each successive 12 month period following the commencement of this licence, which includes:
- 58.1 the date of collection;
 - 58.2 the source of the listed waste;
 - 58.3 the name of the transport company;
 - 58.4 the vehicle registration;
 - 58.5 a description of the listed waste;
 - 58.6 the quantity of the listed waste;
 - 58.7 the final destination of the listed waste; and
 - 58.8 whether the listed waste was stored, recycled, treated or disposed of.
- 59 The Licensee must retain records relating to waste, including listed waste, as required by the conditions of this licence, for a period of 2 years after the end of the 12 month period to which the record relates.
- 60 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.
- 61 The Licensee must notify the NT EPA of any non-compliance with this licence by completing the Non-Compliance Notification via NT EPA Online or emailing environmentalregulation@nt.gov.au, as soon as practicable after (and in any case within 24 hours after) first becoming aware of the non-compliance.
- 62 The Licensee must keep records of all exceedances of surface water trigger values detailed in Attachment 3 of this licence. These records must be adequate to enable the Licensee to comply with the exceedance notification conditions of this licence.
- 63 A non-compliance of surface water monitoring detailed in Attachment 3 of this licence includes an exceedance at any sample location:
- 63.1 of the trigger values on three consecutive sampling occasions; or
 - 63.2 greater than or equal to two times the trigger value; or

ENVIRONMENT PROTECTION LICENCE 188 - 04

- 63.3 of the trigger value by the median value from six consecutive samples.
- 64 The Licensee must ensure that the notifications of exceedances include the following information:
- 64.1 when the exceedance was detected and by whom;
 - 64.2 the date and time of the exceedance;
 - 64.3 the actual and potential causes and contributing factors to the exceedance;
 - 64.4 the risk of environmental harm arising from the exceedance;
 - 64.5 the action(s) that have or will be undertaken to address the exceedance and/or environmental harm;
 - 64.6 if no action was taken, why no action was taken; and
 - 64.7 a date when an incident investigation report will be submitted to the NT EPA.
- 65 The Licensee must submit a completed Annual Return via NT EPA Online within 10 business days after each anniversary date of this licence which relates to the preceeding 12 month period.
- 66 The NT EPA may require the Licensee to revise or amend and resubmit any Annual Return. Where the NT EPA requires the Annual Return to be resubmitted, the Licensee must submit it to the NT EPA by the date specified by the NT EPA.
- 67 The Licensee must complete and provide to the NT EPA a Monitoring Report, as prescribed by this licence, within 20 business days after each anniversary date of this licence.
- 68 The Licensee must ensure that each Monitoring Report:
- 68.1 is prepared in accordance with the requirements of the NT EPA '*Guideline for Reporting on Environmental Monitoring*';
 - 68.2 reports on all surface water, groundwater, and leachate monitoring undertaken for this licence and as part of the environmental monitoring program for the site and the:
 - results for surface water are analysed by a person with expertise in hydrology;
 - results for groundwater are analysed by a person with expertise in hydrogeology.
 - 68.3 includes a tabulation of all monitoring data required as a condition of this licence. Data must be provided electronically in Microsoft Excel format;
 - 68.4 includes long term trend analysis of monitoring data to demonstrate any environmental impact associated with the activity over a minimum period of three years (where the data is available). Data used in this analysis must be provided electronically in Microsoft Excel format;
 - 68.5 reports on all environmental monitoring exceedances and investigations undertaken for this licence; and
 - 68.6 includes an assessment of the environmental impacts outside the operational footprint by the licensed activity.
- 69 The NT EPA may require the Licensee to revise or amend and resubmit any Monitoring Report. Where the NT EPA requires the Monitoring Report to be resubmitted, the Licensee must submit it to the NT EPA by the date specified by the NT EPA.

ENVIRONMENT PROTECTION LICENCE 188 - 04

PERFORMANCE IMPROVEMENT

- 70 The Licensee must implement the recommendations made by the independent environmental auditor in the report entitled Construction Verification Audit Report Shoal Bay Waste Disposal Facility, Stage 6 (EHS Support Pty Ltd Project Number AUS##C02723_2021) dated 22 February 2021 in the operation of Stage 6.
- 71 The Licensee must undertake, in June of each year, a licence audit by a person suitably experienced with licence auditing or a qualified person to evaluate the extent to which compliance has been achieved with this licence.
- 72 The Licensee must ensure that for each licence audit undertaken by the Licensee:
- 72.1 a written report is prepared and signed by the person who conducted the audit;
 - 72.2 the written report is completed within 2 calendar months; and
 - 72.3 the written report is provided in full to the NT EPA within 10 business days of being signed by the person who conducted the audit.
- 73 The Licensee must not operate the Leachate Treatment Plant until it has completed all construction and commissioning requirements specified in Environment Protection Approval (EPA) 304-02 to the satisfaction of the NT EPA.

END OF LICENCE CONDITIONS

This licence is not valid unless signed below:



Ben McTavish
A/Director Environmental Operations
Delegate of the Northern Territory
Environment Protection Authority
Dated: 21/12/2023

ENVIRONMENT PROTECTION LICENCE 188 - 04

DEFINITIONS

All terms in the Licence 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 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 Scheduled activity as described on the covering page of this licence.
AHD	Australian Height Datum is the official national vertical datum for Australia.
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 licence and providing information on waste volumes for the preceding 12 month period.
ANZECC/ARMCANZ	Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, 2000: National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting.
Asbestos containing material	any material that contains asbestos.
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.
Contact details	includes the 24 hour emergency contact, and name, position title and phone number of a representative of the licensee who can be contacted about the licence 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	a written plan documenting the licensee's procedures for responding to

ENVIRONMENT PROTECTION LICENCE 188 - 04

Plan	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 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.
Landfill	a waste disposal site for the controlled deposit of solid waste by burial onto or into land.
Landfill cell	a purpose built area for the disposal of waste within a landfill.
Landfill Closure and Post Closure Plan	a written plan which specifies the landfill closure and post-closure activities as set out in the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory.
Leachate	any liquid produced by the action of water percolating through waste, and that contains contaminants.
Listed waste	a waste included under Schedule 2 of the Regulations.
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.
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).
NATA	National Association of Testing Authorities, Australia.
Non-compliance	failure or refusal to comply, whether by act or omission, with obligations or requirements and includes any exceedance of a licence limit.

ENVIRONMENT PROTECTION LICENCE 188 - 04

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 Licence (EPL), Environment Protection Approval (EPA) and Waste Discharge Licence (WDL) lodgement and maintenance.
Operational footprint	the area within the perimeter fence as shown in Attachment 2 and includes the infrastructure for the GWILP monitoring location.
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 on page 1 of this licence and includes equipment, plant and structures, whether stationary or portable, and the land on which premises are situated including the operational footprint.
Public entrance	access to the premises that is utilised by the public.
Putrescible waste	the component of the waste stream liable to become putrid. For example, organic matter that has the potential to decompose with the formation of malodorous substances, usually refers to vegetative, food and animal products.
Qualified person	a person registered under Section 68 of the WMPC Act.
Qualified sampler	a person who has training and experience in obtaining samples from the relevant environmental medium.
Regulations	<i>Waste Management and Pollution Control (Administration) Regulations.</i>
Rehabilitation Plan	a written plan to ensure that the objectives of rehabilitation are achieved as set out in the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory.
RL50mAHD	Reduced Level 50 metres above Australian Height Datum
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

ENVIRONMENT PROTECTION LICENCE 188 - 04

(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.
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	(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) Measures.
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 Coastal Waters (Northern Territory Powers) Act 1980 of the Commonwealth; and (c) water containing an impurity.
WMPC Act	the Northern Territory <i>Waste Management and Pollution Control Act</i> .