



No. 2010/2

POLLUTION ABATEMENT NOTICE

(Issued pursuant to section 77 of the *Waste Management and Pollution Control Act*)

Issued to:

Name : Darwin Port Corporation
(ABN: 89 545 720 710)
Address : GPO Box 390
DARWIN NT 0801
Tel: 08 8922 0660
Fax: 08 8922 0666

In relation to premises:

NT Land Portion 05987
870 Berrimah Rd
East Arm, Northern Territory

TAKE NOTICE THAT, I Jim Grant, the Chief Executive Officer pursuant to the *Waste Management and Pollution Control Act* NT ("the Act"), have reason to believe that:

1. on a date or dates presently unknown to me in late 2009 and early 2010, during the loading of copper concentrate on ships at the premises, substantial quantities of copper concentrate dust escaped the loading equipment at the premises and were deposited onto the premises and into Darwin Harbour;
2. on a date unknown to me in late 2009 a large quantity of copper concentrate dust directly entered Darwin Harbour from a discharge chute forming part of the loading equipment at the premises;
3. at the time of the events in paragraphs 1 and 2, the loading equipment was in the possession or control, and/or was the responsibility, of the Darwin Port Corporation; and
4. by reason of the facts in paragraphs 1 to 3, the Darwin Port Corporation has committed offences against section 83(4) or 83(5) of the Act, and/or has contravened or failed to comply with section 12(1) of the Act.

AND I HEREBY REQUIRE AND DIRECT the Darwin Port Corporation to immediately take steps to ensure that in future no loading of copper concentrate

onto ships is undertaken at the premises unless there are adequate measures in place to avoid a repetition of the events in paragraphs 1 or 2 above, such as would entail a breach of section 83(4) or 83(5), or a failure to comply with section 12(1) of the Act.



Jim Grant
Chief Executive Officer

23/ 04 / 2010
Date

16.00
Time

Department of Natural Resources, Environment, The Arts and Sport

Important Notice

Failure to comply with this notice is an offence under section 80 of the *Waste Management and Pollution Control Act* and may incur significant penalties and/or other statutory action.

This notice takes effect on the date on which it is served upon you. Pursuant to section 108 of the *Waste Management and Pollution Control Act*, **you have the right to apply for a review of the decision to issue you with this Pollution Abatement Notice. If you intend to apply for a review, YOU MUST MAKE AN APPLICATION NOT LATER THAN 7 DAYS after the date you were served with this notice.** For information on how to lodge an application for review, contact the Environment, Heritage and Arts Division of the Department of Natural Resources, Environment, The Arts and Sport; telephone 8924 4218.

Pursuant to section 112 of the *Waste Management and Pollution Control Act* the person issued with this notice must fulfil certain obligations before selling, leasing, sub-leasing, giving or exchanging land, premises, a vehicle or business which is the subject of this Notice.

Office Use Only - Service of Notice

Personal or by Post: (Circle as appropriate)

If **Personal**: Served to: _____ at: _____

Date: / / Time: _____

By: Name: _____ Signature: _____

Agency: _____

If **Post**: Registered or certified mail no: _____