

The logo for ntepa, consisting of the lowercase letters 'ntepa' in a sans-serif font. The 'n' and 't' are orange, while 'e', 'p', and 'a' are dark red.

ANNUAL REPORT 2018-19




Letter from the Chairman NT EPA to the Minister

The Hon. Eva Lawler MLA
Minister for Environment and Natural Resources
Parliament House
Darwin NT 0800

Dear Minister

I am pleased to present you with the annual report of the Northern Territory Environment Protection Authority (NT EPA) for the year ended 30 June 2019, as required under section 33 of the Northern Territory Environment Protection Authority Act 2012.

The report describes the performance of the NT EPA's functions during the 2018-19 financial year.

A handwritten signature in black ink, appearing to read 'P. Vogel', with a horizontal line underneath it.

Dr Paul Vogel AM MAICD
Chairman
Northern Territory Environment Protection Authority
31 October 2019



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Chairman's message

Each year I look back on the work of the NT EPA and I am reminded how vital the work we do is in ensuring the ecologically sustainable development of the Northern Territory (NT).

This year the NT EPA took on new responsibilities to advise the Minister for Environment and Natural Resources about the appropriateness of proposed environment management plans for managing petroleum activities under the Petroleum (Environment) Regulations 2016. Preparing ourselves for, and implementing processes to ensure we can meet, this new responsibility has been a substantial, challenging but rewarding, part of our work since January 2019. The NT EPA has been supported in this role by government's appointment of experts in the management of hydraulic fracturing activities to the NT EPA. I take the opportunity to welcome Dr Rodney Lukatelich and Dr Vaughan Beck to the NT EPA.

As part of the NT EPA's continuing commitment to improving administrative processes and practices the NT EPA established its first committee this year. The Onshore Gas Committee provides expert review and advice to the NT EPA to inform recommendations to the Minister about petroleum environmental management plans (EMPs). Looking forward into the coming year, the NT EPA will continue its contribution to ensuring that the Territory's petroleum industry is managed in an ecologically sustainable manner by providing strategic and expert advice into the strategic regional environmental baseline assessment (SREBA) in the Beetaloo Basin. This SREBA is of vital importance for the complete and proper assessment of the

potentially significant environmental impacts associated with production level activities of this industry.

In addition to implementing these new responsibilities, the NT EPA has continued to conduct environmental impact assessments, completing the assessment of 4 proposals. This included the highly significant assessment report on the McArthur River Mine Overburden Management Project, together with the assessment reports for 2 greenfield mines. This year also saw the NT EPA issue Environment Protection Approvals for Project Sea Dragon's grow-out facility at Legune Station, consistent with the assessment report completed in March 2017. These approvals authorise the construction of aquaculture ponds, channels, a weir and discharge pipe and represent a significant step in the delivery of Australia's largest inland aquaculture project. The grant of these approvals demonstrates how environmental impact assessment processes can identify and predict potential environmental impacts and risks and the conditions that can be placed on environmental authorisations to manage those impacts. The approved works are expected to commence during the 2019 dry season.

This year has also been a period when a number of waste related issues affecting the Territory have been of particular focus for the NT EPA. With the help of the Territory community, the NT EPA commenced a number of investigations into the illegal disposal of end of life tyres and has identified the life-cycle management for tyres as an emerging issue of concern. Illegally disposed of tyres present a significant fire risk and can result in land and



groundwater contamination. It continues to be disappointing that certain members of the community avoid their environmental responsibilities and costs through illegal activities.

During the year the NT EPA undertook an internal review to understand and verify the extent of waste generated, transported, re-used and disposed of in the Territory. This review identified significant issues with the Territory's current waste tracking and reporting system, including that more than 33% of waste reports provided by licensees were incorrectly completed, illegible or inaccurate, and that more than 20% of records were either submitted outside of required timeframes or not at all. The review has highlighted the need for an effective end to end waste tracking system in the Territory which would enable the tracking of waste from generation to disposal.

The NT EPA's environmental officers have also been kept busy investigating a concerning number of other large and commercial scale illegal transport, storage, and disposal activities of wastes and chemicals. It is likely that these activities have been aided by the lack of a comprehensive waste tracking system in the NT.

Following the waste review, the NT EPA conducted a number of industry workshops to help improve understanding of reporting requirements, refined its waste tracking and reporting guidelines, and prioritised detailed investigations into the development and implementation of an online waste tracking system. All this work, as well as investigations into those operators who have not appropriately complied with their environmental responsibilities, will continue well into 2019-20.

For a number of years, the NT EPA has worked to identify and implement administrative reforms to improve the Territory's environmental impact assessment system. This year saw the Northern Territory Government make substantial progress in delivering its commitments to improve the Territory's environmental regulatory framework through the introduction of the Environment Protection Bill 2019 into the Legislative Assembly of the Northern Territory.

This Bill provides the basis for improving the environmental impact assessment system and introduces a new environmental approval to be granted at the completion of the assessment process. This will substantially improve environmental decision-making and outcomes in the NT. The NT EPA will continue to work with the government to influence the direction of these long overdue and necessary regulatory reforms.

Finally, I would like to acknowledge and thank the staff of the Department of Environment and Natural Resources, my fellow board members, and the proponents, community and industry organisations that the NT EPA has worked with over the past 12 months in delivering the NT EPA's responsibilities. It is only through working together that the NT EPA is able to fulfil its functions, to support ecologically sustainable development and improve environmental outcomes in the Territory.

Dr Paul Vogel AM MAICD, Chairman NT EPA

Objectives and functions of the NT EPA

The Northern Territory Environment Protection Authority (NT EPA) is the Northern Territory's independent expert advisor on environmental matters. It is established as an independent statutory authority by the Northern Territory Environment Protection Authority Act 2012 (NT EPA Act).

The objectives of the NT EPA are to:

- promote ecologically sustainable development (ESD)
- protect the environment, having regard to the need to enable ESD
- promote effective waste management and waste minimisation strategies
- enhance community and business confidence in the environmental protection regime of the Territory

The NT EPA fulfils its objectives through providing strategic advice and reports on a range of existing and emerging environmental issues, undertaking assessments of the environmental impacts of development proposals, and regulating wastes and pollution discharges and emissions. The objectives guide the NT EPA's decision-making when fulfilling its functions under a range of legislation outlined below. Central to its decision-making is the definition of ESD which means using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life now and in the future can be increased.

The NT EPA's advisory powers are contained in the NT EPA Act. Its powers to undertake environmental impact assessments and regulate wastes and pollution are conferred respectively through the Environmental Assessment Act 1982 (EA Act) and associated Environmental Assessment Administrative Procedures 1984 the Waste Management and Pollution Control Act 1998 (WMPC Act), the Environment Protection (Beverage Containers and Plastic Bags) Act 2012 and their supporting subordinate legislation.

The NT EPA's capacity to properly exercise its powers and functions in providing evidence-based, transparent recommendations and advice about the potential impacts on, and measures required to ensure the protection of, the Territory's unique environment depends on the NT EPA acting, and being seen to act, in an independent manner. The NT EPA Act enshrines this independence by ensuring that neither the NT EPA (as an entity) nor any of its members is subject to direction by the Minister or government in the performance of the NT EPA's powers and functions.



The NT EPA is accountable to the Territory community and government. This annual report provides an opportunity for the NT EPA to inform the community and government about its operations and performance over the previous financial year. The chair prepares a report annually by 31 October and the report is tabled in the Legislative Assembly by the Minister for Environment and Natural Resources. Consistent with its commitments to transparency and community involvement, the NT EPA makes its annual reports available on its website.

The NT EPA currently comprises 7 members appointed by the Northern Territory Administrator, and the chair of the Northern Territory Planning Commission who is appointed by the Northern Territory Minister for Infrastructure, Planning and Logistics in accordance with the Planning Act 1999. Further information on the members of the NT EPA is detailed in Appendix 1.

Key relationships

Key to the success of the NT EPA is its relationships with the community, industry and government. Effective environmental protection and management is everyone's responsibility.

The community and industry can make specific contributions in assisting the NT EPA meet its responsibilities. These contributions include:

- complying with licences and environmental regulations
- engaging in and contributing to the impact assessment process for development proposals by making comments on draft terms of reference for environmental impact assessment and on the completed environmental impact statements that are provided for public comment
- being conscious of the importance of protecting the natural environment in company and personal behaviour and practices
- contributing information and advice to inform guidelines and policies prepared by the NT EPA
- reporting environmental incidents to the NT EPA

Department of Environment and Natural Resources

The Chief Executive Officer of the Department of Environment and Natural Resources provides the NT EPA with access to staff and facilities. The NT EPA is assisted primarily by employees of the department's Environment Division. These employees provide administrative and operational support to the NT EPA and in many cases act under delegation from the NT EPA. They perform a range of tasks associated with conducting the environmental impact assessment process, administering licences and approvals to protect the environment from the impacts of waste and pollution, investigating pollution complaints and potential breaches of the NT EPA's legislation and preparing draft reports and other advisory material to enable the NT EPA to provide the Minister with strategic advice.

This assistance enables the NT EPA to fulfil its legislated responsibilities, however the NT EPA makes all key decisions relevant to the exercise of its powers and functions, and remains accountable for the manner in which its powers are exercised.

The NT EPA and the department have an effective working relationship which is supported by provisions in the NT EPA Act designed to protect and maintain the NT EPA's independence. These legislative provisions ensure that those department employees assigned to support the NT EPA are subject only to the direction of the chair in the performance of their duties for the NT EPA.



Australian Government Department of the Environment and Energy

In conducting environmental impact assessments, the NT EPA acts in accordance with a bilateral agreement established between the Northern Territory and Australian governments under section 45 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act). In accordance with the arrangements, the NT EPA will consider any matters of national environmental significance that may be impacted by the development proposal and will prepare an assessment report that considers impacts on those matters, as well as matters of importance to the Territory. The Australian Government Minister for the Environment uses the NT EPA's assessment report in determining whether to grant or refuse a development proposal that may have an impact on a matter of national environmental significance.

The NT EPA prepared 2 assessment reports that were considered by the Australian Government Minister in 2018-19. Report 88 regarding Defence Housing Australia's Lee Point Master-planned Urban Development and Report 86 regarding McArthur River Mining Pty Ltd's McArthur River Mine Overburden Management Project.

Heads of EPAs

The NT EPA is an active participant in the activities of the Heads of EPAs (HEPA). HEPA is a high-level forum comprising chairpersons or equivalent representatives from all Australian jurisdictions and New Zealand that provides an opportunity to share knowledge and experiences, identify opportunities for improvements in nationally consistent regulation, and promote greater coherence in regulatory practice and policy across jurisdictions.

During 2018-19, the NT EPA Chair attended HEPA meetings, while the department's employees participated in a range of HEPA working groups.

Activities of the NT EPA

Objective 1: Promote ecologically sustainable development

Develop policy, guidelines and standards to inform leading environmental management practice



Guidance for Proponents – Stakeholder Engagement

Stakeholder engagement is a vital part of the environmental impact assessment process. Meaningful engagement by proponents with impacted communities enables proponents to understand and respond to community concerns, and is more likely to result in overall positive outcomes for the project.

The NT EPA consulted on draft guidance for proponents outlining the NT EPA's expectations for proponents to conduct and demonstrate effective stakeholder engagement as part of the environmental impact assessment process between December 2018 and February 2019.

The final guidance was published in May 2019 and is available on the NT EPA's website.

NT EPA Guidance on Adaptive Management

During 2018-19, the NT EPA had a number of opportunities to consider the role of adaptive management processes in informing and improving environmental outcomes.

Between September and October 2018, the NT EPA undertook public consultation on draft guidance on adaptive management. This guidance outlines the NT EPA's understanding of adaptive management and when adaptive management approaches may be considered by the NT EPA as part of a holistic environmental management response.

The final guidance was published in December 2018 and is available on the NT EPA's website.

Financial assurance framework

Section 35(3)(a) of the Waste Management and Pollution Control Act 1998 (WMPC Act) allows the NT EPA to impose conditions on environmental protection approvals or licences requiring financial assurance subject to conditions outlined under section 36. These financial assurance provisions are used to protect the government (and therefore the taxpayer) from financial costs associated with undertaking environmental management activities in circumstances where the legally responsible person is not able to (for example, due to bankruptcy). Financial assurance provisions can facilitate the polluter-pays principle by providing a mechanism that ensures environmental impacts caused by an activity are paid for by the person who caused the impacts.

The NT EPA considered overarching principles and guidelines for financial assurance in the Northern Territory which has informed the development of advice to the Northern Territory Government as part of its consideration of the management of hazardous waste.

Noise Management Framework Guideline

The NT EPA finalised and published the Northern Territory Noise Management Framework Guideline in September 2018 following consultation from January to March 2018.

The main objectives of the guideline are to provide greater certainty for business and the community in understanding how noise is regulated in the Territory and to provide guidance to Northern Territory regulatory agencies in addressing noise matters.

The NT EPA continues to receive and investigate an increasing number of noise pollution reports including neighbourhood noise, entertainment venue noise, traffic and commercial noise and industrial noise.

The NT EPA continued to provide regulatory and technical advice to industry and other Northern Territory Government agencies to support their application of the noise management framework.

Air Quality Management Framework

The NT EPA made progress in developing the Northern Territory Air Quality Management Framework Guideline. The guideline will provide guidance to industry and other interested stakeholders on key aspects of air quality management and regulation in the NT.

Development of the guideline has involved a comprehensive review and compilation of international, national and Northern Territory air quality management requirements and technical information. This work will inform the NT EPA's focus on air quality management priorities in the NT.

The guideline will establish a clear and consistent framework for assessing impacts to the air environment from industrial and commercial premises and industrial development proposals.

Onshore Gas Committee guidance material

The NT EPA's Onshore Gas Committee was established to support the NT EPA's advice to the Minister on the environmental management of the onshore petroleum industry. The NT EPA's Onshore Gas Committee has provided input to key Northern Territory Government guidance material including the draft Code of Practice for Onshore Petroleum Activities and a draft Guideline for the Preparation of an Environmental Management Plan for Onshore Petroleum Activities in the Northern Territory. These documents establish the standards and expectations for the environmental management of onshore petroleum activities to ensure they are undertaken in an acceptable manner.



Case Study

Guideline to improve air quality in remote communities

Clinical and related waste incinerators in remote communities are now subject to a guideline approved by the NT EPA in September 2018.

The Guideline for Remote Clinical Waste Incinerators in the Northern Territory applies to remote health clinic incinerators in addition to the general environmental duty provisions of the WMPC Act. The guideline:

- establishes air emission limits for incinerators
- establishes minimum operating requirements for incinerators
- requires all existing remote incinerators to be upgraded to meet the minimum design specification for new incinerators before 1 September 2023
- establishes requirements for monitoring, record keeping and standard operating procedures

The guideline was developed after the NT EPA raised concerns with the Department of Health over inappropriate siting and design of remote health clinic incinerators in late 2015. The incinerators had been installed as part of federally funded upgrades to the health clinics.

The department placed a temporary moratorium on the incinerators and commissioned an assessment by an independent consultant. The Chief Minister subsequently asked the NT EPA to investigate and provide recommendations.

The investigations included identifying remote clinical waste incinerators, their location in relation to sensitive receptors, the type of incinerator and conditions around how waste is incinerated. Air emissions were modelled and mitigation measures recommended where required.

It was recommended that a guideline be written to set out the minimum performance and operational requirements for remote clinical waste incinerators.

If remote clinical waste incinerators start operating on a commercial or fee for service basis, the guideline does not apply and the incinerator will need to be licensed under the WMPC Act.

Advise government on environmental issues under Part 3 of the NT EPA Act

Guideline for Remote Clinical Waste Incinerators

A Guideline for Remote Clinical Waste Incinerators in the Northern Territory was finalised by the NT EPA in September 2018.

The guideline is informed by multiple investigations undertaken by the Department of Health and the NT EPA. It provides detailed guidance on minimum standards for clinical waste incinerators not operating on a commercial or fee for service basis. It aims to ensure facilities are operated in accordance with general environmental duty established by section 12 of the WMPC Act.

The guidance requires facilities constructed before 1 September 2018 to be upgraded to meet minimum standards by 1 September 2023.

NT EPA Seabed Mining Review

The NT EPA continued to work on advice for the Minister for Environment and Natural Resources about the actual or potential impacts on the environment and other resource industries and methods for managing the impacts of seabed mining. This advice is being prepared in response to a request by the former Minister for Natural Resources, Environment and Heritage as part of the Northern Territory Government introducing a moratorium on seabed mining activities in Northern Territory waters in 2012.

The NT EPA anticipates providing its final advice to the Minister during 2019-20.

Engagement with government, industry and community to promote ecologically sustainable development

Stakeholder engagement in environmental impact assessment

The NT EPA recognises the importance of early and frequent engagement with all stakeholders in the environmental impact assessment (EIA) process.

The EIAs completed for McArthur River Mine, Defence Housing Australia – Lee Point Master-planned Urban Development and Core Lithium Ltd – Grant’s Lithium Project attracted strong community attention through the statutory public comment process. When completing each assessment, the NT EPA considered all submissions in relation to each proposal’s potential environmental impacts and risks. The NT EPA considers it important for the community to know that their comments are considered in the preparation of an assessment report.

As previously reported, the NT EPA released new guidance for proponents on stakeholder engagement during the EIA process.

Officer exchange with Western Australia

Ms Christine Tylor participated in an officer exchange opportunity in 2019. Ms Tylor worked with the Department of Water and Environment Regulation in Western Australia for 3 months on key strategic regulatory approval reforms.

This opportunity provided a Northern Territory officer with valuable exposure to environmental regulation in another jurisdiction and provides a basis for further opportunities and collaboration between the Territory and Western Australia.





The NT EPA has directed considerable effort in 2018-19 to better understand the scale, type and volume of hazardous waste in the Northern Territory and improve the accuracy of waste data reporting.

The work will underpin options for an online waste tracking system with a view to implementing a system in 2020.

An audit of 6,000 waste records dating back to 2008, conducted in consultation with the waste industry, found:

- more than one third of reports received were non-compliant because they were incorrectly completed, illegible or inaccurate
- more than 20% of records were not received at all or had not been submitted within the required timeframe
- there was no clear end to end waste tracking system in the Territory that would enable tracking the waste from generation to disposal

The reports that did not comply resulted from a lack of understanding of the requirements, complexity in the reporting process, or lack of clarity on how to accurately complete the form. The non-compliances led to a misunderstanding and misreporting of the volume, types and destination of hazardous waste in the Territory.

The audit identified a higher percentage of recovery of waste produced in the Northern Territory than originally understood.

The NT EPA has:

- held a number of industry workshops to improve understanding and awareness by licensees of the importance of accurate waste data collection and reporting
- revised the NT EPA's waste tracking and reporting guidelines to better assist licensees
- increased compliance rates with statutory reporting requirements
- identified areas where reporting can be streamlined and simplified
- increased engagement with local councils and communities in regional and remote areas

The waste tracking work supports one of the five focus areas of the NT EPA's Waste Management Strategy for the Northern Territory 2015-2022 to improve waste data collection, monitoring and analysis.

Objective 2: Protect the environment, having regard to the need to enable ecologically sustainable development

NT environmental regulatory reform

The Northern Territory Government progressed its environmental regulatory reform program during 2018-19 with amendments to the NT EPA Act and the introduction of the Environment Protection Bill 2019.

Throughout the year, the NT EPA continued to engage with and influence the government's environmental regulatory reform agenda.

Amendments to the NT EPA Act were passed and commenced in November 2018. These amendments expanded the membership of the NT EPA and expanded the NT EPA's advisory role. The amendments have facilitated the NT EPA providing advice to the Minister for Environment and Natural Resources on the approval of environment management plans for petroleum activities.

The amendments also introduced new requirements for the NT EPA to prepare a statement of intent outlining the NT EPA's priorities for the coming 2 years. The NT EPA has commenced a review of its strategic plan 2018-20 and the development of a statement of intent which it intends to submit to the Minister in 2020.

The introduction of the Environment Protection Bill 2019 is a substantial step in improving the Territory's approach to environmental impact assessment and project approvals. The NT EPA has been integral in advising the Northern Territory Government about proposals contained in the Bill and will continue to work with the Northern Territory Government during 2019-20 on the development of supporting environment protection regulations and implementing the reforms.

Environmental assessment of development proposals

Through conducting transparent and consultative environmental impact assessments, the NT EPA advises the Minister about the potential impacts and risks of development proposals, and makes recommendations about the measures that should be adopted in approval conditions to protect the environment.

In 2018-19 the NT EPA was notified of 20 development proposals that had the potential to have a significant impact on the environment. The NT EPA decided 3 proposals required assessment at the level of an environmental impact statement (EIS). The NT EPA has not prepared terms of reference for these proposals in 2018-19 due to the need to clarify the status of each proposal with the proponent.

The NT EPA decided that 12 proposals did not require further assessment. These proposals are listed in Appendix 2. Decisions on the remaining 5 proposals will be made in 2019-20.

The NT EPA's decision that the Maryfield land clearing proposal did not require assessment under the EA Act was challenged in court by the Environment Centre of the Northern Territory (ECNT). The ECNT sought judicial review on several grounds in particular regarding the NT EPA's administrative decision-making process with a particular focus on the NT EPA's consideration

of greenhouse gas emissions associated with the land clearing proposal. The court's hearings were held in December 2018. The NT EPA respects the right of interested parties to seek review of its administrative decisions. The NT EPA looks forward to the court delivering its decision in 2019-20 and in the meantime has commenced a review of its procedures for assessment and decision making processes for new proposals.

The NT EPA completed four assessment reports:

- McArthur River Mining Pty Ltd – McArthur River Mine Overburden Management Project
- Verdant Minerals Ltd – Ammaroo Phosphate Project
- Defence Housing Australia – Lee Point Master-planned Urban Development
- Core Lithium Ltd – Grants Lithium Project

In the past 2 years, completed assessments have fallen into the following categories (refer to Figure 1):

- 60% of completed assessments have been for mining proposals
- 30% for residential subdivisions
- 10% for industrial proposals

Licences and approvals

The Waste Management and Pollution Control Act 1998 (WMPC Act) establishes an environmental approvals and licensing regime for activities specified in Schedule 2 of the Act. Environment protection approvals (EPAs) for the construction of facilities and environment protection licences (EPLs) for certain activities support the objectives of the WMPC Act by establishing conditions for the management of environmental impacts and risks and associated monitoring and reporting.

EPAs and EPLs are required for:

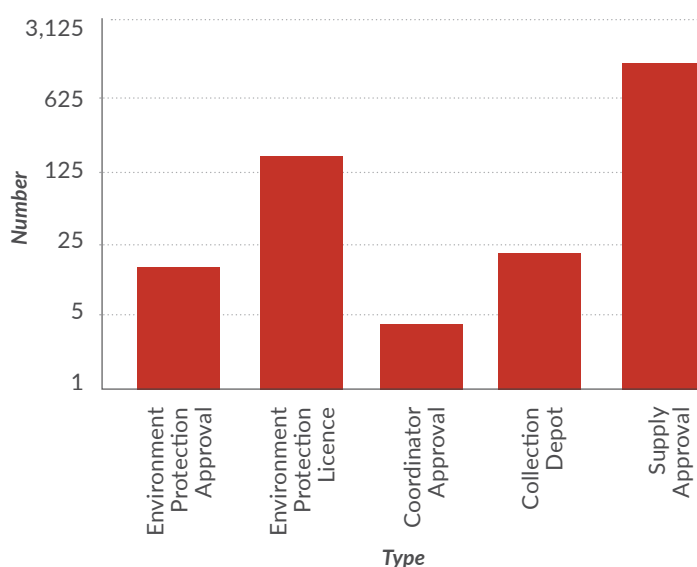
- storage and transport of listed waste
- construction and operation of landfills
- construction and operation of waste transfer facilities
- construction and operation of liquefied natural gas (LNG) and methanol processing facilities

During 2018-19, the NT EPA administered 14 EPAs and 163 EPLs refer to (Figure 2). This includes the issue of 2 new EPAs and 18 new EPLs.

A total of 20 EPL amendments were processed in response to changes in licensees operations, with 2 licences being amended more than once over the financial year. Another 7 amendments are currently being processed.

A licensing audit was conducted to target non-compliance with reporting requirements and payment of licensing fees. The audit identified a number of licensees that had pending reporting or outstanding fees. Other licensees that had been double-charged licensing fees were identified and provided refunds. The audit

Figure 2: Licences and approvals administered in 2018-19



and follow-up actions resulted in improved reporting and the collection of outstanding fees.

A list of EPAs and EPLs issued in 2018-19 are listed in Appendix 3. Current environment protection approvals and licences are available on the NT EPA website.

The NT EPA online system was implemented in 2015. It has allowed for easier retrieval of approval and licence information and reporting. The process of transferring paper-based EPAs and EPLs to the NT EPA online system is nearing completion, with only 21 EPLs and 1 EPA remaining to be migrated. This is expected to occur by the end of June 2020.

This compares to the 10 year distribution (refer Figure 1):

- 55% of completed assessments have been for mining proposals
- 10% for residential subdivision
- 20% for industrial proposals
- 7.5% for gas and energy proposals
- 7.5% for aquaculture proposals

Environmental impact assessment reforms

The NT EPA continued to increase certainty and timeliness of environmental impact assessments (EIAs) by improving guidance material to give proponents greater clarity about the level of detail required in an environmental impact statement (EIS). While the NT EPA continues to see great variability in the quality of work submitted for assessment, it is developing new guidance material to reduce the likelihood of a proponent needing to submit further information late in the assessment process. This includes a new format for EIS terms of reference and new guidance for proponents to refer to in drafting their EIS. These will be finalised following consultation early in 2019-20.

Figure 1: Assessments completed by the NT EPA by industry type

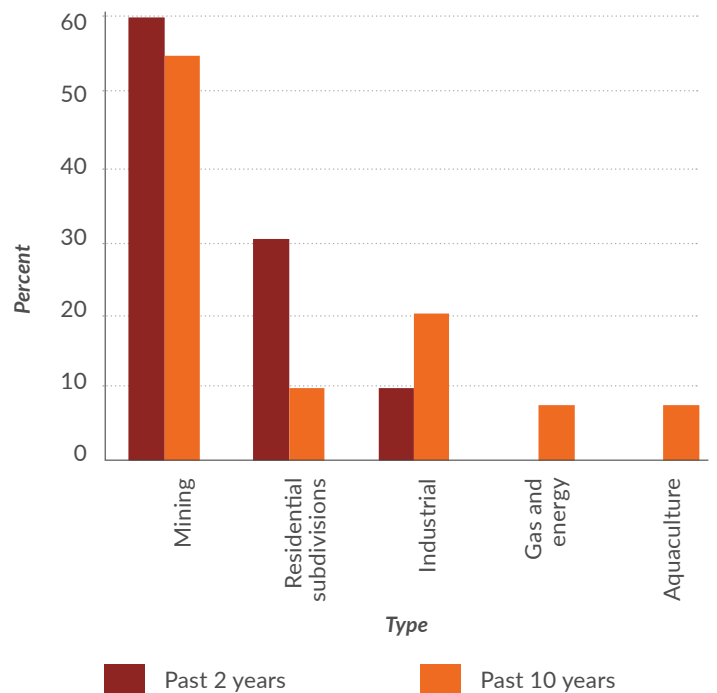
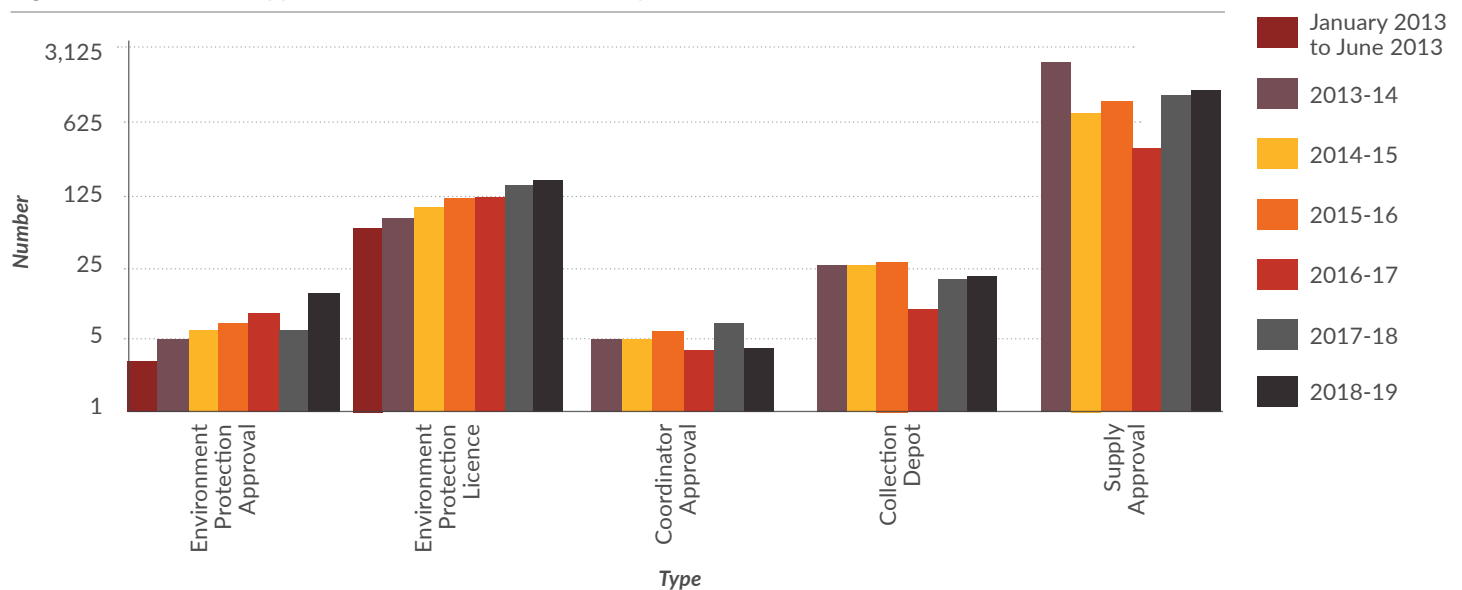


Figure 3: Licences and approvals administered from January 2013



Administration of the Northern Territory Container Deposit Scheme (CDS) involved the issue of:

- CDS coordinator 4 approvals
- a total of 20 CDS collection depot approvals, including 7 new, renewed or amended CDS collection depot approvals
- the 1,247 CDS supply approvals administered including 340 new, renewed or amended CDS supply approvals
- a total of 1,577 beverage container approvals

The number and type of licences and approvals administered by the NT EPA in 2018-19 are presented in Figure 2.

A comparison of licences and approvals administered from January 2013 to June 2019 is presented in Figure 3. The number of EPAs and EPLs issued under the WMPC Act has increased steadily since 2013. Approvals for the CDS are more consistent, except for supply approvals, which vary from year to year.

Implementation of the Stormwater Strategy

The NT EPA continued to implement its Stormwater Strategy for Darwin Harbour in 2018-19. The strategy aims to improve the quality of stormwater entering Darwin Harbour. Officers have proactively targeted industrial activities and processes that are known to impact negatively on stormwater.

A new campaign was initiated in 2018-19 that focused on marinas and associated operations. Officers found these operations generally complied with environmental legislation. Operators were advised on how they could better meet their general environmental duty, particularly in the areas of spill response management and pollution reporting requirements.

Officers continued to conduct regular inspections of development sites, in order to drive sustained improvement in the implementation of environmental controls during construction activities. This year, the focus of the campaign shifted from individual residential builders to larger development sites.

Officers found varied levels of environmental controls implemented at these sites, but reported that practices have shown overall improvement. The campaign will continue next year.

Another priority during 2018-19 was to address stormwater pollution from commercial vehicle washing. Several of the vehicle washing premises inspected were found to be discharging wastewater to the environment. Officers consulted these businesses and in most cases secured voluntary agreement to address the issues. Enforcement measures were undertaken where cooperative measures had failed to achieve compliance with environmental legislation.

Overall, the campaigns conducted in 2018-19 have seen improvement in environmental practices and greater awareness and recognition of legislative responsibilities. This proactive work will continue and expand to target other industries and sites with known environmental impacts.

Contaminated sites in the Northern Territory

The NT EPA manages contaminated land under the Waste Management and Pollution Control Act 1998 (WMPC Act) and in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999. This ensures land previously used for potentially contaminating activities does not pose a risk to the environment and human health. Some land use activities in the Northern Territory that pose such risks include bulk fuel storage facilities, waste-handling facilities, landfills, industrial facilities, Defence land, sites with historical asbestos burial and former mango orchards that are transitioning to a more sensitive land use.

In 2018-19, a number of contaminated sites in the Northern Territory were investigated, remediated and managed through a range of regulatory methods. These sites varied in size and nature from small, privately-owned premises to extensive, government-owned sites.

The Northern Territory Contaminated Land Guideline continues to be used by consultants, proponents, government and the community to inform the management of contaminated and potentially contaminated land across the Northern Territory. Additionally, the NT EPA is developing a geodatabase to assist in the management of contaminated and potentially contaminated land across the Northern Territory.

The investigation and remediation of some contaminated sites, such as those with complex levels of contamination or sites moving to a more sensitive land use where human health needs to be protected, require oversight by an independent accredited site auditor. This provides a high level of assurance for the client and regulators that all relevant aspects of the contaminated site and development have been considered, investigated and addressed. A number of sites across the Northern Territory have undergone accredited auditor reviews in 2018-19.



Case Study Steps toward Project Sea Dragon

The NT EPA has conducted detailed assessments before issuing approvals that are a significant step toward realising Australia's largest prawn aquaculture facility here in the Northern Territory (NT).

Project Sea Dragon proposes to develop Australia's largest land-based prawn breeding, farming and processing enterprise across 6 facilities in the Northern Territory and Western Australia:

- 3 separate grow-out farms made up of 36 to 40 ponds at Legune Station in the NT
- a core breeding centre and broodstock maturation centre at Point Ceylon on the south side of Bynoe Harbour, NT
- a quarantine, founder stock facility and back-up breeding centre at Exmouth, WA
- a commercial hatchery at Howard Springs in the NT
- a processing plant at Kununurra, WA
- export facilities in Darwin and/or Wyndham, WA

The NT EPA completed its environmental assessment for the project in March 2017. In 2018, the NT EPA issued the first of many environmental approvals to commence construction of the ponds, channels and discharge weir for the Legune grow-out farm, and issued an environment protection approval to commence construction at the Bynoe Harbour site.

These approvals followed detailed assessment of the water quality monitoring and management plan, environment management plan and erosion and sediment control plans for both sites.

Objective 3: Promote effective waste management and waste minimisation strategies



Waste management and minimisation

The NT EPA's Waste Management Strategy for the Northern Territory 2015–2022 provides a basis for understanding and improving the management of waste across the Northern Territory. The strategy aims to reduce the generation of waste, increase rates of resource recovery and to minimise environmental impacts caused by waste.

A key focus for the NT EPA in 2018-19 was to improve the level of compliance with records required to be kept and submitted under the WMPC Act and the Environment Protection (Beverage Containers and Plastic Bags) Act 2011, and confidence in reporting at a Northern Territory and national level on hazardous waste.

An audit was conducted of all records received from all licensees during the period 2008–2018, and in excess of 12,000 individual waste transport certificates. The audit found there were a significant number of missing records and, of the records on hand, 1 out of 3 records were incomplete or inaccurate (for example, waste types, volumes, licence number, destination of waste).

The audit identified that over 70% of the Northern Territory's hazardous waste is handled by 5 waste handlers, including some that operate across multiple jurisdictions. Missing records could therefore be readily traced, followed up and subsequently submitted and verified.

As an outcome of the audit, the waste industry now has a greater understanding and awareness of the reporting requirements, with the majority of operators demonstrating an increased level of compliance since completion of the audit. There is also a higher level of confidence in reporting on waste generation and the ultimate destination of waste.

The NT EPA considers the implementation of a comprehensive database for waste generation and tracking which is continuously maintained and verified, to be a high priority to improve the reliability and integrity of waste data collected from industry.

The audit has further highlighted the need for a comprehensive database for recording waste data collected from industry and an online system for the end to end tracking of waste transported within and across the Territory border. The development and implementation of such a system remains a priority for the NT EPA, while considering the desire to have a harmonised national waste tracking system.

In delivering the Waste Management Strategy, the NT EPA has developed and is continually improving its management of remote waste facilities. The NT EPA has strategically engaged with local and regional councils and government agencies to improve waste management outcomes in the Territory. Engagement and education is being achieved through involvement in the Big Rivers Region Waste Management Working Group and the Local Government Association of the Northern Territory.

Container Deposit Scheme

The Container Deposit Scheme (CDS) is a key initiative that helps reduce litter while increasing resource recovery and recycling across the Territory.

In 2018, Ernst & Young was engaged to conduct the review of the CDS as required by legislation. The review found the CDS is meeting its objectives, with 83% of public respondents rating the CDS 'successful' or 'very successful', and upward trends over the life of the scheme in return rates. The review made 21 recommendations associated with opportunities for further improvement in the CDS, which have been submitted to the Northern Territory Government for consideration. Recommendations largely focused on increasing community awareness and engagement with key stakeholders to promote and facilitate access to CDS, particularly in regional and remote areas, regulatory burden and administrative efficiencies, data collection and reporting and auditing and compliance.

Container deposit legislation is now operating in 5 states and territories across Australia. The NT EPA has been exchanging information with other jurisdictions to align approaches. This includes through meetings of the Heads of EPAs national waste working group to inform nationally consistent principles for regulating container deposit schemes. The Northern Territory Government environment grants program has also continued to support projects that improve access to CDS, especially in rural and remote areas.



A desktop audit of CDS data was undertaken in 2018-19 to explore whether inconsistent reporting by CDS coordinators and under-reporting in 2016-17 had contributed to the reported annual return rate of 48% for 2016-17. The audit identified underreporting of containers returned (the containers accepted by CDS coordinators from depots) in 2016-17, resulting in a corrected annual return rate of 61%. Of the 149,752,726, approved containers sold in the Northern Territory during 2016-17, a total of 90,704,612 were returned to a CDS coordinator, equating to an overall return rate of 61%.

During 2018-19, a total of 131,039,766 approved containers were sold in the Northern Territory, down 12% from 148,572,794.

In 2018-19 a total of 109,957,239 containers were redeemed at collection depots, 72% in Darwin and 28% in regional and remote localities. This saw over \$10m in container deposit refunds issued to Territorians. Of the 131,039,766 containers sold in the Territory, 84% of containers were redeemed by depots during the financial year.

Figure 4 indicates the trend in quarterly return rates during 2018-19.

The CDS is a key initiative that helps reduce litter while increasing resource recovery and recycling across the Territory.

Figure 4: Quarterly container return rate (%)

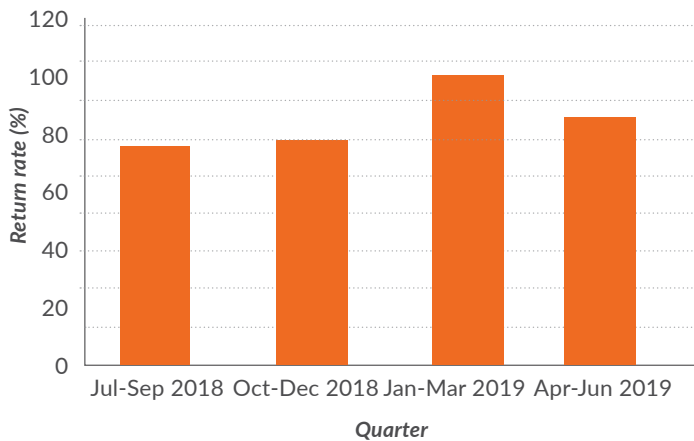
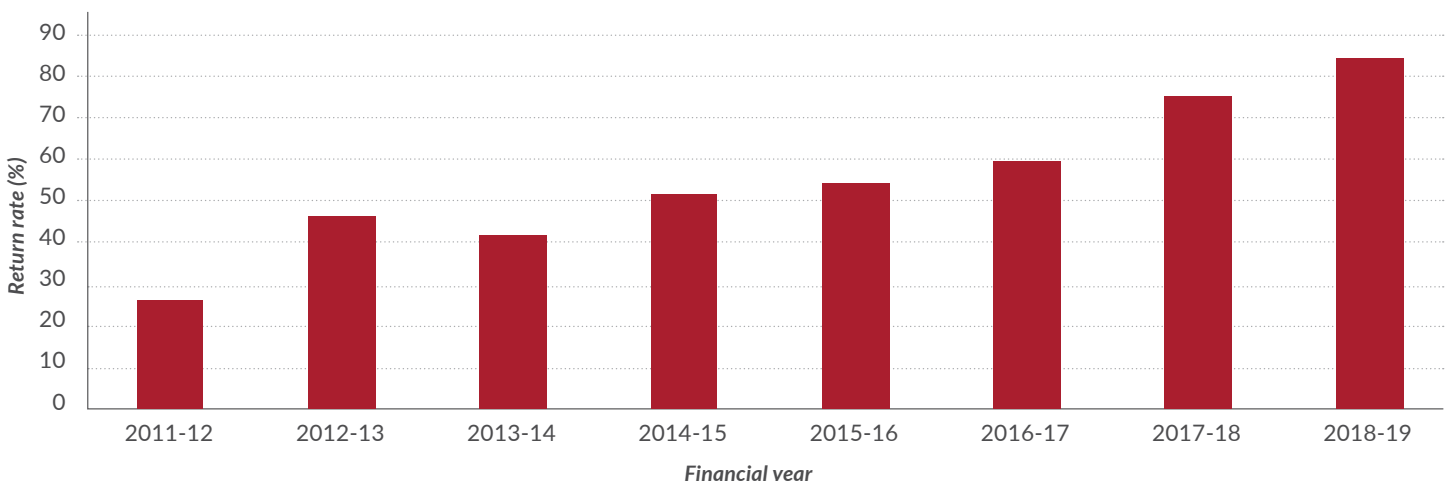


Figure 5: Annual container return rate since CDS commenced in 2012 (%)



Objective 4: Enhance community and business confidence in the environmental protection regime of the Territory

Response to onshore petroleum inquiry recommendations

In February 2019, responsibilities for the Petroleum (Environment) Regulations 2016 (the Regulations) and the Environmental Offence Provisions of the Petroleum Act 1984 were transferred to the Minister for Environment and Natural Resources. This transfer was consistent with government's commitments to separate environmental management responsibilities from resource management responsibilities consistent with the recommendations from the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory.

This responsibility includes decisions on the approval of environment management plans (EMPs) submitted by interest holders and proceedings for environmental offences under the Petroleum Act 1984, compliance decisions under the Regulations and publication of reports about environmental matters for onshore petroleum activities in the Northern Territory.

The regulatory model requires the Minister to consider environmental matters in accordance with the Regulations. The Minister is not involved in matters related to the development or promotion of the industry.

The Minister requested the NT EPA to provide advice on all onshore petroleum EMPs to inform the EMP approval decision. This provides the Minister with expert and independent advice in addition to that provided by the Department of Environment and Natural Resources (DENR) and supporting advisory agencies.

This new advisory role for the NT EPA is distinct from its existing responsibility for environmental impact assessment under the EA Act. It is a significant addition to the responsibilities of the NT EPA.

Separate environmental assessment and approval for exploration onshore gas activities and independent advice from the NT EPA provides confidence that environmental considerations are given primary weight when decisions are made about the development of the onshore gas industry.

To assist the NT EPA in considering onshore petroleum activities and providing advice to the Minister on EMPs, the NT EPA Act was amended to provide additional flexibility in appointments to the NT EPA.

A further 2 new appointments were made and the members commenced in January 2019. The NT EPA established an Onshore Gas Committee (OGC) to support the NT EPA in providing advice to the Minister on the environmental management of the onshore petroleum industry and in considering each EMP as a Notice of Intent under the EA Act.

In 2018-19 the NT EPA considered 2 EMPs as notices of intent under the EA Act. The NT EPA decided that the activities



proposed in the two EMPs did not require assessment under the EA Act:

- Origin Energy Beetaloo Basin Kyalla N2 Civil Construction – EP117
- Santos QNT Pty Ltd McArthur Basin Drilling – EP161

The NT EPA also provided advice to the Minister on these 2 EMPs to inform her decision on whether or not to approve the EMPs under the Petroleum (Environment) Regulations 2016.

The OGC has been working with DENR to improve integrity of the assessment process while streamlining procedures where possible. The OGC and NT EPA reviewed and provided advice to DENR on the following:

- draft Code of Practice for Onshore Petroleum Activities in the Northern Territory
- draft Guideline for the Preparation of an Environment Management Plan (EMP) for Onshore Petroleum Activities in the Northern Territory

The NT EPA consulted with the Department of Primary Industry and Resources (DPIR) and other government agencies in assessing EMPs for onshore gas exploration.

The NT EPA engaged with a number of companies undertaking or proposing onshore gas exploration activities in the Northern Territory. This provided companies with an opportunity to inform the NT EPA of their exploration programs, and the NT EPA to share its expectations in relation to environmental management.



Case Study

Guidance on MRM adaptive management

The NT EPA has provided guidance to improve management of the McArthur River Mine's potential environmental impacts.

The mine is an open cut zinc-lead-silver mine in the Gulf of Carpentaria. A number of factors make it a complex site to manage.

In 2018, the NT EPA completed an environmental impact statement (EIS), triggered by the large difference between predicted and actual quantities of reactive waste rock.

It concluded that the prospects of ameliorating an environmental problem at the mine were good with appropriate mine management. The operator proposed adaptive management as its principal mechanism for managing the uncertainty and complexity of the mine's potential environmental impacts.

The NT EPA agreed that an adaptive approach was appropriate, if properly designed, implemented and regulated. However, it also recognised that adaptive management involves a high level of organisational commitment and maturity on the part of the operator and regulator, and that the principles and processes underpinning adaptive management are not well understood.

The NT EPA considers that effective adaptive management involves:

- exploring alternative ways to meet management objectives
- predicting the outcomes of alternatives based on the current state of knowledge
- implementing one or more of these alternatives in a timely way
- monitoring to learn about the impacts of management actions
- using the results to update knowledge and adjust management actions

As such, the NT EPA included recommendations in its Assessment Report 86 regarding adaptive management at McArthur River Mine. It also prepared guidance on adaptive management, including a description of the adaptive management process and its application in environmental assessment and approvals processes. The guidance was placed on public exhibition, finalised and is available on the NT EPA's website.

NT EPA engagement with stakeholders

The NT EPA is committed to providing opportunities for its stakeholders to engage with the NT EPA.

The NT EPA reviewed its approach to stakeholder engagement activities and in March 2019 released the NT EPA Stakeholder Engagement guidance document. The guidance outlines how the NT EPA will conduct its stakeholder engagement activities and the principles of engagement to which it is committed.

The NT EPA reviewed and revised its stakeholder engagement plan in order to improve its targeted and proactive engagement opportunities.

The NT EPA's meeting program regularly involves meeting with stakeholders and visiting regulated facilities or the site of development proposals. These activities allow the NT EPA to obtain a greater understanding of the interests of stakeholders and environmental issues with proposals.

Site visits were conducted for the following proposals being assessed under the EA Act:

- Defence House Australia – Lee Point Master-planned Urban Development
- Primary Gold – Tom's Gully Underground Project
- Department of Primary Industry and Resources (DPIR) – Rum Jungle Rehabilitation Project

The NT EPA engaged with the following stakeholders:

- Department of Infrastructure, Planning and Logistics – planning reforms
- Department of Environment and Natural Resources (DENR) – Land Clearing Guidelines
- Core Exploration Ltd – Grants Lithium Project
- Origin Energy – onshore gas exploration
- Pangaea Resources – onshore gas exploration
- Santos Ltd – onshore gas exploration
- The Chief Executive Officer of DPIR – introductory meeting
- NT Iron Ore Pty Ltd – Roper Valley Iron Ore proposal
- DPIR – Rum Jungle Rehabilitation
- Primary Gold Ltd – Tom's Gully Underground Project

As part of the NT EPA's industry and community engagement program, the NT EPA chair met with:

- the Minister for Environment and Natural Resources
- the Chief Executive Officer of DENR
- Environmental Protection Authority New Zealand
- the Chief Executive Officer of City of Darwin
- Heads of EPA (HEPA)
- Minerals Council of Australia Northern Territory branch (MCA NT)
- Arid Lands Environment Centre (ALEC)
- Ward Keller
- Jane Munday, Senior Advisor, True North Strategic Communications

The NT EPA chair also participated in the following conferences:

- Food Futures Conference 2018
- International Association for Impact Assessment (IAIA) 2019

Improving mine closure and rehabilitation

The NT EPA shares the common view, as expressed by the International Council on Mining and Metals, that early consideration of mine closure is essential to achieve acceptable and cost-effective mine closure outcomes. The NT EPA encourages the development of suitably advanced rehabilitation and closure plans while a proposal is undergoing EIA, as this allows the NT EPA to give a more accurate assessment of the permanent environmental impacts of a mining proposal. The EIA is usually the only transparent account of the residual risks likely to remain at a mine site post closure, and it is the view of the NT EPA that the residual risks must be accounted for in approval decisions.

The NT EPA's approach to improving certainty for successful rehabilitation and closure through the EIA process has been to consistently require the inclusion of conceptual mine closure plans in a proponent's environmental impact statement. At the conclusion of an EIA, the NT EPA may identify environmental or operational risks that could reduce the likelihood of success of achieving the stated mine closure principles. To deal with such risks or uncertainties, the NT EPA may make recommendations to the Minister in its environmental assessment report.

In the past year the NT EPA has applied approaches in the environmental assessment reports for two significant mining proposals that may appear to differ. However, this demonstrates the complexity of the individual sites and the differences between the proposals; different approaches are often necessary to achieve consistent results.

To illustrate this, the NT EPA recommended an adaptive management approach to inform the activities necessary to achieve the closure criteria for the McArthur River Mine



Overburden Management Project. This approach recognised that decisions will be made in the future that are based on the outcomes of research being conducted over many years. Further, the NT EPA recommended the overarching environmental objective that the health of the McArthur River is protected at all time from mine-related impacts. This differs from the NT EPA's assessment of the Core Lithium Grants Lithium Project, where the NT EPA recommended that the final pit void should be backfilled unless the proponent can demonstrate that retaining the final pit void would allow the closure objectives to be met. Both these mining proposals are expected to achieve consistent closure objectives by:

- physically safe to humans and animals, geotechnically stable, geochemically non-polluting and capable of sustaining an agreed post-mining land use
- decommissioned and rehabilitated in an ecologically sustainable manner



Case Study

Protecting threatened bats at Spring Hill

Threatened bat species at Spring Hill, about 25km north of Pine Creek, will be a little safer following work by the NT EPA.

TM Gold Pty Ltd is proposing a short-term gold mine at Spring Hill, where historical mining activity has created excellent habitat for the cave-dependent bat species.

The NT EPA's assessment of the proposal showed there was potential for significant impact to 2 threatened microbat species, ghost bat (*Macroderma gigas*) and the northern leaf-nosed bat (*Hipposideros stenotis*).

The ghost bat, the only false vampire bat native to Australia, is listed as vulnerable under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 due to decreasing population and distribution. Mining is considered the main threat.

Previously widely distributed, the ghost bat is highly susceptible to localised extinction. It needs roost sites that are completely dark, so it's right at home in old adits and mine shafts.

The northern leaf-nosed bat roosts in caves, boulder piles, road culverts and disused mines. It has only been recorded rarely. The size and significance of the Spring Hill population is unknown. It is listed as vulnerable under the Territory Parks and Wildlife Conservation Act 1976.

Following the assessment, at the NT EPA's request the project proponent undertook additional field surveys to investigate the local populations and potential impacts. The surveys revealed that the location hosts a significant population of ghost bats, and that there was potential for impacts through loss of habitat, disturbance or potential strikes.

The proposal was modified to avoid the bat roosting habitat by removing the three closest proposed mining pits, limiting mine working times to avoid periods of bat activity and reopening old collapsed excavated areas to increase available bat habitat.



Case Study

Lee Point Master-planned Urban Development

Threatened and migratory species are among the beneficiaries of the NT EPA assessing the Lee Point Master-planned Urban Development at the level of an environmental impact statement (EIS).

The NT EPA found that the community considered the following social and cultural values most important:

- the iconic status of Casuarina Coastal Reserve relating to recreational and educational experiences, particularly interactions with shorebirds and nesting turtles
- environmental surrounds facilitating the tropical lifestyle and amenity of residents and visitors
- historic and cultural heritage places and items within the proposal site

Those values could be maintained by minimising traffic (particularly at Casuarina Coastal Reserve), noise, light and odour impacts. This would also reduce the impact to most threatened and migratory species.

The proposed increase in wastewater to the Leanyer Sanderson Wastewater Treatment Plant was a concern for 40% of submitters on the draft EIS. The NT EPA identified that proposed lots more than 1.7km from the plant had a low likelihood of being affected. However, potential future owners or residents of lots closer than 1.7km should be informed about potential odour impacts.

Health impacts relating to biting insects will be managed by avoiding the creation of new breeding habitat, maintaining open wind buffers and restricting the number of lots within 1km of biting insect breeding areas. The NT EPA recommended that future occupants of lots within the 1km buffer should be notified of the potential for increased exposure to biting insects.

While the NT EPA found that most potential impacts could be mitigated or managed, this was not the case for the black-footed tree-rat, which is likely to see an impact. A biodiversity offset would be required.



Improve the management of air emissions, including odour, from industry in the Northern Territory

The management of air quality in the Northern Territory (including odour) is primarily through licensing of facilities under the WMPC Act or responding to air-quality-related pollution incidents and complaints.

The NT EPA reports annually to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure (AAQ NEPM) in the Territory. The AAQ NEPM provides a nationally consistent framework for monitoring, reporting and assessing ambient air quality in Australia. While the AAQ NEPM itself does not compel or direct pollution control measures, it provides guidelines on air quality standards for Australian jurisdictions.

In 2018-19 the NT EPA continued to maintain and operate the network of ambient air quality monitoring stations in the Darwin region. The network consists of 3 stations located at Palmerston, Winnellie and Stokes Hill. The stations measure the concentrations of AAQ NEPM pollutants, including carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), sulfur dioxide (SO₂) and particulates (as PM₁₀ and PM_{2.5}).

Measured air pollutants concentrations as well as meteorological data from the stations are available to the public in near real-time on the NT EPA website. Users can analyse, plot or download historical air quality and meteorological data from the website.

Air quality in Darwin remains generally good, with the exception of high particle concentrations that occur during the dry season. The graphs in Figures 6 to 8 show that during the dry season there were several exceedances of the 24 hour AAQ NEPM standards for PM₁₀ and PM_{2.5}. These exceedances have been attributed exclusively to smoke from controlled burning and wildfires.

The NT EPA website displays an air quality index for each station. This value is an indication of how clean or polluted the air is in the area, and provides guidance on activities to be restricted or avoided during high pollution events. The NT EPA continues to work with the Department of Health to release media alerts for the community whenever air quality is very poor, normally due to elevated particle pollution. Concentrations of other measured air pollutants, CO, NO₂ and SO₂, remained low during the dry and wet seasons. Occasionally elevated levels of ozone occur during smoke events, but these levels have remained below the ozone AAQ NEPM standards.

The NT EPA continued to coordinate the provision of data from industry to the National Pollutant Inventory (NPI). The NPI is a publicly accessible national database that provides the community, industry and government with information on the emission of 93 substances from industry, transport and commercial premises to air, land and water. NPI reporting is implemented in the Northern Territory under the Environment Protection (National Pollutant Inventory) Objective 2004.

The NT EPA supported the programs of the National Clean Air Agreement. This included assisting in the review of the national reporting standards for sulfur dioxide, nitrogen dioxide and ozone, review of the NPI, and the review of the national fuel quality standards.

Figure 6: Exceedances of particulates (PM₁₀ and PM_{2.5}) 24 hour standards at Palmerston AQMS (2018-19)

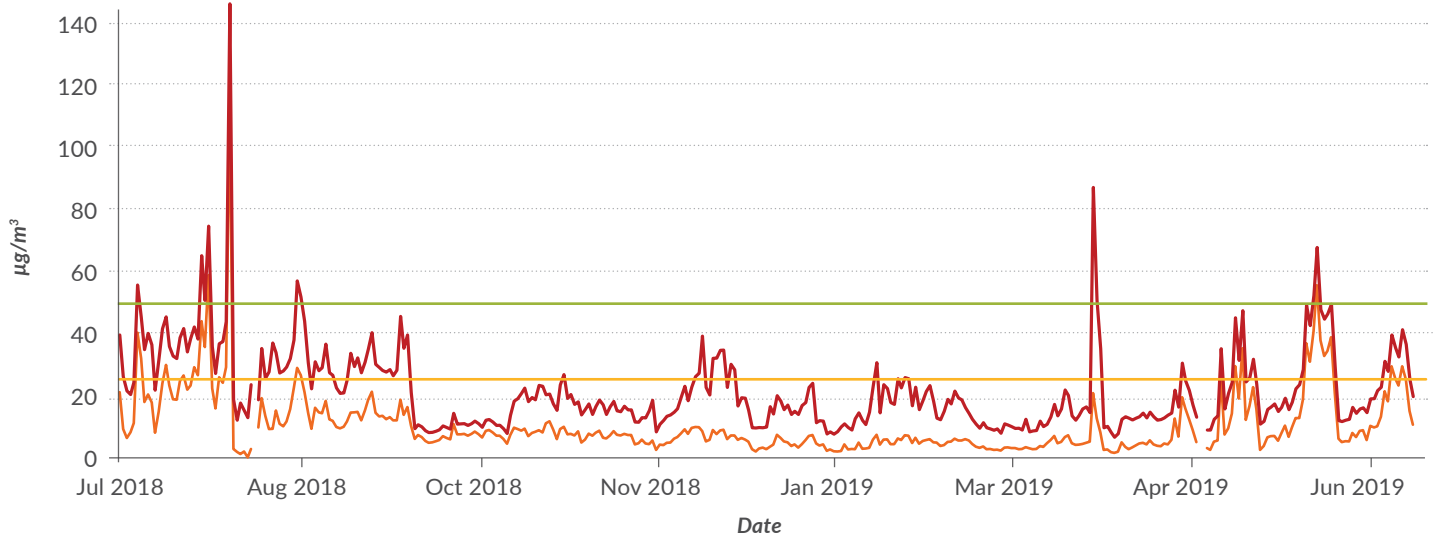


Figure 7: Exceedances of particulates (PM₁₀ and PM_{2.5}) 24 hour standards at Winnellie AQMS (2018-19)

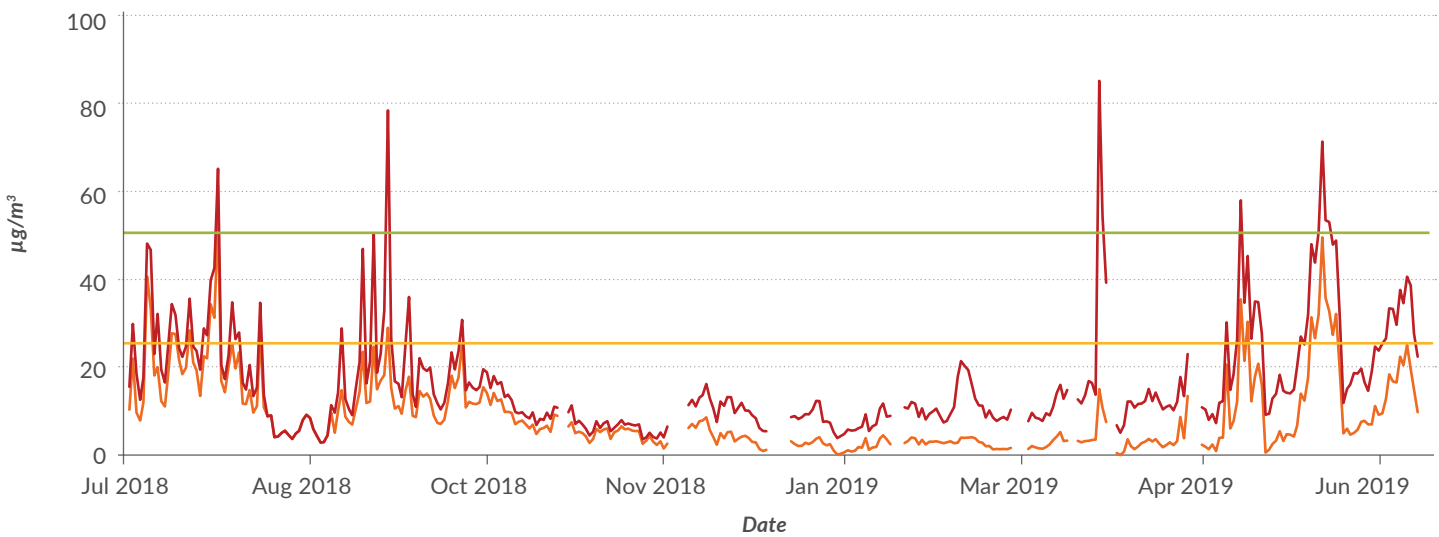
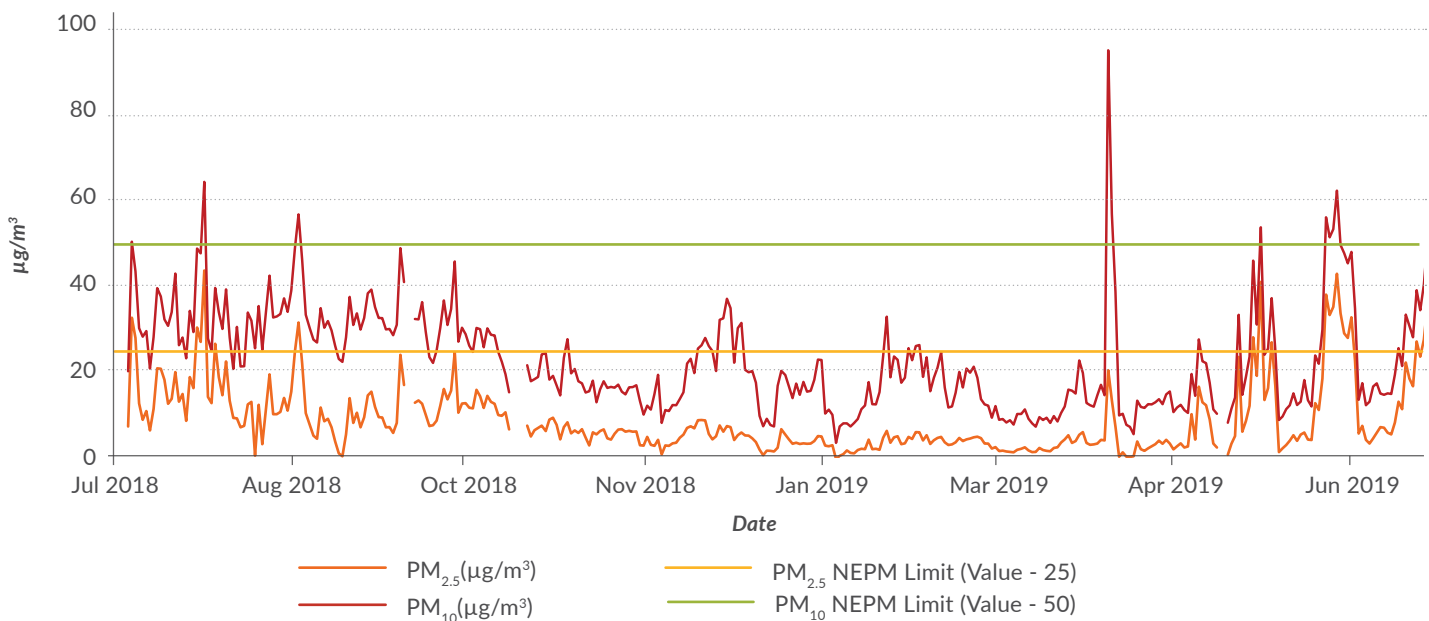


Figure 8: Exceedances of particulates (PM₁₀ and PM_{2.5}) 24 hour standards at Stokes Hill AQMS (2018-19)



Compliance and enforcement activities

The NT EPA recognises that compliance and enforcement play a key role in ensuring that the strategic goals of the authority and objectives of the legislation it administers are met.

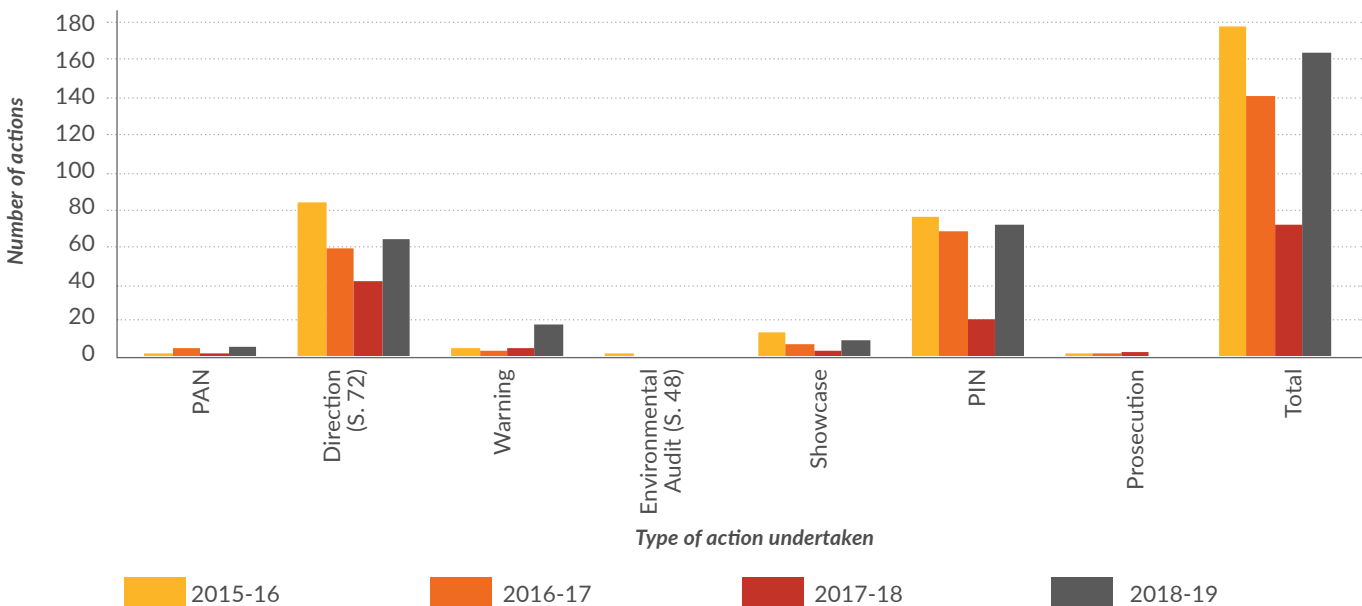
The NT EPA operates under an established compliance and enforcement policy, available on the NT EPA website. As offences are reported or detected they are assessed against the guidelines set out in the policy and appropriate action is recommended. Officers apply robust internal procedures to ensure adequate oversight and, depending on the gravity of the action recommended, this may be elevated to the NT EPA for a final decision on the appropriate course of action. A list of compliance and enforcement actions undertaken in 2018-19 are available in Appendix 4.

In addition to the incident response function, officers also engage in targeted investigations of key problem areas as they arise.

Illegal dumping continues to be a priority area. A number of dumping investigations are currently ongoing, with a particular focus on the unauthorised disposal of end of life tyres. The NT EPA has increased media efforts to inform and engage the public in assisting with the detection of these offences and the pursuit of those responsible. Officers have also developed relationships with Bushfires NT and the Northern Territory Fire and Rescue Service in order to share information and direct resources to improve firefighter and public safety and address environmental concerns associated with dumped tyres.

This year has seen a significant increase in lower level enforcement actions taken compared to last year, with increases in the issue of authorised officer directions and penalty infringement notices (refer to Figure 9). This may be attributable to a number of factors, including increased officer presence in the field and strategic targeting of industry that has failed to respond to proactive or educational measures. Another significant contributing factor has been the increase in actions taken against licensed waste handling operations for breaches of licence conditions. In general, low numbers of enforcement actions are all that are required to drive improvement.

Figure 9: Number of compliance actions by type 2015-16 to 2018-19



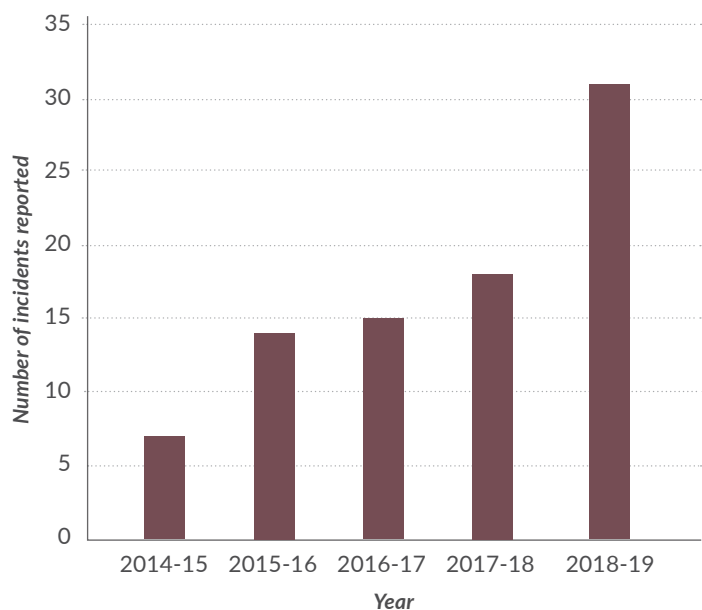
In the past year, 3 investigations have culminated in cases being brought before the courts and all are awaiting final outcomes. These investigations have spanned state and international boundaries in the effort to gather sufficient evidence to bring those responsible for environmental offences in the Territory to justice. These investigations place a significant burden on the NT EPA's operational resources and, in line with the compliance and enforcement policy, the NT EPA continues to use prosecution as an option of last resort only when other regulatory tools are inappropriate or have failed to achieve an acceptable outcome. No prosecutions were completed in 2018-19 (refer to Appendix 4, table 7).

Incident response and reports

Section 14 of the WMPC Act requires that, when an incident occurs in the course of any activity and causes, or has the potential to cause, material or serious environmental harm, it must be reported to the NT EPA within 24 hours. The NT EPA requires this information so officers can assess any immediate threats to the environment and ensure appropriate and timely action is taken to prevent environmental harm.

Officers constantly engage with industry and public bodies to ensure they are aware of their reporting and response obligations. Figure 10 shows the number of section 14 incidents reported since 2013-14. The NT EPA received 31 section 14 reports in 2018-19, listed in Appendix 4, table 8. This has almost doubled compared to last year.

Figure 10: Section 14 incidents reported



This reported information is publicly available and is published on the NT EPA website in order to inform all stakeholders of the standards and expectations relating to environmental protection in the Territory. Section 14 reporting helps drive continuous improvement as reporters are required to assess the causes of the incident, mitigate any impacts and identify measures to be put in place to prevent a similar incident from occurring.



Case Study

AirRater app to help Territorians breathe easier

Hundreds of Territorians are now using the new AirRater app, a free smartphone app designed to reduce health impacts and improve the quality of life of people with asthma, allergies and other respiratory conditions.

The app performs health symptom surveillance of users, conducts environmental monitoring and provides notifications of impending adverse environmental conditions such as high temperatures and smoke in the air.

The Northern Territory Government, through Environment Grant funding, supported the University of Tasmania to develop and release the AirRater app in the Territory. The AirRater package was originally developed by a team from the University of Tasmania and is also now used in Tasmania and the Australian Capital Territory (ACT).

Environmental conditions such as air quality and weather can have a major impact on the health of people with respiratory conditions. Severe air pollution and heat events are linked to increases in ambulance call outs, hospital admissions and death. Knowing about the quality of the air can help people with lung conditions to better manage their symptoms and breathe easier.

The AirRater system gathers data on smoke and temperature from a network of monitors and sensors located in the Darwin region. This data is fed back to a central database, and sent via the AirRater app, which shows near real-time readings for the immediate area.

When users of AirRater log their symptoms of asthma, allergies or hay fever, the app matches them with environmental conditions at the time. This builds a picture of potential environmental triggers such as bushfires for people who have logged their symptoms. It will also alert them when those conditions are high in their current or saved locations, giving them time to take action.

A recent Facebook promotion of the app reached more than 27,000 people. NT EPA officers advise members of the public who call in to complain about smoke in the Darwin Region to download the AirRater app, as well as contact their GPs if they are concerned about the effect of smoke inhalation on their health.

Pollution reports

The 24 hour Pollution Hotline, and its associated email and web reporting facilities, are the main conduit for timely response to pollution issues by environmental officers. Concerned members of the community are the main source of reports and are invaluable in directing efforts to ensure compliance with legislation. The NT EPA encourages all reports to be directed to the Pollution Hotline to ensure timely appraisal by an experienced environmental officer. Less time-critical reports can be submitted through the online report form on the website or to the pollution inbox via email. Even seemingly trivial matters should be reported as they may be linked to larger underlying issues or be a small piece of evidence related to a much larger investigation.

In 2018-19, the NT EPA received 909 reports, a slight reduction on last year (refer to Figure 11). The most significant change from last year has been a decrease in air pollution reports of almost 50% (refer to Figure 12). This may be attributable to the fact that air quality data has been made more readily available on the NT EPA website and many members of the public now have a better understanding of local air quality trends and conditions and have confidence that authorities are also aware of, and monitoring, local conditions. Officers have also experienced a slight decrease in workload relating to low level environmental nuisance issues over the past year. Some of this may be attributable to a greater understanding by local councils in their roles and responsibilities under the Local Government Act 2008, especially in relation to animal nuisance. Officers continue to offer advice and assistance to local government in dealing with these issues.

A breakdown of communication reporting methods is in Figure 13.

Figure 11: Pollution reports received 2015-16 to 2018-19

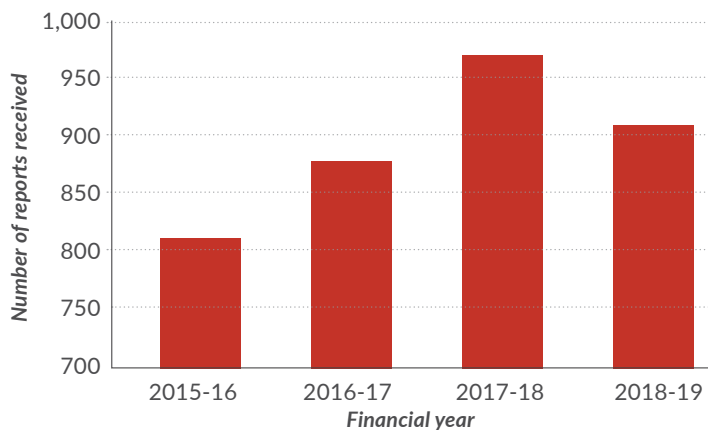


Figure 12: Pollution notification by type 2015-16 to 2018-19

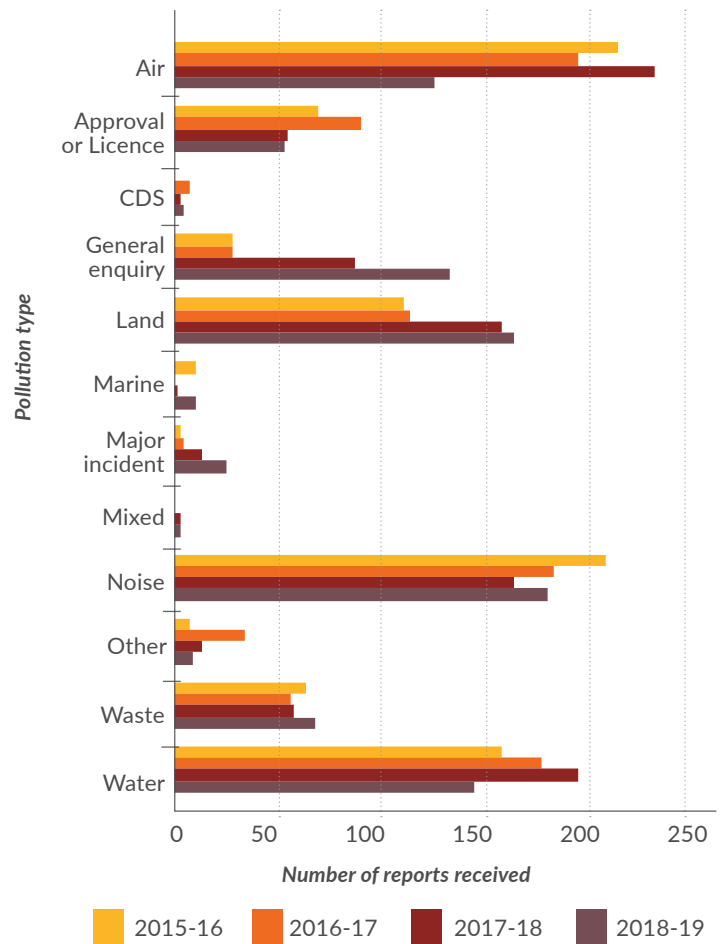
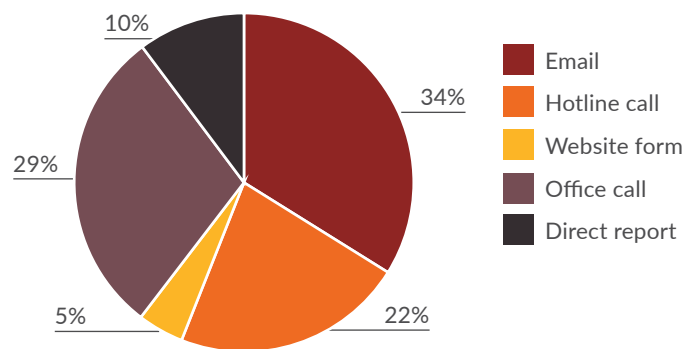


Figure 13: Breakdown of communication reporting methods



Responding to per- and poly-fluoroalkyl substances in the Northern Territory

Per- and poly-fluoroalkyl substances (PFAS) are an emerging group of contaminants identified across Australia and worldwide, in particular the United States of America and Europe.

PFAS are a group of manufactured chemicals used in products that are resistant to heat, water and oil. Due to their heat resistant properties, and ability to form aqueous film forming foams, they have been used extensively in fire-fighting foam applications in Australia for decades.

A significant amount of research has been conducted into the health and ecological effects of these substances, and they are understood to be highly persistent within the environment, readily leachable from soils and bio-accumulate up the food-chain.

PFAS may be found in:

- food packaged in PFAS-containing materials, processed with equipment that used PFAS, or grown in PFAS-contaminated soil or water
- commercial household products, including stain- and water-repellent fabrics, nonstick products (e.g. Teflon), polishes, waxes, paints and cleaning products
- workplaces, including production facilities or industries (e.g. chrome plating, electronics manufacturing or oil recovery) that use PFAS
- waterways, typically localised and associated with a specific facility (e.g. manufacturer, landfill, wastewater treatment plant, firefighter training facility)
- living organisms, including fish, animals and humans, where PFAS have the ability to build up and persist over time

Detailed environmental assessments are underway throughout Australia to understand and manage the impact of PFAS on human health and the environment.

Public consultation on version 2.0 of the PFAS National Environmental Management Plan (NEMP) occurred in the first half of 2019 across Australia. The NT EPA hosted a consultation session on 3 April 2019, with representatives from government agencies, industry stakeholders and environmental consultancies attending the session. Proposed changes to the NEMP are focused on environmental guideline values, soil re-use, wastewater management and on-site containment. The final NEMP version 2.0 is to be provided to the Meeting of Environment Ministers at the end of 2019 for endorsement.

The NT EPA has been involved in the investigation, assessment and management of sites that have potentially been impacted by PFAS. NT EPA officer's have collaborated with various Northern Territory Government agencies and industry stakeholders to identify which sites are potentially impacted by PFAS and, based on the results, determine whether further investigations are required to inform appropriate management.

Participation in a variety of national and NT PFAS steering committees and working groups allows the NT EPA to be at the forefront of this environmental issue and provide input on PFAS matters at a Northern Territory and national scale.

The NT EPA has been working closely with the Department of Defence in its investigations at RAAF Base Tindal, RAAF Base Darwin, Robertson Barracks and the Former Stokes Hill Naval Fuel Installation. Remediation works are currently being undertaken at RAAF Base Tindal to manage the PFAS impact on the environment. The NT EPA will continue to work with the Department of Defence as the next steps for PFAS investigation, response and management associated with other sites are identified.



Case Study The costs of improper waste disposal

A costly case of inappropriate waste disposal on a horticultural property has highlighted the importance of operators knowing their duties when it comes to their waste.

In 2018-19, NT EPA officers resolved a case involving poor waste disposal practices over many years. Large volumes of waste accumulated, including the burial of plastics and listed wastes such as thousands of tyres, used engine oil and pesticide containers.

Under direction by officers, the property owner has spent many months and hundreds of thousands of dollars to retrieve and legally dispose of all the waste, and to validate the remediation activities.

By acting to clean up and rectify the issues, the operator has avoided significant criminal penalties. However, he is now very aware of cost implications of his actions and has in place measures to prevent it recurring.



This large operation is not alone in not appropriately considering its general environmental duty and waste disposal methods. All operators, large and small, should know their obligations for waste management and disposal and avoid costly remediation and potential enforcement actions.



Looking forward

Annual reports provide the NT EPA with an opportunity to advise government and the community about its activities over the previous 12 months. As part of this process, the NT EPA looks forward into the coming year and highlights some of the specific opportunities and challenges that it expects to face.

In our 2017-18 report, we noted government's anticipated legislative reforms, including the changes to the management of the environmental impacts of petroleum activities, amendments to the NT EPA Act and the anticipated introduction of new environmental impact assessment legislation into Parliament.

The impacts of these government processes on the operations of the NT EPA have been noted within this annual report. As part of the amendments to the NT EPA Act, the government introduced a requirement for the NT EPA to develop a statement of intent, outlining its proposed activities for the coming 2 years and the alignment of these activities with its powers, functions and objects under the NT EPA Act.

To date, the NT EPA has regularly published and reviewed a strategic plan which has provided this information. The NT EPA is currently preparing a statement of intent which will replace the strategic plan. We anticipate completing this process during 2019-20.

Also during 2019-20 we anticipate that government will complete its environmental impact assessment legislative reforms, and the NT EPA is already identifying those changes and improvements that it will expect to make to deliver the commitments contained in those reforms. It is vital that the NT EPA and the Northern Territory Government work closely over the next 12 months to ensure the orderly transition of proposals into the new legislative regime. This work will build on administrative and policy reforms over the last 2 years aimed at building a consistent and focused environment impact assessment policy framework.

The Minister's responsibilities in relation to the administration of the Petroleum (Environment) Regulations 2016 include responsibility for auditing and compliance of environmental matters in relation to onshore petroleum activities in the Northern Territory. Over the next 12 months the NT EPA will continue to consider EMPs under the EA Act and provide advice to the Minister. The NT EPA will work with the Department of Environment and Natural Resources (DENR) to review the processes associated with assessing and approving EMPs to identify efficiencies and improve public guidance on the role of the NT EPA and the Minister in this process.



Case Study

Waste tyre dumping and fires addressed through united response

The illegal dumping of old tyres is being addressed by the NT EPA alongside with Bushfires NT and Northern Territory Police, Fire and Emergency Services.

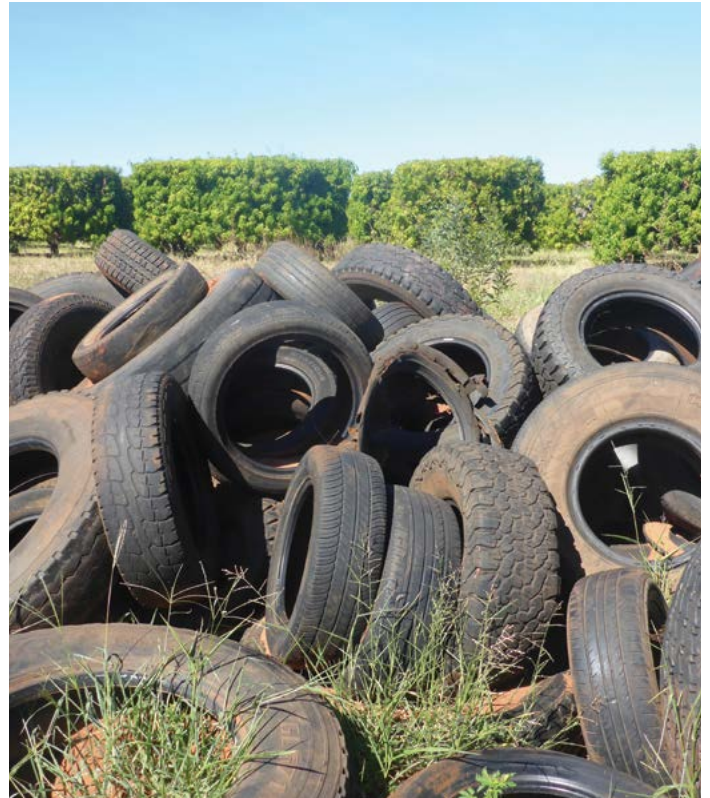
The agencies have been working with each other to determine the location of dumping, storage and burning of tyres. They are also working with landowners, businesses and government to improve the management of waste tyres and potential for tyre fires.

End of life tyres are a listed waste under the Waste Management and Pollution Control Act 1998 and Regulations. They should be transported by licensed listed waste handlers and disposed of at approved waste management handling facilities.

Waste tyres can cause a number of health, safety and environmental issues. Illegally dumped tyres in bushland increase the potential for environmental harm, due to the risk of fire and associated pollution.

Burning tyres release large volumes of harmful smoke into the air, impacting on surrounding environments and communities. The residues pose a risk to the soil, ground water and surrounding waterways. The water used to extinguish the fires can become contaminated, posing a further risk to the environment.

In 2018-19, NT EPA officers investigated several instances of illegal tyre dumping and tyre fires. In some cases, landholders have been responsible for the costs of removing waste tyres illegally dumped on their properties.



It is important for landholders to try to prevent tyre dumping and tyre fires on their properties. The clean-up from a tyre fire can impose significant cost. Landowners may be required to take immediate and sometimes costly action.

As noted in this report, during the latter part of 2018-19, the NT EPA saw an increase in illegal dumping incidents, particularly related to tyres. With our climate, vegetation types and the regular occurrence of bushfires, dumped tyres easily and routinely catch fire and pose an increased risk to the environment as well as to neighbouring properties and those fighting the fire. Where alleged offenders cannot be identified, the illegal dumping of wastes passes the costs of correct disposal onto land owners. These costs can increase significantly after a fire. The NT EPA will continue to work with industry, land holders, councils, the Northern Territory Fire Service and Bushfires NT to identify dumping hotspots and address the environmental and human health risks associated with illegally dumped tyres and other wastes.

The 2018-19 also saw the completion of the Minister's statutory review into the operation of the Territory's Container Deposit Scheme. Over the next 2 years, the NT EPA will work to implement the recommendations of the scheme in accordance with the Minister's response to the review. Of particular interest to the NT EPA is identifying improvements to the current regulatory framework to promote consistency in the types of containers included in the scheme and to streamline the

container approval process. Priorities for the next 12 months are to increase community awareness about the scheme, and to identify and implement administrative improvements to facilitate the growth of the scheme.

The completion of 3 resource project environmental impact assessments during the past year has highlighted to the NT EPA some of the barriers to gaining good information early in the impact assessment process, particularly around rehabilitation and closure measures. To address this, the NT EPA will revise the format for its EIS terms of reference to more clearly communicate its specific information needs. It will also produce new guidance material for proponents to communicate the NT EPA's expectations on the standards and quality of information in an EIS. It is expected that the clearer EIS requirements will flow into achieving better alignment of rehabilitation and closure objectives with industry standards.

The NT EPA anticipates the release of the government's climate change policy in 2019-20. The NT EPA looks forward to considering the policy and identifying its role in contributing to the policy's objectives.

Appendix 1: NT EPA membership

Dr Paul Vogel

AM MAICD, NT EPA Chair

Dr Paul Vogel was appointed as the chair of the NT EPA on 14 November 2016.

Now a non-executive board director and strategic consultant, Dr Vogel was the chair of Western Australia's Environmental Protection Authority from 2007 to 2015.

Dr Vogel was also the inaugural Chief Executive and chair of the South Australian EPA from 2002 to 2007 and prior to that held senior executive positions in the WA departments of the Premier and Cabinet and Environmental Protection.

Dr Vogel has a PhD in chemistry from the University of WA and has extensive knowledge and experience across a broad range of environmental issues and sustainability, in organisational and regulatory reform and in the delivery of strategic environmental and business outcomes.

Dr Vogel is also chair of the national Cooperative Research Centre on Contamination and Remediation of the Environment (CRC CARE) and a member of the Australian Institute of Company Directors. He was appointed to the NT EPA from 1 January 2016.



Ms Janice van Reyk

Ms Janice van Reyk is an experienced non-executive director on a number of boards in the infrastructure and utilities sector including Lochard Energy, Australian Naval Infrastructure, Citywide and Victorian Ports Corporation. She previously served on the audit, risk and finance committees of Sustainability Victoria and the 3 person Ministerial Advisory Committee to inquire into the future strategic role of the Environment Protection Authority Victoria.



Ms van Reyk's environmental experience includes advising on a range of socioeconomic assessments, stakeholder consultations, environmental and remediation issues. Together with her executive management experience in industry, she brings great depth to the NT EPA.

Ms van Reyk is a Fellow of the Australian Institute of Company Directors, a member of the Environment Institute of Australia and New Zealand and a CPA. She has a Master of Environment specialising in water, energy and urban issues, a Master of Commerce specialising in corporate finance, economics and accounting and a Bachelor of Arts and a Bachelor of Laws.

Dr Ian Wallis

Dr Ian Wallis brings 30 years' experience as an environmental engineer providing advice to water and sewerage authorities and industries. He has been a registered environmental auditor for 17 years providing advice in the form of environmental studies, audits, investigations and inputs into environmental impact assessments.



Dr Wallis conducted postgraduate research at Monash University in sediment transport, the dispersion of wastes in estuarine and ocean waters, and the social and technical issues involved in managing pollution, and was a researcher at various universities and laboratories in the UK and USA.

Dr Wallis has extensive experience in environmental assessments, air quality, water quality and oceanographic studies, and is recognised as one of Australia's experts in these fields. He was a member of the expert panels on Desalination and on Dredging in Darwin Harbour.

Mr Joe Woodward

Mr Joe Woodward brings more than 35 years' experience managing and advising on environmental regulation and approvals having worked in a variety of roles in the New South Wales Environment Protection Authority and its predecessor, the State Pollution Control Commission.

Mr Woodward has extensive experience in environmental management and regulation. As Deputy Director General of the New South Wales (NSW) Department of Environment and Conservation he oversaw assessment and regulation of air, water, noise, waste, chemicals and radiation, as well as biodiversity, threatened species and Aboriginal cultural heritage protection. He has served as a commissioner for the NSW Independent Planning Commission responsible for statutory assessments and determinations of state significant development proposals including mining, major industrial and urban developments.

Mr Woodward holds a Master of Engineering and Bachelor of Science. In 2009 he was awarded the Public Service Medal for Outstanding Contribution to the Environment in New South Wales.



Ms Samantha Nunan

Ms Sam Nunan is experienced in providing environmental regulatory and policy advice to industry and governments across multiple jurisdictions, including in the Northern Territory. Working in industry for many years, Ms Nunan has significant experience in participating in regulatory reviews and reform processes, predominantly as an industry participant, but also during her time in government.

During her time as a practising lawyer, Ms Nunan provided advice to businesses and statutory bodies relating to compliance frameworks and responses to environmental regulatory investigations.

Ms Nunan has had extensive exposure to environmental assessment processes, securing project approvals and the application of regulatory policies and legislation across a range of different industries, including resources, renewables, waste, agriculture and planning. With this experience, Ms Nunan brings good understanding of the existence of and the importance of overlapping interests in land and resources by various stakeholders including Traditional Owners, government, industry and broader communities.



Dr Rod Lukatelich

(from 1 January 2019)

Dr Lukatelich has 28 years' oil and gas industry experience and, now semi-retired, works as an environmental consultant. He has extensive experience in environmental approvals and impact assessment, wastewater treatment, atmospheric emissions management and assessment and remediation of contaminated sites. Previously Dr Lukatelich held an academic position at the University of Western Australia where his research included studies on the impacts of eutrophication on algae and seagrasses in lakes and estuaries, development of ecological models, and the relationships between hydrodynamics and water quality in reservoirs, rivers and estuaries.

Dr Lukatelich has been a board director of the Cooperative Research Centre on Contamination and Remediation of the Environment since its inception in 2005, is a member of CSIRO Oceans and Atmosphere Strategic Advisory Committee, was chair of the Great Australian Bight Research Program Management Committee and was a member of the Environmental Protection Authority of Western Australia between 2009 and 2014. Dr Lukatelich is a director of Perth Racing and is the interim chair for the Cooperative Research Centre on the Blue Economy.

Dr Rod Lukatelich has a Bachelor of Science (Hons) and a PhD from the University of Western Australia.



Dr Vaughan Beck

(from 1 January 2019)

Dr Vaughan Beck AM is a Fellow of the Australian Academy of Technological Sciences and Engineering and the Institution of Engineers, Australia. He was a member of the independent Scientific Inquiry into Hydraulic Fracturing in the Northern Territory, 2016-2018.

Dr Beck was recently Senior Advisor, Technical to the Australian Academy of Technological Sciences and Engineering (ATSE) and Executive Director – Technical, responsible for the academy’s research projects and the development of policy advice to government in energy, water, infrastructure, innovation, technology, technology and health, education and climate change. During his appointments with ATSE, Dr Beck was chair, International Council of Academies of Engineering and Technological Sciences, Low Carbon Energy Group, deputy chair, Australian Council of Learned Academies project report on Shale Gas, and deputy chair, ATSE Unconventional Gas Conference and International Workshop.

Dr Beck has qualifications in mechanical engineering, structural engineering and fire safety and risk engineering. He was Visiting Professorial Fellow, Warren Centre of Advanced Engineering, University of Sydney and led the Fire Safety Systems project. He was appointed Professor and Director, Centre for Environmental Safety and Risk Engineering at Victoria University and subsequently Pro-Vice Chancellor (Research) at the University.



Dr David Ritchie

Chair of the NT Planning Commission (Ex-officio Member)

Dr David Ritchie has over 35 years’ experience working for organisations responsible for heritage protection and land management, in professional, expert and also senior management and executive roles. This work includes extensive experience with statutory boards with roles under land rights, native title, and environment and heritage legislation. For more than 20 years he has held chief executive roles, leading organisations responsible for land resource planning, remote service delivery, parks and wildlife, natural resource management, environment protection, Indigenous policy, Aboriginal cultural heritage and museums, art galleries and archives.

Dr Ritchie’s work has involved extensive fieldwork in remote regions of the Northern Territory working closely with Aboriginal communities and developers on cultural heritage surveys for major infrastructure developments - ranging from gas pipelines and the North Australian Railway to mines, aquaculture and newly created national parks.

Dr Ritchie is a graduate of the Australian Institute of Company Directors and a Fellow of the Australian Anthropological Society. He is also a director of Ninti One Limited, on the board of the Northern Territory Land Corporation and chair of the Northern Territory Grants Commission.



NT EPA Onshore Gas Committee membership

Mr Joe Woodward (Chair)

Dr Vaughan Beck

Dr Rod Lukatelich

Dr Ian Wallis

Appendix 2: Decisions made under the Environmental Assessment Act in 2018-19

Table 1: Decisions that assessment is required at the level of an environmental impact statement

Proponent	Project	Date of decision
Territory Iron Pty Ltd	Yarram Iron Ore Project	28 August 2018
Department of Trade, Business, and Innovation	Darwin Ship Lift and Marine Industries Project	14 November 2018
PNX Metals Limited	Hayes Creek Project	14 December 2018

Table 2: Decisions that assessment is not required

Proponent	Project	Date of decision
TM Gold Pty Ltd	Spring Hill Gold Project	12 July 2018
Department of Infrastructure, Planning and Logistics	Gimbat Road Upgrade (Kambolgie Creek Crossing)	13 July 2018
Department of Infrastructure, Planning and Logistics	Arnhem Highway Upgrade near Adelaide River crossing	28 August 2018
Alan James Birch	ABT One Project	1 October 2018
Power and Water Corporation	Wadeye High Voltage Interconnect to Peppimernarti and Palumpu Project	30 November 2018
Australian Ilmenite Resources Pty Ltd	Construction of Highway Dam	18 December 2018
Department of Infrastructure, Planning and Logistics	Port Keats Road Upgrade - Saddle Rail Creek Cross and Road Approaches	18 January 2019
Department Primary Industry and Resources	Artificial Reef Deployment - Greater Darwin Area	9 May 2019
Department of Infrastructure, Planning and Logistics	Katherine East Neighbourhood Centre and Residential Development Area	9 May 2019
Santos QNT Pty Ltd	Environment Management Plan for the McArthur Basin Civil and Seismic Program Exploration Permit 161	10 May 2019
Origin Energy Limited	Environment Management Plan for the Beetaloo Basin Kyalla Exploration Permit 117 Civil Construction	10 May 2019
Power and Water Corporation	Tiwi Islands Energy Solution	31 May 2019

Appendix 3: Licences and approvals issued in 2018-19

Table 3: Environment protection approvals issued under the WMPC Act

Approval number (EPA)	Status	Issued to	Activity	Date approved
210-1	Approved	Incinerwaste Pty Ltd	Construction for Incineration of clinical waste	13 August 2018
252	Approved	North Australian Beef Limited	Construction for Treated effluent storage	7 January 2019
270	Approved	Project Sea Dragon Pty Ltd	Construction for waste discharge from prawn aquaculture	20 June 2019

Table 4: New environment protection licences issued under the WMPC Act

Licence number (EPL)	Status	Issued to	Activity	Date approved
177	Approved	Northern Cement Limited	Waste Oil to Energy for Lime production	30 October 2018
181-1	Approved	Toll Energy and Marine Logistics	Storage of various listed wastes	14 June 2019
186	Approved	Leisha Mary Kelly	Transport of grease trap and sewage	24 June 2019
189-1	Superseded	NT Hauliers Pty Ltd	Transport of various listed wastes	12 July 2018
189-2	Superseded	EM2 Logistix Pty Ltd	Transport of various listed wastes	9 October 2018
189-3	Approved	EM2 Logistix Pty Ltd	Transport of various listed wastes	7 February 2019
216-1	Superseded	Northline Nomineeco Pty Ltd	Transport of various listed waste	4 September 2018
216-2	Superseded	Northline Nomineeco Pty Ltd	Transport of various listed waste	19 November 2018
216-3	Approved	Northline Nomineeco Pty Ltd	Transport of various listed waste	10 April 2019
217-1	Superseded	ConocoPhillips Pipeline Australia Pty Ltd	LNG	19 July 2018
222-1	Approved	Genesse & Wyoming	Transport of various listed wastes via rail	10 April 2019
232	Approved	Mike Excavations Pty Ltd	Collection and transport of contaminated soil and sewage	19 July 2018
234-1	Approved	C J D Equipment Pty Ltd	Heavy vehicle repairs	29 October 2018
239-1	Approved	Humpty Doo Barramundi Pty Ltd	Aquaculture	19 June 2019
239	Superseded	Humpty Doo Barramundi Pty Ltd	Aquaculture	12 July 2018
241	Approved	Cleanaway Operations Pty Ltd	Transport and storage of waste in Darwin.	10 August 2018
242	Approved	Nagco Trading Pty Ltd	Collection and transport of clinical waste	10 August 2018
244	Approved	Qube Energy Pty Ltd	Various Listed waste storage	13 August 2018
245	Approved	Qube Ports Pty Ltd	Collection and transport of waste from offshore rigs	19 July 2018
246	Approved	Department of Health	Collection, transport and treatment of Clinical waste via autoclave	10 August 2018
247	Approved	The Trustee for Cookers Trust	Collection, storage and recycling of used cooking oil	4 September 2018
248	Superseded	K&S Freighters	Interstate transport of various wastes	10 August 2018
248-1	Approved	K&S Freighters	Interstate transport of various wastes	29 October 2018
249	Approved	Overland Engineering Pty Ltd	Transport of waste mineral oil	4 September 2018
250	Approved	Rusca Environmental Solutions Pty Ltd	Various Listed waste transport	4 September 2018
251	Expired	Matthewson Pty Ltd	Asbestos transportation	29 October 2018
253	Approved	Olawale Bolaji	Tyre transportation	12 October 2018
255	Approved	Cleanaway Operations Pty Ltd	Transport and storage of waste in Katherine.	9 November 2018
256	Approved	Jve Contracting	Transport of various listed wastes	21 December 2018
257	Approved	Oeg Offshore Pty Ltd	Storage of various listed wastes	1 May 2019
258	Approved	Cape Australia Onshore Pty Ltd	Transport of various listed wastes	6 December 2018
259	Approved	J.J. Richards & Sons Pty Ltd	Transport of various listed wastes	21 December 2018
260	Approved	Atlantic Construction WA Pty Ltd	Asbestos collection and transport	21 December 2018
261	Approved	Abr Group Pty Ltd	Asbestos collection and transport	21 December 2018

Licence number (EPL)	Status	Issued to	Activity	Date approved
262	Approved	Copper And Satellite Solutions Pty Ltd	Asbestos collection and transport	3 January 2019
263	Approved	S & R Building & Construction Pty Ltd	Sewage collection and transport	18 February 2019
264	Approved	Alice Airlite Pty Ltd	Incineration of clinical waste, pharmaceuticals and hydrocarbons	26 February 2019
265	Approved	White bins	Asbestos collection and transport	26 March 2019
266	Approved	Kendel Building Co. Pty Ltd	Asbestos collection and transport	10 April 2019
267	Approved	Fletcher's Plumbing and Gas Fitting Pty Ltd	Sewage collection and transport	1 May 2019
268	Approved	Dj Palmer Excavation Pty Ltd	Asbestos collection and transport	24 May 2019
269	Approved	Asbestos Solutions NT Pty Ltd	Asbestos collection and transport	1 May 2019

Table 5: Decisions under section 30(6) of WMPC Act – EPL or EPA not required

Applicant business name	Permit type	Activity	Date of determination
Alice Springs Town Council	EPA	Construction of shed for storage of oils, paints and same chemical	31 July 2018
Organic AG Pty Ltd	EPL	Effluent composting trial	19 December 2018
Toxfree Cleanaway	EPA	Overnight vehicle storage	14 February 2019

Table 6: Decisions under section 43 of the WMPC Act – EPL or EPA surrendered

Licence number	Permit type	Issued to	Activity	Date of determination
60	EPL	International Corrosion Control Pty Ltd	Transport and storage of asbestos	14 March 2019
117	EPL	Stockwater Pty Ltd	Transport of waste mineral oil	16 November 2018
118	EPL	Service Stream Communication	Transport and storage of asbestos	19 March 2019
128	EPL	Ant Construction and Development Pty Ltd	Transport of asbestos	24 June 2019
137	EPL	Breakthrough NQ Pty Ltd	Transport of asbestos	18 June 2019
155	EPL	Patriot Tankers	Transport of waste oil	21 November 2018
160	EPL	Gccable	Transport of asbestos	2 May 2019
164	EPL	J.J. Richards and Sons Pty Ltd	Storage of various listed wastes	27 September 2018
165	EPL	Enston Pty Ltd	Transport of grease trap waste	28 March 2019
166	EPL	Australian Heavy Logistics	Transport of various listed wastes	17 February 2019
167	EPL	Maitland Contracting (SA) Pty Ltd	Transport of asbestos	18 June 2019
191	EPL	JAC Asbestos Removal Pty Ltd	Transport of asbestos	2 May 2019

Appendix 4: Compliance and enforcement actions in 2018-19

Table 6: Entities issued with penalty infringement notices

Date issued	Entity	Date issued	Entity
10 July 2018	Territory Homes	30 January 2019	Sackellarios Saroukos
11 July 2018	Battery Power Centre Australasia Pty Ltd	30 January 2019	Nickolaos Saroukos
13 July 2018	Bellamack Pty Ltd	30 January 2019	Theodoros Saroukos
13 July 2018	Hy-Tec Industries Northern Territory Pty Ltd	30 January 2019	Stefanos Saroukos
13 July 2018	Battery Power Centre Australasia Pty Ltd	1 February 2019	Transpacific Industries Pty Ltd
13 July 2018	HSS NT Pty Ltd	1 February 2019	Transpacific Industries Pty Ltd
13 July 2018	HSS NT Pty Ltd	1 February 2019	Transpacific Industries Pty Ltd
13 July 2018	HSS NT Pty Ltd	12 March 2019	Berrimah North Developments Pty Ltd
18 July 2018	Phillip Kaye	12 April 2019	Bishdun Pty Ltd TA Nighthawk Transport
18 July 2018	Anthony Kaye	12 April 2019	Bishdun Pty Ltd TA Nighthawk Transport
20 July 2018	Power Water Corporation	16 April 2019	Leon Schultz (NTRS)
20 July 2018	Power Water Corporation	16 April 2019	Leon Schultz (NTRS)
20 July 2018	Power Water Corporation	16 April 2019	Leon Schultz (NTRS)
16 August 2018	Kassiou Constructions Pty Ltd	17 April 2019	NTRS
24 August 2018	Saroukos - Stefanos	17 April 2019	NTRS
24 August 2018	Saroukos - Nikolaos	17 April 2019	NTRS
24 August 2018	Saroukos - Sackellarios	18 April 2019	Dean Caton (NTRS)
24 August 2018	Saroukos - Theodoros	18 April 2019	Dean Caton (NTRS)
2 November 2018	City of Darwin	18 April 2019	Dean Caton (NTRS)
2 November 2018	City of Darwin	13 May 2019	John Holland Pty Ltd
1 November 2018	Randeni P. Weerachandra	13 May 2019	John Holland Pty Ltd
14 November 2018	Fire Maintenance Services	31 May 2019	Brendan John Gill (Cleanaway)
23 November 2018	CMMD(NT)	31 May 2019	Brendan John Gill (Cleanaway)
26 November 2018	Damday	31 May 2019	Brendan John Gill (Cleanaway)
30 November 2018	NTRS	31 May 2019	Cleanaway Co Pty Ltd
30 November 2018	NTRS	31 May 2019	Cleanaway Co Pty Ltd
30 November 2018	NTRS	31 May 2019	Cleanaway Co Pty Ltd
30 November 2018	Dean Caton (NTRS)	31 May 2019	Mr Vikas Bansal (Cleanaway)
30 November 2018	Dean Caton (NTRS)	31 May 2019	Mr Vikas Bansal (Cleanaway)
30 November 2018	Dean Caton (NTRS)	31 May 2019	Mr Vikas Bansal (Cleanaway)
30 November 2018	Leon Schultz (NTRS)	7 June 2019	Supreme Homes NT Pty Ltd
30 November 2018	Leon Schultz (NTRS)	17 June 2019	One Stone Works Pty Ltd
30 November 2018	Leon Schultz (NTRS)	24 June 2019	Charlie Maglis - CNCLD

Table 7: Prosecutions

Date	Defendant	Offences	Penalty
No prosecutions finalised in 2018-19.			

Table 11: Section 14 notices published

Date issued	Entity and event
16 October 2018	Power and Water Corporation Sewage spill at Lajamanu Sewage Pump Station
22 October 2018	Charles Darwin University Minor release of Fire Training Foam - non PFOA/PFAS
24 November 2018	Power and Water Corporation Sewage Overflow
28 November 2018	Cairns Industries Pty Ltd Loss of Diesel
29 November 2018	Power and Water Corporation Sewage overflow
11 December 2018	INPEX Operations Australia Pty Ltd Loss of Expandol to ground
17 December 2018	Alcan Gove Pty Ltd Wastewater Discharge
9 January 2019	Power Water Corporation Sewage overflow from vacuum pit
13 January 2019	NT Recycling Solutions Pty Ltd Waste Oil Discharge
17 January 2019	BP Australia Pty Ltd Phase separated hydrocarbons gauged in on-site monitoring well
21 January 2019	GEMCO (South32) Oil Spill
29 January 2019	McArthur River Mining Pty Ltd Road train carrying bulk zinc-lead concentrate detached and overturned
30 January 2019	Downer Group Bitumen Emulsion Spill
31 January 2019	Power and Water Corporation Sewage overflow from sewer relief point (manhole)
31 January 2019	Power and Water Corporation Sewage overflow from sewer relief point (manhole)
4 February 2019	Power and Water Corporation Rapid Creek Sewage Pump Station sewage overflow
4 February 2019	Power and Water Corporation Sewage overflow from sewer relief point (manhole)
4 February 2019	Power and Water Corporation Ludmilla Sewage Pump Station sewage overflow
4 February 2019	Power and Water Corporation Lakeside Drive sewage Pump Station sewage Overflow

Date issued	Entity and event
25 February 2019	Power and Water Corporation Overflow of Sewage due to power outage due to storm
1 March 2019	Power Water Corporation Sewage Overflow
5 March 2019	Power Water Corporation Sewage Overflow
24 March 2019	McArthur River Mining Pty Ltd Road train carrying bulk zinc-lead concentrate detached and overturned
24 March 2019	Plantation Management Partners Discharge of Tannin Leachate
25 March 2019	Shaws Darwin Transport Loss of containment of Chlorine Drums
8 April 2019	Power and Water Corporation Lakeside Drive and Rapid Creek Sewage Pumping Stations Overflow
8 April 2019	Power and Water Corporation Ludmilla Sewage Pump Station Overflow
30 April 2019	Power and Water Corporation Sewage Overflow
6 May 2019	Power and Water Corporation Discharge of sewage from vacuum pit
6 May 2019	GEMCO Mining Pty Ltd Sewage overflow
7 May 2019	Power and Water Corporation Sewage discharge from access chamber



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