

ENVIRONMENT PROTECTION APPROVAL

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

Approval Holder	City of Darwin
Approval Number	EPA396
Registered Business Address	City of Darwin 17 Harry Chan Avenue Access Darwin NT 0800
ABN	11 503 313 301
Premises Address	Lot 03952 Town of Sanderson plan(s) S 79/149A VANDERLIN DR, HOLMES
Anniversary Date:	21 March
Commencement Date:	21/03/2025
Expiry Date:	20/03/2027
Scheduled Activity	Constructing, installing or carrying out works in relation to premises for disposing of waste by burial.
Description	The construction of a lined cell (Stage 2A) for asbestos containing material on the northern batter of existing Stage 2 at the Shoal Bay Waste Management Facility and associated infrastructure including pipelines, stormwater diversion, and leachate collection systems.

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ATTACHMENTS

There are no attachments

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INFORMATION ABOUT THIS APPROVAL

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

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

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

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

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

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

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

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

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

Public Register

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

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

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

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- Declared Beneficial Use for the Darwin Harbour Area: Water Quality Objectives, NTG Gazette 29 June 2010.

Environmental Interests

- This section highlights sensitivity of the surrounding land use and environment associated with the location of the approved activity.
- Sites of Conservation Significance
 - Shoal Bay SOCS number 8; and
 - Darwin Harbour SOCS number 6.
- No Ramsar Wetlands.

Cultural Interests

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

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RULES FOR INTERPRETING THE CONDITIONS OF THIS APPROVAL

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

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APPROVAL CONDITIONS

GENERAL

- 1 The approval holder must ensure the contact details recorded in NT EPA Online for this approval are correct at all times.
- 2 The approval holder must at all times have a 24 hour emergency contact.
- 3 The approval holder must cause clear and legible signage, in English, to be displayed in a prominent location at each public entrance to the premises that includes the following details:
 - 3.1 environment protection approval number issued under the WMPC Act; and
 - 3.2 24 hour emergency contact details.
- 4 The approval holder must provide to the NT EPA, within 10 business days of a request, a copy of any document, monitoring data or other information in relation to the activity, in the format requested by the NT EPA.
- 5 All notices, reports, documents or other correspondence required to be provided as a condition of this licence, unless otherwise specified as a condition of this licence, must be provided in electronic form by uploading the document via NT EPA Online (or by emailing environmentalregulation@nt.gov.au).
- 6 The approval holder must implement, maintain and follow the documents listed in Table 2.

Table 2 - Documents relevant to the activity

Document name	Reference
Stage 2 Expansion - Design Report	PS138768-WSP-BNE-ENG-REP-005 Rev0 Design Report
Stage 2A Expansion - Construction Quality Assurance Plan	PS138768-WSP-BNE-ENG-REP-008 Rev0 CQA Plan

- 7 Within 10 business days of any amendment being made to a document listed in Table 2 the approval holder must provide the amended document to the NT EPA, along with:
 - 7.1 a tabulated summary of the amendment(s) with document references;
 - 7.2 reasons for the amendment(s); and
 - 7.3 an assessment of environmental risk associated with the amendment(s).
- 8 The NT EPA may require the approval holder to revise or amend and resubmit any amended document. Where the NT EPA requires a document to be resubmitted, the approval holder must submit it to the NT EPA by the date specified by the NT EPA.
- 9 The approval holder must implement, maintain and follow an Emergency Response Plan that addresses procedures for responding to emergencies associated with the activity that may cause environmental harm.

OPERATIONAL

- 10 The approval holder must ensure any plant and equipment used by the approval holder in conducting the activity:

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- 10.1 is reasonably fit for the purpose and use to which it is put;
 - 10.2 is maintained; and
 - 10.3 is operated by a person trained to use the plant and equipment.
- 11 The approval holder must ensure that wastewater generated from washing plant and equipment associated with the activity does not cause pollution.
 - 12 The approval holder must segregate waste at the premises in clearly designated areas.
 - 13 The approval holder must ensure that all materials that are likely to cause environmental harm are handled and stored in areas with a containment system in accordance with the relevant Australian Standard. Where no relevant Australian Standard exists, the containment system must be sized to contain 110% of the volume of the largest container within the area.
 - 14 The approval holder must provide a Construction Environment Management Plan (CEMP) for the activity to the NT EPA at least 5 business days prior to commencing construction and installation of the activity.
 - 15 The NT EPA may require the approval holder to revise, amend and/or resubmit the CEMP submitted under Condition 14. Where the NT EPA requires the CEMP to be resubmitted, the approval holder must submit it to the NT EPA by the date specified by the NT EPA.
 - 16 The approval holder must construct the activity in accordance with the CQA submitted as part of the application, or as revised under Condition 7.

DISCHARGES AND EMISSIONS

- 17 The approval holder must ensure there is no migration or overflow of a contaminant or waste, which causes or may cause environmental harm, beyond the boundary of the land on which the premises are located. (For the avoidance of doubt, this condition is not intended to authorise the discharge of a contaminant or waste to any land or water which discharge has not been specifically authorised by another condition of this approval.)
- 18 The approval holder must ensure that stormwater does not come into contact with a contaminant or waste, which causes or may cause environmental harm.
- 19 The approval holder must not allow a contaminant or waste, which causes or may cause environmental harm, to enter water.

RECORDING AND REPORTING

- 20 The approval holder must keep records of all non-compliances with this approval. These records must be adequate to enable the approval holder to comply with the non-compliance notification conditions of this approval.
- 21 The approval holder must notify the NT EPA of any non-compliance with this approval by completing the Non-Compliance Notification via NT EPA Online (or by emailing environmentalregulation@nt.gov.au), as soon as practicable after (and in any case within 24 hours after) first becoming aware of the non-compliance.
- 22 The approval holder must include in the notification of non-compliance the following information:
 - 22.1 when the non-compliance was detected and by whom;
 - 22.2 the date and time of the non-compliance;
 - 22.3 the actual and potential causes and contributing factors to the non-compliance;

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- 22.4 the risk of environmental harm arising from the non-compliance;
 - 22.5 the action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance;
 - 22.6 corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur;
 - 22.7 if no action was taken, why no action was taken; and
 - 22.8 a date when an incident investigation report will be submitted to the NT EPA.
- 23 The approval holder must submit to the NT EPA within 10 business days of completion of the activity and prior to use and operation of the cell a review of the completed activity with certification from a qualified person(s) that the works conducted:
- 23.1 were constructed in accordance with the final CQA or if applicable the revised CQA; and
 - 23.2 'as constructed' will deliver the intended purpose.
- 24 Where the completed activity was not constructed in accordance with the final CQA or revised CQA, the approval holder must submit to the NT EPA amended plans reviewed by a suitably qualified person(s), to reflect the design 'as constructed'.

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END OF APPROVAL CONDITIONS

This approval is not valid unless signed below:



Ben McTavish
A/Director Environmental Operations
Delegate of the Northern Territory
Environment Protection Authority
Dated: 21/03/2025

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DEFINITIONS

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

DEFINITION	In this approval, unless a contrary intention appears:
24 hour emergency contact	the phone number of a person who can be contacted at any time and be capable of responding to and providing information about any incident associated with the activity.
Activity	the Scheduled activity as described on the covering page of this approval.
Asbestos containing material	any material that contains asbestos.
Business days	a day not Saturday, Sunday or a public holiday, in the Northern Territory.
Listed waste	a waste included under Schedule 2 of the Regulations.
Non-compliance notification	an NT EPA prescribed format for notifying the NT EPA of a non-compliance.
NT EPA Online	online system for Environment Protection Approval (EPL), Environment Protection Approval (EPA) and Waste Discharge Approval (WDL) lodgement and maintenance.
Plant and equipment	all material items used in association with the activity, including (but not limited to) storage vessels and containers, pipe work and hosing, vehicles (including vessels), tools, and measuring equipment.
Qualified person	a person registered under Section 68 of the WMPC Act.
Regulations	<i>Waste Management and Pollution Control (Administration) Regulations 1998.</i>
Waste transport certificate	the NT EPA waste tracking documentation used to track listed waste being transported interstate as required in accordance with the National Environment Protection (Movement of Controlled Waste Between States and Territories) Measure.
Wastewater	water that contains a contaminant or waste.
WMPC Act	the Northern Territory <i>Waste Management and Pollution Control Act 1998.</i>