

ENVIRONMENT PROTECTION LICENCE

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

Licensee	Darwin Turf Club Inc.
Licence Number	EPL218 - 03
Registered Business Address	Darwin Turf Club Inc. 20 Dick Ward Drive Fannie Bay NT 0820
ABN	21 373 066 193
Premises Address	Lot 05298 Town of Darwin plan(s) S 79/109 20 DICK WARD DR, FANNIE BAY
Anniversary Date:	01 September
Commencement Date:	01/09/2024
Expiry Date:	30/09/2028
Scheduled Activity	Collecting, transporting, storing, re-cycling, treating or disposing of a listed waste (as per Table 1) on a commercial or fee for service basis, other than in or for the purpose of a sewage treatment plant. Operating premises, other than a sewage treatment plant, associated with collecting, transporting, storing, re-cycling, treating or disposing of a listed waste (as per Table 1) on a commercial or fee for service basis.
Description	Application of waste mixtures, or waste emulsions, of oil and water or hydrocarbon and water by disposal to Darwin Turf Club, Fannie Bay Racecourse for the purpose of conditioning the track.

Table 1 - Listed Wastes Authorised to be Handled

Listed Waste	Collection	Transport	Storage	Treatment	Recycling	Disposal
Waste mixtures, or waste emulsions, of oil and water or hydrocarbon and water	✗	✗	✗	✗	✗	✓

✓ Activity authorised by this licence

✗ Activity not authorised by this licence

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ATTACHMENTS

- ¹ Appendix 1 Section 6.0 Recommendations from SLR Technical Memorandum RE Use of Waste Oil for Track Conditioning Waste Oil Phase Out.docx

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INFORMATION ABOUT THIS LICENCE

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

Duration of a licence (section 40, 43 and 45 of the WMPC Act)

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

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

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

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

- The licensee can apply to transfer their licence to another person.

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

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

Public Register

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

Environment Protection Objectives (Part 4 of the WMPC Act), and Water Quality Standards (section 73 of the *Water Act 1992*)

- 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 1992* and in force is an environment protection objective for the purposes of the WMPC Act.

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- The following EPOs and Beneficial Use Declarations (BUDs) are relevant to this licence:
 - Darwin Harbour Region: Aquaculture, environment, cultural, rural stock and domestic

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
 - Darwin Harbour
- Ramsar Wetland

Cultural Interests

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

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RULES FOR INTERPRETING THE CONDITIONS OF THIS LICENCE

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

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LICENCE CONDITIONS

GENERAL

- 1 The licensee must ensure the contact details recorded in NT EPA Online for this licence are correct at all times.
- 2 The licensee must at all times have a 24 hour emergency contact.
- 3 The licensee must pay via NT EPA Online the annual fee calculated in accordance with the method prescribed in the Regulations within 10 business days of the anniversary date of this licence, for each year or part of a year that this licence is in force.
- 4 The licensee must cause clear and legible signage, in English, to be displayed in a prominent location at each public entrance to the premises that includes the following details:
 - 4.1 environment protection licence number issued under the WMPC Act; and
 - 4.2 24 hour emergency contact details.
- 5 The licensee must cause a copy of this licence to be available for inspection by any person, in hard copy form, at the premises.
- 6 The licensee must provide to the NT EPA, within 10 business days of a request, a copy of any document, monitoring data or other information in relation to the activity, in the format requested by the NT EPA.
- 7 All notices, reports, documents or other correspondence required to be provided as a condition of this licence, unless otherwise specified as a condition of this licence, must be provided in electronic form by uploading the document via NT EPA Online (or by emailing environmentalregulation@nt.gov.au).
- 8 The licensee must implement, maintain and follow the documents listed in Table 2.

Table 2 - Documents Relevant to the Licenced Activity

Document Number	Document Name	Document Date
1	Environmental Management Plan for the Application of Used Oil Fannie Bay Racecourse Ref 12618429	7 June 2024

- 9 Within 10 business days of any amendment being made to a document listed in Table 2 the licensee must provide the amended document to the NT EPA, along with:
 - 9.1 a tabulated summary of the amendment(s) with document references;
 - 9.2 reasons for the amendment(s); and
 - 9.3 an assessment of environmental risk associated with the amendment(s).
- 10 The NT EPA may require the licensee to revise or amend and resubmit any amended document. Where the NT EPA requires a document to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.
- 11 The licensee must, for the duration of this licence, implement, maintain and follow a Consultation and Communication Plan which includes a strategy for communicating with persons who are likely to have a real interest in, or be affected by, the activity.

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- 12 The licensee must operate and maintain a community feedback number.
- 13 The licensee must display the community feedback number:
 - 13.1 where the licensee has a website, in a prominent location on the licensee's website;
 - 13.2 in the Consultation and Communication Plan; and
 - 13.3 in other publicly available documents relating to the activity.
- 14 The licensee must maintain a Complaint Log for all complaints received by the licensee in relation to the activity.
- 15 The licensee must ensure that the Complaint Log includes, for each complaint received by the licensee, the following information:
 - 15.1 the person to whom the complaint was made;
 - 15.2 the person responsible for managing the complaint;
 - 15.3 the date and time the complaint was reported;
 - 15.4 the date and time of the event(s) that led to the complaint;
 - 15.5 the contact details of the complainant if known, or where no details are provided a note to that effect;
 - 15.6 the nature of the complaint;
 - 15.7 the nature of event(s) giving rise to the complaint;
 - 15.8 prevailing weather conditions at the time (where relevant to the complaint);
 - 15.9 the action taken in relation to the complaint, including any follow-up contact with the complainant; and
 - 15.10 if no action was taken, why no action was taken.
- 16 The licensee must implement, maintain and follow an Emergency Response Plan that addresses procedures for responding to emergencies associated with the activity that may cause environmental harm.

EARLY SURRENDER OF LICENCE

- 17 Any reports, records or other information required or able to be provided by the licensee under this licence must be submitted to the NT EPA prior to the licensee surrendering the licence. If the date on which a report, record or other information is required falls after the date the licensee requests to surrender this licence, the licensee must provide the report, record or information as far as possible using data available to the licensee up to and including the date the request to surrender the licence is made.

OPERATIONAL

- 18 The licensee must not collect, transport, store, recycle, treat or dispose of listed waste other than the listed waste specified in Table 1.
- 19 The licensee must ensure any plant and equipment used by the licensee in conducting the activity:
 - 19.1 is reasonably fit for the purpose and use to which it is put;

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19.2 is maintained;

19.3 is operated by a person trained to use the plant and equipment; and

19.4 is operated by, or operated by a person accompanied by, a person trained to handle, store or dispose of listed waste in connection with the activity.

20 The licensee must ensure that wastewater generated from washing plant and equipment associated with the activity does not cause pollution.

21 The licensee must ensure that all listed waste being transported to and from the premises is transported by a person licenced under section 30 of the WMPC Act to transport the listed waste.

22 The licensee must notify the NT EPA, two weeks in advance, of the proposed dates for the application of listed waste to the track at the premises

DISCHARGES AND EMISSIONS

23 The licensee must not allow a contaminant or waste, which causes or may cause environmental harm, to enter water.

24 The licensee 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 licence.)

25 The activity must not cause or release, beyond the boundary of the premises offensive odour.

MONITORING

26 The licensee must conduct air, groundwater, surface water and soil monitoring in accordance with section 9 of the EMP referred to in Table 2.

27 Prior to the application of listed waste (per Table 1) to the Fannie Bay Racecourse, the licensee must:

27.1 analyse a representative sample of the listed waste to be applied for polychlorinated biphenyls (PCBs) and per-and polyfluoroalkyl substances (PFAS); and

27.2 submit to the NT EPA via email to environmentalregulation@nt.gov.au the laboratory results of the sample, demonstrating its composition is not contaminated by polychlorinated biphenyls (PCBs) and per-and polyfluoroalkyl substances (PFAS).

28 The licensee must ensure that all monitoring samples are analysed at a laboratory with current NATA accreditation or equivalent, for the parameters to be measured.

29 The licensee must ensure that, for each sample collected in accordance with the Monitoring Plan or the activity the following information must be recorded and retained:

29.1 the date on which the sample was collected;

29.2 the time at which the sample was collected;

29.3 the location at which the sample was collected;

29.4 the name of the person who collected the sample;

29.5 the chain of custody forms relating to the sample;

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29.6 the field measurements (if any) and analytical results (if any) relating to the sample; and

29.7 laboratory quality assurance and quality control documentation.

- 30 The NT EPA may require the licensee to revise or amend and resubmit the Monitoring Plan. Where the NT EPA requires the Monitoring Plan to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.

RECORDING AND REPORTING

- 31 The licensee must submit a completed Annual Return form to environmentalregulation@nt.gov.au within 10 business days after each anniversary date of this licence, which relates to the preceding 12 month period.

- 32 The licensee must keep and maintain records relating to the activity undertaken and the listed waste handled by the licensee in each successive 12 month period following the commencement of this licence, which include:

32.1 the date of collection;

32.2 the source of the listed waste;

32.3 the name of the transport company, if not the licensee;

32.4 the vehicle registration;

32.5 a description of the listed waste;

32.6 the quantity of the listed waste;

32.7 the final destination of the listed waste; and

32.8 whether the listed waste was stored, recycled, treated or disposed of.

- 33 The licensee must retain records relating to waste, including listed waste, as required by the conditions of this licence, for a period of 2 years after the end of the 12 month period to which the record relates.

- 34 The licensee must keep records of all non-compliances with this licence. These records must be adequate to enable the licensee to comply with the non-compliance notification conditions of this licence.

- 35 The licensee must notify the NT EPA of any non-compliance with this licence by completing the Non-Compliance Notification via NT EPA Online (or 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.

- 36 The licensee must include in the notification of non-compliance the following information:

36.1 when the non-compliance was detected and by whom;

36.2 the date and time of the non-compliance;

36.3 the actual and potential causes and contributing factors to the non-compliance;

36.4 the risk of environmental harm arising from the non-compliance;

36.5 the action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance;

36.6 corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur;

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- 36.7 if no action was taken, why no action was taken; and
- 36.8 a date when an incident investigation report will be submitted to the NT EPA.
- 37 A non-compliance with this licence includes:
 - 37.1 an exceedance of a trigger value specified in Document 1 of Table 2 on three consecutive sampling occasions; or
 - 37.2 an exceedance of a trigger value specified in Document 1 of Table 2 on a single occasion where the parameter measures greater than or equal to three times or more the trigger value.
- 38 The licensee must keep records of all exceedances of trigger values specified in Document 1 of Table 2. These records must be adequate to enable the licensee to comply with the exceedance notification conditions of this licence
- 39 The licensee must complete and provide to the NT EPA a Monitoring Report, as prescribed by this licence, within 10 business days after each anniversary date of this licence.
- 40 The licensee must ensure that each Monitoring Report:
 - 40.1 is prepared in accordance with the requirements of the NT EPA 'Guideline for Reporting on Environmental Monitoring';
 - 40.2 includes a tabulation of all monitoring data required as a condition of this licence and any additional data used as part of the analysis and interpretation undertaken in the report, to be submitted in electronic Microsoft® Excel® format;
 - 40.3 includes long term trend analysis of monitoring data to demonstrate any environmental impact associated with the activity over a minimum period of three years (where the data is available). Data used in this analysis must be provided electronically in Microsoft® Excel® format; and
 - 40.4 includes an assessment of environmental impact from the activity.
- 41 The NT EPA may require the licensee to revise or amend and resubmit any Monitoring Report. Where the NT EPA requires the Monitoring Report to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.

PERFORMANCE IMPROVEMENT

- 42 The Licensee must prepare and submit an Annual Phase-Out Report, as prescribed by this licence, to the NT EPA within 10 business days following each anniversary of this Licence. The report must include:
 - 42.1 A detailed summary of the investigations and actions taken to phase out the use of waste oil by 30 September 2028 as a soil conditioner;
 - 42.2 Evidence demonstrating how the implemented measures align with the recommendations specified in Appendix 1; and
 - 42.3 A plan outlining the steps to be undertaken over the next 12 months.

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END OF LICENCE CONDITIONS

This licence is not valid unless signed below:



Ben McTavish
A/Director Environmental Operations
Delegate of the Northern Territory
Environment Protection Authority
Dated: 03/10/2024

END NOTES

This licence is a renewal and supercedes EPL218-02 issued on 23 August 2022.

EPL218-02 was a renewal and superceded EPL218-01 issued on 14 April 2022.

EPL218-01 was an amendment and superseded EPL218 issued on 20 Septemeber 2017.

EPL218 was issued with the expiry date of 31 August 2022.

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DEFINITIONS

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

DEFINITION	In this licence, unless a contrary intention appears:
24 hour emergency contact	the phone number of a person who can be contacted at any time and be capable of responding to and providing information about any incident associated with the activity.
Activity	the Scheduled activity as described on the covering page of this licence.
Air	includes any layer of the atmosphere.
Annual Return	an NT EPA prescribed format for demonstrating and reporting compliance with the conditions of this licence and providing information on waste volumes for the preceding 12 month period.
ANZECC/ARMCANZ	Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, 2000: National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting.
Community feedback number	a telephone number enabling members of the public to contact, at any time, a person or voice mail system that can accept, on behalf of the licensee, enquiries or complaints about the activity, and to which the licensee must respond.
Contact details	includes the 24 hour emergency contact, and name, position title and phone number of a representative of the licensee who can be contacted about the licence and activity.
Contaminant	a solid, liquid or gas or any combination of such substances and includes: (a) noise, odour, heat and electromagnetic radiation; (b) a prescribed substance or prescribed class of substances; and (c) a substance having a prescribed property or prescribed class of properties.
Complaint Log	a register of complaints to be maintained by the Licensee that records the details of each complaint received in relation to the activity.
Discharges	allow a liquid, gas or other substance to flow out from where it has been confined.
Disposal schedule	a plan for disposing of asbestos containing material such that asbestos containing material is not stored in perpetuity.
Environmental harm	(a) any harm to or adverse effect on the environment; or (b) any potential harm (including the risk of harm and future harm) to or potential adverse effect on the environment, of any degree or duration and includes environmental nuisance.
Environmental nuisance	means: (a) an adverse effect on the amenity of an area that: (i) is caused by noise, smoke, dust, fumes or odour; and (ii) unreasonably interferes with or is likely to unreasonably interfere with the enjoyment of the area by persons who occupy a place within the area or are otherwise lawfully in the area; or (b) an unsightly or offensive condition caused by contaminants or waste.

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Listed waste	a waste included under Schedule 2 of the Regulations.
NATA	National Association of Testing Authorities, Australia.
Non-compliance	failure or refusal to comply, whether by act or omission, with obligations or requirements and includes any exceedance of a licence limit.
Non-compliance notification	an NT EPA prescribed format for notifying the NT EPA of a non-compliance.
NT EPA Online	online system for Environment Protection Licence (EPL), Environment Protection Approval (EPA) and Waste Discharge Licence (WDL) lodgement and maintenance.
NT EPA Online Vehicle Register	the vehicle register found at NT EPA Online.
Regulations	<i>Waste Management and Pollution Control (Administration) Regulations.</i>
Solid inert waste	solid waste that has no active chemical or biological properties. These wastes do not undergo environmentally significant physical, chemical or biological transformation.
Waste transport certificate	the NT EPA waste tracking documentation used to track listed waste being transported interstate as required in accordance with the National Environment Protection (Movement of Controlled Waste Between States and Territories) Measure.
Wastewater	water that contains a contaminant or waste.
Water	includes: (a) surface water, ground water and tidal waters; (b) coastal waters of the Territory, within the meaning of the <i>Coastal Waters (Northern Territory Powers) Act 1980</i> of the Commonwealth; and (c) water containing an impurity.
WMPC Act	the Northern Territory <i>Waste Management and Pollution Control Act 1998</i> .