

ANNUAL RETURN

Information on this form is required in accordance with the conditions of your licence or approval issued under part 5 of the *Waste Management and Pollution Control Act* or part 7 of the *Water Act*.

Failure to provide the information requested on this form and/or the provision of false or misleading information is an offence under the legislation and you may be liable to heavy penalties.

LICENCE/APPROVAL NO.	EPL 283
REPORTING PERIOD	November 24 th 2019 - November 24 th 2020

Section 1. Licence/Approval Holder Details

Please check your business details and contact details including 24 hour emergency response in NT EPA online and/or on page one of your licence.

Are these details correct?

- ☒ Yes Go to Section 2
- ☐ No Please correct your details by updating in NT EPA Online or complete the table below.

Licence holder	
Legal Entity Name:	
ABN:	
Registered Business Address:	
Postal Address:	
Contact Person:	
Position Title:	
Contact Details:	
b/h:	
mobile:	
email:	
Location of premises	
Address:	
24 hour emergency response	
Position Title:	
phone:	
mobile:	

Section 2. Statement of Compliance

Were all conditions of the licence/approval complied with during the reporting period?

☐ Yes Proceed to Section 4.

☒ No Complete details below (add more rows if required)

Details of Non-compliance				
Condition number	Date of non-compliance (dd/mm/yy)	Was NT EPA notified? (Yes / No)	If yes, date NT EPA notified (dd/mm/yy)	If yes, how was NT EPA notified? (e.g. phone, email, Pollution Hotline)
		If no, complete Section 3		
23	18/09/20	yes	30/11/20	phone
34.1 (TSS)	2020	yes	18/11/20	phone
34.2 (TSS)	2020	yes	18/11/20	phone
34 (TP)	2020	yes	30/11/20	phone
43	24/05/20	yes	18/11/20	phone
44	24/05/20	yes	18/11/20	phone

Section 3. Report of Non-compliance

Please supply the following details for each non-compliance not reported to the NT EPA identified in Section 2. Use a separate page for each non-compliance.

The date and time of the non-compliance.
18/09/20 (condition number 23)
When the non-compliance was detected and by whom.
20/11/20 - Kane Taylor
The actual and potential causes and contributing factors to the non-compliance.
Missed September 2020 monthly water sample due to staff and vessel inavailability
The risk of environmental harm arising from the non-compliance.
Minimal - No changes in ponds operation occurred during this time and no exceedances in water quality parameters other than TSS have been recorded at any stage in 2020 for the compliance point. It could be assumed that no water quality parameters were exceeded during this missed sampling time.
The action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance.
nil
Corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur.
Further staff training in vessel operation has been completed so that if primary samplers are unavailable there will be alternate samplers available to conduct the monthly water quality sampling.
If no action was taken, why no action was taken.

Section 3. Report of Non-compliance

Please supply the following details for each non-compliance not reported to the NT EPA identified in Section 2. Use a separate page for each non-compliance.

The date and time of the non-compliance.
2020 (condition number 34.1)
When the non-compliance was detected and by whom.
18/11/20 - Kane Taylor
The actual and potential causes and contributing factors to the non-compliance.
Total Suspended Solids (TSS) exceeding water quality trigger vaules at the compliance point on 3 consecutive sampling occasions, mulitple times. Please refer to the EPL 283 Monitoring Report 2020 for further information.
The risk of environmental harm arising from the non-compliance.
Nil. The TSS trigger value was exceeded at every sampling site for every sampling event including the ambient and inlet points. The nature of the Darwin Harbour waters have high a TSS load and perhaps the trigger value should be reviewed
The action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance.
nil
Corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur.
Perhaps the Trigger Value for TSS requires revision.
If no action was taken, why no action was taken.

Section 3. Report of Non-compliance

Please supply the following details for each non-compliance not reported to the NT EPA identified in Section 2. Use a separate page for each non-compliance.

The date and time of the non-compliance.
2020 (condition number 34.2)
When the non-compliance was detected and by whom.
18/11/20 - Kane Taylor
The actual and potential causes and contributing factors to the non-compliance.
Total Suspended Solids (TSS) exceeding water quality trigger vaules at the compliance point by 3 times or more on sampling occasions, mulitple times. Please refer to the EPL 283 Monitoring Report 2020 for further information.
The risk of environmental harm arising from the non-compliance.
Nil. The TSS trigger value was exceeded at every sampling site for every sampling event including the ambient and inlet points. The nature of the Darwin Harbour waters have high a TSS load and perhaps the trigger value should be reviewed
The action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance.
nil
Corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur.
Perhaps the Trigger Value for TSS requires revision.
If no action was taken, why no action was taken.

Section 3. Report of Non-compliance

Please supply the following details for each non-compliance not reported to the NT EPA identified in Section 2. Use a separate page for each non-compliance.

The date and time of the non-compliance.
24/05/20 (condition number 43)
When the non-compliance was detected and by whom.
18/11/20 - Kane Taylor
The actual and potential causes and contributing factors to the non-compliance.
Performance Improvement condition number 43 was not met by the required date. An administration error was made when it was thought a 12 month timeframe existed like other performance improvement conditions had, not the 6 months as stated in the licence. Extension until the 24/12/20 has been granted.
The risk of environmental harm arising from the non-compliance.
Nil
The action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance.
Nil
Corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur.
Key dates in the licence conditions will be carefully monitored.
If no action was taken, why no action was taken.

Section 3. Report of Non-compliance

Please supply the following details for each non-compliance not reported to the NT EPA identified in Section 2. Use a separate page for each non-compliance.

The date and time of the non-compliance.
2020 (condition number 34)
When the non-compliance was detected and by whom.
30/11/20 - Kane Taylor
The actual and potential causes and contributing factors to the non-compliance.
Total Phosphorus (TP) exceeding water quality trigger values at the compliance point on 3 consecutive sampling occasions, and on 2 occasions by a multiple of 3 or greater. Please refer to the EPL 283 Monitoring Report 2020 for further information.
The risk of environmental harm arising from the non-compliance.
Across all of the monitoring sites, exceedances for Total Phosphorus are common. Each exceedance at the TSF Ambient 1 compliance point was lower than inlet for the same sampling period. Its therefore unlikely that the operation of the ponds is the cause of the exceedances against the trigger values and is more likely to be the result of a local condition of the environment.
The action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance.
nil
Corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur.
Perhaps we could review Total Phosphorus as a trigger for an exceedance and non-compliance.
If no action was taken, why no action was taken.

Section 3. Report of Non-compliance

Please supply the following details for each non-compliance not reported to the NT EPA identified in Section 2. Use a separate page for each non-compliance.

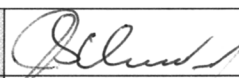
The date and time of the non-compliance.
24/05/20 (condition number 44)
When the non-compliance was detected and by whom.
18/11/20 - Kane Taylor
The actual and potential causes and contributing factors to the non-compliance.
Performance Improvement condition number 44 was not met by the required date. An administration error was made when it was thought a 12 month timeframe existed like other performance improvement conditions had, not the 6 months as stated in the licence. Extension until the 24/12/20 has been granted.
The risk of environmental harm arising from the non-compliance.
Nil
The action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance.
Nil
Corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur.
Key dates in the licence conditions will be carefully monitored.
If no action was taken, why no action was taken.

Section 4. Signature and Certification

This declaration must only be signed by a person(s) with the legal authority to sign it. The ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

If the licence holder is:	Tick	The application must be signed and certified by one of the following:
An individual	☐	The individual.
A partnership	☐	A partner.
A company	☐	The common seal being affixed in accordance with the <i>Corporations Act</i> , or
	☐	Two directors, or
	☒	A director and a company secretary, or
	☐	If a proprietary company that has a sole director who is also the sole company secretary – by that director.
A public authority	☐	The Chief Executive Officer (CEO) of the public authority, or
	☐	By a person delegated to sign on the public authority's behalf in accordance with its legislation (Please note: a copy of the relevant instrument of delegation must be attached to this application).

I/We hereby declare that the information provided in this Annual Return and accompanying documents is to the best of my/our knowledge, true and correct.

Signature		Signature	
Name (printed)	James Paspaley	Name (printed)	IAN CLEVE-LAND
Position	Executive Director	Position	COMPANY SECRETARY
Date	30.11.20	Date	1/12/2020
Seal (if signing under seal):			