ntepa Northern Territory Environment Protection Authority

ENVIRONMENT PROTECTION LICENCE

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

Licensee	West Arnhem Regional Council
Licence Number	**EPL351 - 02**
Registered Business Address	West Arnhem Regional Council West Arnhem Regional Council / 13 Tasman Crescent Jabiru NT 0886
ABN	45 065 336 873
Premises Address	Administrative Lot 02352 Town of Jabiru plan(s) S2022/026 147 ELSHERANA RD, JABIRU
Anniversary Date:	01 July
Commencement Date:	01/07/2022
Expiry Date:	30/06/2032
Scheduled Activity	Operating **premises** for the disposal of **waste** by burial that service, or are designed to service, the **waste** disposal requirements of more than 1000 persons. 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.
Description	The Jabiru landfill disposes of putrescible and solid inert waste by burial, and it stores listed waste (as per Table 1) for transfer to an authorised facility for processing. The licence allows for the transport of waste tyres and 'acidic solutions or acids in soid form' and 'lead, lead componds' in the form of used lead acid batteries (ULABs). Green waste is diverted from the landfill to council land on the outskirts of the Jabiru Township.

Table 1 - Listed Wastes Authorised to be Handled

Listed Waste	Collection	Transport	Storage	Treatment	Recycling	Disposal
Lead, lead compounds	✓	✓	✓	✗	✗	✗
Tyres	✓	✓	✓	✗	✗	✗
Waste mineral oils unfit for their original intended use	✓	✗	✓	✗	✗	✗
Acidic solutions or acids in solid form	✓	✓	✓	✗	✗	✗

✓ Activity authorised by this licence

✗ Activity not authorised by this licence

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ATTACHMENTS

There are no attachments

INFORMATION ABOUT THIS LICENCE

- This licence does not in any way relieve the licence 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 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.
- 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.
- There are no EPOs and Beneficial Use Declarations (BUDs) that are relevant to this licence.

Environmental Interests

- This section highlights sensitivity of the surrounding land use and environment associated with the location of the approved activity.
- United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage Convention.
    - Jabiru Waste Management Facility is located within the Kakadu National Park, which is listed as a World Heritage Site under the UNESCO World Heritage Convention.

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.

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.

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 waste@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

Reference	Document
Jabiru WMF June 2024	Environmental Management Plan

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 maintain a Complaint Log for all complaints received by the licensee in relation to the activity.

12 The licensee must ensure that the Complaint Log includes, for each complaint received by the licensee, the following information:

12.1 the person to whom the complaint was made;

12.2 the person responsible for managing the complaint;

12.3 the date and time the complaint was reported;

12.4 the date and time of the event(s) that led to the complaint;

12.5 the contact details of the complainant if known, or where no details are provided a note to that effect;

12.6 the nature of the complaint;

12.7 the nature of event(s) giving rise to the complaint;

12.8 prevailing weather conditions at the time (where relevant to the complaint);

12.9 the action taken in relation to the complaint, including any follow-up contact with the complainant; and

12.10 if no action was taken, why no action was taken.

13 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

14 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

15 The licensee must not collect, transport, store, recycle, treat or dispose of listed waste other than the listed waste specified in Table 1.

16 The licensee must ensure that only the following wastes are disposed of by burial at the premises:

16.1 putrescible waste; and

16.2 solid inert waste.

17 The licensee must not exceed any of the storage limits specified in Table 3.

Table 3 - Storage Limits

Listed Waste	Limit
Used Lead Acid Batteries*	4500 kg
Tyres	50 m3
Waste oils	2000 L

*The equivalent of 4 pallets packed in accordance with the ABRI Packaging Standard for ULAB. One pallet of ULAB stacked up to a maximum of 3 layers and does not exceed a maximum weight of 1500 kg.

18

The licensee must handle listed waste ULAB (in the form of 'acidic solutions or acids in solid form' and 'lead, lead compounds') in accordance with the Australian Battery Recycling Initiative (ABRI) Packaging Standard for ULAB.

19 The licensee must not exceed any of the tyre stack limits specified in Table 4.

Table 4 - Tyres Stack Limits

Tyre stack	Limit
Height	2 m
Length	5 m
Width	5 m
Slope	45°

20 The licensee must maintain a 10 metre wide firebreak around the boundary of the tyre stockpile area.

21 The licensee must ensure any plant and equipment used by the licensee in conducting the activity:

21.1 is reasonably fit for the purpose and use to which it is put;

21.2 is maintained;

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

21.4 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.

22 The licensee 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.

23 The licensee must segregate waste received or generated at the premises in clearly designated areas for recycling, re-use or disposal.

24 The licensee must ensure that litter:

24.1 is contained within the boundary of the premises;

24.2 is not deposited or allowed to accumulate in stormwater drain(s), water or leachate dam(s); and

24.3 does not accumulate along the boundary of the premises.

25 The licensee must not cause or permit waste to be burned.

26 The licensee must maintain a log of fires occurring at the premises including the following information:

26.1 the time and date of when the fire was reported;

26.2 the circumstance which ignited the fire;

26.3 the time and date of when the fire ceased and whether it burnt out or was extinguished;

26.4 the location of the fire on the premises (e.g. timber stockpile, putrescible waste);

26.5 prevailing weather conditions;

26.6 observations made in regard to smoke direction and dispersion;

26.7 the amount of waste combusted by the fire; and

26.8 action taken to extinguish the fire.

27 The licensee must notify the NT EPA of any fires at the premises by contacting the Pollution Hotline on telephone number 1800 064 567 as soon as practicable after (and in any case, within 24 hours after) first becoming aware of the fire. The licensee must provide the status of the fire and this licence number when contacting the Pollution Hotline.

28 The licensee must cover waste in accordance with the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory.

29 The licensee must ensure that all leachate is managed in accordance with the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory.

30 The licensee must ensure that neither leachate nor water pond on the surface of the landfill.

31 Where a landfill cell is no longer in use, the licensee must ensure that the landfill cell is closed and capped so as to achieve the landfill cap design objectives in the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory.

32 The licensee must, at least three months prior to the commencement of construction of a new landfill cell, or extension of an existing landfill cell, submit to the NT EPA an application for an environment protection approval under section 31(1)(a) of the WMPC Act unless the new landfill cell or the extension of an existing landfill cell has previously been approved by the NT EPA in accordance with the WMPC Act.

33 The licensee must prepare a Landfill Closure and Post Closure Plan in accordance with the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory, and:

33.1 identify known and potential asbestos and hazardous material burial areas and provide management measures for risks identified in the Agon Environmental HAZMAT Register JA0619 /2352, including controls on future excavation and long-term site management;

33.2 ensure the Plan is reviewed by a qualified person and they prepare a written report of their review, prior to submission of the Plan to the NT EPA; and

33.3 submit the Plan to the NT EPA with a copy of the qualified person's review by 1 July 2027.

34 The NT EPA may require the licensee to revise or amend and resubmit any Landfill Closure and Post Closure Plan. Where the NT EPA requires a Plan to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.

35 The licensee must implement, maintain and follow the Landfill Closure and Post Closure Plan.

36 The licensee must implement, maintain and follow a Rehabilitation Plan.

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

38 The licensee must cause to be carried with the vehicle used to transport listed waste:

38.1 a legible copy of this licence;

38.2 a legible manifest of the load being carried;

38.3 for interstate transport, a waste transport certificate; and

38.4 spill response equipment.

39 The licensee must cause listed waste to be transported in a manner that ensures listed wastes do not escape, spill or leak from the transport vehicle at any time.

DISCHARGES AND EMISSIONS

40 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.)

RECORDING AND REPORTING

41 The licensee must maintain records of the nature, quantities and source of waste, other than listed waste, received at the premises in each successive 12 month period following the commencement date of this licence.

42 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:

42.1 the date of collection;

42.2 the source of the listed waste;

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

42.4 the vehicle registration;

42.5 a description of the listed waste;

42.6 the quantity of the listed waste;

42.7 the final destination of the listed waste; and

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

43 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.

44 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.

45 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 waste@nt.gov.au), as soon as practicable after (and in any case within 24 hours after) first becoming aware of the non-compliance.

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

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

46.2 the date and time of the non-compliance;

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

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

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

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

46.7 if no action was taken, why no action was taken; and

46.8 a date when an incident investigation report will be submitted to the NT EPA.

END OF LICENCE CONDITIONS

This licence is not valid unless signed below:



Sally-Anne Orchard
A/Director Environmental Regulation
Delegate of the Northern Territory
Environment Protection Authority
Dated: 11/11/2026

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 fee	yearly fee payable in respect of the activity as specified in the WMPC Act and the Regulations.
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.
Asbestos containing material	any material that contains asbestos.
Business days	a day not Saturday, Sunday or a public holiday, in the Northern Territory.
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.
Consultation and Communication Plan	a written plan documenting proposed consultation and communications for the activity before, during and after the activity which includes a strategy for communicating with members of the public who are likely to have a real interest in, or be affected by, the activity.
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.
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.
Emergency Response Plan	a written plan documenting the licensee's procedures for responding to emergencies caused by, resulting from or associated with the activity and that may cause environmental harm.
Environmental audit	has the meaning given in section 47 of the WMPC Act.
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.
Incident	includes: (a) an accident, emergency or malfunction; and (b) a deliberate action, whether or not that action was taken by the person conducting the activity in the course of which the incident occurred.
Land	includes water and air on, above or under land.
Landfill cell	a purpose built area for the disposal of waste within a landfill.
Landfill Closure and Post Closure Plan	a written plan which specifies the landfill closure and post-closure activities as set out in the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory.
Leachate	any liquid produced by the action of water percolating through waste, and that contains contaminants.
Listed waste	a waste included under Schedule 2 of the Regulations.
Litter	litter, garbage, rubbish, refuse or waste matter, and includes the body of a dead animal.
Maintain	kept in a manner that it does not present or cause a risk of environmental harm or a hazard to persons or property or, for the purposes of documents including plans, a process of reviewing and amending documentation to ensure it is relevant.
Material environmental harm	environmental harm that: (a) is not trivial or negligible in nature; (b) consists of an environmental nuisance of a high impact or on a wide scale; (c) results, or is likely to result, in not more than $50,000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or (d) results in actual or potential loss or damage to the value of not more than $50,000 or the prescribed amount (whichever is greater).
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.
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.
Point source discharge	means any discernible, confined or discrete conveyance from which contaminants or waste are or may be discharged.
Pollute	(a) emit, discharge, deposit, or disturb, directly or indirectly, a contaminant or waste; or (b) cause, permit, or fail to prevent, directly or indirectly, the emission, discharge, deposition, disturbance or escape of a contaminant or waste.
Pollution	(a) a contaminant or waste that is emitted, discharged, deposited or disturbed or that escapes; or (b) a contaminant or waste, effect or phenomenon, that is present in the environment as a consequence of an emission, discharge, deposition, escape or disturbance or a contaminant or waste.
Premises	the premises identified in this licence which includes equipment, plant and structures, whether stationary or portable, and the land on which premises are situated.
Public entrance	access to the premises that is utilised by the public.
Putrescible waste	the component of the waste stream liable to become putrid. For example, organic matter that has the potential to decompose with the formation of malodorous substances, usually refers to vegetative, food and animal products.
Qualified person	a person registered under Section 68 of the WMPC Act.
Qualified sampler	a person who has training and experience in obtaining samples from the relevant environmental medium.
Regulations	*Waste Management and Pollution Control (Administration) Regulations*.
Rehabilitation Plan	a written plan to ensure that the objectives of rehabilitation are achieved as set out in the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory.
Serious environmental harm	environmental harm that is more serious than material environmental harm and includes environmental harm that: (a) is irreversible or otherwise of a high impact or on a wide scale; (b) damages an aspect of the environment that is of a high conservation value, high cultural value or high community value or is of special significance; (c) results or is likely to result in more than $50,000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or (d) results in actual or potential loss or damage to the value of more than $50,000 or the prescribed amount (whichever is greater).
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.
Stormwater	water flowing over ground surfaces, in natural streams and drains as a direct result of rainfall over a catchment and consists primarily of rainfall runoff.
Waste	(a) a solid, a liquid or a gas; or (b) a mixture of such substances, that is or are left over, surplus or an unwanted by-product from any activity (whether

	or not the substance is of value) and includes a prescribed substance or class of substances.
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 *Coastal Waters (Northern Territory Powers) Act 1980* of the Commonwealth; and (c) water containing an impurity.
WMPC Act	the Northern Territory *Waste Management and Pollution Control Act*.