

Our ref EN2011/0032~0043

Ms Angela MacMillan  
Nhulunbuy Corporation Ltd  
PO Box 345  
Nhulunbuy NT 0880

Dear Ms MacMillan

### **Environment Protection Licence 18-03**


Nhulunbuy Corporation Ltd submitted advice regarding a change of registered business address on 23 October 2015. Environment Protection Licence (EPL) 18-02 has been amended to include these details.

The amended licence, EPL 18-03, is enclosed.

Further information on Licensing and Approvals can be found online at:  
<http://www.ntepa.nt.gov.au/waste-pollution/approvals-licences>

If you have any queries regarding the enclosed Licence please contact Waste & Resource Recovery on telephone (08) 8924 4218 or email [waste@nt.gov.au](mailto:waste@nt.gov.au).

Yours sincerely



**DR WILLIAM (BILL) FREELAND**  
Chairperson  
Delegate of the NT EPA

 December 2015

## ENVIRONMENT PROTECTION LICENCE

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

### Licence Details

Licence Number: **EPL18-03**  
Commencement Date: 1 September 2014  
Expiry Date: 1 September 2017

### Licensee Details

Legal Entity Name: Nhulunbuy Corporation Ltd  
ABN: 57 009 596 598  
ACN: 009 596 598  
Registered Business Address: Shops 2 and 3 Westal Street  
Nhulunbuy NT 0880  
Postal Address: PO Box 345  
Nhulunbuy NT 0881  
Contact Person: Angela MacMillan  
Position Title: Town Administrator/Chief Executive Officer  
Contact Details: b/h: 08 8939 2200  
mobile: 0417 821 643  
email: [amacmillan@ncl.net.au](mailto:amacmillan@ncl.net.au)

### Location of Premises

Name: Nhulunbuy Waste Disposal Site  
Address: Melville Bay Rd  
Nhulunbuy NT 0880  
Telephone Numbers: b/h: 08 8987 2340  
mobile: 0417 827 367

### 24 hour emergency response

Contact Person: Graham Sutton  
Telephone Numbers: b/h: 08 8939 2202  
mobile: 0417 827 367

### Licensed Activity

An activity of the type identified in Schedule 2, Part 2, item 1 and 3 of the Act

- a. 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.
- b. Operating premises, other than a sewerage treatment plant, associated with collecting, transporting, storing, recycling, treating or disposing of a listed waste on a commercial or fee for service basis

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**Table 1 – Listed Waste Details**

Listed Waste	Collection	Transport	Storage	Treatment	Recycling	Disposal
Acidic solutions or acids in solid form; combined with  Lead, lead compounds;  in the form of used lead acid batteries (ULABs).	x	x	✓	x	✓	x
Asbestos	x	x	✓	x	x	✓
Tyres	x	x	✓	x	✓	✓
Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	x	x	✓	x	x	x
Waste mineral oils unfit for their original intended use	x	x	✓	x	✓	x
Waste mixtures, or waste emulsions, of oil and water or hydrocarbon and water	x	x	✓	x	✓	x

✓ Activity authorised by this licence

x Activity not authorised by this licence

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## ENVIRONMENT PROTECTION LICENCE (EPL 18-03)

### INFORMATION ABOUT THIS LICENCE

#### Definitions of Terms

- A section on the definition of terms used in this Licence can be found at the end of this Licence.
- Terms used in this Licence which are defined in the *Waste Management and Pollution Control Act* (WMPCA) have the meaning given in that Act unless specifically indicated otherwise.

#### Responsibilities of Licensee

- It is an offence under the WMPCA, if the holder of an environment protection licence contravenes or fails to comply with the conditions of an environment protection licence.
- In addition to the conditions set out in this Licence, general responsibilities of Licensees are set out in the WMPCA, *the Water Act* and associated Regulations.
- Licensees must comply at all times with the requirements of these Acts and all other applicable laws.
- Without limiting the conditions of this Licence, in conducting the Activity, the Licensee must do all things reasonable and practicable to:
  - prevent or minimise the likelihood of pollution occurring as a result of, or in connection with, the Activity;
  - prevent or minimise the likelihood of environmental harm occurring as a result of, or in connection with, the Activity;
  - effectively respond to pollution and the risk of pollution occurring as a result of, or in connection with, the Activity;
  - effectively respond to environmental harm and the risk of environmental harm occurring as a result of or in connection with the Activity; and
  - as far as practicable:
    - avoid and reduce waste produced as a result of, or in connection with the Activity;
    - increase the re-use and recycling of waste;
    - effectively manage waste disposal; and
  - apply the principles of ecologically sustainable development.

## **ENVIRONMENT PROTECTION LICENCE (EPL 18-03)**

### **Duration of Licence (section 40, 43 and 45 of the WMPCA)**

- This licence will remain in force until its expiry date, it is surrendered by the Licensee, or until it is suspended or cancelled by the Northern Territory Environment Protection Authority (NT EPA).
- The Licensee must notify the issuing authority within 14 days after ceasing to conduct the Licensed Activity.
- A licence may only be surrendered with the written authority of the NT EPA.

### **Amendment or Revocation of Licence (section 37 of the WMPCA)**

- The Licensee can apply to vary the conditions of this Licence.
- Fees apply and an application form for this purpose is available from the NT EPA website.
- The issuing authority may also vary licences as set out in section 38 of the WMPCA.

### **Transfer of Licence (section 46 of the WMPCA)**

- The Licensee can apply to transfer this Licence to another person.
- Fees apply and an application form for this purpose is available from the NT EPA website.

### **Renewal of Licence (section 3 of the Waste Management and Pollution Control (Administration) Regulations)**

- The Licensee may apply for this Licence to be renewed between 90 and 30 days prior to the expiry date.
- Fees apply and an application form for this purpose is available from the NT EPA website.

### **Public Register**

- A copy of this Licence and any plans for environmental management will be placed on a register in accordance with section 9 of the WMPCA.
- The register is publicly available for viewing on the NT EPA website.
- A copy of the Annual Audit and Compliance Report will also be placed on the register.

### **Supporting Guidelines and Documents**

- This Licence has been developed based on the information provided by the Licensee in the following documentation:
  - Application for Environment Protection Licence dated 24 July 2014

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- Gumatj Corporation Waste Management Plan 1 August 2014 – 30 June 2015

### Environment Protection Objectives (Part 4 of the WMPCA) and Beneficial Use Declaration (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 WMPCA, 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 WMPCA.
- Beneficial Use Declaration (BUD) is a legislated process that reduces the effects of water pollution and assists in the protection and management of water. The community decides how a particular water body should be used by choosing on one or more Beneficial Use categories.
- The following EPOs and BUDs are relevant to this Licence:
  - Declaration of Beneficial Uses Gove Area Marine Waters

### Environmental Interests

- This section highlights sensitivity of the surrounding land use and environment associated with the location of the approved activity that represents an interest to the Northern Territory Government and the community:
- Sites of Conservation Significance
  - Gove Peninsula and north-east Arnhem coast

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### LICENCE CONDITIONS

#### ADMINISTRATIVE

1. The Licensee must notify the NT EPA within 24 hours if there are changes to the details of the 24-hour emergency contact as provided on page one of this Licence.
2. The Licensee must notify the NT EPA within 14 days if there are changes to the Licensee details shown on page one of this Licence.
3. The Licensee must pay an annual fee in accordance with the WMPCA within 30 Business Days of the anniversary of the commencement date for each year that this Licence is in force.
4. The Licensee must cause clear and legible signage to be displayed in a prominent location at the main entrance to the Location including the following details:
  - 4.1. Environment Protection Licence number issued under the WMPCA; and
  - 4.2. 24 hour emergency contact details as provided on page one of this Licence.
5. The Licensee must cause a copy of this Licence to be available at all times:
  - 5.1. on the Licensee's Australian website where the Licensee has an Australian website; and
  - 5.2. at the Location or Registered business address where there is no suitable place at the Location.
6. Where this Licence requires the provision of any notice, document or other correspondence to the NT EPA, the relevant contact is:

Waste and Resource Recovery  
Physical Address: Level 2 Suite 201, 12 Salonika Street, Parap NT 0820  
Postal Address: GPO Box 3675, Darwin NT 0801  
Email: waste@nt.gov.au
7. All notices, documents or other correspondence required to be provided pursuant to this Licence must be provided in electronic form unless otherwise specified as a condition of this Licence.

#### OPERATIONAL

8. The Licensee must maintain and implement a Communication Plan 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.
9. The Licensee must maintain a log of each complaint, made in relation to the Activity, to any persons involved in the Activity. The log must include details of the following:



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- 9.1. the date and time of the complaint;
  - 9.2. the contact details of the complainant if known, or where no details are provided a note to that effect;
  - 9.3. the nature of the complaint;
  - 9.4. the nature of events giving rise to the complaint;
  - 9.5. prevailing weather conditions at the time of the complaint;
  - 9.6. the action taken in relation to the complaint, including any follow-up contact with the complainant; and
  - 9.7. if no action was taken, why no action was taken.
10. The Licensee must maintain and implement an Emergency Response Plan which documents the procedures to deal with emergencies associated with the Licensed Activity.
  11. The Licensee must ensure that all relevant personnel have received training in the implementation of the Emergency Response Plan.
  12. The Licensee must ensure any plant and equipment used for the Licensed Activity:
    - 12.1. is fit for purpose;
    - 12.2. is maintained in accordance with the manufacturer's specifications;
    - 12.3. is operated by a person trained to use the plant or equipment; and
    - 12.4. 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 Licensed Activity.
  13. The Licensee must segregate waste for recycling, re-use or disposal.
  14. The Licensee must not cause or permit waste to be burned.
  15. The Licensee must cause all fires to be extinguished as soon as practicable.
  16. The Licensee must maintain a log of fires occurring at the location including the following information:
    - 16.1. time and date of when the fire was reported;
    - 16.2. the circumstance which ignited the fire;
    - 16.3. the time and date of when the fire ceased and whether it burnt out or was extinguished;

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- 16.4. the location of the fire (e.g. timber stockpile, putrescibles etc.);
  - 16.5. prevailing weather conditions;
  - 16.6. observations made in regard to smoke direction and dispersion;
  - 16.7. the amount of waste combusted by the fire; and
  - 16.8. action taken to extinguish the fire
17. The Licensee must as soon as practicable and in any case, within 24 hours, notify the NT EPA of any fires by contacting the Pollution Hotline 1800 064 567.
  18. The licensee must only handle asbestos containing material which is packed and contained in accordance with Section 4.8 of the *NT Worksafe and Safe Work Australia How to Safely Remove Asbestos Code of Practice*.
  19. The licensee must dispose of asbestos containing material by burying it:
    - 19.1. in the case of asbestos fibre and dust wastes, at a minimum depth of 3 metres; and
    - 19.2. in the case of stabilised asbestos wastes in a bonded matrix, at a minimum depth of 1 metre.
  20. The licensee must maintain a record of all asbestos containing material buried at the premises including the quantity of the material buried and the location of the buried material on the premises in three dimensions.
  21. The Licensee must cover waste in accordance with '*NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory*'.
  22. The Licensee must ensure there is no migration or overflow of leachate beyond the boundaries of the land on which the premises are located.
  23. The Licensee must prepare a 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*.
  24. The Closure and Post Closure Plan must:
    - 24.1. be reviewed by a qualified person prior to submission to the NT EPA; and
    - 24.2. be submitted to the NT EPA with a copy of the qualified person's review at least twelve months prior to the last load of waste being buried at the landfill site noting that the NT EPA may require the Licensee to revise, amend and / or resubmit the proposed Closure and Post Closure Plan.

### DISCHARGES AND EMISSIONS

25. The Licensed Activity must not cause environmental nuisance.

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26. Litter must be contained within the boundary of the Location of premises.

### RECORDING AND REPORTING

27. All records required to be kept by this Licence must be in a legible format.
28. The Licensee must maintain records of the nature and quantities of all waste streams received at the premises.
29. Listed waste records must be maintained in accordance with section 11 of the *Waste Management and Pollution Control (Administration) Regulations*.
30. Listed waste records must include:
  - 30.1. The source of the listed waste;
  - 30.2. The name of the transport company, if not the Licensee;
  - 30.3. A description of the listed waste;
  - 30.4. the quantity of the listed waste;
  - 30.5. the method of disposition i.e. storing, treating or disposing.
31. The Licensee must keep records of all non-compliances with this Licence.
32. The Licensee must as soon as practicable and in any case within 24 hours notify the NT EPA of non-compliances with this Licence.
33. The Licensee must immediately and in any case within 24 hours notify the NT EPA of any potential or actual environmental harm or pollution by contacting the Pollution Hotline on telephone number 1800 064 567 and emailing [pollution@nt.gov.au](mailto:pollution@nt.gov.au)
34. The Licensee must comply with the requirements of section 14 of the WMPCA.
35. The Licensee must complete the supplied Annual Audit and Compliance Report (AACR), Appendix 1 and provide it to the NT EPA a minimum of 20 Business Days prior to the anniversary of the commencement date of this Licence, for each year of this Licence, noting that the NT EPA may require the Licensee to revise, amend and/or resubmit the AACR.

### PERFORMANCE IMPROVEMENT

36. The Licensee must develop a Conceptual Site Model for the facility. The 'Conceptual Site Model' must be:
  - 36.1. prepared in accordance with the NT EPA document *Conceptual Site Models*; and
  - 36.2. submitted to the NT EPA by 27 February 2015, noting that the NT EPA may require the Licensee to revise, amend and/or resubmit the proposed assessment.

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37. The Licensee must develop and implement a leachate, surface and ground water monitoring plan based on the Conceptual Site Model. The monitoring plans must be:

37.1. prepared in accordance with the requirements for a Monitoring Report identified in *Guidelines for Consultants Reporting on Environmental Issues* and must include criteria for assessing off-site impact having regard to the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000*.

The guideline is available on:

[http://www.ntepa.nt.gov.au/data/assets/pdf\\_file/0005/136481/guidelines\\_consultants\\_reporting\\_environmental\\_issues.pdf](http://www.ntepa.nt.gov.au/data/assets/pdf_file/0005/136481/guidelines_consultants_reporting_environmental_issues.pdf)

37.2. submitted to the NT EPA by 27 February 2015, noting that the NT EPA may require the Licensee to revise, amend and/or resubmit the proposed Plan.

38. The Licensee must commission a qualified person to investigate the gas generating capability of the landfill. The landfill gas assessment must include:

38.1. a listing of the gases generated;

38.2. an estimate of the amount, and

38.3. if appropriate the methodology for capture and a monitoring plan for implementation for the duration of this license, to commence from the next Annual Period.

39. The landfill gas assessment must be submitted to the NT EPA by 31 March 2015, noting that the NT EPA may require the Licensee to revise, amend and/or resubmit the proposed Plan.

### END OF LICENCE CONDITIONS

This Licence is not valid unless signed below:



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Dr William (Bill) Freeland

Chairperson

Delegate for the NT EPA

8 /12/2015

## **ENVIRONMENT PROTECTION LICENCE (EPL 18-03)**

### **END NOTES**

This licence is an administrative amendment and supersedes EPL18-02 issued on 23 December 2014.

This licence is a renewal and supersedes EPL18-01, which was issued on 1 September 2011. EPL18-01 superseded EPL18, which was issued on 1 February 2004.

EPL18 replaced EPL4, which was issued on 8 August 2003.

The end notes are to assist with historical records.

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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.

'Act'	means the <i>Waste Management and Pollution Control Act</i> of the Northern Territory
'Activity'	means the activity licensed under this Licence described as Licensed activity on page 1 of this Licence.  The definition does not in any way limit the meaning of the term given in the Act.
'Annual Audit and Compliance Report'	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.
'Business Day'	means a day not Saturday, Sunday or a public holiday in Darwin, Northern Territory.
'Beneficial Use'	means the uses of water specified in subsection (3) of the <i>Water Act</i> .
'emergency response plan'	means a plan to deal with emergencies that may, or have the potential to adversely impact or the environment including but not limited to fire, spills, and accidents.
'Location'	Is the Location of Premises as described on page 1 of this Licence.
'NT EPA'	Means Northern Territory Environment Protection Authority
'plant and equipment'	the material items used in association with the licensed activity includes but is not limited to storage vessels and containers, pipe work and hosing, vehicles, tools, and measuring equipment.
'records'	any written information as requested as a condition of this Licence. Any logs, registers or other documents.
'Sites of Conservation Significance'	means any site listed at: <a href="http://www.lrm.nt.gov.au/plants-and-animals/conservation-for-land-managers/sites-of-conservation-significance">http://www.lrm.nt.gov.au/plants-and-animals/conservation-for-land-managers/sites-of-conservation-significance</a>
'WMPC Regulations'	means the <i>Waste Management and Pollution Control (Administration) Regulations</i> of the Northern Territory
'WMPCA'	means the <i>Waste Management and Pollution Control Act</i> of the Northern Territory.

**ENVIRONMENT PROTECTION LICENCE (EPL 18-03)**

**APPENDIX 1**

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