



Northern
Territory
Government

WASTE DISCHARGE LICENCE

(Pursuant to section 74 of the *Water Act*)

Licensee Power and Water Corporation

Licence Number: **WDL 208-3**

Registered Business Address: 15 Iliffe Street
Stuart Park, NT 8020

ABN: 15 947 352 360

Premises: Milingimbi Wastewater Treatment Plant
Sewerage Ponds Road
Milingimbi NT 0822

Anniversary Date: 12 October

Commencement Date: 12 October 2020

Expiry Date: 12 October 2022

Licensed Activity: The discharge of wastewater from Milingimbi Wastewater Treatment Plant to an intertidal zone of the Arafura Sea.

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INFORMATION ABOUT THIS LICENCE

Definitions of Terms

- A section including the definition of terms used in this Licence can be found at the end of it.
- Terms used in the waste discharge licence which are defined in the *Water Act* (the Act) have the meaning given in that Act unless specifically indicated otherwise.

Responsibilities of Licensee

- It is an offence under the *Water Act*, if the holder of a waste discharge licence contravenes or fails to comply with the conditions of a waste discharge licence.
- Licensees must comply at all times with the requirements of the *Water Act* and all applicable laws.
- Except as expressly provided for in this licence, the licensee must not:
 - cause environmental harm either directly or indirectly;
 - allow waste to come into contact with water; or
 - allow water to be polluted.
- 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, 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
 - apply the principles of ecologically sustainable development.

Duration of licence

- This licence will remain in force until its expiry date, it is surrendered by the licensee, or until it is suspended or revoked by the Controller of Water Resources.
- As set out in section 94 of the *Water Act*, the holder of a licence may, at any time, surrender the licence.

Amendment, Modification or Revocation of Licence (section 93 of the *Water Act*)

- As set out in section 93 of the *Water Act*, the Controller of Water Resources may, by notice:
 - amend or modify the terms and conditions of a licence;

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- revoke a licence; or
- suspend a licence.

Public Register

- A copy of this Licence will be placed on a register in accordance with section 95 of the Act.
- A copy of waste discharge licences and any plans for environmental management, reports, submissions or documents required as a condition of a waste discharge licence, will be placed on a register.
- The Administering Agency makes this register freely available from the Northern Territory Environment Protection Authority (NT EPA) website.

Beneficial Use Declaration (section 73 of the Water Act)

- 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.

Environmental Interests

- This section highlights the beneficial uses as declared under the Water Act and the sensitivity of the surrounding land use and environment associated with the location of the approved activity.
- The receiving waters relevant to discharges from Milingimbi, are tidal waters. Environmental values have been identified that are important for a healthy ecosystem or for the public benefit, welfare, safety or health, which require protection from the effects of pollution, waste discharges and deposits. The environmental values are:
 - Environment;
 - Cultural; and
 - Aquaculture.
- Sites of Conservation Significance (SOCS): *SOCS Number 19 Castlereagh Bay and associated islands.*
- There is no BUD for the Milingimbi area at the time of issue of this licence.

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 licensed 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.

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- 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 76 of the *Water Act*, any contravention of or failure to comply with this licence by the licensee may be an offence.
- In this licence, unless the contrary intention appears, words that are defined in the *Water 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 with the Administering Agency 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 notify the Administering Agency prior to making any operational change that will cause, or is likely to cause, an increase in the potential for environmental harm.
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. Waste Discharge Licence number issued under the *Water 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 registered business address.
6. The licensee must cause a copy of this Licence to be available at all times on the licensee's Australian website.
7. The licensee must provide to the Administering Agency, 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 Administering Agency.
8. 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 emailing waste@nt.gov.au
9. The Administering Agency may require the licensee to revise or amend and resubmit any amended document or report. Where the Administering Agency requires a document or report to be resubmitted, the licensee must submit it to the Administering Agency by the date specified by the Administering Agency.
10. The licensee must maintain and implement the *Power and Water Corporation Waste Discharge Licence Communication Strategy*.
11. The licensee must maintain a Complaint Log for all complaints received by the licensee in relation to the licensed activity.

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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.

EARLY SURRENDER OF LICENCE

13. Any reports, records or other information required or able to be provided by the licensee under this licence must be submitted to the Administering Agency 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 licensee, 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

14. The licensee must, without limiting any other condition of this licence, in conducting the activity do all things reasonable and practicable to ensure the activity does not adversely affect the Declared Beneficial Uses and Objectives as declared from time to time.
15. The licensee must ensure any plant equipment (including the discharge pipe) used by the licensee in conducting the activity:
 - 15.1. is reasonably fit for the purpose and use to which it is put;
 - 15.2. is maintained; and
 - 15.3. is operated by a person trained to use the plant and equipment.

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DISCHARGES

16. This licence authorises discharge to water from the authorised discharge point, as identified in Table 1, and as otherwise allowed in accordance with the conditions of this licence.

Table 1

Authorised Discharge Point		Location
Latitude	Longitude	MGA94, Zone 53 Eastings: 490977 E Northings: 8661019 S
-12.11237°	134.91708°	

17. The licensee must, for the authorised discharge point, install, operate and maintain a device to measure and record:
- 17.1. the discharge rate of flow; and
 - 17.2. the discharge volume.
18. The licensee must ensure that the discharge from the authorised discharge point does not:
- 18.1. contain any floating debris, oil, grease, petroleum hydrocarbon sheen, scum, litter or other objectionable matter;
 - 18.2. cause or generate odours which would adversely affect the use of surrounding waters;
 - 18.3. cause algal blooms in the receiving water;
 - 18.4. cause visible change in the behaviour of fish or other aquatic organisms in the receiving water;
 - 18.5. cause mortality of fish or other aquatic organisms; or
 - 18.6. cause adverse impacts on plants.

MONITORING

19. Monitoring must be conducted in accordance with Appendix 1.
20. 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:
- 20.1. the date on which the sample was collected;
 - 20.2. the time at which the sample was collected;
 - 20.3. the location at which the sample was collected;
 - 20.4. the name of the person who collected the sample;

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- 20.5. the chain of custody forms relating to the sample;
 - 20.6. the field measurements (if any) and analytical results (if any) relating to the sample;
and
 - 20.7. laboratory quality assurance and quality control documentation.
21. 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.
 22. The licensee must ensure that all samples and field environmental data are collected in accordance with recognised Australian Standards and guidelines (such as AS/NZS 5667, ANZECC/ARMCANZ).
 23. The licensee must ensure any samples collected in accordance with the Monitoring Plan or in connection with the licensed activity are obtained by, or under the supervision of a qualified sampler.
 24. The licensee must for all land based monitoring points specified in the Monitoring Plan:
 - 24.1. install and maintain appropriate identification signage so that they are reasonably identifiable at all times; and
 - 24.2. maintain safe access and egress, as is reasonably practicable.

RECORDING AND REPORTING

25. 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.
26. The licensee must notify the Administering Agency of any non-compliance with this licence 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.
27. The licensee must include in the notification of non-compliance the following information:
 - 27.1. when the non-compliance was detected and by whom;
 - 27.2. the date and time of the non-compliance;
 - 27.3. the actual and potential causes and contributing factors to the non-compliance;
 - 27.4. the risk of environmental harm arising from the non-compliance;
 - 27.5. the action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance;
 - 27.6. corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur;
 - 27.7. if no action was taken, why no action was taken; and

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- 27.8. a date when an incident investigation report will be submitted to the Administering Agency.
28. The licensee must submit a completed Annual Return, by emailing waste@nt.gov.au, within 10 business days after each anniversary date of this licence, which report relates to the preceding 12 month period.
29. The licensee must complete and provide to the Administering Agency a Monitoring Report, as prescribed by this licence, within 10 business days after each anniversary date of this licence.
30. The licensee must ensure that each Monitoring Report:
 - 30.1. is prepared in accordance with the requirements of the Administering Agency *Guideline for Reporting on Environmental Monitoring*;
 - 30.2. includes a tabulation of all monitoring data required as a condition of this licence;
 - 30.3. 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); and
 - 30.4. includes an assessment of environmental impact from the activity.

PERFORMANCE IMPROVEMENT

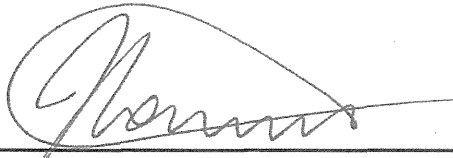
31. The licensee must submit to the Administering Agency at least 60 business days prior to the expiry date of this licence, an updated the Environmental Risk Assessment (ERA) for the licensed activity. The ERA must:
 - 31.1. be conducted with reference to a Conceptual Site Model;
 - 31.2. characterise the impacts of discharge on the relevant Environmental Values; and
 - 31.3. inform the development of the Performance Improvement Plan.
32. The licensee must develop a Communications Plan for the licensed activity that details measures the licensee will undertake in accordance with the *Power and Water Corporation Waste Discharge Licence Communication Strategy*. The Communications Plan must:
 - 32.1. include the installation of fixed signage at appropriate locations to inform the public regarding the presence and location of the wastewater discharge and associated risks to environmental values; and
 - 32.2. be implemented within 90 business days from the commencement date of this licence.
33. The licensee must submit to the Administering Agency at least 60 business days prior to the expiry date of this licence, an updated Performance Improvement Plan (PIP).
34. The licensee must desludge the Milingimbi Wastewater Treatment Plant ponds before the expiry date of this licence.
35. The licensee must undertake a detailed assessment of the performance of the wastewater treatment system as it relates to the quality of wastewater discharged. The assessment must:

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- 35.1. be undertaken by an independent qualified professional with expertise in sewage and wastewater management systems and waste water quality monitoring;
- 35.2. compare and contrast the performance of the wastewater treatment system in terms of the *Power and Water Corporation Waste Stabilisation Pond Design Manual*, the *Indigenous Community Engineering Guidelines for Remote Communities in the NT* and the *Remote Community Sewage Pond Model Validation Study* (December, 2017);
- 35.3. recommend actions to be undertaken to improve the performance of the wastewater treatment system;
- 35.4. propose site specific water quality trigger values to apply at the point of discharge; and
- 35.5. a copy of the assessment report, verified by the independent qualified professional, must be provided to the Administering Agency by 31 August 2021.

END OF LICENCE CONDITIONS

This licence is not valid unless signed below:



JOANNE TOWNSEND

Controller of Water Resources

Dated the 21 day of October 2020

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DEFINITIONS

Term	Definition
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.
Act	means the <i>Water Act</i> of the Northern Territory.
Activity	The licensed activity as described on the covering page of this licence.
Administering Agency	means the Department of Environment, Parks and Water Security or if dissolved, another Government Department with responsibility for administering the <i>Water Act</i> .
Annual Return	an NT EPA prescribed format for demonstrating and reporting compliance with the conditions of this licence.
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: <i>Australian Guidelines for Water Quality Monitoring and Reporting</i> .
BUD	means Beneficial Use Declaration – the uses of water specified in subsection (3) of the <i>Act</i> .
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 licensed activity.
Contaminant	a solid, liquid or gas or any combination of such substances and includes: <ul style="list-style-type: none">(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.

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Term	Definition
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 harm	any harm to or adverse effect on, or potential harm to or potential adverse effect on, the environment.
Environmental nuisance	means: <ul style="list-style-type: none">(a) an adverse effect on the amenity of an area that:<ul style="list-style-type: none">(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.
Environmental Values	Environmental values apply to waters that do not have an applicable Beneficial Use Declaration. Environmental values are particular values or uses of the environment that are important for a healthy ecosystem or for public benefit, welfare, safety or health and that require protection from the effects of pollution, waste discharges and deposits.
Incident	includes: <ul style="list-style-type: none">(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.
Licence	means this Waste Discharge Licence.
Licensee	is the legal entity listed on page 1 of this licence.
Litter	litter, garbage, rubbish, refuse or waste matter, and includes the body of a dead animal.
Location	is the location of premises as described on page 1 of this licence.
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.

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Term	Definition
Material environmental harm	environmental harm that: <ul style="list-style-type: none">(a) is not trivial or negligible in nature;(b) results, or is likely to result, in not more than \$50,000 or prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the harm or rehabilitate the environment; or(c) results in actual or potential loss or damage to the value of not more than \$50,000.
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 Administering Agency 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.
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.
Pollute	in relation to water, means directly or indirectly to alter the physical, thermal, chemical, biological or radioactive properties of the water so as to render it less fit for a prescribed beneficial use for which it is or may reasonably be used, or to cause a condition which is hazardous or potentially hazardous to: <ul style="list-style-type: none">(a) public health, safety or welfare;(b) animals, birds, fish or aquatic life or other organisms; or(c) plants.
Pollution	<ul style="list-style-type: none">(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.
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.

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Term	Definition
Records	any written information as requested as a condition of this licence. Any logs, registers or other documents.
Receiving waters	as defined in the ANZECC & ARMCANZ (2000) Guidelines for Fresh and Marine Water Quality.
Serious environmental harm	environmental harm that is more serious than material environmental harm and includes environmental harm that: (a) results or is likely to result in more than \$50,000 or prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the harm or rehabilitate the environment; (b) results in actual or potential loss or damage to the value of more than \$50,000; (c) damages an aspect of the environment that is of a high conservation value or of special significance; and (d) is irreversible or otherwise of a high impact or on a wide scale.
Sites of Conservation Significance	means any site identified by the Northern Territory or Australian Government as site of conservation significance; or a site otherwise identified as being of conservation significance by an appropriate organisation.
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	Includes matter or a thing, whether wholly or partly in a solid, liquid or gaseous state, which, if added to water, may pollute the water.
Wastewater	water that contains a contaminant or waste.
Water	means water, whether or not it contains impurities.
WMPC Act	the Northern Territory <i>Waste Management and Pollution Control Act</i> .

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APPENDIX 1: Discharge Monitoring Plan

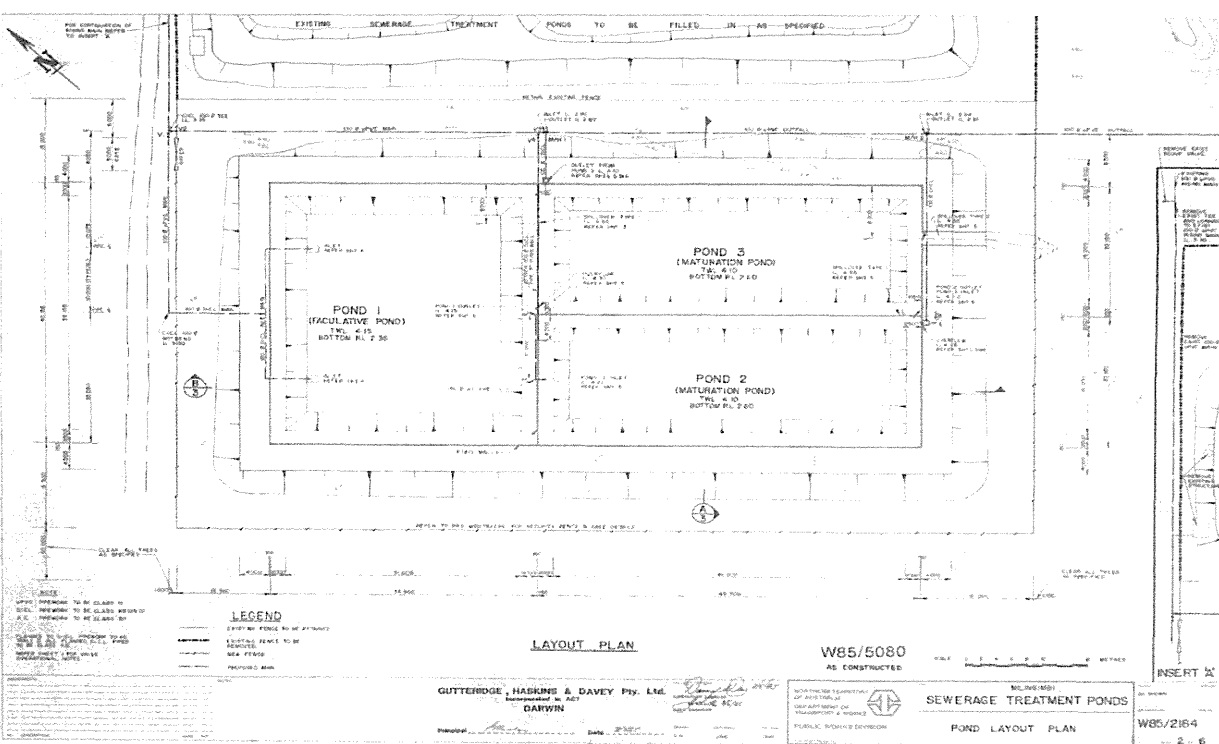
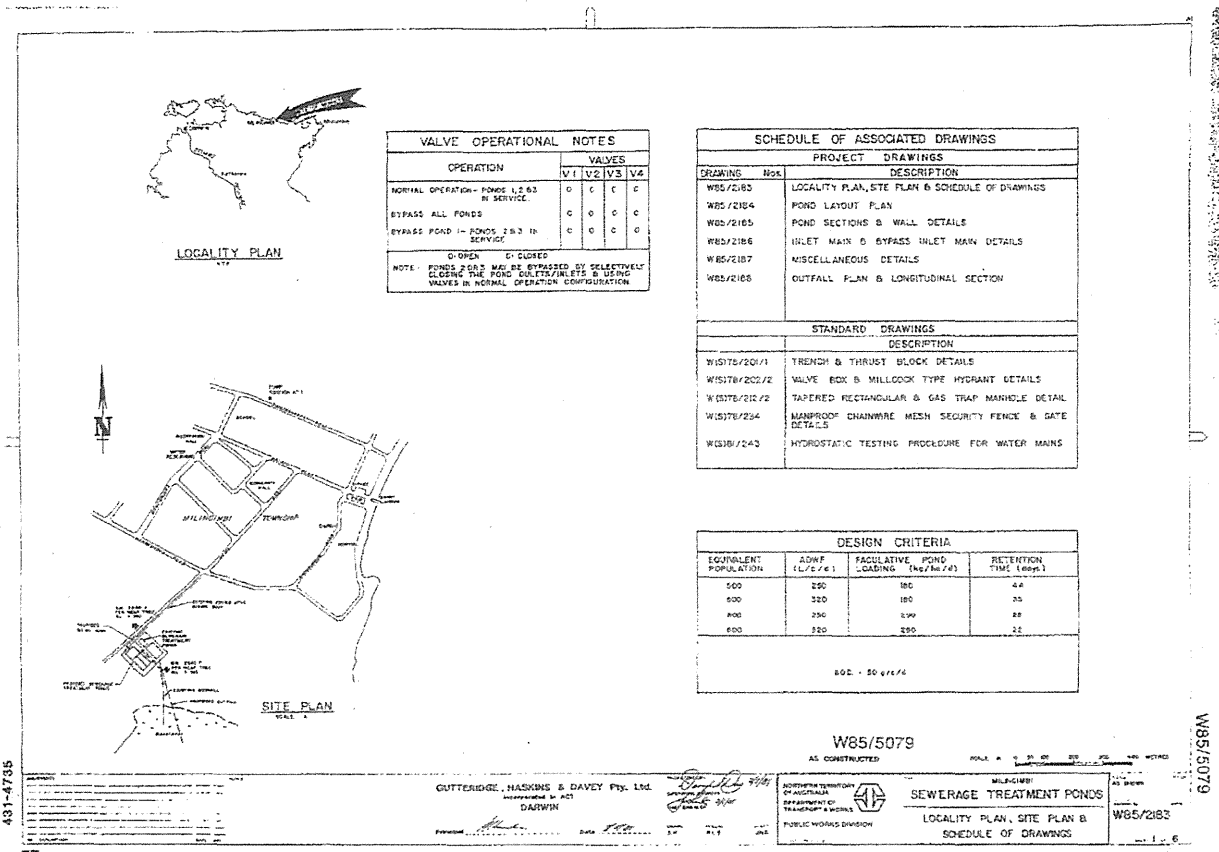
Sample location – Final treatment pond	
Indicator	
Physio-chemical Parameters	
Flow	C
pH	M
Electrical conductivity	
Dissolved oxygen	
Turbidity	
Total suspended solids	
Biological Parameters	
Biochemical oxygen demand	M
Chlorophyll-a	
Nutrient Parameters	
Ammonia (Total as N)	M
Total Nitrogen	M
Oxidised Nitrogen (NO _x as N)	M
Total Phosphorous	M
Pathogen Indicators	
Escherichia coli	M
Enterococci	

Key: M = Monthly, C = Continuous

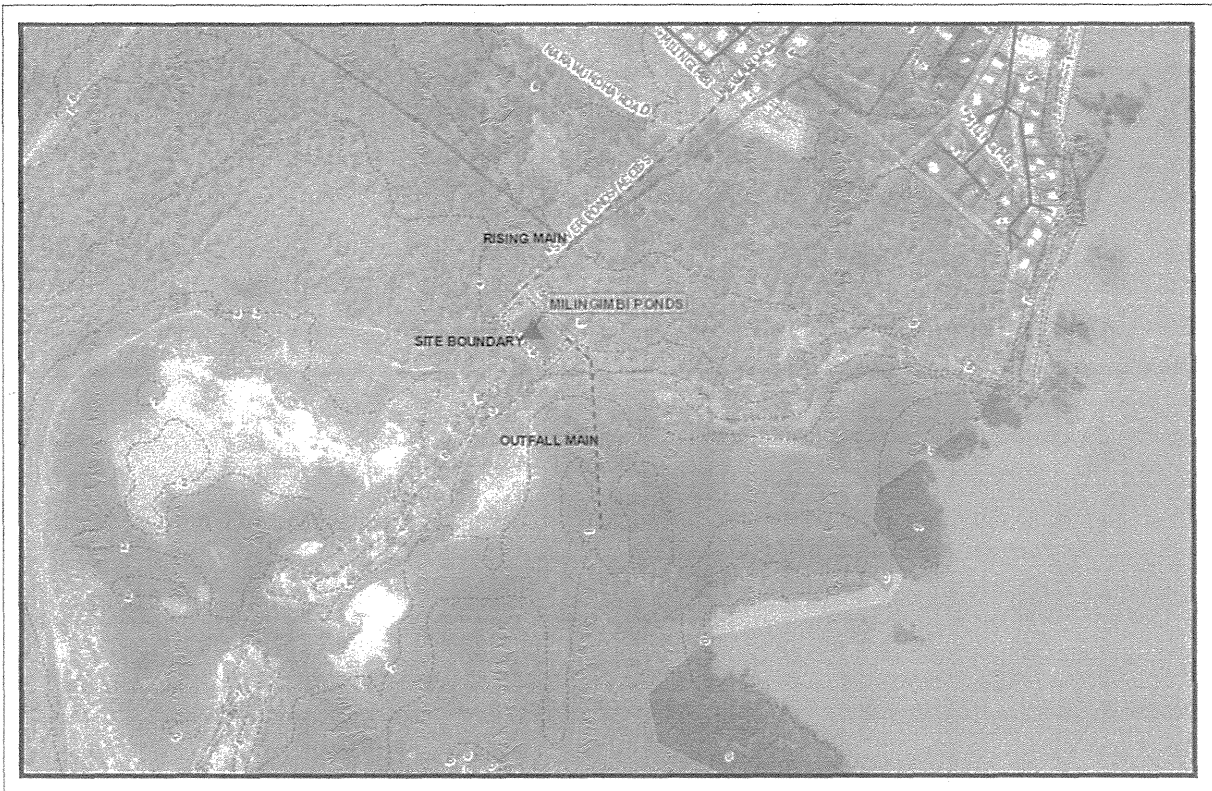
Note: Samples to be collected from 0.2 – 0.5 m below surface of discharge water.

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APPENDIX 2 : Site Plans



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PowerWater



Scale: 1:5,686
Original Sheet Size: A4

WDL208 - Milingimbi

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