

Northern Territory of Australia
LICENCE TO TAKE WATER
Section 60 of the Water Act 1992

Licence Details

Licence Number:	L10010
Licence Holder:	Arafura Nolans Project Pty Ltd
Registered Address:	PO Box 5773, St Georges Tce, Perth WA 6831
Commencement Date:	1 September 2022
Expiry Date:	31 August 2032
Water Control District:	Ti Tree Water Control District
Water Allocation Plan:	Ti Tree Water Allocation Plan 2020-2030
Water Management Zone	Low Yield
Water Resource:	Local Aquifer
Extraction Point(s):	RN043745
Land on which the water is used:	NT Portion 703 (6300 Stuart Hwy, Anmatjere)
Licence Trading Allowed	Yes
Beneficial use(s) for which water taken under this licence is used	
Mining Activity	40 ML/year
Total Maximum Water Entitlement:	40 ML/year

These Licence Details form part of the conditions of the licence as specified below.

Preamble

Water extraction licences form part of an adaptive management framework for managing water resources in the Northern Territory.

Compliance and regulation of licences is undertaken in a transparent, timely, fair and respectful manner in accordance with natural justice principles and the Department's [Customer Service Charter](#).

Information about this licence

Notes

The Controller may amend, revoke, suspend or modify this licence at any time, in accordance with s 93 of the Act.

This licence does not guarantee that water will be available from the Water Resource specified in the Licence Details, at any given time.

This licence does not give the Licence Holder a right to access land for the purpose of extraction of water or use of water. It is the Licence Holder's responsibility to ensure they have the legal right to access the land from which water is taken and upon which water is used.

If a Water Allocation Plan applies to a Water Resource to which this licence relates, the licensed water entitlement may be traded in accordance with the requirements of that plan, the [Trading Licensed Water Entitlements Policy](#), and the trade agreement which is made between the buyer and the seller and approved by the Controller.

Renewal, amendment and surrender of this licence

To renew your licence, an [application to renew a licence form](#) must be submitted to water.regulation@nt.gov.au at least **6 months** prior to the Expiry Date specified in the Licence Details.

If no application is made to renew the licence, the licence will expire.

To amend the licence or a condition of the licence, the Licence Holder must complete an [application to amend a licence form](#) which can be submitted by email sent to water.regulation@nt.gov.au.

The Licence Holder may surrender this licence at any time by notifying the Department of its surrender by email sent to water.regulation@nt.gov.au.

Compliance

The Licence Holder must comply with the *Water Act 1992* (**the Act**) the Water Regulations 1992 (**the Regulations**) and all other applicable laws. Strict penalties apply for non-compliance.

This licence to take water includes licence conditions which are outlined below. These conditions impose obligations on the Licence Holder, including the requirement to report meter readings to the department on a monthly or quarterly basis. Licence Holders must fulfil all of the duties and perform all of the obligations set out in the conditions of this licence.

Contravention of the licence conditions is an offence under the Act and may result in financial penalties and/or the suspension or revocation of this licence.

Please read the licence conditions carefully. If you have any questions, please contact the Water Resources Division by sending an email to water.regulation@nt.gov.au.

Authorised Officers

Authorised Officers have the power to enter land by appointment, or without notice if required, to ascertain whether a breach of the Act or a breach of a condition of this licence has occurred. It is an offence to obstruct or hinder an Authorised Officer acting in their official capacity under the Act.

Interpretation

Unless a contrary intention appears, words or terms used in the conditions of this licence have the same meaning as in the Act, including any regulations or policies made under the Act.

General Conditions

- GC1 All notices, reports, documents or other correspondence required to be provided as a condition of this licence must be provided in electronic form by email to water.regulation@nt.gov.au, unless otherwise agreed with an Officer, or specified as a condition of this licence.
- GC2 The Licence Holder must immediately notify the Department on becoming aware of non-compliance (or suspected non-compliance) with any condition of this licence.
- GC3 The Licence Holder must notify the Department within 10 business days of any change to the name or contact details of the Licence Holder.
- GC4 If there is to be a transfer of the ownership of Land, or an interest in the Land, to which this licence relates, the Licence Holder must inform the Department as soon as practicable, and not later than 10 business days prior to the transfer occurring.
- GC5 The Licence Holder must hold an authorised mining management plan or an environmental (mining) licence, in accordance with the *Environment Protection Act 2019*.
- GC6 If a mining management plan or environmental (mining) licence associated with this licence is revoked, the Licence Holder must notify the Department within 24 hours.
- GC7 This licence is in force from the Commencement Date, and until the Expiry Date, as specified in the Licence Details.

Water Extraction Conditions

- WEC1 The Licence Holder must only take water from the Water Resource specified in the Licence Details.
- WEC2 The Licence Holder may only extract water under this licence for use on Land specified in the Licence Details.
- WEC3 The Licence Holder must only extract water from Extraction Point(s) specified in the Licence Details.
- WEC4 The Licence Holder must maintain any bore and backflow prevention device associated with the Extraction Point(s) specified in the Licence Details, in accordance with the [Minimum Construction Requirements for Water Bores in Australia](#).
- WEC5 The Licence Holder must maintain a contemporaneous written record of all maintenance activities undertaken on any bores and backflow prevention devices. These records must be maintained for the duration of the licence, and three years following its expiry. The records must be made available to the Controller or an Authorised Officer on request.

WEC6 The Licence Holder must not in any year of this Licence (which year commences on 1 July and ends on 30 June) extract more than the Extraction Limit (and for any part of a year must not extract more than a pro rata amount) as shown in the Table below.

Period	Entitlement
1 July 2024 – 30 June 2025	40 ML
1 July 2025 – 30 June 2026	40 ML
1 July 2026 – 30 June 2027	40 ML
1 July 2027 – 30 June 2028	40 ML
1 July 2028 – 30 June 2029	40 ML
1 July 2029 – 30 June 2030	40 ML
1 July 2030 – 30 June 2031	40 ML
1 July 2031 – 30 June 2032	40 ML
1 July 2032 – 31 August 2032	7 ML

The **Extraction Limit** is the Total Maximum Water Entitlement specified in the Licence Details, or, where the Controller has determined an Annual Announced Allocation, the Total Maximum Water Entitlement multiplied by the percentage stated in the Annual Announced Allocation.

WEC7 The Licence Holder must not extract more than 30% of the Extraction Limit in any one calendar month, without the prior written approval of the Controller.

WEC8 The Licence Holder must extract at least 90% of the Extraction Limit in at least one year (which year commences on 1 July and ends 30 June of any three consecutive years for the duration of the licence.

WEC9 If the Licence Holder does not extract the minimum required by WEC8, the Licence Holder must notify the Department the reasons why and provide a projection of water requirements for the remaining term of the licence.

Water Use Conditions

WUC1 The Licence Holder may only use water extracted under this licence on the Land specified in the Licence Details.

WUC2 The Licence Holder may only use water for the beneficial use(s) specified in the Licence Details.

Metering Conditions

MC1 The Licence Holder must, at each Extraction Point specified in the Licence Details, and prior to any extraction occurring under the licence, install and maintain a meter that complies with the *Northern Territory Non-Urban Water Metering Code of Practice for Water Extraction Licences*.

MC2 All water extracted under this licence must be measured by such a water meter.

MC3 The Licence Holder must notify the Department of a water meter being installed or replaced within 10 business days of that occurring. The notification must contain:

- (a) photographs of the meter being replaced and the meter being installed, including a photograph of the serial number and a photograph of the replacement meter and all replacement pipework within 10 metres of the Extraction Point (which is to be photographed while visible); and,
- (b) where a water meter has been replaced, the final meter reading and a photograph of the reading on the replaced meter.

- MC4 The Licence Holder must maintain records of the manufacturer’s specifications of any water meter installed and maintained, as well as contemporaneous written records of any maintenance undertaken of a water meter. These records must be maintained for the duration of the licence, and three years following its expiry. These records must be provided to the Controller or an Authorised Officer upon their request.
- MC5 The Licence Holder must not tamper with, or permit any other person to tamper with, any installed water meter.
- MC6 The Licence Holder must ensure that each installed water meter is in a condition that it can be conveniently read or examined at any time.
- MC7 The Licence Holder must ensure that each installed water meter is safely accessible at all times, and is free from overgrown vegetation or any potential hazards.

Monitoring and Reporting Conditions

- MRC1 Within 14 days following the end of each quarter, the Licence Holder must supply the Controller with meter readings from each Extraction Point listed in the Licence Details.

Special Conditions

- SC1 The licence holder must maintain, implement and comply with the current versions of the document listed in Table 2.

Table 2: Licence documents

Document title	Short title	Version
Arafura Resources Limited Water Abstraction Plan	ARWAP	3.2 (February 2023)

- SC2 If amendments (other than typographical changes or revisions to formatting or referencing) are proposed to be made to a document listed in Table 2, the licence holder must have the document independently reviewed by a suitably qualified professional and notify the Department by email to water.regulation@nt.gov.au, and include;
- (a) a tracked changes version of the proposed amendment(s);
 - (b) reasons for the amendment(s); and
 - (c) a copy of an independent review of the proposed updated document, undertaken by a suitably qualified professional.
- SC3 The Department may require the licence holder to revise or amend and resubmit any document provided in accordance with this licence. Where the Department requires any document to be revised or amended, the licence holder must submit it to the Department by the date specified by the Department.
- SC4 The licence holder must notify the Department in writing within 48 hours of becoming aware of non-compliance (or suspected non-compliance) with any condition of this licence. A notification under this condition must:
- (a) contain particulars of the non-compliance, including the identified or potential impacts associated with the non-compliance;
 - (b) identify the steps that have or will be taken to minimise the impacts of the non-compliance; and
 - (c) identify the steps that have or will be taken to prevent a reoccurrence or minimise the risk of further non-compliance.

- SC5 The licence holder must provide an annual report to the Controller within 2 weeks of 30 June each year which:
- (a) details compliance with the conditions of this licence in the previous financial year;
 - (b) identifies exceedances of trigger values in the licence documents and actions taken in response; and
 - (c) details any changes to trigger values in the licence documents.
- SC6 The licence holder must maintain on a publicly available website:
- (a) a copy of this licence;
 - (b) the current version of licence documents specified in Table 2;
 - (c) details of non-compliance reported in accordance with Condition SC4; and
 - (d) copies of annual reports prepared in accordance with Condition SC5.
- SC7 The licence holder may only extract water under this licence for Approved Mining Activities.



Tom Boyle
Director Water Regulation
Delegate of the Controller of Water Resources

Date: 16 July 2024

This licence should be interpreted in accordance with the *Interpretation Act 1978* (NT).

Term	Definition
Act	the <i>Water Act 1992</i> (NT)
Annual Announced Allocation	the percentage determined and announced by the Controller before 1 May by which the Total Maximum Water Entitlement available under a licence is reduced for the forthcoming year
Authorised Officer	a person appointed under section 21 of the Act as an Authorised Officer for the purposes of the Act
Controller	the Controller of Water Resources, appointed under section 18 of the Act, including a delegate of the Controller
Department	the Department of Environment, Parks and Water Security, or any future department or agency that has the responsibilities for administering the functions in the Act relating to the licensing and regulation of water resources
Extraction Limit	the Total Maximum Water Entitlement specified in the Licence Details, or, where the Controller has determined an Annual Announced Allocation, the Total Maximum Water Entitlement multiplied by the percentage stated in the Annual Announced Allocation
Land	the Land from which the water is taken and on which the water is used as listed under the Licence Details
Licence Details	the information in the table on the front page of this document
Officer	a staff member of the Water Regulation Branch of the Water Regulation Division, or of any future branch or business unit that has the responsibilities for the administrative and regulatory functions of the Act
Regulations	the Water Regulations 1992 (NT)
Quarter	means financial year quarters ending 30 September, 31 December, 31 March, 30 June
Water Allocation Plan	a Water Allocation Plan declared in accordance with section 22B of the <i>Water Act 1992</i>
Water Resource	the Water Resource listed under the Licence Details