

Our reference:

20852

Contact name:

Julian Thompson

Contact number:

6229 7002

QUEANBEYAN-PALERANG REGIONAL COUNCIL ABN 95 933 070 982 257 Crawford Street (P.O. Box 90) QUEANBEYAN NSW 2620

Attention: Mr Phil Hansen - Acting Director, Assets & Projects

Dear Mr Hansen,

#### ENVIRONMENT PROTECTION LICENCE No. 20852 QUEANBEYAN-PALERANG REGIONAL COUNCIL

I refer to the application dated 12-Oct-2016 for the issue of an Environment Protection Licence (EPL) under the *Protection of the Environment Operations Act* 1997 ('the Act') authorising QUEANBEYAN-PALERANG REGIONAL COUNCIL to undertake road construction at Ellerton Drive Extension Road Corridor, QUEANBEYAN EAST, NSW, 2620.

The Environment Protection Authority (EPA) has considered the matters set out in Section 45 of the Act when determining your application. You are advised that the EPA has approved the application. Environment Protection Licence Number 20852 is enclosed.

## **Annual Return Requirement**

In accordance with Condition R1.5 of the EPL you must submit an Annual Return to the EPA no later than 60 days after the anniversary date of the licence (22 November). The Annual Return is a declaration in which you advise the EPA whether you complied or did not comply with the requirements of your licence. Where monitoring is required by your licence, you must enter a summary of the results in the Annual Return, using the table(s) provided. For licences subject to a load-based licence fee, the load fee must be calculated using the worksheets provided in the Annual Return.

You must also certify in your Annual Return the extent to which you have complied with the requirements of Section 66(6) of the Act that relate to the **Publishing of Pollution Monitoring Data**. All licensees who undertake pollution monitoring as part of a condition of their EPL, must publish that monitoring data. If you operate a website you must publish that monitoring data on the website. If you do not maintain a website then you must make the pollution monitoring data available when requested. For more information about the EPA's requirements for publishing pollution monitoring data, refer to EPA's website at <a href="http://www.epa.nsw.gov.au/legislation/20120263reqpubpmdata.htm">http://www.epa.nsw.gov.au/legislation/20120263reqpubpmdata.htm</a>

We are committed to assisting the licensed community to meet their annual reporting obligations. The EPA will send you a copy of the Annual Return documentation for your licence on your licence anniversary date to help ensure that they can be submitted by the due date. The first Annual Return will fall due 60 days after the first licence anniversary (22 November 2017). The Annual Return form can also be downloaded from the EPA's Public Register using the Licence No. 20852 (see http://www.epa.nsw.gov.au/prpoeoapp/) or completed online via the EPA's electronic portal E-Connect at http://www.epa.nsw.gov.au/profileapp/auth.

For further information on Annual Returns, please see the EPA's website at: <a href="http://www.epa.nsw.gov.au/licensing/lbl/annualreturn.htm">http://www.epa.nsw.gov.au/licensing/lbl/annualreturn.htm</a>

### Pollution Incident Response Management Plan

Under Section153A of the Act all EPL holders must prepare a **Pollution Incident Response Management Plan (PIRMP)**. In addition you must certify in your Annual Return, the extent to which you have complied with the requirements that relate to the preparation and maintenance of your PIRMP. For more information about the PIRMP requirements refer to the EPA's website at <a href="http://www.epa.nsw.gov.au/legislation/20120227egpreppirmp.htm">http://www.epa.nsw.gov.au/legislation/20120227egpreppirmp.htm</a>

#### **Licence Fees**

Annual licence administrative fees are due at the same time as the Annual Return (no later than 60 days after the licence anniversary date). A fee invoice will be sent to you with the Annual Return documents. Licence fees have been paid for the forthcoming licence period (22 November 2016 to 21 November 2017).

If you have any questions relating to the licence, fees or your load-based monitoring and reporting requirements please contact Julian Thompson on 6229 7002.

Yours sincerely

**Julian Thompson** 

**Unit Head** 

South East - Queanbeyan

(by Delegation)





**Licence Details** 

Number: 20852

Anniversary Date: 22-November

**Licensee** 

QUEANBEYAN-PALERANG REGIONAL COUNCIL

257 CRAWFORD STREET (P.O. BOX 90)

**QUEANBEYAN NSW 2620** 

**Premises** 

**ELLERTON DRIVE EXTENSION** 

**ELLERTON DRIVE EXTENSION ROAD CORRIDOR** 

**QUEANBEYAN EAST NSW 2620** 

**Scheduled Activity** 

Road construction

**Fee Based Activity** 

<u>Scale</u>

Road construction

0-10 km of road constructed, widened or re-routed

Region

South East - Queanbeyan

11 Farrer Place

**QUEANBEYAN NSW 2620** 

Phone: (02) 6229 7002

Fax: (02) 6229 7006

PO Box 622 QUEANBEYAN

NSW 2620



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## Information about this licence

### **Dictionary**

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

## Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

#### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

#### **Duration of licence**

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

#### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

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The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

#### Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

#### Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- · licence applications;
- licence conditions and variations;
- statements of compliance;
- · load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

#### This licence is issued to:

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QUEANBEYAN-PALE	RANG REGIONAL CO	DUNCIL			
257 CRAWFORD STR	EET (P.O. BOX 90)				
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QUEANBEYAN NSW	202U			교리를 하하하는 사람들이 다	사람들 물리가 하는 사용되었다.

subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

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A1.2 This licence authorises the carrying out of the works listed as "Stage 1 Early Works" in the Licence Application, at the premises listed below in A2. Stage 1 Early Works is defined as: An early works program consisting of the installation of nest boxes, installation of temporary site security fencing, and the clearing of certain termite mounds and hollow bearing trees and associated vegetation. It also includes the relocation of utilities.

The road construction works listed as Stage 2 in the Licence application are not currently authorised by this licence. This includes the main civil works, major road and bridge construction works, and major clearing of the road corridor. These Stage 2 works need to be authorised by a future variation of the Licence prior to them being commenced.

#### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details	
ELLERTON DRIVE EXTENSION	
ELLERTON DRIVE EXTENSION ROAD CORRIDOR	
QUEANBEYAN EAST	
NSW 2620	
EXTENSION OF ELLERTON DRIVE BETWEEN ELLERT	ON DRIVE, EAST
QUEANBEYAN AND EDWIN LAND PARKWAY, KARAB	유하다 하다 하다 아이에는 생활이 어떻게 생활할 수 있었다. 그 그는 그는 것 같아. 회문 학자는 다른
LOCATION IS AS SHOWN BY THE BLACK LINE (REPR	
ROAD CORRIDOR) ON THE MAP ENTITLED "ELLERTO	
EXTENSION EARLY WORKS - STAGE 1 ENVIRONMEN	TAL PROTECTION
LICENCE APPLICATION" DATED MARCH 2016 (EPA D REFERENCE DOC16/515012).	OCUMENT

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence

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application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

# 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

## 3 Limit Conditions

#### L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

### L2 Hours of operation

L2.1 Standard construction hours

Unless otherwise specified by any other condition of this licence, all construction activities are:

- a) restricted to between the hours of 7:00am and 6:00pm Monday to Friday;
- b) restricted to between the hours of 8:00am and 1:00pm Saturday; and
- c) not to be undertaken on Sundays or Public Holidays.

## 4 Operating Conditions

## O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

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### O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
  - a) must be maintained in a proper and efficient condition; and
  - b) must be operated in a proper and efficient manner.

#### O3 Dust

#### O3.1 Dust Control

The licensee must implement all feasible and reasonable measures to prevent dust emissions from the premises.

### O4 Other operating conditions

- O4.1 During Stage 1 Early Works, construction related traffic must only access the premises from the following streets:
  - 1. Ellerton Drive for access to Area 1
  - 2. Severne Street for access to Area 2
  - 3. Lonergan Drive for access to Area 3
  - 4. Barracks Flat Drive and Old Cooma Road/Edwin Land Parkway intersection for access to Area 4
  - \* Note: Areas 1, 2, 3 and 4 of the premises are defined on Drawing 1 of the document 'A Lump Sum Contract for the Selective Clearing of Trees and Destruction of Termite Mounds for Ellerton Drive Extension: Section B Volume 3 Tender Drawings' (TRIM reference: DOC16/578346-01).

During Stage 2 works, which are not yet authorised by this licence, construction access to the premises will be limited to Ellerton Drive and Old Cooma Rd/Edwin Land Parkway intersection access points and no access to the premises will be permitted using the Greenleigh neighbourhood streets.

O4.2 Prior to undertaking any Stage 1 construction work, including any access works or vegetation removal, the licensee must implement erosion and sediment control measures as detailed under Section 3 in the document 'QPRC Contract 08/2017 Lump Sum Contract for the Selective Clearing of Trees and Destruction of Termite Mounds for Ellerton Drive Extension, Section B Volume 2 Technical Specifications' to prevent pollution of waters. The sediment controls must be inspected after every rain event and repaired if required.

## 5 Monitoring and Recording Conditions

## M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

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- M1.2 All records required to be kept by this licence must be:
  - a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
  - a) the date(s) on which the sample was taken;
  - b) the time(s) at which the sample was collected;
  - c) the point at which the sample was taken; and
  - d) the name of the person who collected the sample.

## M2 Recording of pollution complaints

- M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M2.2 The record must include details of the following:
  - a) the date and time of the complaint;
  - b) the method by which the complaint was made;
  - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the licensee, the reasons why no action was taken.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

#### M3 Telephone complaints line

- M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M3.3 The preceding two conditions do not apply until the day of the date of the issue of this licence.

# 6 Reporting Conditions

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#### R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
  - 1. a Statement of Compliance,
  - 2. a Monitoring and Complaints Summary,
  - 3. a Statement of Compliance Licence Conditions,
  - 4. a Statement of Compliance Load based Fee,
  - 5. a Statement of Compliance Requirement to Prepare Pollution Incident Response Management Plan,
  - 6. a Statement of Compliance Requirement to Publish Pollution Monitoring Data; and
  - 7. a Statement of Compliance Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
  - a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- Note: An application to transfer a licence must be made in the approved form for this purpose.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
  - a) in relation to the surrender of a licence the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
  - a) the licence holder; or
  - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

#### R2 Notification of environmental harm

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- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

### R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
  - a) where this licence applies to premises, an event has occurred at the premises; or
  - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
  - and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
  - a) the cause, time and duration of the event;
  - b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
  - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## 7 General Conditions

## G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

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G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

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# Dictionary

## **General Dictionary**

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environmen t Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.

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Means total suspended particles TSP

Means total suspended solids TSS

Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or Type 1 substance

more of those elements

Type 2 substance Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any

compound containing one or more of those elements

utilisation area Means any area shown as a utilisation area on a map submitted with the application for this licence

Has the same meaning as in the Protection of the Environment Operations Act 1997 waste

Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non waste type

putrescible), special waste or hazardous waste

Mr Julian Thompson

**Environment Protection Authority** 

(By Delegation)

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### **End Notes**