

Approval of the Surrender of a Licence



Licence - 5950

WARRUMBUNGLE SHIRE COUNCIL
ABN 63 348 671 239
PO BOX 191
COONABARABRAN NSW 2357

Attention: Ms Cornelia Wiebels

Notice Number 1602561
File Number EF13/3825
Date 18-Feb-2021

The Proper Officer

APPROVAL OF THE SURRENDER OF LICENCE NO. 5950

BACKGROUND

- A. On 06 March 2020, the Environment Protection Authority (EPA) received a request from Warrumbungle Shire Council (licensee) to surrender Environmental Protection Licence No. 5950 (licence) for the Baradine Sewage Treatment Plant (premises) located at Kenebri Road, Baradine, NSW, 2396.
- B. The premises is not licensed as a scheduled activity under Clause 36 of Scheduled 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) as it does not meet the scheduled activity thresholds and is instead licensed for a miscellaneous discharge to waters.
- C. The EPA understands that the premises consists of oxidation ponds that discharge treated effluent to a dedicated utilisation area through a centre-pivot irrigator. The EPA also understands that the premises has no physical provision for discharge to any nearby drains, creeks rivers or wetlands. Therefore, there is not administrative or practical reason for the licensee to hold the licence.
- D. The EPA has reviewed the request and after a review of Section 45 of the POEO Act, the EPA is of the opinion that the licence can be surrendered. The EPA will remain the Appropriate Regulatory Authority under the POEO Act for any environmental pollution related matters as the premises is operated by a public authority. The licensee must ensure that the activities undertaken at the premises comply with the POEO Act.

APPROVAL OF THE SURRENDER OF A LICENCE

1. The surrender of the licence is approved.
2. The approval of the surrender is subject to the following conditions:



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- a) The licensee must provide the EPA with an Annual Return in relation to compliance with the conditions of the licence during the period beginning on the last licence anniversary date and ending on the date that the surrender of the licence takes effect as set out in point 3 below.
 - b) The Annual Return must be supplied to the EPA within 60 days of the date from which this Notice operates (see note at the end of this Notice).
 - c) The content and form of the Annual Return must be in accordance with the applicable reporting conditions in the licence before it was surrendered.
 - d) The Annual Return must be signed in accordance with the applicable reporting conditions in the licence before it was surrendered.
3. Except as provided by section 84(2) of the POEO Act, the approval of the surrender of the licence by this Notice operates from the date of this Notice.

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MATTHEW CORRADIN
Unit Head
Regulatory Operations Regional
(by Delegation)

INFORMATION ABOUT THIS NOTICE

- On the date that the surrender of your licence takes effect the current licence fee period comes to an end. However, the surrender of your licence does not affect your liability to pay fees owing to the EPA for that licence fee period or for any earlier licence fee period.
- If you have not already paid the administrative fee for the licence fee period which has just come to an end on the surrender of your licence you must still do so. The administrative fee for a licence fee period must be paid no later than 60 days after the beginning of that licence fee period (clause 36(1) of the *Protection of the Environment Operations (General) Regulation 2009*).
- Any load-based fees payable in relation to the licence fee period ending on the surrender of the licence must be paid no later than 90 days after the surrender of the licence takes effect (clause 37(1) of the *Protection of the Environment Operations (General) Regulation 2009*).
- Details provided in this Notice will be available on the EPA's Public Register in accordance with Section 308 of the POEO Act.
- The reporting period on your Annual Return must be filled in to reflect the appropriate dates beginning on the last licence anniversary date and ending on the date that the surrender of the licence takes effect.



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- The completed Annual Return must be sent by Registered Post no later than 60 days from the end of the reporting period to:

Regulatory and Compliance Support Unit
Environment Protection Authority (EPA)
Locked Bag 5022
PARRAMATTA NSW 2124

- This Notice is issued under Section 80(1) of the POEO Act.

Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

When this notice begins to operate

- The surrender of the licence specified in this Notice begins to operate immediately from the date of this Notice, unless another date is specified in this Notice.
- If an appeal is made against this decision to approve the surrender of the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).