



Licence variation application – premises

This is an application to vary a premises-based activity licence issued under the *Protection of the Environment Operations Act 1997* ('POEO Act').

A variation includes the substitution, omission or amendment of an existing condition, or attaching a new condition to a licence. If a licence holder wishes to seek a variation to licence conditions, this is the application form to fill in.

The form provides for the following scenarios:

- undertaking a new scheduled activity or ceasing a scheduled activity
- deleting an activity covered by a water licence or adding a new activity to be covered by the licence
- changing the scale/capacity of an activity
- extending a scheduled development works licence to cover the next stage of the development works or converting it to a scheduled activity licence
- any other variations.

To complete this form you may need the *Guide to licensing* prepared by the Environment Protection Authority (EPA) and available at www.environment.nsw.gov.au/licensing/licenceguide.htm and/or *Waste Classification Guidelines* which are available at www.environment.nsw.gov.au/waste/envguidlms/index.htm.

If you need help filling out the form, please contact your nearest EPA office from the list at the end of this form.

Once completed and signed, the form should be sent to your nearest EPA office (as indicated at the end of this form).

1. Licence to be varied

1.1 Licence to be varied

Licence number	EPL 2504
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1.2 Name of current licence holder(s)

Full name(s) of licence holder(s)	Endeavour Coal Pty Ltd	
ACN /ABN (if applicable)	ACN:	ABN: 38 099 830 476

2. Changes to scheduled activities

If you have stopped undertaking a scheduled activity that is covered by your current licence, or propose to commence a new scheduled activity, you should advise the EPA. For more details on changing your activity type, please refer to Section 8.3 of the EPA's *Guide to licensing, part A*.

2.1 Adding a new scheduled activity

Write down the short descriptions of the categories of scheduled activity you would like added to the licence for your premises. These are listed in Schedule 1 of the POEO Act available at www.legislation.nsw.gov.au.

Description of scheduled activities	

Please attach extra page(s) if more space is needed.

2.2 Deleting a scheduled activity

Write down the short descriptions of the categories of scheduled activity no longer conducted at these premises and that you would like deleted from the licence. These are listed in Schedule 1 of the POEO Act available at www.legislation.nsw.gov.au.

Description of scheduled activities	

Please attach extra page(s) if more space is needed.

3. Changes to 'non-scheduled activity' licence

If you hold a 'non-scheduled activity' licence and you want to add or delete activities covered by that licence, you must advise the EPA.

If your activity fits the description of a category of activity listed in Schedule 1 of the POEO Act, it will need a Scheduled Activity Licence, and you will need to answer Question 2 instead of this question. Please refer to Schedule 1 of the POEO Act available at www.legislation.nsw.gov.au to check whether the activity is a scheduled activity.

3.1 Adding a new activity

Write down the short description of the any new non-scheduled activity(ies) proposed to be conducted at these premises and that you would like added to the licence.

Description of activities to be added	

Please attach extra page(s) if more space is needed.

3.2 Deleting an existing activity

Write down the short description of any non-scheduled activity(ies) no longer conducted at these premises, and that you would like deleted from the licence.

Description of activities to be deleted	

Please attach extra page(s) if more space is needed.

4. Fee-based activity

The licence administrative fee varies according to the classification and scale of your activity. Classification descriptions are found in Schedule 1 of the POEO Act while activity scales are found in Appendix 5 of the EPA's *Guide to licensing, part B* or Schedule 1 of the POEO (General) Regulation 2009 available at www.legislation.nsw.gov.au.

A change to the activity classification or activity scale may result in a change to your licence administrative fee. It may also result in a change in, or addition of, a load-based fee if the proposed activity has assessable pollutants as identified by the POEO (General) Regulation 2009.

4.1 Change to applicable fee-based activities

An addition or a deletion of a scheduled activity may result in a change to your fee-based activities.

The classifications used to determine licence fees can be found in Appendix 5 of the EPA's *Guide to licensing, part B* or Schedule 1 of the POEO (General) Regulation 2009.

Please provide details of the applicable fee-based activities and scales of activities that your licence will cover **as a result of the change**.

	Fee-based activity classification after proposed variation	Activity scale after proposed variation
1		
2		
3		
4		

The EPA will notify you if there is an adjustment to your licence administrative fee.

4.2 Change to applicable fee-based activity scale/capacity

A change to the scale or capacity of your currently licensed activity may result in a change to your fee-based activity scale.

Please write down the fee-based classification of the proposed activity and the new activity scale in the space provided below, as shown in Appendix 5 of the EPA's *Guide to licensing, part B* or Schedule 1 of the POEO (General) Regulation 2009.

Please provide details of any **changes to the scale** of your **currently** licensed activities.

	Fee-based activity classification	Current activity scale	Proposed activity scale
1			
2			
3			
4			

The EPA will notify you if there is an adjustment to your licence administrative fee.

5. Scheduled development work

5.1 Scheduled development work – progression to next stage

If you hold a 'staged scheduled development work' licence and want to commence the next stage of work, please provide the information required below. You may need to provide extra documentation – refer to the conditions of your licence and Appendix 4 of the EPA's *Guide to licensing, part B*.

Please provide a brief description of the work to be conducted:

Description of activities	

How many stages to the development work are there?	
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Which stage of the development work does this application relate to?	
--	--

When will the next stage commence?	day/month/year
When will the next stage be completed?	day/month/year

You will need to apply to vary the licence if you conduct any further stages.

Please attach to this application any documents about the scheduled development work that are specified in Appendix 4 of the EPA's *Guide to licensing, part B* and list them in the table in **Section 8**.

5.2 Scheduled development work – change to a 'scheduled activity' licence

If you hold a 'scheduled development work' licence and you want to commence the scheduled activity, you will need to vary your licence to a 'scheduled activity' licence. You cannot start the scheduled activity until a 'scheduled activity' licence authorises it.

You may need to provide extra documentation – refer to the conditions of your licence and Appendix 4 of the EPA's *Guide to licensing, part B*.

Please provide the following information:

When will the activity commence?	day/month/year
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Please tick (✓) 'Yes' or 'No'.

		Yes	No
5.2.1	Will you still be completing some of the development work while carrying on the scheduled activity?		

Please provide a brief description of the work that still needs to be completed:

Description of activities	

When will the work be completed?	day/month/year
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Please attach to this application any documents about the scheduled development work that are specified in Appendix 4 of the EPA's *Guide to licensing, part B* and list them in the table in **Section 8**.

6. Details of other variations

Your licence can be varied by deleting or amending a condition, or substituting one condition for another.

Please provide details of any other proposed variations not covered previously in this application.

Licence condition number	Details of proposed change	Reason for proposed change
L2 Point 10	Inclusion of additional pollutants (aluminium, nickel, zinc, copper, arsenic, lead, salinity) and concentration limits.	Request from EPA to vary licence to include additional pollutants. EPA references: DOC12/32275 and DOC12/35641.
L2 Point 10	Inclusion of additional pollutant Total dissolved solids and concentration limit.	Request from EPA to vary licence to include additional pollutants. EPA references: DOC12/32275 and DOC12/35641. Inclusion of TDS to encompass all metal and non-metal salts including those not listed separately as pollutants e.g. aluminium, nickel, zinc, copper, arsenic, lead, salinity.
L2 Point 10	Inclusion of additional pollutant Chemical Oxygen demand and a concentration limit.	Request from EPA to vary licence to include additional pollutants. EPA references: DOC12/32275 and DOC12/35641. Inclusion of Chemical Oxygen demand concentration limit to indirectly measure organic matter.
M2.3	Inclusion of requirement to sample additional pollutants listed above for Point 10.	Request from EPA to vary licence to include additional pollutants. EPA references: DOC12/32275 and DOC12/35641.
PRP	Addition of NH ₃ -N, cobalt, cadmium, manganese and COD in study to determine potential ecotoxicity.	Insufficient local data on ecotoxicity to develop site specific trigger values and licence limits as required.

Please attach extra page(s) if more space is needed.

7. Development consent

Please tick (✓) 'Yes' or 'No'.

		Yes	No
7.1	Have the proposed variation(s) listed above been the subject of environmental assessment and public consultation under the <i>Environmental Planning and Assessment Act 1979</i> ?	✓	

If you answered 'Yes' to this question, please attach a copy of the development consent.

If you answered 'No' to this question, please tick (✓) the statement below that is correct.

A development application has been made to obtain development consent	<input type="checkbox"/>
No development consent is necessary for the new activities	<input type="checkbox"/>

If development consent is **not** necessary, please provide details indicating why:

Details	

8. Supporting documentation

Appendix 4 of the EPA's *Guide to licensing, part B* provides details of the supporting documentation that is required when applying for a licence.

Please provide details of documentation included with this application.

Document title	1 EPL 2504 Licence Variation Supporting Material.
	2
	3
	4
	5

Please attach extra page(s) if more space is needed.

9. Signature of licence holder



This application may only be signed by a person(s) with the legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

Please tick (✓) the box next to the category that describes how this application is being signed.

If the proposed licence holder is:		The application must be signed and certified by one of the following:
an individual	<input type="checkbox"/>	the individual.
a company	<input type="checkbox"/> the common seal being affixed in accordance with the <i>Corporations Act 2001</i> , or <input checked="" type="checkbox"/> two directors, or <input type="checkbox"/> a director and a company secretary, or <input type="checkbox"/> if a proprietary company that has a sole director who is also the sole company secretary – by that director.	
a public authority other than a council	<input type="checkbox"/> the chief executive officer of the public authority, or <input type="checkbox"/> by a person delegated to sign on the public authority's behalf in accordance with its legislation (Please note: a copy of the relevant instrument of delegation must be attached to this application).	
a local council	<input type="checkbox"/> the general manager in accordance with s.377 of the <i>Local Government Act 1993</i> ('LG Act'), or <input type="checkbox"/> the seal of the council being affixed in a manner authorised under the LG Act.	

I/We (the licence holder):

- **apply for the variation of the licence listed in Section 1**
- **declare that the information in this form (including any attachment) is not false or misleading in any material particular.**

Signature		Signature	
Name (printed)	Troy McDonald	Name (printed)	Paul Budrikis
Position	Director	Position	Director
Date	13 September 2012	Date	13 September 2012

Seal (if signing under seal):

Additional information

1. It is an offence to supply any information in this form that is false or misleading in a material particular. There is a maximum penalty of \$22,000 for a corporation or \$11,000 for an individual.
2. Details of the licence application and licence will appear on the EPA's Public Register. The EPA can be asked by any person to provide reasons for refusing or granting a licence application.

Send this form to your nearest EPA office:

Metropolitan

Parramatta

Environment Protection Authority NSW
PO Box 668
PARRAMATTA NSW 2124

Phone: 9995 5000
Fax: 9995 6900

Wollongong

Environment Protection Authority NSW
PO Box 513
WOLLONGONG EAST NSW 2520

Phone: 4224 4100
Fax: 4224 4110

North

Newcastle

Environment Protection Authority NSW
PO Box 488G
NEWCASTLE NSW 2300

Phone: 4908 6800
Fax: 4908 6810

Grafton

Environment Protection Authority NSW
PO Box 498
GRAFTON NSW 2460

Phone: 6640 2500
Fax: 6642 7743

Armidale

Environment Protection Authority NSW
PO Box 494
ARMIDALE NSW 2350

Phone: 6773 7000
Fax: 6772 2336

Dubbo

Environment Protection Authority NSW
PO Box 2111
DUBBO NSW 2830

Phone: 6883 5330
Fax: 6884 8675

South

Albury

Environment Protection Authority NSW
PO Box 544
ALBURY NSW 2640

Phone: 6022 0600
Fax: 6022 0610

Bathurst

Environment Protection Authority NSW
PO Box 1388
BATHURST NSW 2795

Phone: 6332 7600
Fax: 6332 7630

Griffith

Environment Protection Authority NSW
PO Box 397
GRIFFITH NSW 2795

Phone: 6969 0700
Fax: 6969 0710

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Environment Protection Authority NSW
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QUEANBEYAN NSW 2620

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Fax: 6299 3525

Waste Operations

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PO Box A290
SYDNEY SOUTH NSW 1232

Phone: 9995 5000
Fax: 9995 5930

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