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
* adding an environmental improvement program
* 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.epa.nsw.gov.au/licensing/licenceguide.htm](http://www.epa.nsw.gov.au/licensing/licenceguide.htm) and/or *Waste Classification Guidelines* which are available at [www.epa.nsw.gov.au/wasteregulation/classify-waste.htm](http://www.epa.nsw.gov.au/wasteregulation/classify-waste.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).

# **Licence to be varied**

* 1. **Licence to be varied**

|  |  |
| --- | --- |
| Licence number |  |

* 1. **Name of current licence holder(s)**

|  |  |
| --- | --- |
| Full name(s) oflicence holder(s) |  |
|  |
| ACN /ABN (if applicable) | ACN: ABN: |

1. **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 the EPA’s *Guide to licensing*.

* 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](http://www.legislation.nsw.gov.au)*.*

|  |  |
| --- | --- |
| Description of scheduled activities |  |
|  |
|  |
|  |
|  |
|  |

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

* 1. **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](http://www.legislation.nsw.gov.au)*.*

|  |  |
| --- | --- |
| Description of scheduled activities |  |
|  |
|  |
|  |
|  |
|  |

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

# **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](http://www.legislation.nsw.gov.au)to check whether the activity is a scheduled activity.

* 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.

* 1. **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.

# **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* whileactivity scales are found in Schedule 1 of the *POEO (General) Regulation 2009* available at [www.legislation.nsw.gov.au](http://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*.

* 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 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.***

* 1. **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 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.***

# **Scheduled development work**

* 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 1 of the EPA’s *Guide to licensing*.

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

|  |  |
| --- | --- |
| Description of activities |  |
|  |
|  |
|  |

|  |  |
| --- | --- |
| How many stages to the development work are there? consent for the activities |  |
|  |
| 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 1 of the EPA’s *Guide to licensing* and list them in the table in **Section 9**.

* 1. **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 1 of the EPA’s *Guide to licensing*.

Please provide the following information:

|  |  |
| --- | --- |
| When will the activity commence? | day/month/year |

Please tick (🗸) ‘Yes’ or ‘No’.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Yes** |  | **No** |
| * + - 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 |

Please attach to this application any documents about the scheduled development work that are specified in Appendix 1 of the EPA’s *Guide to licensing* and list them in the table in **Section 9**.

1. **Environmental improvement program**

Environmental improvement programs (EIPs) are programs of actions that deliver demonstrated environmental improvement outside those required to comply with the *Protection of the Environment Operations Act, 1997 (POEO Act)*, *Regulations* or existing conditions on a licence issued under the *POEO Act*.

If you are applying to add an EIP to your licence you will need to provide details of the program and the expected environmental improvements that will be delivered by the EIP.

It is important that you have discussed any program of actions with the EPA prior to applying for an EIP. EIPs are attached to the licence as a condition and the EPA may remove the EIP from the licence if the key milestones or any other conditions of the EIP are not met. If the EIP is removed from the licence the EPA will add an amount equivalent to the total score reduction received for the EIP, on to the environmental score for the following licence fee period.

Please provide a brief description of the program of actions including the proposed completion date, key reporting milestones and costs.

|  |  |
| --- | --- |
| Description of the program of actions |  |
|  |
|  |
| Description of activities |  |
|  |
|  |

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

Please provide a description of the expected environment improvements delivered by the EIP. Note: you will need to demonstrate that the EIP is outside those required to achieve compliance with legislative requirements or any existing conditions on your licence.

|  |  |
| --- | --- |
| Description of expected environmental improvements  |  |
|  |
|  |
| Description of activities |  |
|  |
|  |

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

# **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 |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

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

# **Development consent**

Please tick (🗸) ‘Yes’ or ‘No’.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Yes** |  | **No** |
| * + 1. Have the proposed variation(s) listed above been the subject of environmental assessment and public consultation under the *Environmental Planning and Assessment Act 1979*?
 |  |  |  |

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 consent for the activities |  |
| No development consent is necessary for the new activities |  |

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

|  |  |
| --- | --- |
| Details |  |
|  |
|  |
|  |
|  |

# **Supporting documentation**

Appendix 1 of the EPA’s *Guide to licensing* 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 |
| 2 |
| 3 |
| 4 |
| 5 |

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

1. **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  |  | the individual. |
| a company |  | the common seal being affixed in accordance with the *Corporations Act 2001, or*two directors, ora director and a company secretary, orif 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 |  | the chief executive officer of the public authority, orby 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 |  | the general manager in accordance with s.377 of the *Local Government Act 1993*(‘LG Act’), orthe 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) |  | Name (printed) |  |
| Position |  | Position |  |
| Date |  | Date |  |

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 ParramattaEnvironment Protection Authority NSWPO Box 668 Parramatta NSW 2124Phone: 9995 5000Fax: 9995 6900 | WollongongEnvironment Protection Authority NSWPO Box 513Wollongong East NSW 2520Phone: 4224 4100Fax: 4224 4110 |
| North NewcastleEnvironment Protection Authority NSWPO Box 488GNewcastle NSW 2300Phone: 4908 6800Fax: 4908 6810 | GraftonEnvironment Protection Authority NSWPO Box 498Grafton NSW 2460Phone: 6640 2500Fax: 6642 7743 |
| **Armidale**Environment Protection Authority NSWPO Box 494Armidale NSW 2350Phone: 6773 7000Fax: 6772 2336 | DubboEnvironment Protection Authority NSWPO Box 2111Dubbo NSW 2830Phone: 6883 5330Fax: 6884 8675 |
| **South****Albury**Environment Protection Authority NSWPO Box 544Albury NSW 2640Phone: 6022 0600Fax: 6022 0610GriffithEnvironment Protection Authority NSWPO Box 397Griffith NSW 2795Phone: 6969 0700Fax: 6969 0710 | BathurstEnvironment Protection Authority NSWPO Box 1388Bathurst NSW 2795Phone: 6332 7600Fax: 6332 7630QueanbeyanEnvironment Protection Authority NSWPO Box 622Queanbeyan NSW 2620Phone: 6122 3100Fax: 6299 3525 |
| **Waste Operations**Environment Protection Authority NSWPO Box A290Sydney South NSW 1232Phone: 9995 5000Fax: 9995 5930 |  |

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