

Approval of the Surrender of a Licence



Licence - 20483

JOHN HOLLAND PTY LTD
ABN 11 004 282 268 ACN 004 282 268
GPO Box 508
SYDNEY NSW 2001

Attention: Tony O'Reilly

Notice Number 1541480
File Number EF14/3361
Date 23-Jun-2016

APPROVAL OF THE SURRENDER OF LICENCE NO. 20483

BACKGROUND

The following licensee(s):

JOHN HOLLAND PTY LTD

applied to the Environment Protection Authority ("EPA") to surrender Environment Protection Licence No. 20483 ("the licence") issued under the Protection of the Environment Operations Act 1997 ("the Act"). The licence authorises the carrying out of activities at Chaffey Dam, NUNDLE, NSW, 2340.

- A. The EPA received the application for surrender of licence on 27-Jan-2016.
- B. The EPA undertook a site inspection of the premises on 16 February 2016 to ascertain whether there were any outstanding issues at the premises that required action prior to the licence being surrendered.
- C. The bridge and road realignment works had been completed and exposed areas had been rehabilitated to the satisfaction of the EPA.
- D. One of the site's compound/ laydown areas had been de-mobilised and rehabilitated to the satisfaction of the EPA.
- E. The EPA were advised that the remaining compound and laydown areas would be de-mobilised and rehabilitated subject to the approved Dam Rehabilitation Plan for the premises.
- F. Rehabilitation of the quarry and stockpile areas were underway at the time of the site inspection and would continue subject to the approved Dam Rehabilitation Plan for the premises.
- G. The licensee provided the approved Dam Rehabilitation Plan (JH-C680-024, Revision D) to the EPA via email on 2 March 2016.

Approval of the Surrender of a Licence



- H. During the site inspection, the licensee requested that the licence surrender be delayed until the spillway works were completed and the crane pad had been removed and stabilised as a precautionary measure. The EPA agreed.
- I. The licensee provided an approved Crane Pad Removal Plan to the EPA via email on 4 April 2016.
- J. The EPA provided comments on the Crane Pad Removal Plan to the licensee via email on 12 April 2016. These comments were subsequently incorporated into the plan and a revision of the plan was provided to the EPA via email on 12 April 2016.
- K. The EPA received an email from the licensee on 8 June 2016 advising that the crane pad removal had been completed. Accordingly, the licence will now be surrendered subject to the following conditions.

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:
 - 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.
 - e) Remove all erosion and sediment fencing on the premises where adjacent exposed areas have been adequately stabilised and rehabilitated so as not to cause pollution of waters.
 - f) Rehabilitation of the premises must be conducted generally in accordance with the plan entitled 'JH-C680-024 Chaffey Dam Augmentation and Safety Upgrade - Dam Rehabilitation Plan, Revision D' provided to the EPA via email on 2 March 2016.
 - g) Once demobilisation and rehabilitation of the premises has been completed, the licensee must provide a brief summary report, including corresponding photographic evidence, of all rehabilitated areas in the Dam Rehabilitation Plan to the Armidale EPA office by post to: PO Box 494, Armidale NSW 2350 or by email to: Armidale@epa.nsw.gov.au.
- 3. Except as provided by section 84(2) of the Act, the approval of the surrender of the licence by this notice operates from the date of this notice.

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A handwritten signature in blue ink, appearing to read 'Robert O'Hern'.

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Robert O'Hern
Head Regional Operation Unit
North - Armidale
(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 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.
- 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)
PO Box A290
SYDNEY SOUTH NSW 1232

- This notice is issued under section 80(1) of the Act.

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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).