

Licence Variation

Licence - 20533



ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD
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Attention: Ms Noelene Rutherford

Notice Number 1546478
File Number EF14/4301
Date 09-Nov-2016

NOTICE OF VARIATION OF LICENCE NO. 20533

BACKGROUND

- A. ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD ("the licensee") is the holder of Environment Protection Licence No. 20533 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at PACIFIC HIGHWAY, NAMBUCCA HEADS, NSW, 2448 ("the premises").
- B. On 11-Oct-2016 the Environment Protection Authority (EPA) received an application for the variation of the licence.
- C. The application sought to include five additional areas within the approved premise boundary, these include;
- An additional area within the Boral Resources quarry property between chainages 47,500 and 47,680 for the operation of a concrete batch plant;
 - An additional area for a temporary car park off Nursery Road between chainage 52,700 and 52,800;
 - An additional area for a power utility upgrade at number 53 Old Coast Road between chainage 53,500 and 53,600;
 - Additional minor areas for the north facing ramps due to design refinements between chainages 53,300 and 53,300; and
 - Additional area to allow the backfill of a farm dam near Albert Drive at approximate chainage 46,400 to protect the road from water damage.

A series of revised maps was provided (identified as the Pacific highway Upgrade WC2NH EPL premise boundary maps Rev 15, 11 October 2016) to the EPA which includes the requested changes to the premise boundary.

- D. The EPA reviewed the application, considered the matters identified in section 45 of the POEO Act 1997 and is satisfied that the variation requested has been approved in accordance with the

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Environmental planning and Assessment Act 1979 and can be managed in a manner that will provide an appropriate level of environmental protection.

E. The EPA has therefore approved the application.

VARIATION OF LICENCE NO. 20533

1. By this notice the EPA varies licence No. 20533. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
 - The EPL premise boundary has been amended to include an additional area within the Boral Resources quarry property between chainages 47,500 and 47,680 for the operation of a concrete batch plant;
 - The EPL premise boundary has been amended to include an additional area for a temporary car park off Nursery Road between chainage 52,700 and 52,800;
 - The EPL premise boundary has been amended to include an additional area for a power utility upgrade at number 53 Old Coast Road between chainage 53,500 and 53,600;
 - The EPL premise boundary has been amended to include additional minor areas for the north facing ramps due to design refinements between chainages 53,300 and 53,300;
 - The EPL premise boundary has been amended to include additional area to allow the backfill of a farm dam near Albert Drive at approximate chainage 46,400 to protect the road from water damage; and
 - Condition A2.2 was amended to reflect the current set of approved maps.

A handwritten signature in black ink, appearing to read 'Brett Nudd', positioned above a horizontal dotted line.

Brett Nudd
Manager North Coast Region
North - North Coast
(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 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 variations to the licence specified in this notice begin 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 vary 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).