

# Licence Variation



Licence - 20533

ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD  
ABN 52 140 915 251  
PO BOX 254  
MACKSVILLE NSW 2447

Attention: Ms Noelene Rutherford

Notice Number 1551009  
File Number EF14/4301  
Date 07-Apr-2017

## 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 29-Mar-2017 the Environment Protection Authority (EPA) received an application for the variation of the licence.

The application sought to include 5 areas within the premise boundary, these include:

- An additional area at the northern end of Albert Drive (approximate chainage 46,900 - map 5) to allow for a heavy vehicle turn around bay;
- An additional area to allow for heavy vehicle access a private residence via a driveway on the Bonnett-Donnelly private property (between approximate chainage 56,400 to 56,500 - map 13);
- An additional area to allow construction of the Marino private property access (chainage 56,680 - map 13);
- An additional area to allow works to be undertaken to repair a private property dam spillway (approximate chainage 55,400 - map 12) and augmentation of a drainage line (approximate chainage 55850 - map 12) to mitigate construction and operation impacts due to cross drainage arrangements at this location.

A series of revised premise maps was provided (identified as the Pacific Highway Upgrade WC2NH EPL Rev 17, 9 March 2017) to the EPA which includes the requested changes to the premise boundary.

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

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Planning and Assessment Act 1979 and can be managed in a manner which will provide an appropriate level of environmental protection.

D. 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 area at the northern end of Albert Drive to allow for construction of a heavy vehicle turn around bay;
  - The EPL premise boundary has been amended to allow for construction of heavy vehicle access to a private residence via a driveway on the Bonnett-Donnelly private property. This is subject to Acciona gaining written agreement from the landowner for the works to proceed;
  - The EPL premise boundary has been amended to allow for construction of the Marino private property access;
  - The EPL premise boundary has been amended to allow works to be undertaken to repair a private property dam spillway, and augmentation of a drainage line to mitigate construction and operation impacts due to cross drainage arrangements at this location.
  - Condition A2.2 was amended to reflect the current set of approved maps.

A handwritten signature in black ink, appearing to read 'Graeme Budd', written over a horizontal dotted line.

**Graeme Budd**

**Head Environmental Management Unit**

**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).

