

Licence Variation

Licence - 20533



ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD
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Attention: Alex Dywer

Notice Number 1559351
File Number EF14/4301
Date 04-Dec-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 03-Oct-2017 the Environment Protection Authority (EPA) received an application for the variation of the licence. The application sought to vary the licence in the following manner:
- Incorporate an area which is currently being used as a temporary railway diversion, from approximate chainage 42580 to chainage 42950, into the premise boundary to allow for earth works to occur;
 - Incorporate an area including Link Road and part of the existing Nambucca Heads to Urunga Pacific Highway Upgrade project, from approximate chainage 61275 to chainage 61760, into the premise boundary. This area has been surrendered by Lend Lease (EPL 20321) to allow for project tie-in works to occur; and
 - Delete the scheduled activity 'Railway system activities' from the licence, as a result of the railway traffic being returned to the original ARTC corridor.

A series of revised premise boundary maps were provided (identified as the Pacific Highway Upgrade WC2NH EPL Rev 18) to the EPA, which includes the changes to the premise boundary, as detailed above.

- C. Due to project schedule the area including Link Road was added to the premise boundary on 22 November 2017 to allow for tie-in works to proceed. The area where the railway diversion was located could not be added to the premise boundary until the railway switch had occurred. At the time the application was received these works had not been scheduled to occur until early December 2017. As the railway switch has now been completed, this area can be added to the premise boundary and the scheduled activity of Railway system activities will be removed from the EPL.

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- D. The EPA reviewed this remaining change to the premise boundary detailed in the application and 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 Planning and Assessment Act 1979 and can be managed in a manner which 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 mapping has been amended to include an area which had been utilised for a temporary railway diversion, from approximate chainage 42580 to chainage 42950, to allow for earth works to occur.
 - Condition A2.2 has not been amended as the current set of approved maps already includes the area above.

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.

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

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- 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).

