



VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Pacific Highway Upgrade, Warrell Creek to Nambucca Heads, NSW
(EPBC 2013/7101)

This decision to vary a condition of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted Roads and Maritime Services
ABN 76 236 371 088

Approved action To upgrade approximately 19.5 kilometres (km) of the Pacific Highway, from the northern end of Allgamera deviation, south of Warrell Creek to Old Coast Road, west of Nambucca Heads, on the mid north coast of New South Wales (NSW) [See EPBC Act referral 2013/7101].

Variation

Variation of conditions of approval The variation is:

- Delete condition 1 attached to the approval dated 11 December 2014 and substitute condition 1 specified below.
- Delete the definition to the Spotted tail Quoll habitat attached to the approval dated 11 December 2014 and substitute the definition specified below.

All other conditions and definitions attached to the approval dated 11 December 2014 and variation dated 22 January 2015 remain unchanged.

Date of effect This variation has effect on the date the instrument is signed

Person authorised to make decision

Name and position Shane Gaddes
Assistant Secretary
Compliance & Enforcement Branch

Signature

Date of decision 11 May 2015

Variation – conditions attached to the approval

1. The approval holder must not clear more than:

- 17.80 hectares (ha) of **Slender Marsdenia/Clear Milkvine and Wool's Tylophora/Cryptic Forest Twiner habitat**;
- 106.60 ha of **Koala habitat**, including 86.50 ha critical to the survival;
- 106.60 ha of **Grey-headed Flying-fox habitat**, comprised of 103.50 ha of foraging habitat critical to survival and 3.10 ha of roosting habitat critical to survival;
- 114.1 ha of **Spotted-tail Quoll habitat**;
- 0.70 ha of **Giant Barred Frog habitat**;

- f) 3.4 ha of Australian Painted Snipe (*Rostratula australis*) wetland habitat;
- g) 5.30 ha of Regent Honeyeater (*Anthochaera Phrygia*) and Swift Parrot (*Lathamus discolor*) wintering habitat, comprising dry scleropyll forests containing Swamp Mahogany; and
- h) 24.30 ha of Milky Silkpod (*Parsonsia dorrigoensis*), comprising Mixed Floodplain Forest, Flooded Gum Open Forrest and White Mahogany/Grey Gum/Ironbark Open Forest.

Definition

Spotted-tail Quoll habitat means Blackbutt Open Forest – 77.0 ha, Mixed Floodplain Forest 4.0 ha, White Mahogany/Grey Gum/Ironbark Moist Open Forest – 5.5 ha, Flooded Gum Moist Open Forest – 14.8 ha, Swamp Mahogany/Paperbark Swamp Forest – 5.3 ha, Swamp Forest -/Swamp Oak 0.4 ha, Freshwater Wetlands – 3.4 ha, Mangrove Forest – 0.1 ha and Hardwood plantation – 3.6 ha.