

Notice of Amendment

Environment Protection Act 2017



Permission type	Development Licence
Permission number	219663 / DL000219663
Permission activity types	L03 (Tunnel ventilation systems)
Amendment start date	10 August 2021
Permission holder	DEPARTMENT OF TRANSPORT
ABN	69981208782
Registered address	Level 9, 121 Exhibition St, MELBOURNE, VIC, 3000, AU
Activity site	Bulleen, VIC, 3105, AU
Issue date	10 August 2021

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Context

Environment Protection Authority Victoria (EPA) is Victoria's environmental regulator acting in accordance with *Environment Protection Act 2017* (the Act). Our regulatory role is to work with community, industry and business to prevent and reduce the harmful effects of pollution and waste on Victoria's environment and people.

Why we amend permissions

Under section 58(1) of the Act, EPA may amend a permission if EPA is satisfied that the circumstances of the case justify such an action. Under this section, EPA may amend:

- a) a permission to correct an administrative or clerical error in the permission
- b) a permission to make an amendment required under the regulations
- c) in the case of a licence or permit, to revoke or amend a condition of the licence or permit or to impose a new condition on the licence or permit
- d) in the case of a registration, to modify the application of the standard conditions to the registration.>

What you are required to do

You must comply with the conditions of your Development Licence immediately from the amendment date, including all amended conditions and all other existing conditions or requirements of the permission.

Under section 44 of the Act, a person must not engage in a prescribed development activity except as authorised by a development licence in respect of the activity. Penalties may apply.

Under section 63 of the Act, a person must not breach a condition of a permission. Such a breach may constitute an indictable offence, and penalties may apply.

Appeal rights

You may apply to have this decision to amend the Development Licence reviewed by the Victorian Civil and Administrative Tribunal (VCAT) within 15 business days of the date of the decision. For further information, contact VCAT on (03) 9628 9777 or www.vcat.vic.gov.au. A copy of the appeal should also be sent to EPA within seven days of lodgement, with attention to Manager, Development Assessments Unit.



Suzy Neilan

Executive Director - Regulatory Policy and Permissioning
Delegate of Environment Protection Authority Victoria (EPA)

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1 Notice of amendment

Works Approval 219663 was issued under section 19B of the Environment Protection Act 1970 on 28 February 2020 by EPA to DEPARTMENT OF TRANSPORT for the following permission activity. Works Approval 219663 is continued as a Development Licence 219663 / DL000219663 under section 471 of the Environment Protection Act 2017 (the Act).

Permission activities

Activity code	Description	Location
L03 (Tunnel ventilation systems)	Tunnel ventilation systems	Bulleen VIC 3105 AU

EPA, under section 58(1) of the Act, hereby amends the Development Licence 219663 / DL000219663.

2 Details of amendment

- Page 1 - Replace the Scheduled Categories and Description with the new prescribed permission activity "L03 (Road tunnel ventilation systems)".
- Page 1 - Replace the reference to the permission being issued under the Environment Protection Act 1970, with the amended text which reads as: *"Issued on 28 February 2020 under section 19B of the Environment Protection Act 1970 and continued under section 471 of the Environment Protection Act 2017 (the Act)."*
- Page 5 under the Note to refer to the latest approved ERPs which reads as:
"Where this document refers to Environmental Performance Requirements (EPRs) they refer to the EPRs for the North East Link as approved by the Minister for Planning on 21 July 2021 (Document No: NEL-GE01-NEL-ZW1-SZ00-GEN-PRO-00001_A). The application of the EPRs in this document is limited to the construction and operation of the tunnel ventilation system and does not extend to the broader North East Link Project."
- Page 6 - condition WA_G4: Replace the references to a "licence" with references to an "operating licence", as shown in the table below.
- Amend preamble text between pages 2-5 consistent with the current DL template wording.

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The following table identifies the amended wording of the permission condition.

Amended permission conditions

Condition code	Condition description
WA_G4	<p>This approval expires:</p> <ol style="list-style-type: none">1) on the issue or amendment of an operating licence relating to all works covered by this approval2) when EPA advises in writing that all works covered by this approval have been satisfactorily completed and no operating licence is required, or3) five years from the date of issue of this approval, unless the works have been commenced by this date to the satisfaction of EPA.

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