

Modified Activity Approval

Section 115BA of the *Environmental Planning & Assessment Act 1979*

I, the Minister for Infrastructure and Planning modify under section 115BA of the *Environmental Planning and Assessment Act 1979* the Approved Activity referred to in Schedule 1. The Modified Activity is described in Schedule 2 and the modified conditions are set out in Schedule 3.

Craig Knowles MP
Minister for Infrastructure and Planning
Minister for Natural Resources

Dated this _____ day of _____ 2004 S00/01890

SCHEDULE 1: APPROVED ACTIVITY

Approval granted by the Minister for Planning on 22 November 2002 to the NSW Roads and Traffic Authority for the Bangor Bypass.

SCHEDULE 2: MODIFIED ACTIVITY

The Modified Activity is the Bangor Bypass as modified in the:

1. Review of Environmental Factors *Supplementary Environmental Assessment for Barry Road* dated August 2003 and prepared by RTA Operations – Environmental Technology Branch, as modified by the
2. Submissions Report *Proposed Modification to the Approved Project at Barry Road* dated 24 October 2003 and prepared by RTA Operations – Environmental Technology Branch, as modified by the
3. Decision Report of the Roads and Traffic Authority for the *Change to Access Arrangements at Barry Road* dated 13 November 2003.

SCHEDULE 3: CONDITIONS OF MODIFICATION

The Approval is modified as follows. Insertions to conditions are presented in “italics” (eg. *italics*) and deletions are “struck through” (eg. ~~struck through~~).

Condition 1

1. The project shall be carried out in accordance with:
 - (a) the project contained in the Environmental Impact Statement (EIS), ~~and~~ as modified by the Representations Report *and as modified by the Bangor Bypass Review of Environmental Factors Supplementary Environmental Assessment for Barry Road dated August 2003 and associated Submissions Report (dated October 2003) and Decisions Report (dated October 2003)*;
 - (b) all identified Sub Plans, safeguards and mitigation measures identified in the EIS and Representations Report and all additional information supplied by the RTA;
 - (c) the Director-General's Report; and,
 - (d) the Conditions of Approval granted by the Minister.

In the event of any inconsistency with the project as described in the documents referred to above, the Conditions of Approval granted by the Minister shall prevail.

These Conditions do not relieve the Proponent of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act. Without affecting the generality of the foregoing, the Proponent shall comply with the terms and conditions of such approvals and licences.

It shall be the ultimate responsibility of the Proponent to ensure compliance with all Conditions of Approval granted by the Minister.