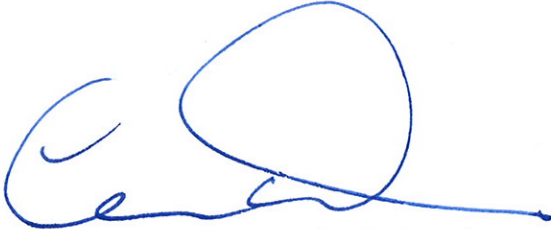


Modification of Minister's Approval

Section 75W of the *Environmental Planning and Assessment Act 1979*

I, the Executive Director, Major Project Assessments Division of the Department of Planning, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 7 June 2007, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* determine to approve of the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.



Executive Director, Major Project Assessments
As delegate for the Minister for Planning

Sydney, 19 NOVEMBER 2007

SCHEDULE 1

- Project Approval:** granted by the Minister for Planning on 20 July 2007 (MP06_0246).
- For the following:** The upgrade of approximately 11 kilometres of the Hume Highway to achieve four lanes of dual carriageway, between approximately 67 kilometres south of Gundagai to 76 kilometres south of Gundagai referred to as 'Kyeamba Hill'.
- Modification:** Proposed amendments to the alignment in the vicinity of chainages 72050 to 72150, 71500 to 71600 and 70700 to 71600.
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SCHEDULE 2

The Approval is modified by:

1. Delete condition 1.1 and replace with the following:

- 1.1 The Proponent shall carry out the project generally in accordance with the:
- a) Major Projects Application 06_0246;
 - b) *Kyeamba Hill – Hume Highway Duplication – Environmental Assessment* (four volumes), prepared by Sinclair Knight Merz Pty Ltd and Manidis Roberts Pty Ltd and dated March 2007;
 - c) *Hume Highway Duplication Concept Plan, Sturt Highway to Tarcutta, Kyeamba Hill and Little Billabong Environmental Assessments – Submissions Report and Revised Statement of Commitments*, dated 26 April 2007, and prepared by NSW Roads and Traffic Authority and as supplemented by correspondence from the NSW Roads and Traffic Authority dated 16 May 2007;
 - d) the modification request dated 2 November 2007 and accompanying report titled *Hume Highway Duplication Sturt Highway to Holbrook – Modification Report Kyeamba Hill Project Approval 06_0246*, prepared by the Northern Hume Alliance;
 - e) the conditions of approval granted by the Minister for Planning for the Hume Highway Duplication Concept Plan (Application Number 06_0314); and
 - f) the conditions of this approval.

2. Delete condition 1.2 and replace with the following:

- 1.2 In the event of an inconsistency between:
- a) the conditions of this approval and any document listed from condition 1.1a) to 1.1d) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - b) any of the documents listed from condition 1.1a) to 1.1d) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. Delete condition 2.8 and replace with the following:

- 2.8 The Proponent shall salvage, through surface collection, identified artefacts from sites K6 and K19 (previously identified as K-PAD-5) in consultation with the DECC and the relevant Aboriginal stakeholders prior to the commencement of construction works that may impact on this site.

4. Delete condition 2.13 and replace with the following:

- 2.13 Prior to the commencement of construction work in proximity to the following items, the Proponent shall complete all excavations and/or archival recordings, including photographic records, for K007- K010, K108, and K201. This shall be undertaken and completed in accordance with the guidelines issued by the Heritage Council of NSW. The areas containing these items shall be clearly identified and fenced until the completion of the archaeological excavations and/or archival recordings.

Any excavation work required for these items shall be overseen by a suitably qualified archaeologist and in accordance with the research design and archaeological excavation methodology that have been developed in consultation with the NSW Heritage Office prior to commencing any archaeological excavation.

Within six months of completing the above work, the Proponent shall submit a report containing the findings of the excavations and archival recordings to the Heritage Council of NSW, the local Council and the local Historic Society. This report shall nominate an agreed repository for the relics salvaged from any excavations along the proposed corridor.

5. Insert the following after condition 2.13:

2.13A. Prior to the commencement of operation, the Proponent shall ensure that landscaping in the vicinity of site K303 is implemented in a manner that is sympathetic with the landscape heritage values of this site, in consultation with the NSW Heritage Office.

