

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 29 August 2007 (MP06_0248).

For the following: The upgrade of approximately 12 kilometres of the Hume Highway to achieve four lanes of dual carriageway, between approximately 98 kilometres south of Gundagai to 110 kilometres south of Gundagai referred to as 'Yarra Yarra to Holbrook'.

Modification: Proposed amendments to the alignment in the vicinity of chainages 108700 and 101100 to 101400.

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_0248;
 - b) *Yarra Yarra to Holbrook – Hume Highway Duplication – Environmental Assessment* (four volumes), prepared by Connell Wagner Pty Ltd and Parsons Brinckerhoff Australia Pty Ltd and dated April 2007;
 - c) *Hume Highway Duplication Yarra Yarra to Holbrook and Woomargama to Mullengandra Environmental Assessments – Submissions Report and Revised Statement of Commitments*, dated June 2007, and prepared by NSW Roads and Traffic Authority and as supplemented by correspondence from the NSW Roads and Traffic Authority dated 27 July 2007;
 - d) the modification request dated 6 November 2007 and accompanying report titled *Hume Highway Duplication Sturt Highway to Holbrook – Modification Report Yarra Yarra to Holbrook Project Approval 06_0248*, 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) on 20 July 2007; 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 2.7 and replace with the following:

- 2.7 The Proponent shall salvage, through surface collection, identified artefacts from sites YY8, YY9, YY10, YY13, YY15, YY16 and YY18 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 2.10 and replace with the following:

- 2.10 Prior to the commencement of construction, the Proponent shall complete site specific heritage investigations for Site H003, Site H009 and Site H103 and shall investigate the options to avoid or minimise the impacts on this site in the final design of the alignment.

Should excavation and/or archival recordings be required for this site as a result of the investigation, the Proponent shall undertake these works in the same manner as required by condition 2.11 of this approval.

A suitably qualified archaeologist shall be present during initial ground breaking activities in relation to each of the above sites.

5. Delete condition 2.11 and replace with the following:

2.11 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 H006, H007, H008, H104, H105, H202, H203, H204, H302, H303, H305, H304 and H306. 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. The Construction Heritage Management Plan required by this approval shall be suitably updated to incorporate the mitigation and management measures associated with the excavation works.

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.

