

# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 4 April 2013, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Director, Infrastructure Projects

Sydney

17 March

2014

### SCHEDULE 1

**Project Approval:**

07\_0112 granted by the Minister for Planning and Infrastructure on 19 July 2011

**For the following:**

The construction and operation of an approximately 42 kilometres four lane divided carriageway upgrade of the Pacific Highway between Warrell Creek and Urunga

**Modification:**

07\_0112 MOD 6: Amendment of Condition C15 to delete reference to 'vegetation group remnant forest' conservation area

## SCHEDULE 2 CONDITIONS

1. Replace condition A1 with new condition A1 as follows:

- A1 The Proponent shall carry out the project generally in accordance with the:
- (a) Major Projects Application 07\_0112;
  - (b) *Upgrading the Pacific Highway – Warrell Creek to Urunga – Environmental Assessment (Volumes 1 and 2)*, prepared by Sinclair Knight Merz Pty Ltd for the NSW Roads and Traffic Authority and dated January 2010;
  - (c) *Upgrading the Pacific Highway – Warrell Creek to Urunga – Environmental Assessment Submissions and Preferred Project Report*, prepared by the NSW Roads and Traffic Authority and dated November 2010;
  - (d) Letter from the NSW Roads and Traffic Authority titled *Pacific Highway Upgrade – Warrell Creek to Urunga Upgrade Addendum to Submissions Report – Fauna Crossing Structures*, dated 25 May 2011 and accompanying attachments and Letter from the NSW Roads and Traffic Authority titled *Pacific Highway Upgrade – Warrell Creek to Urunga Upgrade Addendum to Submissions Report – Fauna Crossing Structures*, dated 1 June 2011 and accompanying attachment;
  - (e) The Roads and Maritime Services modification request and letter dated 23 October 2012 (07\_0112 MOD1);
  - (f) The Roads and Maritime Services modification request and letter dated 23 November 2012 to correct a minor error in condition C28 (07\_0112 MOD2);
  - (g) The Roads and Maritime Services modification request and letter dated 18 January 2013 to correct minor errors in condition A1 (07\_0112 MOD3);
  - (h) The Roads and Maritime Services modification request and letter dated 13 February 2013 to amend the definition of construction in Schedule 1 (07\_0112 MOD4);
  - (i) The Roads and Maritime Services modification request and letter dated 9 September 2013 to amend the heritage management requirements in conditions C16 and C27 (07\_0112 MOD5);
  - (j) The Roads and Maritime Services modification request and letter dated 12 February 2014 to delete reference to 'vegetation group remnant forest' conservation area in condition C15 (07\_0112 MOD6); and
  - (k) The conditions of this approval.

2. Replace condition A2 with new condition A2 as follows:

- A2 In the event of an inconsistency between:
- (a) the conditions of this approval and any document listed from condition A1(a) to A1(j) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
  - (b) any document listed from condition A1(a) to A1(j) inclusive, and any other document listed from condition A1(a) and A1(j) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. Replace condition C15 with new condition C15 as follows:

- C15 The Proponent shall not destroy, modify or otherwise physically affect the following historic sites: the ferry/punt crossing at Boulton Hill; old municipal tip; Valla Gold Mine; former stock route; tramway and quarry, Martells Road; and the native swamp conservation area.