

# 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 1 October 2011, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.

*Felicity Greenway*

A/Director, Infrastructure Projects

Sydney

*26 October*

2012

### SCHEDULE 1

**Project Approval:**

05\_0044 granted by the Minister for Planning on 9 July 2007

**For the following:**

A dual carriageway highway bypass to be constructed to the east of Bulahdelah, starting approximately 4.5 kilometres south of Bulahdelah and connecting to the existing highway approximately 4 kilometres to the north of the town. The project includes interchanges to the south and north of the town, allowing access to Bulahdelah.

**Modification:**

05\_0044 MOD 1: Amendment of condition 6.5 to remove the requirement to prepare an operational environmental management plan and instead require the project to be integrated into an existing environmental management system.

## **SCHEDULE 2**

**The approval is modified by:**

### **Terms of Approval**

1. Relacing condition 1.1 with new condition 1.1 as follows:

1.1 The Proponent shall carry out the project generally in accordance with the:

- a) Major Projects Application 05\_0044;
- b) Bulahdelah – Upgrading the Pacific Highway: Environmental Impact Statement (seven volumes), prepared by Parsons Brinckerhoff Australia Pty Limited and dated November 2004;
- c) Bulahdelah – Upgrading the Pacific Highway: Submissions Report, prepared by RTA Environmental Technology and dated October 2006;
- d) The Modification Application (05\_0044 MOD 1) dated 19/9/2012 and modification request Bulahdelah Bypass Proposed Modification to the Project Approved, September 2012; and
- e) the conditions of this approval.

2. Replacing condition 1.2 with new condition 1.2 as follows:

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 document listed from condition 1.1a) to 1.1d) inclusive, and any other document listed from condition 1.1a) to 1.1d) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. Replacing condition 6.5 with new condition 6.5 as follows:

6.5. Prior to the commencement of operation, the proponent shall incorporate the project into its existing environmental management systems and shall ensure that key operational environmental impacts are monitored and managed, including but not limited to:

- a) ecological factors;
- b) heritage sites;
- c) noise impacts; and
- d) soil erosion and the discharge of sedimentation and other pollutants.