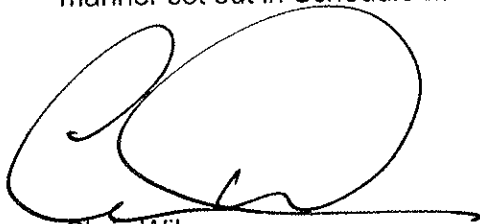


# Modification of Minister's Approval

## 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.



Chris Wilson  
Executive Director,  
Major Project Assessments

Sydney,

28 November 2008

File No: S07/01278

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### SCHEDULE 1

**Project Approval:**

granted by the Minister for Planning on 14 December 2006

**For the following:**

The upgrade of a 22.2 km section of the Pacific Highway from south of Johns River to north of Herons Creek Public School, on the NSW Mid North Coast, to a four-lane divided road, in the Greater Taree and Port Macquarie-Hastings local government areas.

**Modification:**

Proposed amendment to the wording of condition 29, in relation to construction hours.

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## **SCHEDULE 2**

### **The Approval is modified by:**

1. Delete condition 29 and replace with the following:

- 29 Construction must be restricted to between the hours of 6:00 am to 6:00 pm (Monday to Friday), 7:00 am to 4:00 pm (Saturday) and at no time on Sundays and public holidays except:
- (a) any works that do not cause construction noise to be audible at any sensitive receivers; or
  - (b) for the delivery of materials required outside these hours by the Police or other authorities for safety reasons; or
  - (c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or
  - (d) any other work as agreed through negotiations between the Proponent or their contractors and potentially affected Sensitive Receivers. Any such agreement must be recorded in writing and a copy kept on site for the duration of the works; or
  - (e) where the work is identified in the Construction Noise and Vibration Management Sub Plan and approved as part of the CEMP.

Local residents and the DECC must be informed of the timing and duration of work approved under items (d) and (e) at least 48 hours before that work commences.