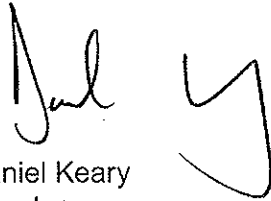


# Modification of Minister's Approval

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

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



Daniel Keary  
Director  
Infrastructure Projects

Sydney 13 SEPTEMBER 2010

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### SCHEDULE 1

**Project Approval:**

05\_0045 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:**

05\_0045 MOD2 - proposed modification to the wording of condition 31, in relation to operational noise monitoring

## SCHEDULE 2

The approval is modified by:

1. Deleting condition 1 and replacing with the following:

1. The Project must be carried out consistent with:

- a) the procedures, safeguards and mitigation measures identified in the EIS as modified by the Submissions Report;
- b) the measures, controls and commitments made for the Project listed in the amended Table 6.1 of the Submissions Report as given in SCHEDULE 3;
- c) modification request dated 29 October 2008 (05\_0045 MOD 1) regarding construction hours;
- d) modification request MP05\_0045 MOD 2, including correspondence from the RTA to the Department dated 30 July 2010 and 18 August 2010, regarding operational noise monitoring; and
- e) these Conditions.

These Conditions prevail in the event of any inconsistency with the requirements for the Construction and Operation of the Project arising out of the documents described in (a) to (d) above.

2. Deleting condition 31 and replacing with the following:

31. No later than one year after commencement of operation of the project, or as otherwise agreed by the Director General, the Proponent shall undertake operational noise monitoring to confirm the predicted noise performance of the project against actual noise performance and prepare an Operational Noise Report. The Report shall include, but not necessarily be limited to:
- a) noise monitoring to assess compliance with the operational noise levels predicted in the Operation Noise Management Report and documents specified under condition 1 of this approval;
  - b) a review of the operational noise levels in terms of criteria and noise goals established in the *Environmental Criteria for Road Traffic Noise* (EPA, 1999);
  - c) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers;
  - d) details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared;
  - e) any required recalibrations of the noise model taking into consideration factors such as noise monitoring undertaken and actual traffic numbers and proportions; and
  - f) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all reasonable and feasible mitigation measures; and
  - g) any additional feasible and reasonable measures to those identified in the Operation Noise Management Report that would be implemented with the objective of meeting the criteria outlined in the *Environmental Criteria for Road Traffic Noise* (NSW EPA, 1999), when these measures would be implemented and how their effectiveness would be measured and reported to the Director General and the DECCW.

The Proponent shall provide the Director General and the DECCW with a copy of the Operational Noise Report within 90 days of completing the operational noise monitoring referred to in a) above, or as otherwise agreed by the Director General.