

RECEIVED
10 APR 2006
Director-General



Mr S Haddad
Director-General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

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Roads and Traffic
Authority
www.rta.nsw.gov.au

Dear Mr Haddad *Sam*

I refer to the approval of 22 December 2005 by the Minister for Planning for the Tugun Bypass, Stewart Road to Kennedy Drive.

The RTA appreciates the efficient and co-operative approach of the Department's staff in progressing the assessment and approval of this project. However, the RTA has become aware of a number of minor matters in the Conditions of Approval which it considers require amendment.

The proposed amendments have been discussed between staff from the Department and the RTA and have been agreed in principle. They are noted in the attachment to this letter.

While the proposed amendments are minor in nature, they are not consistent with the existing approval. In accordance with Section 75W of the *Environmental Planning and Assessment Act 1979*, it is the RTA's view that, while a modified approval is required from the Minister for Planning, no environmental assessment of the proposed amendments is necessary.

I would appreciate your consideration to seeking the modification of the Minister's approval of 22 December 2005 in accordance with the attachment to this letter.

Thank you for your attention to this matter. I look forward to continuing the good working relationship between our agencies in relation to future project approvals under Part 3A of the EP&A Act.

Yours sincerely

Mike Hannon
Mike Hannon
A/Chief Executive

9/4/06

**ATTACHMENT
TUGUN BYPASS
RTA REQUEST FOR AMENDMENTS TO THE CONDITIONS OF
APPROVAL**

Schedule 1 - this description of the Project differs from that in Definitions. The description in Schedule 1 is preferred and should be adopted in the Definitions.

Schedule 2, third para - change "consistent" to "inconsistency"

COA 1(b) and 1 (c) duplicate the same information. COA 1(b) should be deleted and 1(c) should refer to Attachment 1.

13 - This needs to have the standard rider from Database COA 14 - "If the Proponent has an Operation Environmental Management Plan (for example a certified and operating environmental management system) for its other activities which is applicable to this Project then that system may be proposed as the OEMP. Details of the existing system must be provided to the Director-General demonstrating its application to this Project".

23 – Remove reference to ICLR, as none is proposed or required for this project.

24 – Delete. This condition is covered by COA 23

25(b) – Correct error in Roman numbering

30 – Delete "and submitted to the Director-General". There is no need, as the CEMP itself must be submitted to and approved by the DG.

31 – This should refer to construction hours of work in the RTA's Statement of Commitments rather than the Conditions of Approval.

49 - Change "Impact Statement" to "Management Plan". (It might be more appropriate to include this COA in COA 12).