

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.



31.1.08

Executive Director, Major Project Assessments
As delegate for the Minister for Planning

Sydney,

2008

SCHEDULE 1

Project Approval:

granted by the Minister for Planning on 20 July 2007 (MP06_0247).

For the following:

The upgrade of approximately 8 kilometres of the Hume Highway to achieve four lanes of dual carriageway, between approximately 85 kilometres south of Gundagai to 93 kilometres south of Gundagai referred to as 'Little Billabong'.

Modification:

Proposed amendments to the alignment in the vicinity of chainages 88100 to 88700 and 88750 to 88950.

SCHEDULE 2

The Approval is modified by:

1. Delete condition 1.1 and replace with the following:

- 1.1 The Proponent shall carry out the project generally in accordance with the:
- a) Major Projects Application 06_0247;
 - b) *Little Billabong – Hume Highway Duplication – Environmental Assessment* (four volumes), prepared by Sinclair Knight Merz Pty Ltd and Manidis Roberts Pty Ltd and dated March 2007;
 - c) *Hume Highway Duplication Concept Plan, Sturt Highway to Tarcutta, Kyeamba Hill and Little Billabong Environmental Assessments – Submissions Report and Revised Statement of Commitments*, dated 26 April 2007, and prepared by NSW Roads and Traffic authority and as supplemented by correspondence from the NSW Roads and Traffic Authority dated 16 May 2007;
 - d) the modification request dated 20 December 2007 and accompanying report titled *Hume Highway Duplication Sturt Highway to Holbrook – Modification Report Little Billabong Project Approval 06_0247*, prepared by the Northern Hume Alliance;
 - e) the conditions of approval granted by the Minister for Planning for the Hume Highway Duplication Concept Plan (Application Number 06_0314) on 20 July 2007; and
 - f) the conditions of this approval.

2. Delete condition 1.2 and replace with the following:

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

3. Delete condition 2.8 and replace with the following:

- 2.8 Prior to the commencement of construction, the Proponent shall undertake subsurface testing for sites LB-3, LB4, LB-PAD-1, LB-PAD-2 and LB-PAD-3, and investigate the options to design and construct the project so as to avoid these sites in consultation with the DECC.

Where these sites cannot be avoided, the Proponent shall implement the mitigation and management measures detailed in the Construction Heritage Management Plan required under this approval.

Any salvage (by either surface collection or archaeological excavation) of artefacts detected at these sites shall be conducted in the same manner as required under condition 2.7 of this approval.