



Hume Highway Duplication Project Southern Alliance – Woomargama to Table Top

MODIFICATION REPORT WOOMARGAMA TO
MULLENGANDRA - PROJECT APPROVAL 06_249

- 19 February 2008



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Abigroup Project Number: 221330
RTA Project Number: D/00310/T/SA
SKM Project Number: IN90304



A Team consisting of RTA, Abigroup and SKM
to duplicate the Hume Highway from Woomargama to Table Top

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1. Introduction

1.1 Background

The Hume Highway Duplication Project is a federally funded upgrade of the existing Hume Highway between the Sturt Highway and Table Top. The project is being delivered through two alliances (Northern and Southern). This document relates to the proposed new impacts to Non-Aboriginal heritage items for the section of highway between Woomargama and Mullengandra (the Project) to be delivered by the Hume Highway Southern Alliance (HHSA). The Southern Alliance comprises the RTA (the Owner Participant), and Abigroup and Sinclair Knight Merz (the Non-Owner Participants). A site location plan of the approved alignment is shown in **Figure 1.1**.

The scope of work includes design and construction, and excludes operation and maintenance. The Project measures approximately 32 km in length and principally involves construction of a second carriageway. Access will be provided with local roads and properties and an interchange will be constructed in the vicinity of Bells Road.

The HHSA project is comprised of two sections of road that have been considered under different planning requirements, and are subject to different sets of Ministerial Conditions of Approval (MCoA).

The Mullengandra to Table Top section is part of the National Highway project approved by the then Acting Minister for Planning on 23 January 1998 and which was assessed under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Woomargama to Mullengandra section, assessed under Part 3A of the EP&A Act, was approved by the Minister for Planning in terms of Concept Approval, on 20 July 2007; and in terms of the Project Approval, on 29 August 2007. Under the provisions of the Act, the section of the highway between Table Top and Mullengandra is a deemed Part 3A project.

This report describes changes to the alignment during the detailed design phase and the consequential new impacts not addressed in the Project Approvals for the Woomargama to Mullengandra section of the Project. These changes are:

- Design refinement in the vicinity Chainage 140500 within and surrounding the Crown Road Reserve to accommodate property access and alter batter widths will result new impacts to M003 “Agricultural Feature” M005 “Historical Road Reserve”;

- Design developments between Chainage 133900 and 134300 to enable the continued use of Item M008/M208 “Road remnant (old line of road)”¹ as a rest area and for access to a nearby property will result in minor new impacts to this item; and
- Design enhancement around Chainage 139550 which has resulted in new impacts to M101 “George Pett’s Mayfield and M212 “Hamilton and Head Family Memorial”.

These changes in alignment are generally consistent with the overall Hume Highway Duplication Project(s) and if approved under Part 3A(75W) of the EP&A Act are permissible within the relevant land use zonings.

¹ It should be noted that Item M008 “Track/path (old line of road) and Item M208 “Road remnant” are actually the same heritage item. This Item has both archaeological and built heritage significance, hence there are two reference numbers for the same heritage item.



■ Figure 1.1 Location and Alignment of the approved project

1.2 Purpose and Objectives of the Modification Report

Following the granting of Concept Approval for the duplication project and subsequent Project Approval for the Woomargama to Mullengandra section of the duplication, the HHSA commenced detailed design (on behalf of the RTA). During this process a number of design refinements and additional design elements were identified to improve the road alignment and to maintain standards set in current RTA road design guidelines.

As a result the HHSA prepared a Consistency Assessment to assess the consistency of HHSA design alterations with the Project “Woomargama to Mullengandra” as approved by the Minister for Planning in terms of Concept Approval, on 20 July 2007; and in terms of the Project Approval, on 29 August 2007 (Refer **Appendix A**). This assessment concluded that the detailed design has resulted in new impacts to five(5) Non-Aboriginal heritage items which are inconsistent to those described and identified in the Environmental Assessment for Woomargama to Mullengandra (RTA, 2007) .

This report identifies and describes new impacts to the following items of Non-Aboriginal heritage significance which are located at specific chainages along the road alignment:

- M003 “Agricultural Feature”
- M005 “Historical Road Reserve”
- M008/M208 “Road remnant (old line of road)”
- M101 “George Pett’s Mayfield”
- M212 “Hamilton and Head Family Memorial”

Section 75W of the *EP&A Act* regulates the modification of a Part 3A Approval. It provides that the proponent may request that the Minister for Planning modify a project approval, where the proponent intends to modify the project so that it would be inconsistent with the approval. This report has been prepared as supporting documentation for the intended modification.

The request for the Minister for Planning’s approval will be lodged with the Director-General of the Department of Planning. The Director-General may notify the proponent of the Environmental Assessment (EA) requirements with respect to the proposed modification.

The purpose and objective of this report is to assess the environmental impacts of the proposed modifications to the satisfaction of the Director-General of the Department of Planning and to comply with all relevant statutory requirements. The Minister may modify the Project approval (with or without conditions) or not approve of the modification in accordance with Section 75W(4) of the *EP&A Act*.

2. Description of the Approved Project

The primary objective of the Project is to duplicated 10 km of existing single carriageway between Woomargama and Mullengandra. The main features of the Project are:

- Construction of entry and exit lanes to the existing rest area at Blue Metal Hill to the new southbound carriageway;
- Provision of access points to the carriageways from the properties and paddocks that front the existing Hume Highway through the extent of the Project;
- Provision of drainage culverts at the various Creek crossings;
- Realignment of Mullengandra and Ryans Creeks;
- Retention of the existing Hume Highway as a proposed carriageway of the new duplication between Mullengandra Creek and the Project extents at Mullengandra;
- An at-grade intersection with Mountain Creek Road;
- Provision of a Service Road south of Mountain Creek Road. This road services the adjacent school and church; and
- Construction of entry and exit lanes to the existing rest area to the north of Mountain Creek Road.

The Hume Highway is a route of strategic national significance serving intrastate and interstate users, and it is the main freight transport corridor between Sydney and Melbourne. Hence the Project also adopts the objectives set by AusLink National Network which supports national economic growth by developing sustainable transport solutions that:

- Increase its infrastructure handling capacity and efficiency;
- Improve safety and security;
- Improve transport productivity on its nationally strategic and export orientated freight corridor;
- Improve reliability of travel on interstate and inter regional corridors; and
- Are consistent with the variable, long-term economic and social outcomes and with the obligations to current and future generations to sustain the environment

The Project starts south of Fairbairn Road, Woomargama and extends 10km south finishing north of Sweetwater Road near Mullengandra.

3. Description and Justification for Changed Alignment

The detailed design of the Hume Highway between Woomargama and Mullengandra has had to accommodate a large number of design elements not fully considered within the RTA concept design under the current Project approval.

Design elements including batter slopes, geometry, drainage, property access and alignment not incorporated in the concept design have had an impact on the alignment within Woomargama to Mullengandra section of the Hume Highway Duplication. This has led to an increase in the construction footprint at specific chainages resulting in new impacts to Non-Aboriginal heritage sites i.e. M003, M005, M008/M208, M101 and M212

Total avoidance of impacts on these items was not possible due to the geometric design requirement necessary to achieve a safe operating highway (to current RTA road safety design standards) whilst also minimising other environmental impacts (i.e. to biodiversity) throughout the adjoining areas of the road corridor. The dispersed nature of Non-Aboriginal heritage sites along the Project corridor makes it very difficult to integrate avoidance of these sites with other safety and environmental considerations.

The Environmental Assessment (EA) notes that the Project will have nil heritage impacts (i.e. outside the footprint of the proposed development) on Item M003 “Agricultural Feature” and records its location as 4 metres inside the road reserve boundary fence within 5 meters of the proposed works. The proposed changes at this site are a result of standard design developments to refine the batter geometry that were not fully developed at the concept design stage. These design developments have increased the batter width leading to a new impact on M003.

Item M005 “Historical Road Reserve” at Chainage 140500 is located within land designated as a Crown Road Reserve. The EA states that the Project will have nil heritage impacts on this item and confirms its location as being within 5 meters of the proposed works. The alignment at this location has been refined to accommodate access into a nearby property via this Crown Road Reserve. This has subsequently increased the construction footprint causing a new impact on M005.

As discussed in **Section 1.1** Item M008 “Track/path (old line of road) and Item M208 “Road remnant” are actually the same heritage item. This item has both archaeological and built heritage significance, hence has two reference numbers. The EA states that proposed works will have nil heritage impacts on the archaeological significance and a minimal (i.e. proposed development will have no adverse impact on a significant component) heritage impact on the built heritage significance of this item. Design developments in the vicinity of this Item, specifically between Chainage 133900 and 134300 to enable its continued use as a rest area and for access to a nearby property will result in minor new impacts to this item.

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The western boundaries of M101 “George Pett’s Mayfield” and M212 “Hamilton and Head Family Memorial” were 5 to 10 meters away from the proposed alignment at the concept design stage. Consequently the EA concluded that the Project would have nil heritage impacts on these items. The design has been modified since this stage to incorporate a wider median in accordance with current RTA road safety design standards to permit safe access to nearby properties. This has increased the footprint of the alignment leading to new impacts to these adjacent sites.

4. Assessment of Consistency with the Approved Project

4.1 Review of Conditions of Approval

Appendix A provides a review of the changed alignment against the Minister's Conditions of Approval (MCoA) and the Final Statement of Commitments (SoC) for the Approved Project (Concept Approval (06_0314) and Woomargama to Mullengandra (06_0249)). The following table addresses the Minister's Conditions of Approval where the changed alignment was determined to be inconsistent with the Approved project. It should be noted that all proposed changes have been determined consistent with the Statement of Commitments.

■ Table 4-1 Consistency of Changed Alignment with MCoA's and Soc's

Conditions of Approval		Comment
MCoA - Woomargama to Mullengandra (06_0249)		
2.11	<p>Non-Aboriginal Heritage</p> <p>Prior to the commencement of construction, the Proponent shall complete a site specific heritage investigation for Site M100 and Site M212 and shall investigate the options to avoid or minimise the impacts on this site in the final design of the alignment.</p> <p>Should excavation and/or archival recordings be required for these sites as a result of the investigation, the proponent shall undertake these works in the same manner as required by condition 2.12 of this approval.</p>	<p>Site specific heritage investigations have been completed for sites M100 "Wine Shanty" and M212 "Hamilton and Head Family Memorial". This included an archaeological test excavation around the Hamilton and Head Family Memorial which conclusively determined that there were no burials at this location.</p> <p>Where the Project impacts Item M100 "Wine Shanty" and M212 "Hamilton and Head Family Memorial" the HHSA has investigated options to avoid or minimise impacts. However, to maintain standards set in the current RTA road safety design guidelines regarding median width to maintain safe property access, it is not possible to completely avoid or minimise impacts to this site.</p> <p>The detailed design at M100 "Wine Shanty" is consistent with the Approved Project. While the design changes around Chainage 139550 have increased the construction footprint resulting in a new impact on M212 "Hamilton and Head Family Memorial". At this specific location the detailed design is not consistent with the Project as described in the Environmental Assessment (EA) in that there are new impacts and as such will be outlined in a</p>

		Modification request to the Department of Planning.
2.12	<p>Prior to the commencement of construction work in the proximity of the following items, the Proponent shall complete all investigations and/or archival recordings, including photographic records for M001, M004, M211 and M203. This shall be undertaken and completed in accordance with the guidelines issued by the Heritage Council of NSW. The areas containing these items shall be clearly identified and fenced until the completion of the archaeological excavations and/or archival recordings.</p> <p>Any excavation work required for these items shall be overseen by a suitably qualified archaeologist and in accordance of the research design and archaeological excavation methodology that have been developed in consultation with the NSW Heritage Office prior to commencing any archaeological excavation. The Construction Heritage Management Plan required by this approval shall be suitably updated to incorporate the mitigation and management measures associated with the excavation works.</p> <p>Within six months of completing the above work, the Proponent shall submit a report containing the findings of the excavations and archival recordings to the Heritage Council of NSW, the local Council and the Local Historic Society. This report shall nominate an agreed repository for the relics salvaged from any excavations along the proposed corridor.</p>	<p>All archival recording has been completed for M001, M004, M006, M211 and M203.</p> <p>The detailed design has resulted in new impacts to M003 “Agricultural Feature”, M005 “Historic Road Reserve”, M008/M208 “Road remnant (old line of road)” and M101 “George Pett’s Mayfield”. At these specific locations the detailed design is not consistent with the Project as described in the EA in that there are new impacts and as such will be outlined in a Modification request to the Department of Planning.</p> <p>As discussed in Section 1.1 the EA records Item M008/M208 “Road remnant (old line of road)” as an item of both archaeological and built heritage significance. Hence it has effectively been counted in the overall summary of heritage items twice and there are two reference numbers for the same heritage item.</p> <p>In addition the EA records Item M003 as of local heritage significance, with a nil heritage value (refer EA <i>Technical Paper 2: Historical Archaeological Impact Assessment</i>). Supplementary historical research undertaken for M003 concludes that this site does not have any significant heritage values and is not a locally significant heritage item. The EA also notes Item M005 as being within 5 meters of the proposed works and of local (potential state) heritage significance. Supplementary historical research undertaken for this site concludes that this site is an historical road reserve with locally significant heritage and aesthetic values.</p>

4.2 Consistency

The Consistency Assessment presented in **Appendix A** examines the proposed design alterations to determine whether they remain consistent with the Woomargama to Mullengandra Project Approval. The assessment determined that proposed design alterations do not result in a substantial change to the Project and remain consistent with the objectives and function of the Hume Highway Duplication Project approved by the Minister for Planning in terms of Concept Approval, on 20 July 2007; and in terms of the Project Approval, on 29 August 2007. The proposed design alterations simply refine the Project to enable it to better meet its objectives.

However, impacts to a number of items of Non-Aboriginal heritage significance resulting from the design developments are not consistent with those identified in the Environmental Assessment - Woomargama to Mullengandra (RTA 2007) and the Minister's Conditions of Approval (Woomargama to Mullengandra) for particular impacts on heritage.

Consequently, the proposed changes in the Woomargama to Mullengandra detailed design alignment are not consistent with the Project approvals (Woomargama to Mullengandra) and a request to modify this approval is sought from the Minister for Planning in accordance with Section 75W of the EP&A Act.

5. Environmental Assessment

5.1 Non-Aboriginal Heritage

5.1.1 Impacts of the Approved Project

The study of Non-Aboriginal heritage for the Environmental Assessment (EA) of the Woomargama to Mullengandra Hume Highway Duplication (RTA, 2007) incorporated specialist studies of historical archaeology, built heritage and landscape heritage as follows:

- Historical Archaeological and Development Impact Assessment (Cultural Heritage Connections and AHMS, 2006)
- Landscape Heritage Assessment (Cultural Heritage Connections, 2006); and
- Built Heritage Assessment (Graham Brooks and Associates, 2006).

These heritage assessments included desktop reviews of heritage listings, surveys of the road corridor to identify items of landscape, archaeological and built heritage and reviews of historical aerial photographs to identify areas of interest. Overall, 35 heritage items were identified within the study area consisting of:

- 10 historical archaeological sites (M001, M003 to M008, M100 to M102);
- 11 sites with built heritage value (M201 to M211); and
- 13 landscape heritage items (M301 to M313).

It should be noted that three road remnants (i.e. old road lines) have been recorded as items of archaeological and built heritage significance, hence they have effectively been counted in the overall summary of heritage items twice and there are two reference numbers for the same heritage item.

Of the 35 sites identified, the EA states five(5) would be directly impacted, three (3) would have a high impact, seven(7) would have a moderate impact, twelve (12) would have minimal impacts and a further seven (8) sites would not be impacted. It should be noted that M212 “Head and Hamilton Family Memorial” was determined to have nil heritage significance.

5.1.2 Impacts of the Changed Project

The changed alignment at Chainages 140850, 140500 to 140530, 139350, 139660 to 139680 and 133900 and 134300 results in new impacts upon M003 “Agricultural Feature”, M005 “Historical Road Reserve”, M101 “George Pett’s Mayfield”, M212 “Head and Hamilton Family Memorial” and M008/M208 “Road remnant (old line of road)” respectively. The changed alignment would not decrease any impacts to any affected Non-Aboriginal heritage items.

■ Figure 5.1 Non-Aboriginal Heritage Sites – Consistency with the Approved Project

Site	Site Type	Heritage Type	Heritage Significance	Approved Project Impact	Impact Consistent with Approved Project
M001	Track/Path (old line of road)	Archaeological	Local	Direct	Yes
M003	Agricultural ditch	Archaeological	Local	Nil Impact	No
M004	Dam	Archaeological	Local	Direct	Yes
M005	Artefact scatter, buried structural remains, historic plantings	Archaeological	Local (potential state)	Nil Impact	No
M006	Dam	Archaeological	Local	Direct	Yes
M007 (M209)	Road remnant (old line of road)	Archaeological Built	Local	Nil Impact minimal	Yes
M008 (M208)	Road remnant (old line of road)	Archaeological Built	Local	No Impact minimal	No
M100	The Wine Shanty	Archaeological	Local (potential state)	Direct	Yes
M101	George Pett’s Mayfield	Archaeological	Local	Nil Impact	No
M102 (M210)	Road remnant	Archaeological and built	Local	Direct / minimal	Yes
M201	Cottage ‘Old Wyola’	Built	Local	Minimal	Yes
M202	‘Montrose’ cottage and various sheds	Built	Local	Nil Impact	Yes
M203	‘The Hermitage’ cottage and immediate setting	Built	Local	Moderate	Yes
M204	‘Old Lumeah’ cottage and immediate setting	Built	Local	Nil Impact	Yes
M205	‘Royal Oak Inn’	Built	State	Moderate	Yes
M206	St Luke’s Anglican	Built	Local	Minimal	Yes
M207	Mullengandra School	Built	Local	Minimal	Yes
M211	Road remnant and bridge	Built	Local	High	Yes

Site	Site Type	Heritage Type	Heritage Significance	Approved Project Impact	Impact Consistent with Approved Project
M212	The Hamilton and Head Memorial	N/A	Nil	N/A	No
M301	Roadside vegetation	Landscape	Local	Moderate	Yes
M302	Native vegetation	Landscape	Local	Minimal	Yes
M303	Roadside vegetation	Landscape	Local	Minimal	Yes
M304	Native vegetation	Landscape	Local	Minimal	Yes
M305	Cultural plant ('Montrose')	Landscape	Local	Moderate	Yes
M306	Cultural planting ('Old Lumeah')	Landscape	Local	Moderate	Yes
M307	Cultural planting ('Lumeah')	Landscape	Local	Moderate	Yes
M308	Native vegetation	Landscape	Local	Moderate	Yes
M309	Cultural planting ('The Hermitage')	Landscape	Local	High	Yes
M310	Mullengandra Landcare Planting	Landscape	Local	High	Yes
M311	Cultural planting (Royal Hotel)	Landscape	Local	Minimal	Yes
M312	Cultural planting (St Lukes Church and Mullengandra Public School)	Landscape	Local	Minimal	Yes
M313	Line of poplars	Landscape	Local	Minimal	Yes

5.1.3 Mitigation Strategy

Item M212 "Head and Hamilton Family Memorial" does not have any heritage values, notwithstanding this the Memorial has social and historical significance to the Hamilton and Head Family Trust. The proposed mitigation measure for M212 is to undertake additional consultation with the Hamilton and Head Family Trust to determine an appropriate relocation site for the Memorial. The HHSA has consulted the Trust with respect to the proposed impacts (Refer **Appendix B**) and the Trust have raised no objections with the proposal.

Additional site specific research has been undertaken for M003 "Agricultural Feature" by HHSA's Non-Aboriginal Heritage Consultants. This research concluded that the site does not have any significant heritage values and is not a locally significant heritage item. Consequently no further mitigation measures are proposed for this item.

Item M005 “Historical Road Reserve” and Item M008/M208 “Road remnant (old line of road)” are of local heritage significance. The proposed mitigation measure to mitigate the impacts on these sites is for archival recording prior to the commencement of construction activities in proximity to these items. Archival recording for these items was completed on 22 January 2008.

Consultation with the Department of Planning, Heritage Office (HO) with respect to proposed new impacts to Items M003, M005, M008/M208 and M212; and the associated mitigation measures was initiated in December 2007. Refer **Appendix C** for evidence of HO consultation regarding the new impacts.

Site specific research has been completed for M101 “George Pett’s Mayfield”. The research indicated that relics (as defined by the NSW *Heritage Act 1977*) associated with historical occupation at the site will be impacted within the construction clearing area and concluded that such relics have local heritage significance and high archaeological potential. A research design and archaeological excavation methodology has been developed for this item. This document is has been submitted to the Heritage Office for review, as per MCoA 2.12 (Refer **Appendix C** for evidence of HO consultation).

6. Environmental Safeguards

The HHSA propose that the Conditions of Approval that apply to the Project will also apply to the road alignment under the detailed design. These Conditions of Approval are comprehensive and adequate to manage that change in location, magnitude and extent of potential adverse environmental impacts that could be caused by the proposed changes to the Project. Minor amendments to the Conditions of Approval should be considered in relation to new impacts on Non-Aboriginal heritage caused by the proposed changes, as outlined in **Table 6-1** below.

■ **Table 6-1 Proposed Amendment to the Minister's Conditions of Approval**

MCoA Approved Project	Proposed Amendment to the MCoA
Non-Aboriginal Heritage	
<p>2.11 Prior to the commencement of construction, the Proponent shall complete a site specific heritage investigation for Site M100 and Site M212 and shall investigate the options to avoid or minimise the impacts on this site in the final design of the alignment.</p> <p>Should excavation and/or archival recordings be required for these sites as a result of the investigation, the proponent shall undertake these works in the same manner as required by condition 2.12 of this approval.</p>	<p>M101 "George Pett's Mayfield" should be added to MCoA 2.11. The proposed mitigation measure for M101 is to complete site specific heritage investigations and if required archival recording and/or an archaeological excavation program across the site.</p>
<p>2.12 Prior to the commencement of construction work in the proximity of the following items, the Proponent shall complete all investigations and/or archival recordings, including photographic records for M001, M004, M211 and M203. This shall be undertaken and completed in accordance with the guidelines issued by the Heritage Council of NSW. The areas containing these items shall be clearly identified and fenced until the completion of the archaeological excavations and/or archival recordings.</p> <p>Any excavation work required for these items shall be overseen by a suitably qualified archaeologist and in accordance of the research design and archaeological excavation methodology that have been developed in consultation with the NSW Heritage Office prior to commencing any archaeological excavation. The Construction Heritage Management Plan required by this approval shall be suitably updated to incorporate the mitigation and management measures associated with the excavation works.</p> <p>Within six months of completing the above work, the Proponent shall submit a report containing the findings of the excavations and archival recordings to the Heritage Council of NSW, the local Council and the Local Historic Society. This report shall nominate an agreed repository for the relics salvaged from any</p>	<p>M005 "Historical Road Reserve" and Item M008/M208 "Road remnant (old line of road)" should be added to MCoA 2.12. Archival recording should be included as the proposed mitigation measure.</p>

MCoA Approved Project	Proposed Amendment to the MCoA
excavations along the proposed corridor.	

The detailed design would be carried out in accordance with the Conditions of Approval granted for the Concept Approval (06_0314); the Hume Highway Concept Plan and the final Statement of Commitments

7. Consultation

7.1 Consultation with Stakeholders

The HHSA (on behalf of the RTA) initiated consultation with the Department of Planning, Heritage Office and other relevant stakeholders for the preparation of this Modification Report in order to identify and address specific issues they may have with the proposed new impacts.

Consultation with the Department of Planning, Heritage Office (HO) with respect to proposed new impacts and the associated mitigation measures commenced in December 2007 (refer to **Appendix C** for record of consultation undertaken with the HO). While as discussed in **Section 5.1.3** the Hamilton and Head Family Trust have been consulted regarding the proposed relocation of Item M212 “Hamilton and Head Family Memorial”. The Trust had no concerns with the proposal (refer to **Appendix B** for record of consultation undertaken with the Trust).

8. Conclusion

The detailed design has resulted in new impacts to Non-Aboriginal heritage items at specific locations along the road alignment. At these specific locations the detailed design is not consistent with the Project as described in the EA in that there are new impacts and as such have been outlined in this Modification request to the Department of Planning.

Section 75W(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) provides that the Minister for Planning's approval for a modification is required if the project as modified would not be consistent with the existing approval.

The HHSA has assessed the consequential environmental impacts associated with the detailed design in order to assess whether approval from the Minister for Planning is required to modify the Ministers Conditions of Approval for the Hume Highway Upgrade under Section 75(W) of the EP&A Act.

HHSA considers that the detailed design is generally consistent with the description and assessment of the Project in the EA, however at specific chainages along the alignment where the footprint has increased impacts are not consistent with the Project as described in the EA. As such the HHSA seeks approval from the Minister for Planning for the changed alignment at specific chainages as outlined in this report.

Appendix A Consistency Assessment



Hume Highway Duplication Project Southern Alliance – Woomargama to Table Top

CONSISTENCY ASSESSMENT WOOMARGAMA TO
MULLENGANDRA - PROJECT APPROVAL 06_249

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1. Introduction

1.1 Background

The Hume Highway Duplication Project is a federally funded upgrade of the existing Hume Highway between the Sturt Highway and Table Top. The project is being delivered through two alliances (Northern and Southern). The Hume Highway Southern Alliance (HHSa) comprises the RTA (the Owner Participant), and Abigroup and Sinclair Knight Merz (the Non-Owner Participants).

Following the granting of Concept Approval for the Duplication project and subsequent Project Approval for the Woomargama to Mullengandra section of the upgrade, the HHSa commenced detailed design (on behalf of the RTA). As a result the HHSa has prepared a Consistency Assessment to assess the consistency of HHSa design alterations with the Approved Project “Woomargama to Mullengandra” Conditions of Approval. This document assesses the consistency of proposed impacts to Non-Aboriginal heritage items with respect to the Approved Project “Woomargama to Mullengandra” Conditions of Approval..

Where changes to the alignment are such that it is deemed inconsistent and that consequential environmental impacts differ from the Approved Project, an assessment of the identified impacts will be prepared as part of a modification request to the Director General of the Department of Planning.

1.2 Description of Changed Alignment

The detailed design of the Hume Highway between Woomargama and Mullengandra has had to accommodate a large number of design elements not able to be fully considered within the RTA concept design under the Approved Project.

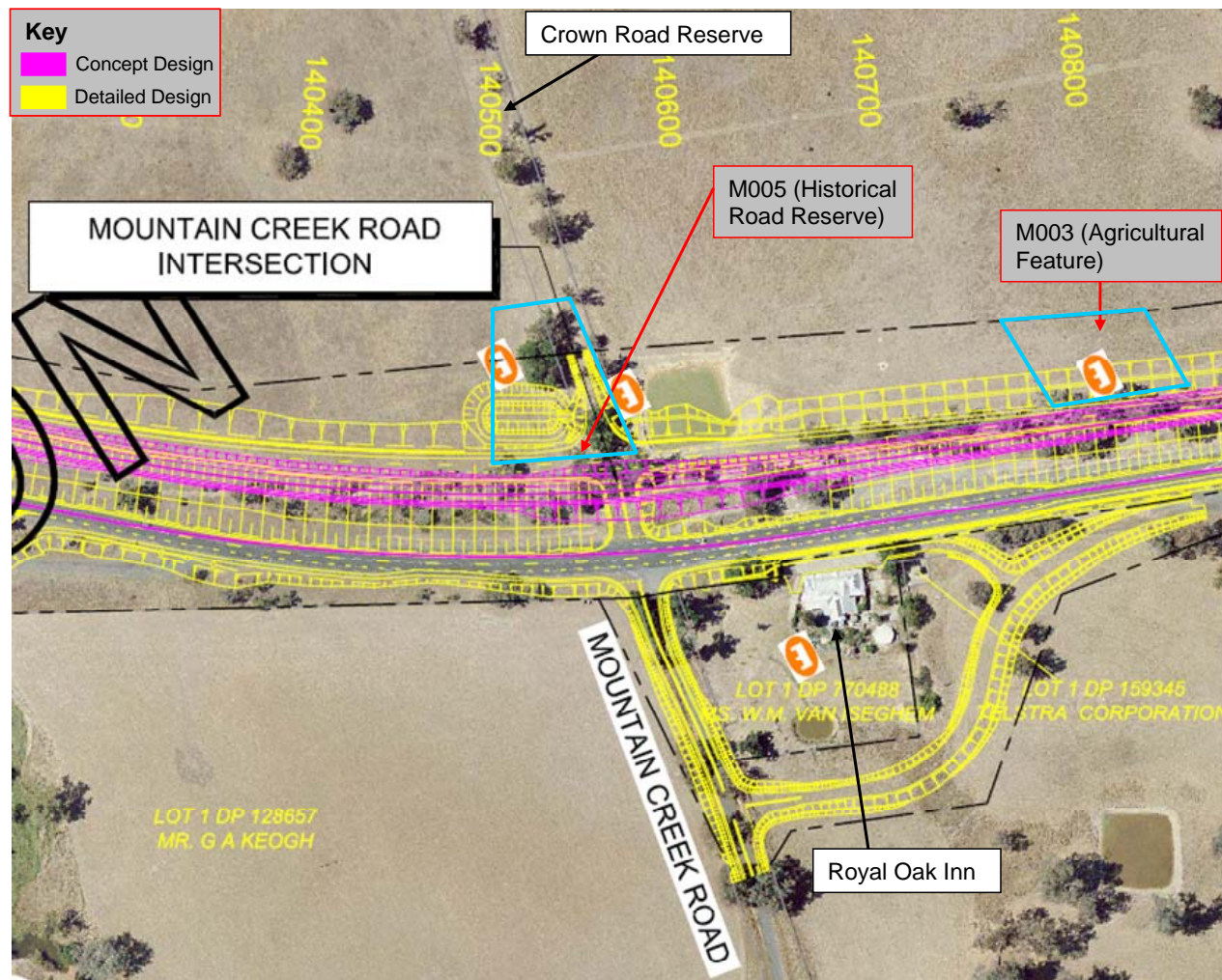
There are no major changes in the alignment of the road upgrade. However, design elements including batter slopes, drainage, property access and median widths have changed in places resulting in the potential for some additional impacts. There has been an increase in the construction footprint at specific chainages resulting in new impacts to Non-Aboriginal heritage sites (e.g. M003 “Agricultural Feature”, M005 “Historical Road Reserve”, M008/M208 “Road remnant (old line of road)”, M101 “George Pett’s Mayfield” and M212 “Hamilton and Head Family Memorial”) (Refer **Figure 1-1**, **Figure 1-3** and **Figure 1-3** respectively).

The changed Woomargama to Mullengandra footprint impacting on Non-Aboriginal Heritage items consists of the following features at the following chainages (indicating distance in metres south of Gundagai). At these points the detailed design differs slightly from the Approved Project.

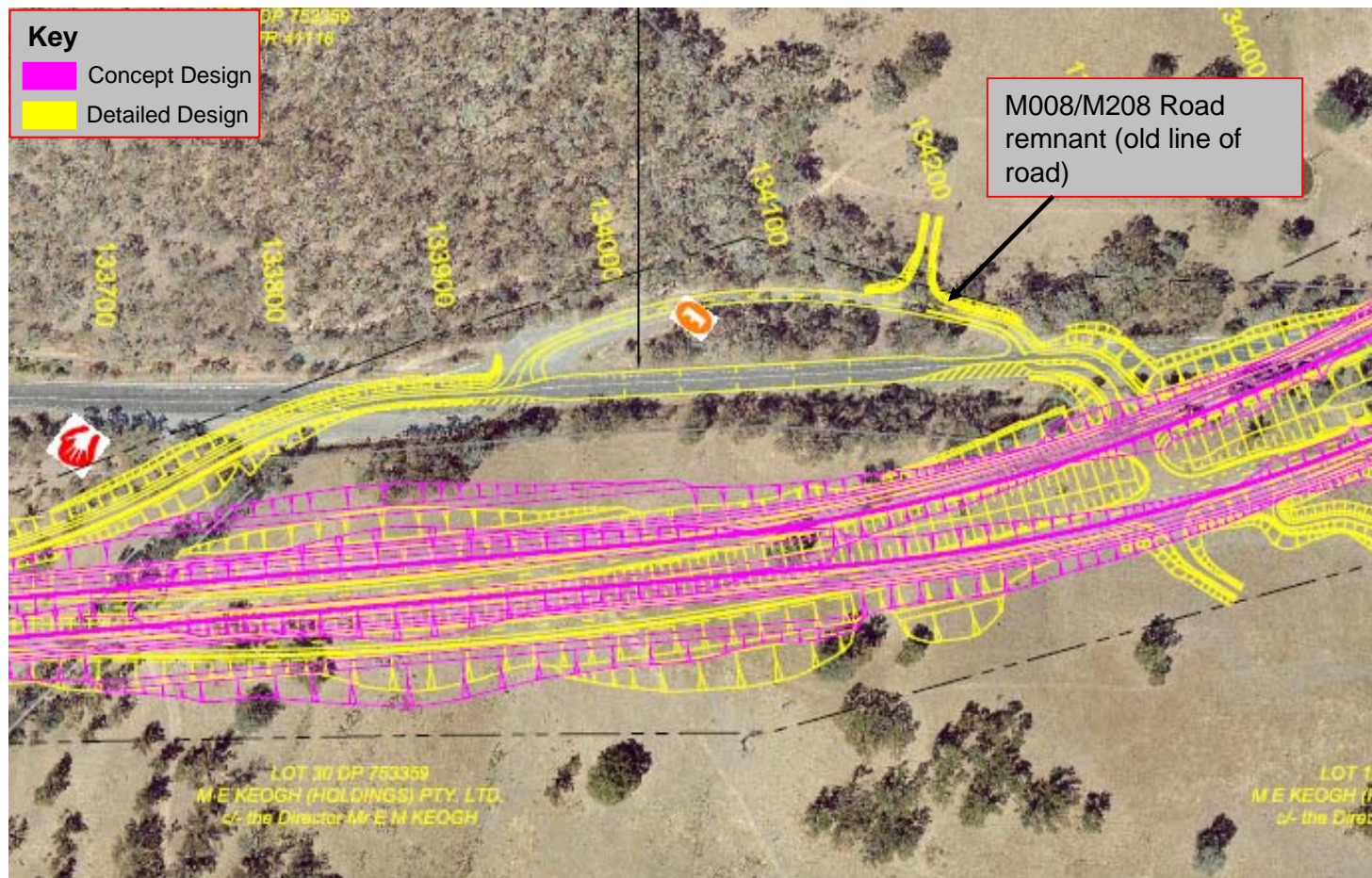
Table 1-1 describes the locations where the footprint has increased and consequent impacts.

■ **Table 1-1 Design elements and footprint alterations from the detailed design**

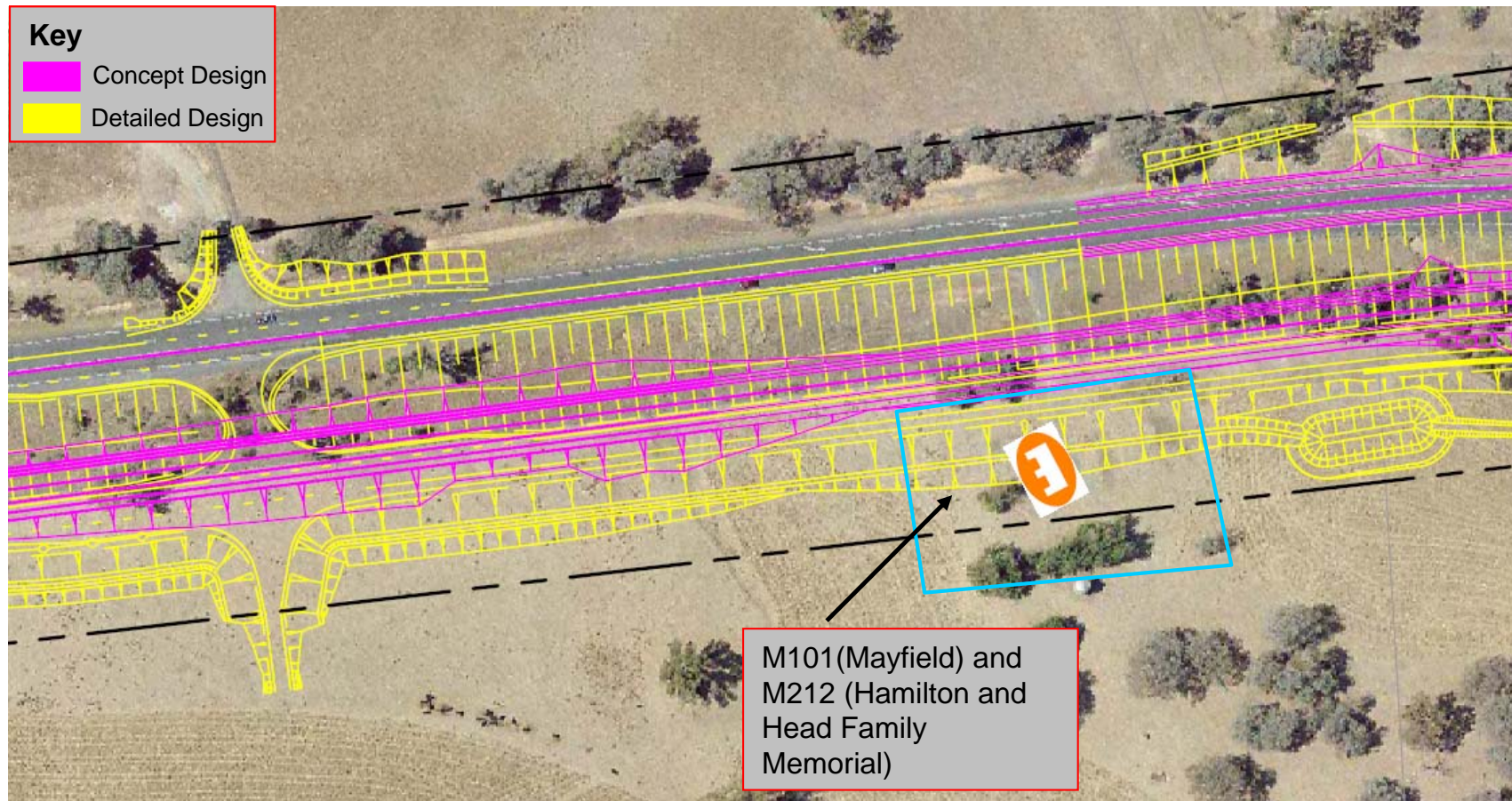
Chainage	Heritage Item Affected	Detailed design alteration
140850	M003 (Refer Figure 1-1)	<ul style="list-style-type: none"> ■ Provision of exit lane, and additional road, which will provide access to Mountain Creek Road and will maintain access to Royal Oak Inn (in accordance with the recommendations from the Former Royal Oak Inn Statement of Heritage Impact) which consequently lead to an increase in batter and median widths in the area.
140500 to 140530	M005 (Refer Figure 1-1)	<ul style="list-style-type: none"> ■ Provision of stormwater retention basin on eastern side of highway ■ Provision of access to Mountain Creek Road on both the eastern and western side of highway, and median crossover ■ Increase batter and median width in line with current RTA road safety guidelines
133900 to 134300	M008/M208 (Refer Figure 1-2)	<ul style="list-style-type: none"> ■ Design developments to enable the continued use of the road remnant as a rest area.
139350	M101 M212 (Refer Figure 1-3)	<ul style="list-style-type: none"> ■ Provision of private property access on the eastern and western side of highway and a median crossover. To accommodate this access, batter and median widths have been increased in this area in line with current RTA road safety guidelines.
139660-139680	M101 M212 (Refer Figure 1-3)	<ul style="list-style-type: none"> ■ Provision of a stormwater detention basin on the western side of the highway which consequently lead to an increase in batter and median widths in the area.



■ **Figure 1-1 M003 “Agricultural Ditch” and M005 “Historical Road Reserve”**



■ Figure 1-2 M008/M208 “Road remnant (old line of road)”



■ Figure 1-3 M101 “Mayfield” and M212 “Hamilton and Head Family Memorial”

2. Consistency Assessment

This section provides consistency assessment of the proposed alignment and design elements for the detailed design against the Concept Approval (06_0314), Project Approval “Woomargama to Mullengandra” (06_0249) and the project Statement of Commitments.

2.1 Assessment of Consistency against the Minister’s Conditions of Approval - Concept Approval (06_0314)

Ref	Requirements	Comments on Consistency
1. ADMINISTRATIVE CONDITIONS		
1.1	The proponent shall carry out the concept plan and all related projects generally in accordance with the:	
	a) Concept Plan Application 06_0314;	Determined to be consistent
	b) <i>Sturt Highway to Mullengandra Hume Highway Duplication Concept Plan Environmental Assessment</i> , dated 9 March 2007 and prepared by Connell Wagner Pty Ltd and Parsons and Brinkerhoff Pty Ltd;	Determined to be consistent
	c) <i>Hume Highway Duplication Concept Plan, Sturt Highway to Tarcutta, Kyeamba Hill and Little Billabong Environmental Assessments</i> – 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; and	Determined to be consistent
	d) The conditions of this approval.	Not applicable
1.2	In the event of an inconsistency between:	
	a) The conditions of this approval and any document listed from condition 1.1a) to 1.1c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and	Not applicable
	b) Any document listed from condition 1.1a) to 1.1c) inclusive, and any other document listed from condition 1.1a) to 1.1c) inclusive, the most recent document shall prevail to the extent of the inconsistency.	Not applicable

Ref	Requirements	Comments on Consistency
1.3	If there is any inconsistency between this concept plan approval and any project approval, this concept plan approval shall prevail to the extent of the inconsistency.	Not applicable
1.4	The proponent shall comply with any reasonable and feasible requirement(s) of the Director-General arising from the Department's assessment of:	
	a) Any reports, plans or correspondence that are submitted in accordance with this approval; and	Not applicable
	b) The implementation of any actions or measures contained in these reports, plans or correspondence	Not applicable
1.5	Limits of Approval This concept approval shall lapse ten years after the date on which it is granted, unless works the subject of any related project approval are physically commenced on or before that date.	Not applicable
1.6	To avoid any doubt, this concept approval does not permit the construction of any aspect of the proposal which will be subject to separate project approvals	Not applicable
2. PROJECT APPLICATIONS AND SPECIFIC REQUIREMENTS		
2.1	Pursuant to section 75P(1)(a) of the <i>Environmental Planning and Assessment Act 1979</i> , the following environmental assessment requirements apply with respect to the Hume Highway duplication project;	
	a) The environmental assessment requirements issued for the Sturt Highway to Tarcutta Project Application 06_0245 by the delegate of the Director-General, dated 9 October 2006;	Not applicable
	b) The environmental assessment requirements issued for the Kyeamba Hill Project Application 06_0246 by the delegate of the Director-General, dated 9 October 2006;	Not applicable
	c) The environmental assessment requirements issued for the Little Billabong Project Application 06_0247 by the delegate of the Director-General, dated 9 October 2006;	Not applicable
	d) The environmental assessment requirements issued for the Yarra Yarra to Holbrook Project Application 06_0248 by the delegate of the Director-General, dated 9 October 2006; and	Not applicable
	e) The environment assessment requirements issued for the Woomargama to Mullengandra Project Application 06_0249 by the delegate of the Director-General, dated 9 October 2006.	Not applicable

Ref	Requirements	Comments on Consistency
	NOTE: This includes any necessary licences required under the <i>Water Act 1912</i> for any activity associated with the installation of groundwater bores and the extraction of groundwater for the Project, and the necessary licences for ancillary activities (concrete batching plants, crushing plants) that require a licence to operate under the <i>Protection of the Environment Operations Act 1997</i> .	Not applicable
3. COMPLIANCE MONITORING AND TRACKING		
3.1	Compliance Tracking Program The proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval and the requirements of any approval granted for the project (s) subject to this concept plan. The Program shall be submitted to the Director-General for approval prior to the commencement of construction of any project associated with this concept plan approval. The Program shall relate to both construction and operational stages of the projects associated with this concept approval, and shall include, but not necessarily limited to:	
	a) provisions for periodic review of the compliance status of the project against the requirements of this approval, the Statement of Commitments (as referred to in condition 1.1c) of this approval and any relevant conditions of approval granted for the projects associated with concept plan;	Not applicable
	b) provisions for the notification of the Director-General prior to the commencement of construction and prior to the commencement of the operation of projects associated with this project plan;	Not applicable
	c) provisions for periodic reporting of compliance to the Director-General;	Not applicable
	d) a program for independent environmental auditing in accordance with ISO 19011:2003- <i>Guidelines for Quality and/or Environmental Management Systems Auditing</i> ;	Not applicable
	e) mechanisms for recording incidents and actions taken in response to those incidents; and	Not applicable
	f) provisions for reporting environmental incidents to the Director-General during construction and operation;	Not applicable
	g) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance.	Not applicable
	Nothing in this approval restricts the Proponent from developing a single compliance tracking	Not applicable

Ref	Requirements	Comments on Consistency
	program for each project or consolidated compliance tracking program for multiple projects associated with this concept plan.	
4. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT		
4.1	Provision of Information Prior to the commencement of construction of any project related to this concept approval, the Proponent shall establish and maintain a new website, or dedicated pages within its existing website, for the provision of electronic information associated with the projects subject to this concept approval. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:	
	a) A copy of the documents referred to under condition 1.1 of this approval, and any documentation supporting modifications to this concept approval or related project approvals that may be granted from time to time;	Should a modification be granted, any relevant documentation will be uploaded onto the website
	b) A copy of this concept approval and all related project approvals;	Not applicable
	c) A copy of each relevant environmental approval, license or permit required and obtained in relation to the development;	Not applicable
	d) A copy of each current strategy, plan and program required under this concept approval or any related project approval; and	Not applicable
	e) The outcomes of compliance tracking in accordance with the requirements of any related project approval.	Not applicable
4.2	The Proponent shall make all documents required to be provided under condition 4.1 of this approval available for public inspection on request.	Not applicable
4.3	Complaints and Enquiries Procedure Prior to the commencement of construction of any project associated with this concept approval, the Proponent shall ensure that the following are available for community complaints and enquiries during the construction of each of the projects:	
	a) A telephone number on which complaints and enquiries about construction and operational activities may be registered;	Not applicable
	b) A postal address to which written complaints and enquiries may be sent; and	Not applicable

Ref	Requirements	Comments on Consistency
	c) An email address to which electronic complaints and enquiries may be transmitted.	Not applicable
	The telephone number, the postal address and the email address shall be published in a newspaper circulating in the local area prior to the commencement of construction and prior to the commencement of operation for each project. The above details shall also be provided on a website (or dedicated pages) required by this approval.	Not applicable
4.4	<p>The proponent must prepare and implement a Construction Complaints management System consistent with <i>AS 4269 Complaints Handling</i> prior to the commencement of construction activities for a project associated with this concept approval and maintain the System for the duration of those construction activities.</p> <p>Information on all complaints received, including the means by which they were addressed and whether resolution was reached and whether mediation was required or used must be maintained by the Proponent and included in a complaints register. The information contained within the System must be made available to the Director-General on request.</p> <p>For the purposes of this condition, the Proponent may choose to maintain a separate or a consolidated Complaints Register for the projects associated with this concept approval.</p>	Not applicable
4.5	<p>Community Consultation</p> <p>The Proponent shall prepare and implement a Community Communication Strategy for projects associated with this concept approval. This Strategy shall be designed to provide mechanisms to facilitate communication between the Proponent, the Constructor, the Environmental Representative and the local community (particularly adjoining landowners) on the progress and the related management of the projects. The Strategy shall include, but does not necessarily be limited to:</p>	
	a) Identification of community stakeholders to be consulted as part of the Strategy, including affected landowners;	Not applicable
	b) Procedures and mechanisms for the regular distribution or information to the community and adjoining land owners on the progress of each project and matters associated with environmental management of the project;	Not applicable

Ref	Requirements	Comments on Consistency
	c) Procedures and mechanism through which the community and/or adjoining landowners can discuss or provide feedback to the Proponent and/or Environmental Representative in relation to the environmental management and delivery of the project(s). This may include focused discussion forums and site inspections;	Not applicable
	d) Procedures and mechanisms through which the Proponent can respond to any enquiries or feedback from the community and/or adjoining landowners in relation to the environmental management and delivery of the projects;	Not applicable
	e) Procedures and mechanisms that would be implemented to resolve any issues/disputes that may arise between parties on the matters relating to environmental management and the delivery of the project(s). This may include the use of an appropriately qualified and experienced independent mediator.	Not applicable
	<p>Issues that should be addressed through the Community Communication Strategy may include (but not necessarily be limited to): traffic management (including property access), property acquisition, landscaping/urban design matters, noise and vibration mitigation and management.</p> <p>The Proponent shall maintain and implement the Strategy throughout construction. The Strategy shall be approved by the Director-general prior to the commencement of any construction work associated with a project subject to this Concept approval to which this Strategy applies.</p> <p>For the purposes of this condition, the Proponent may choose to develop a separate or consolidated Community Consultation Strategy for the projects associated with this concept approval.</p>	No applicable
5. COMPLIANCE MONITORING AND TRACKING		
5.1	<p>Biodiversity Offset Strategy and Package</p> <p>The Proponent shall develop and submit for the approval of the Director-General, a Biodiversity Offset Strategy to detail how the ecological values lost as a result of the projects associated with this concept approval will be off-set. The Strategy shall provide a detailed framework that will dictate the final composition of the Biodiversity Offsets package and shall be developed in consultation with DECC and DEW. The Strategy shall include, but not necessarily be limited to:</p>	
	a) The identification of the extent and types of habitat that would be lost or degraded as a result of the final detailed design of the road alignment;	Not applicable

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Ref	Requirements	Comments on Consistency
	b) The objectives and biodiversity outcomes that would be achieved through the final biodiversity offset package;	Not applicable
	c) Details of the available offset measures that have been selected to provide compensatory habitat within the region to offset the loss of White Box-Yellow-Box Blakely's red Gum woodland and the loss of habitat for threatened fauna species as a result of the projects. This may include one or more of the following measures to collectively deliver a neutral or net beneficial outcome for the region: i.) Land offsets; ii.) Funding contributions towards revegetation programs in the region, such as revegetation programs coordinated by the Murray CMA and Murrumbidge CMA; iii.) Funding contributions to research programs for the management of the threatened species, populations and communities; iv.) Any other accepted form of offset measures;	Not applicable
	d) The decision-making framework that would be used to select the final suite of offset measures	Not applicable
	The Biodiversity Offset Strategy shall be approved by the Director-General prior to the commencement of any construction activity for any project associated with this concept approval that would result in the disturbance of White Box-Yellow Box-Blakely's Red Gum woodland or threatened fauna species habitat.	Not applicable
5.2	Within 12 months of the approval of the Biodiversity Offset Strategy , the Proponent shall submit the Biodiversity Offset package for the approval of the Director-General, unless otherwise agreed by the Director-General. The Package shall be developed in consultation with DECC and DEW and shall include, but not necessarily be limited to:	
	a) The final suite of the biodiversity offset measures selected in accordance with the Biodiversity Offset Strategy	Not applicable
	b) The monitoring requirements for compensatory habitat works and other ecological amelioration measures proposed under the biodiversity Offsets Package. This shall include: i.) The monitoring of the condition of vegetation communities and the monitoring of threatened species populations at all offset locations;	Not applicable

Ref	Requirements	Comments on Consistency
	<ul style="list-style-type: none"> ii.) The methodology for the monitoring program(s), including the number and location of offsets monitoring sites, and the sampling frequency at these sites; iii.) Provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with DECC and DEW; and; iv.) Timing and responsibilities for the implementation of the provisions of the Package. 	

Ref	Requirements	Comments on Consistency
5.3	<p>Construction Water Management Strategy</p> <p>The Proponent shall prepare a Construction Water Management Strategy to ensure the coordinated management and minimisation of water use across the projects associated with this concept approval during construction activities. The strategy shall be prepared in consultation with DWE and shall include but not necessarily be limited to:</p>	
	a) The water use performance targets established for the total concept corridor and projects, and the water minimisation measures that would be implemented;	Not applicable
	b) Details of the intended water sources for the projects and the conditions associated with the supply of water to the projects from these sources. Where applicable, these conditions shall reflect the requirements of any Water Sharing Plan and license(s) issues by DWE;	Not applicable
	c) Where surface water extraction would occur in accordance with a Water Sharing Plan, a review of that resource shall be included to report on the current condition of that resource and the predicted capacities of that resource to cater for project(s) demands without placing adverse pressure on the resource and other users;	Not applicable
	d) Framework in which water use and water extraction rates would be monitored and reported across the concept plan corridor;	Not applicable
	e) Procedures in which the volume of water extracted for the projects would be monitored and managed as to ensure that the activity does not adversely impact on the water source(s) and/or other existing water users;	Not applicable
	f) Strategies in which water extraction and/or use would be reviewed and revised to ensure the effectiveness of water use management and minimisation controls; and	Not applicable
	g) Contingency measures that would be implemented in an event where the above reporting indicates undue pressure on water sources and/or other users, or where continued water supply to the project would be at risk.	Not applicable
	<p>This Strategy shall be approved by the Director-General prior to the commencement of the construction work associated with any project subject to this concept approval.</p> <p>The Director-general may issue a staged approved of the Strategy to reflect the construction program for the projects associated with the concept approval.</p>	Not applicable

Ref	Requirements	Comments on Consistency
5.4	<p>Ancillary Features</p> <p>The sites for Ancillary facilities for the projects associated with this concept approval shall satisfy the following criteria unless otherwise approved by the Director-General:</p>	
	a) Be located more than 100 metres from a waterway;	Not applicable
	b) Have ready access to the road network;	Not applicable
	c) Be located in areas of low ecological and heritage conservation significance, and will not require any significant clearing of native vegetation beyond that already required by the projects;	Not applicable
	d) Be located on relatively level land;	Not applicable
	e) Be separated from the nearest residences by at least 200 metres (or at least 250 metres for a temporary batching plant and stockpiling sites)	Not applicable
	f) Be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented;	Not applicable
	g) Shall not unreasonably affect the land use of adjacent properties; and h) Shall not impact on heritage sites beyond those already impacted by the projects.	Not applicable
	The location of ancillary facilities shall be identified within the relevant Construction Environmental Management Plan for the project(s) that the facilities would service.	Not applicable
5.5	<p>Construction Environment Management Plan</p> <p>Prior to the commencement of construction work for a project associated with this concept approval, the Proponent shall prepare and implement a Construction Environmental Management Plan (CEMP) for that project. The CEMP shall outline the environmental management practices and procedures that are to be followed during construction of that project, and shall be prepared in accordance with <i>Guideline for the Preparation of Environmental Management Plans</i> (DIPNR, 2004). The CEMP for each project shall include, but not necessarily be limited to:</p>	
	a) A description of all relevant activities to be undertaken during construction of the project including an indication of stages of construction, where relevant;	Not applicable
	b) Statutory and other obligations that the Proponent is required to fulfil during construction including all approvals, consultations and agreements required from authorities and other	Not applicable

Ref	Requirements	Comments on Consistency
	stakeholders, and key legislation and policies;	
	c) A description of the roles and responsibilities for all relevant employees involved in the construction of the project;	Not applicable
	d) Details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;	Not applicable
	e) A Construction Traffic Management Plan , prepared in accordance with RTA's QA <i>Specification G10- Control of Traffic and Traffic Control at Work Sites Manual</i> (2003)	Not applicable
	f) Any additional construction environmental management plans required to meet the requirements of the relevant project approval and the relevant Statement of Commitments as modified by these conditions; and	Not applicable
	g) Complaints handling procedures during construction	Not applicable
	The Construction Environment Management Plan for each project associated with this concept approval shall be approved by the Director-General prior to the commencement of any construction work associated with the project.	Not applicable
5.6	Nothing in this approval restricts the Proponent from developing a single construction environmental management plan for each project or consolidated environmental management plans for multiple projects associated with this concept approval.	Not applicable
5.7	Operational Environmental Management Plan The Proponent shall prepare and implement an Operational Environmental Management Plan for the projects associated with this concept approval that details the environmental management framework, practices and procedures to be followed during the operation of the projects. The Plan shall be consistent with the <i>Department's Guideline for the Preparation of Environmental Management Plans</i> (DIPNR 2004) and shall be structured to provide a single consistent environmental management framework across the projects associated with this concept approval. The Plan shall be prepared in consultation with the relevant Government agencies and shall include, but not necessarily be limited to:	
	a) a description of all relevant activities to be undertaken during operation of the project including an indication of stages of operation, where relevant;	Not applicable
	b) statutory and other obligations that the Proponent is required to fulfil during operation including all approvals, consultations and agreements required from authorities and other	Not applicable

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Ref	Requirements	Comments on Consistency
	stakeholders, and key legislation and policies;	
	<p>c) details of how environmental performance of the operations will be monitored and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:</p> <ul style="list-style-type: none"> i.) measures to monitor and manage ecological factors, including effectiveness and maintenance of fauna crossings and rehabilitation measures; ii.) measures to monitor and manage heritage sites within the road reserve iii.) measures to monitor and manage noise impacts; iv.) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters; v.) measures to monitor and maintain landscaping undertaken along the project corridors until the vegetation has sufficiently been established. 	Not applicable
	d) Any additional operational environmental management plans required to meet the requirements of the relevant project approval;	Not applicable
	e) A description of the roles and responsibilities for all relevant employees involved in the operation of the project; and	Not applicable
	f) Complaints handling procedures during operation.	Not applicable
	The Operational Environmental Management Plan shall be approved by the Director-General prior to the commencement of operation for any of the projects associated with this concept approval.	Not applicable
5.8	Nothing in this approval restricts the Proponent from incorporating the above operational environmental management plan into existing systems administrated by the Proponent.	Not applicable.

2.2 Assessment of Consistency against the Minister's Conditions of Approval – Project Approval “Woomargama to Mullengandra (06_0249)”

Ref	Requirements	Comments on Consistency
1. ADMINISTRATIVE CONDITIONS		
1.1	Terms of Approval The Proponent shall carry out the project generally in accordance with the:	
	a) Major Projects Application 06_0249;	Not applicable
	b) <i>Woomargama to Mullengandra – Hume Highway Duplication – Environmental Assessment</i> (four volumes), Connell Wagner Pty Ltd and Parsons Brinkerhoff Australia Pty Ltd and dated April 2007;	Determined to be consistent
	c) <i>Hume Highway Duplication Yarra Yarra to Holbrook and Woomargama to Mullengandra Environmental Assessments</i> – Submissions Report and Revised Statement of Commitments, dated June 2007, and prepared by NSW Roads and Traffic Authority and as supplemented by correspondence from the NSW Roads and Traffic Authority dated 27 July 2007;	Determined to be consistent. SoCs will be updated to reflect any additional impacts that arise out of the changed design.
	d) 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	Determined to be consistent
	e) The conditions of this approval.	Where the detailed design results in impacts on heritage items that differ from the conditions of approval, the proposed changes to these conditions will be outlined in the modification request to the Department of Planning.
1.2	In the event of an inconsistency between;	
	a) The conditions of this approval and any document listed from condition 1.1a) to 1.1c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and	Not applicable
	b) Any of the documents listed from condition 1.1a) to 1.1c) inclusive, the most recent document shall prevail to the extent of the inconsistency.	Not applicable

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Ref	Requirements	Comments on Consistency
1.3	The Proponent shall comply with any reasonable and feasible requirement(s) of the Director-General arising from the Department's assessment of:	
	a) Any reports, plans or correspondence that are submitted in accordance with this approval; and	Not applicable
	b) The implementation of any actions or measures contained in these reports, plans or correspondence	Not applicable
1.4	Limits of Approval This approval shall lapse ten years after the date on which it is granted, unless the works the subject of this approval are physically commenced on or before that time.	Not applicable
1.5	Statutory Requirements The Proponent shall ensure that all licenses, permits and approvals are obtained as required by law and maintained as required with respect to the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licenses, permits or approvals.	Not applicable
	Note: This includes any necessary licenses required under the <i>Water Act 1912</i> for any activity associated with the installation of groundwater bores and the extraction for the project, and the necessary licenses for ancillary activities (concrete batching plants, crushing plants) that require a license to operate under the <i>Protection of the Environment Operations Act 1997</i> .	Not applicable
2. SPECIFIC ENVIRONMENTAL CONDITIONS		
2.1	Ecological Impacts The design of all waterway crossings must be undertaken in consultation with DPI.	Determined to be consistent
2.2	The Blue Metal Travelling Stock Reserve shall not be disturbed by construction activities associated with the project.	Determined to be consistent

Ref	Requirements	Comments on Consistency
2.3	<p>Prior to the commencement of construction, the Proponent shall obtain advice from a suitably qualified and experienced ecologist on need, number, location and design of:</p> <ul style="list-style-type: none"> i.) Fauna underpasses along the project alignment; and ii.) Aerial crossing measures for the Squirrel Glider along the project alignment <p>The above advice shall be provided to the DECC, with the final number, location and design of the required underpasses/crossings to be decided in consultation with DECC prior to the construction of the underpass/crossing.</p> <p>The required underpasses and/or aerial crossings shall be designed to extend beneath/across both carriageways. The Proponent shall arrange and bear the full cost of installing and maintaining the aerial crossing points.</p>	Determined to be consistent
2.4	<p>Prior to the commencement of construction, the Proponent shall obtain expert advice from a suitably qualified and experienced ecologist on the following;</p> <ul style="list-style-type: none"> a) The identification of key areas along the project alignment where threatened woodland bird species would likely frequently cross the project corridor; b) The need, location and design objectives of aerial crossing measures for threatened woodland bird species within the identified areas; and c) The methodology and timing for the monitoring of woodland bird species within these areas. <p>The above advice shall be provided to the DECC, with the identified crossing areas to be decided in consultation with the DECC prior to the commencement of any construction work associated with the project.</p> <p>Construction work shall not commence in the agreed identified areas, unless as otherwise agreed by the Director-General, until the need (and design objectives) of crossing points and the monitoring methodology (including timing) has been decided in consultation with the DECC. The above agreed identified areas where construction work cannot commence shall include an appropriately sized buffer area to ensure any necessary design or preconstruction monitoring requirements are not unduly restricted or impacted by construction work occurring within the adjoining areas.</p> <p>The agreed monitoring methodology shall be suitably incorporated into the Threatened Species</p>	
	a) The identification of key areas along the project alignment where threatened woodland bird species would likely frequently cross the project corridor;	Determined to be consistent
	b) The need, location and design objectives of aerial crossing measures for threatened woodland bird species within the identified areas; and	Determined to be consistent
	c) The methodology and timing for the monitoring of woodland bird species within these areas.	Determined to be consistent
	<p>The above advice shall be provided to the DECC, with the identified crossing areas to be decided in consultation with the DECC prior to the commencement of any construction work associated with the project.</p> <p>Construction work shall not commence in the agreed identified areas, unless as otherwise agreed by the Director-General, until the need (and design objectives) of crossing points and the monitoring methodology (including timing) has been decided in consultation with the DECC. The above agreed identified areas where construction work cannot commence shall include an appropriately sized buffer area to ensure any necessary design or preconstruction monitoring requirements are not unduly restricted or impacted by construction work occurring within the adjoining areas.</p> <p>The agreed monitoring methodology shall be suitably incorporated into the Threatened Species</p>	Determined to be consistent

Ref	Requirements	Comments on Consistency
	Monitoring Program required by condition 3.1 of this approval.	
2.5	<p>The Proponent shall install the nest boxes and relocated hollows to offset the loss of tree hollows/habitat. Structures to replace hollows shall be installed prior to or during the early stages of clearing, other than minor clearing (except where threatened species, populations or communities would be impacted)</p> <p>The location and/or guiding criteria for the selection of locations for the above nest boxes and relocated hollows shall be specified within the Construction Flora and Fauna Environmental Management Plan, as required by condition 4.2a) of this approval.</p>	Determined to be consistent
2.6	The relocation of any cleared timber within terrestrial habitats will be undertaken in consultation with DECC and shall be undertaken in a manner that:	
	a) Provides priority to supporting areas of retained native vegetation that is of moderate condition; and	Not applicable
	b) Avoids any additional negative impacts upon the retained vegetation.	Not applicable
	Heritage Impacts	
2.7	<p>Aboriginal Heritage</p> <p>The Proponent shall not destroy, modify or otherwise physically affect the scarred trees M2, M3, M7, M9, M10, M13, M14 and M15</p>	Determined to be consistent
2.8	The Proponent shall salvage, through surface collection, identified artefacts from site M11 in consultation with the DECC and the relevant Aboriginal stakeholders prior to the commencement of construction works that may impact on this site.	Not applicable
2.9	<p>Prior to the commencement of construction, the Proponent shall undertake subsurface testing for sites M-PAD-1 and M-PAD-3, and shall investigate the options to design and construct the project as to avoid these sites in consultation with the DECC.</p> <p>Where these sites cannot be avoided, the Proponent shall implement the mitigation and management measures detailed within the Construction Heritage Management Plan required under this approval.</p>	Determined to be consistent

Ref	Requirements	Comments on Consistency
	Any salvage (by either surface collection or archaeological excavation) or artefacts detected at these sites shall be conducted in the same manner as required under condition 2.7 of this approval.	
2.10	The Proponent shall forward the results of the above subsurface testing and excavation as well as the details of the relocation of any Aboriginal item to the DECC to allow the entry of this information onto the Aboriginal Heritage Information management System.	Determined to be consistent
2.11	<p>Non-Aboriginal Heritage</p> <p>Prior to the commencement of the construction, the Proponent shall complete a site specific heritage investigation for Site M100 and Site M212 and shall investigate the options to avoid or minimise the impacts on this site in the final design of the alignment.</p> <p>Should excavation and/or archival recordings be required for these sites as a result of the investigation, the Proponent shall undertake these works in the same manner as required by condition 2.12 of this approval.</p>	<p>Site specific heritage investigations have been completed for sites M100 "Wine Shanty" and M212 "Hamilton and Head Family Memorial". This included an archaeological test excavation around the Hamilton and Head Family Memorial which conclusively determined that there were no burials at this location.</p> <p>Where the Project impacts Item M100 "Wine Shanty" and M212 "Hamilton and Head Family Memorial" the HHSA has investigated options to avoid or minimise impacts. However, to maintain standards set in the current RTA road safety design guidelines regarding median width to maintain safe property access, it is not possible to completely avoid or minimise impacts to this site.</p> <p>The detailed design at M100 "Wine Shanty" is consistent with the Approved Project. While the design changes around Chainage 139550 have increased the construction footprint resulting in a new impact on M212 "Hamilton and Head Family Memorial". At this specific location the detailed design is not consistent with the Approved Project as described in the Environmental Assessment (EA) in that impacts have increased and as such will be outlined in a Modification</p>

Ref	Requirements	Comments on Consistency
		request to the Department of Planning.
2.12	<p>Prior to the commencement of the construction work in proximity to the following items, the Proponent shall complete all excavations and/or archival recordings, including photographic records, for M001, M004, M006, M211 and M203. This shall be undertaken and completed in accordance with the guidelines issued by the Heritage Council of NSW. The areas containing these items shall be clearly identified and fenced until the completion of the archaeological excavations and/or archival recordings.</p> <p>Any excavation work required for these items shall be overseen by a suitably qualified archaeologist and in accordance with the research design and archaeological excavation methodology that have been developed in consultation with the NSW Heritage Office prior to commencing any archaeological excavation. The Construction Heritage Management Plan required by this approval shall be suitably updated to incorporate the mitigation and management measures associated with the excavation works.</p> <p>Within six months of completing the above work, the Proponent shall submit a report containing the findings of the excavations and archival recordings to the Heritage Council of NSW, the local Council and the local Historic Society. This report shall nominate an agreed repository for the relics salvaged from any excavations along the proposed corridor.</p>	<p>All archival recording has been completed for M001, M004, M006, M211 and M203.</p> <p>The detailed design has resulted in new impacts to M003 "Agricultural Feature", M005 "Historic Road Reserve", M008/M208 "Road remnant (old line of road)" and M101 "George Pett's Mayfield". At these specific locations the detailed design is not consistent with the Approved Project as described in the EA in that impacts have increased and as such will be outlined in a Modification request to the Department of Planning.</p> <p>It should be noted that the EA records Item M008/M208 "Road remnant (old line of road)" as an item of archaeological and built heritage significance. Hence it has effectively been counted in the overall summary of heritage items twice and there are two reference numbers for the same heritage item.</p> <p>In addition the EA records Item M003 as of local heritage significance, with a nil heritage value (refer <i>EA Technical Paper 2: Historical Archaeological Impact Assessment</i>). Supplementary historical research undertaken for M003 concludes that this site does not have any significant heritage values and is not a locally significant heritage item. The EA also notes Item M005 as being within 5 meters of the proposed works and of local (potential state) heritage significance. Supplementary historical research undertaken for this site concludes that this site is an</p>

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Ref	Requirements	Comments on Consistency
		historical road reserve with locally significant heritage and aesthetic values.
	Noise Impacts	
2.13	Construction and Blasting Restrictions	
	The Proponent shall only undertake construction activities associated with the project, other than blasting, during the following hours;	
	a) 7:00am to 7:00pm, Mondays to Fridays, inclusive;	Not applicable
	b) 7:00am to 4:00pm on Saturdays; and	Not applicable
	c) At no time on Sundays or public holidays	Not applicable
	The Proponent may vary of the hours of construction in the following circumstances:	
	a) Any works that do not cause construction noise to be audible at any sensitive receivers; or	Not applicable
	b) For the delivery of materials required outside these hours by the Police or other authorities for safety reasons; or	Not applicable
	c) Where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or	Not applicable
	d) As approved through the process outlined in condition 2.14 of this approval.	Not applicable
2.14	The hours of construction activities specified under condition 2.13 of this approval may be varied with the prior approval of the Director-General. Any request to alter the hours of construction specified under condition 2.13 shall be:	
	a) Considered on a case-by-case or activity-specific basis;	Not applicable
	b) Accompanied by details of the nature and need for activities to be conducted during the varied construction hours;	Not applicable

Ref	Requirements	Comments on Consistency
	c) Accompanied by written evidence to DECC and the Director-General that activities undertaken during the varied construction hours are justified, appropriate consultation with potentially affected receivers and notification of Council has been undertaken all all practicable and reasonable mitigation measures have been put in place; and	Not applicable
	d) Evidence of consultation with the DECC on the proposed variation in construction times.	Not applicable
2.15	The proponent shall only undertake blasting activities associated with the project during the following hours, unless otherwise approved by the Director-General:	
	a) 9:00am to 5:00pm, Mondays to Fridays, inclusive;	Not applicable
	b) 9:00am to 1:00pm on Saturdays; and	Not applicable
	c) At no time on Sundays and Public Holidays.	Not applicable
	This condition does not apply in the event of a direction from police or other relevant authority for safety reasons.	Not applicable

Ref	Requirements	Comments on Consistency						
2.16	<p>Construction and Blasting Limits</p> <p>The construction noise objective for the Project is to manage noise from construction activities (as measured by L_{A10} (15minute) descriptor) so it does not exceed the background L_{A90} noise by more than 5 dB(A) when measured at the most affected sensitive receiver .</p> <p>Background noise levels are those identified in the documents referred to in condition 1.1b) and condition 1.1c) of this approval.</p> <p>Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with the Construction Noise and Vibration management Plan. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the <i>NSW Industrial Noise Policy</i>). 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise objective. The proponent shall implement all reasonable and feasible noise mitigation measures with the aim of achieving the construction noise objective.</p>	Not applicable						
2.17	<p>The proponent shall ensure that airblast overpressure generated by blasting associated with the project does not exceed the criteria specified in table 1 when measured at the most affected sensitive receiver.</p> <p>Table 1 – Airblast Overpressure Criteria</p> <table><tr><th>Airblast Overpressure (sB9Lin peak))</th><th>Allowable Exceedance</th></tr><tr><td>115</td><td>5% of total number of blasts over a 12 month period</td></tr><tr><td>120</td><td>Never</td></tr></table>	Airblast Overpressure (sB9Lin peak))	Allowable Exceedance	115	5% of total number of blasts over a 12 month period	120	Never	Not applicable
Airblast Overpressure (sB9Lin peak))	Allowable Exceedance							
115	5% of total number of blasts over a 12 month period							
120	Never							

Ref	Requirements	Comments on Consistency						
2.18	<p>The Proponent shall ensure that ground vibration generated by blasting associated with the project does not exceed the criteria specified in table 2 when measured at the most affected sensitive receiver.</p> <p>Table 2 – Peak Particle Velocity Criteria</p> <table><tr><th>Peak particle Velocity</th><th>Allowable Exceedance</th></tr><tr><td>5</td><td>5% of total number of blasts over a 12 month period</td></tr><tr><td>10</td><td>Never</td></tr></table>	Peak particle Velocity	Allowable Exceedance	5	5% of total number of blasts over a 12 month period	10	Never	Not applicable
Peak particle Velocity	Allowable Exceedance							
5	5% of total number of blasts over a 12 month period							
10	Never							
2.19	<p>Operation Noise</p> <p>Unless otherwise agreed to by the Director-general, the Proponent shall submit for the approval of the Director-General a Review of the operational noise mitigation measures for the project within six months of commencing the construction of the project. The Review shall take into account the detailed design of the project and shall be prepared in consultation with the DECC. Consideration of the operational noise mitigation measures shall include, but not necessarily be limited to, noise-reducing road surfaces, noise barriers and acoustic treatments of residences.</p> <p>For the purpose of this condition, the Proponent is only required Reasonable and Feasible noise mitigation measures to meet the noise criteria stipulated in <i>Environmental Criteria for Road Traffic Noise</i> (EPA 1999).</p>	Not applicable						
2.20	<p>Air Quality Impacts</p> <p>The Proponent shall construct the project in a manner that minimises dust impacts generated by construction works, including wind-blown and traffic-generated dust, on the receiving environment, including sensitive receivers and road users.</p>	Not applicable						
2.21	<p>Soil and Water Quality Impacts</p> <p>The Proponent shall take all reasonable and Feasible measures to prevent soil erosion and the discharge of sediments and pollutants from the project during the construction and operation of the project.</p>	Not applicable						

Ref	Requirements	Comments on Consistency
	Note: Section 120 of the <i>Protection of the Environment Operations Act 1997</i> prohibits the pollution of waters except where expressly provided in an EPL for the project.	
2.22	Hydrology Prior to the commencement of construction of drainage structures, road embankments and other works associated with the project that may result in changes to afflux and flooding behaviour, the Proponent shall demonstrate to the Director-General that the new or duplicated drainage structures associated with the project have been designed, in consultation with DWE, to minimise any changes to afflux and flooding behaviour along Billabong Creek, Mullengandra Creek, Ryans Creek and Four Mile Creek and other minor waterways/tributaries that traverse the road alignment.	Determined to be consistent
2.23	Should the final alignment (and associated works) necessitate the decommissioning of bore GW060551 (Mullengandra), the Proponent shall ensure that a replacement bore is commissioned prior to the commencement of any construction works within the vicinity of GW060551 that may impact on the operation of that bore. The location and depth of the replacement bore shall be determined in consultation with DWE and the relevant landowner/license holder. The construction and commissioning of the replacement bore shall be at the full costs of the Proponent.	Determined to be consistent
2.24	Visual The Proponent shall ensure that the specific visual strategy for Mullengandra (defined as Character Zone 5 and 6) is designed to provide a visual connection between with the project and the Albury-Wodonga national Freeway project.	Determined to be consistent
2.25	In consultation with the owners of the residences, the Proponent shall provide reasonable and feasible landscaping measures to provide visual screening to residences which have been identified as likely to experience significant visual impact as a result of the project.	Determined to be consistent
2.26	In consultation with Anglican Diocese of Canberra and Goulburn and the Department of Education, the Proponent shall provide reasonable and feasible landscaping measures to provide visual screening to St Luke's, Mullengandra and Mullengandra Primary School to mitigate the visual impacts as a result of the project and associated structures (including any relevant noise mitigation measures)	Determined to be consistent

Ref	Requirements	Comments on Consistency
3. ENVIRONMENTAL MONITORING AND AUDITING		
3.1	<p>Ecological Monitoring</p> <p>Prior to the commencement of construction of the project, the Proponent shall develop and implement a Threatened Species Monitoring Program for the project, to monitor the impacts of the project on a threatened species and populations and to monitor the effectiveness of the mitigation measures (including offsets located within the project corridor) implemented for these species as part of the project. The program shall include (but not necessarily be limited to) the monitoring of populations of the Squirrel Glider (<i>Petaurus norfolcensis</i>) and the Southern Pygmy Perch (<i>Nannoperca australis</i>). The Program shall be developed in consultation with the DECC and DPI (where relevant) and shall include, but not necessarily limited to:</p>	
	a) The monitoring of a representative sample of the threatened species populations in and adjacent to the footprint of the project prior to the commencement of construction. The methodology, such as monitoring technique, number and location of study populations, shall be decided in consultation with the DECC and DPI;	Not applicable
	b) A program for monitoring the health(mortality) and habitat utilisation of populations before the construction of the project, during construction of the project and for a period of not less than three years after the commencement of the operation of the project, unless otherwise agreed by the Director-General. The monitoring intervals for the sample populations shall be decided in consultation with the DECC and DPI;	Not applicable
	c) Provision for the assessment of the data for each sample population to identify the changes in population health (mortality) or habitat over time and possible causes for these changes in the event of an identified decline;	Not applicable
	d) Details of the contingency measures that would be implemented in the event of an identified decline in the population health (mortality) as a direct result of the construction or operation of the project; and	Not applicable
	e) Provision for annual reporting of monitoring results to the Director-General, the DECC and DPI, or as otherwise agreed by those agencies	Not applicable
	The Program shall be submitted to the Director-general prior to the commencement of construction and shall be updated to incorporate the monitoring methodology for threatened woodland bird species once agreed to in accordance with condition 2.4 of this approval.	Not applicable

Ref	Requirements	Comments on Consistency
3.2	<p>Noise Auditing</p> <p>Within one year of commencement of operation of the project, or as otherwise agreed by the Director-General, and during a period in which the project is operating under normal operational traffic conditions, the Proponent shall undertake an operational noise monitoring program to confirm the noise performance of the project and prepare an Operational Noise Report. The Report shall include, but not necessarily be limited to:</p>	
	a) Noise monitoring to assess compliance with operational noise outcomes predicted in the operational noise Review required under condition 2.19 of this approval;	Not applicable
	b) Methodologies, locations and frequencies for noise monitoring, to be undertaken in accordance with the <i>Environmental Noise Management Manual</i> (RTA 2001);	Not applicable
	c) Identification of monitoring sites at which background noise and project noise levels can be ascertained, with specific reference to locations indicative of impacts on residential receptors and sensitive land uses;	Not applicable
	d) Details of any complaints and enquiries received in relation to noise generated by the project within the year of operation;	Not applicable
	e) An assessment of the performance and effectiveness of applied noise mitigation measures; and	Not applicable
	f) Any additional noise mitigation measures and timetables for implementation.	Not applicable
3.3	<p>Within 30 days of completing the operational noise monitoring program referred to under condition 3.2 of this approval, the Proponent shall provide the Director-General and the DECC with a copy of the Operational Noise Report. If the report identifies any non compliance with the noise objectives specified in the <i>Environmental Criteria for Road Traffic Noise</i> (EPA 1999), the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Director-General.</p>	Not applicable

Ref	Requirements	Comments on Consistency
4. Environmental Management		
4.1	<p>Environmental Representative</p> <p>Prior to the commencement of construction of the project, or otherwise agreed by the Director-General, the Proponent shall nominate for approval of the Director-General a suitably qualified and experienced Environmental Representative (s) independent of the design and construction personnel. The Proponent shall employ the Environmental Representative(s) for the duration of construction, or as otherwise agreed by the Director-General. The Environmental Representative(s) shall:</p>	
	a) Be the principal point of advise in relation to all questions and complaints concerning the environmental performance of the project;	Not applicable
	b) Monitor the implementation of all environmental management plans and monitoring programs required under this approval and any relevant plans required by the Concept Plan approval;	Not applicable
	c) Monitor the outcome of all environmental management plan and advise the Proponent upon the achievement of all Project environmental outcomes;	Not applicable
	d) Have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval and the conditions of the Concept Plan approval, and all other licenses and approvals related to the environmental performance and impacts of the project;	Not applicable
	e) Ensure that environmental auditing is undertaken in accordance with the requirements of the concept Plan approval and all relevant project Environmental Management System(s)	Not applicable
	f) Given the authority and independence to require reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.	Not applicable
	The Proponent may choose to nominate an Environmental representative to be responsible for a number of projects associated with the Concept Plan. In doing so, the Proponent shall demonstrate to the Director-General that the nominated Environmental representative is capable to carrying out the required duties across multiple projects.	Not applicable

Ref	Requirements	Comments on Consistency
4.2	<p>Construction Environment Management Plan</p> <p>As part of the Construction Environment Management Plan for the project as required by the Minister for Planning's approval of Concept Plan 06_0314, the Proponent shall prepare and implement the following:</p>	
	<p>a) A Construction Flora and Fauna Management Plan to detail how construction impacts on terrestrial and aquatic ecology will be minimised and managed. The Plan shall be developed in consultation with the DECC and DPI and shall include, but not necessarily be limited to;</p> <ul style="list-style-type: none"> i.) Details of work practices (such as fencing and construction worker education) to minimise the potential for damage to vegetation (particularly EECs) and native fauna during construction. Measures shall also be included to ensure the extent of soil disturbance during construction work is minimised; ii.) Weeds Management measures focusing on early identification of invasive weeds and determining effectiveness of management controls; iii.) Details of the mitigation measures that would be implemented and the associated procedures for the installation and monitoring of these measures, for example the location, maintenance and monitoring of nest boxes, relocated hollows and fauna fencing; iv.) A procedure detailing the timing for the implementation and monitoring of the mitigation and management measures; and v.) A description of how the effectiveness of the mitigation and management measures would be monitored during the proposed works and, if any non-compliance is detected how any non-compliance would be rectified. 	Not applicable
	<p>b) A Construction Heritage Management Plan to detail how construction impacts on Aboriginal and non-Aboriginal heritage will be minimised and managed. The Plan shall be developed in consultation with the NSW Heritage Office and the DECC and shall include but not necessarily be limited to;</p> <ul style="list-style-type: none"> i.) The recommendations arising from the cultural heritage assessment report prepared in consultation with the relevant Aboriginal stakeholders following the 	Determined to be consistent

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Ref	Requirements	Comments on Consistency
	<p>investigations into the Potential Archaeological Deposits and other sites as required by condition 2.9 of this approval;</p> <p>ii.) A strategy for the salvage and curation of salvaged objects, giving consideration to measures for managing and housing objects;</p> <p>iii.) Specific measures to be applied to works undertaken in close proximity to identified Aboriginal and Non-Aboriginal heritage items to minimise and avoid impacts on these items. This shall include a component within the site induction program for construction workers on Aboriginal and non-Aboriginal heritage along the project corridor;</p> <p>iv.) A program for construction work practices and an auditing program to ensure that there is no impact on heritage items additional to that already permitted; and</p> <p>v.) Procedures that would be followed should the auditing required in 4.2b)iv) detect an impact on any known and/or any previously unidentified heritage item can be discovered during construction.</p>	
	<p>c) A Construction Noise and Vibration Management Plan to detail how construction noise and vibration impacts would be minimised and managed. The Plan shall be developed in consultation with the DECC and shall include, but not necessarily be limited to:</p> <p>i.) Details of construction activities and an indicative schedule for construction works;</p> <p>ii.) Identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding land uses, particularly residential receptors, St Luke's, Mullengandra and Mullengandra primary School;</p> <p>iii.) Procedures to be undertaken during the execution of blasting activities to ensure overpressure and vibration criteria are met, including the formulation of a suitable blast program that is supported by test blast results;</p> <p>iv.) A detailed description of what reasonable and feasible actions and measures would be implemented to ensure that these works would comply with the relevant noise and vibration criteria/objectives;</p> <p>v.) Procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with</p>	<p>Not applicable</p>

Ref	Requirements	Comments on Consistency
	<p>and responding to noise complaint; and</p> <p>A description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded; and; if any non-compliance is detected how any non-compliance would be rectified.</p>	
	<p>d) A Construction Riparian Management Plan to detail how the construction activities and structures within or in proximity to riparian areas would be appropriately designed and managed to ensure the integrity, function and condition of these areas are maintained and/or suitably rehabilitated. Where relevant, the rehabilitation of riparian areas shall use flora that is consistent with the EEC in the Natural drainage System of the Lower Murray River Catchment. This plan shall be developed in consultation with DWE and DPI, and shall include a monitoring program to ensure the effectiveness of any mitigation measures implemented during and following the conclusion of construction.</p>	Not applicable
	<p>e) A Dust Management Plan to detail how the construction activities would be managed and monitored to mitigate dust emissions and to achieve the requirements of condition 2.20 of this approval. This plan shall be prepared in consultation with the DECC.</p>	Not applicable

2.3 Assessment of Consistency against the Statement of Commitments (SoC)

Soc Ref	SoC Objective	Commitment	Comments on Consistency
GENERAL			
GE1	Ensure the adequacy and compliance of environmental management measures	Environmental Management System (s) will be established and maintained to implement best practice management for environmental impacts.	Not applicable
GE2		Dedicated environmental personnel appointed to monitor the performance of the environmental management measures of the Proposal.	Not applicable
CONSULTATION			
CI	Ensure effective and receptive consultation with the community	Newsletters and media coverage will be used regularly to cover the proposed work schedule, areas in which these works are proposed and the construction hours. The newsletters and media coverage will provide contact names and phone numbers of relevant staff	Not applicable
C2		An internet site which contains periodic updates of work progress, consultation activities and planned work schedules will be established and maintained regularly. The internet site will provide contact names and phone numbers of relevant staff.	Not applicable
C3	Ensure effective management of complaints	A 24 hour toll-free record complaints within a specified time timeframe will be established.	Not applicable
C4		A system to receive, record, track and respond to complaint within a specified timeframe will be established.	Not applicable

Soc Ref	SoC Objective	Commitment	Comments on Consistency
BIODIVERSITY			
B1	Minimise native vegetation disturbance	The limits of cleaning and other native vegetation disturbance will be clearly marked on relevant work plans and on site with temporary fencing installed prior to cleaning.	Determined to be consistent
B2		Equipment storage areas and stockpile areas will be located in existing cleared locations	Determined to be consistent
B3	Minimise weed establishment	Soil containing weeds will be stockpiled at least 25m away from watercourse and native vegetation. Sediment fences will be erected down slope from stockpiled soil.	Determined to be consistent
B4		Noxious weeds in areas disturbed by construction activities will be managed for a minimum of two years post-construction completion	Determined to be consistent
B5	Offset the residual impacts of the Proposal on biodiversity particularly on Box Gum woodland and habitat for threatened species so as to maintain or improve biodiversity values in the area in the long term.	<p>A biodiversity offset strategy will be developed in consultation with DECC and other relevant government agencies. The offset strategy will include but not limited to:</p> <ul style="list-style-type: none"> • Revegetation within road corridor • Revegetation on other land • A range of management actions to improve the regional, landscape or site value of native vegetation within region. <p>The strategy will be developed utilising the relevant principles within the Biometric and threatened species assessment tools outlined within the <i>Native Vegetation Regulation 2005</i></p>	Determined to be consistent
B6		Disturbed areas will progressively revegetated using Box Gum Woodland plant species of local provenance	Determined to be consistent

Soc Ref	SoC Objective	Commitment	Comments on Consistency
B7	Minimise impacts on hollow dependent fauna species	An appropriately qualified person will check tree hollows prior to clearing for hollow-dependent fauna. Fauna found occupying tree hollows will be relocated into suitable available hollows or nesting boxes within adjacent vegetation. The suitability of adjacent vegetation for relocation will be determined on the basis of expert advice.	Determined to be consistent
B8		Stands containing hollow-bearing trees will be cleared using a two stage clearing process with adjacent non-hollow-bearing trees to be cleared first.	Determined to be consistent
B9		An appropriately qualified person will provide advice on any relocation of logs and dead trees that are to be cleared to provide habitat in adjacent areas where feasible and practicable. Such relocation will be undertaken in a manner to minimise damage to existing vegetation and will not occur in high condition remnant vegetation.	Determined to be consistent
B10		Nest Boxes will be fixed to suitable retained vegetation and in a way that does not damage the tree.	Determined to be consistent
B11	Maintain terrestrial fauna connectivity	Drainage culverts will be designed to facilitate movement of fauna species where feasible.	Determined to be consistent
B12		Expert advice will be sought to assist in identifying the need and location for crossing points for Squirrel Glider populations. Based on this advice and in consultation with DECC, the location and design of these crossing points will be incorporated into the Proposal.	Not applicable
B13		Expert advice will be sought to assist in identifying the need	Not applicable

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Soc Ref	SoC Objective	Commitment	Comments on Consistency
		and location for crossing points based on the areas of potential habitat for the Pink-tailed Worm-lizard and Striped Legless Lizard. Based on this advise and in consultation with DECC, the location and design of crossing points will be incorporated into the Proposal where feasible.	
B14	Minimise an impacts to Pink-tailed Worm-lizard and striped Legless Lizard	An appropriately qualified person will check Pink-tailed Worm-lizard and Striped legless Lizard habitat prior to construction. Individuals found in the construction footprint will be relocated into suitable habitat. The suitability of adjacent habitat for relocation will be determined on the basis of expert advice.	Determined to be consistent
B15	Ensure effectiveness of threatened species mitigation measures	A Threatened Species Monitoring Program will be developed to allow the effectiveness of mitigation and offset measures to be assessed and allow for their modification if necessary.	Not applicable
B16	Maintain fish passage	Waterway crossings will be designed to facilitate fish passage where appropriate and in consultation with relevant government agencies.	Not applicable
B17		Fish Passage will be maintained during construction.	Determined to be consistent
B18	Minimise impact to aquatic habitat	Riparian areas disturbed by the Proposal will be progressively revegetated using plant species of local provenance	Determined to be consistent
B19		DPI Fisheries will be consulted regarding use of cleared vegetation in re-snagging programs for waterways.	Not applicable
B20		Snag management will be undertaken in consultation with relevant government agencies and will follow the management principles of lopping as the first priority followed by realignment, then relocation with removal as the last resort	Not applicable

Soc Ref	SoC Objective	Commitment	Comments on Consistency
B21		A monitoring program will be developed to allow the effectiveness of revegetating the riparian areas to be assessed and modified if necessary.	Determined to be consistent
ABORIGINAL HERITAGE			
AH1	Minimise impact on Aboriginal heritage items	Any aboriginal heritage items directly or indirectly impacted will be managed in consultation with Aboriginal stakeholders and DECC including development of the appropriate management and mitigation strategy.	Determined to be consistent
AH2		Test excavation will be undertaken for the following Aboriginal heritage items: T-PAD-I, K3,K10,K-PAD-6, K_PAD-8, K-PAD-9, LB3, LB4, LB-PAD-3, YY7, YY14, YY17, M-PAD-1, M-PAD-3 and LB-PAD-1 and LB-3 (if impacted) and any additional management and mitigation measures will be developed in consultation with Aboriginal stakeholders and DECC.	Determined to be consistent
AH3		An Aboriginal Cultural Heritage Management Plan (ACHMP) will be prepared, detailing the outcomes of the archaeological test excavations, the proposed mitigation and management measures including the management of any new impacts and any objects encountered during construction and the process for ongoing consultation of the Aboriginal stakeholders and DECC. The ACHMP will be prepared in consultation with Aboriginal stakeholders and DECC.	Determined to be consistent
AH4		Where appropriate through consultation with Aboriginal stakeholders, Aboriginal heritage items within the construction plans, fenced and signposted where necessary.	Determined to be consistent

Soc Ref	SoC Objective	Commitment	Comments on Consistency
AH5		All personnel working on site will receive training in their responsibilities under the <i>National Parks and Wildlife Act 1974</i> . Site specific training will be developed in consultation with Aboriginal stakeholders and will be given to workers when working in the vicinity of identified heritage items.	Determined to be consistent
AH6		Should any human remains be uncovered during works, all works in the vicinity of the find will cease immediately, the Project Manager/Director and the Environmental manager will notify the NSW Police, DECC, the RTA's Environmental Officer (Heritage) and the RTA's Senior Environmental Officer and will seek specialist advice if required. Works will not re-commence until appropriate clearance has been received.	Determined to be consistent
NON-ABORIGINAL HERITAGE			
H1	Minimise impacts on non-Aboriginal heritage items	Where the Proposal will directly impact heritage items of state and local significance, detailed heritage investigations and/or research will be performed prior to construction. Information collected will be documented in appropriate archival records	The detailed design will directly impact M100 “Wine Shanty”, M101 “Mayfield”, M212 “Hamilton and Head Family Memorial”, M005 “Historic Road Reserve” and M003 “Agricultural Feature”. The HHSA's Non-Aboriginal Heritage consultant has completed detailed heritage research for these sites. The impact is considered to be consistent with this SoC.
H2		Where Heritage items are not directly impacted, care will be taken to not disturb them. This will include briefing of the construction works team to protect such assets during the construction phase, minimising access and clear delineation of	The proposed change is consistent with the provisions of this commitment

Soc Ref	SoC Objective	Commitment	Comments on Consistency
		items including fencing and signage would be provided where necessary in consultation with a heritage specialist identified	
H3		A Non-Aboriginal Heritage Management Plan (NAHMP) will be prepared, detailing the proposed mitigation and management strategies for all non-Aboriginal heritage items either impacted directly or indirectly, the proposed management strategy for any new objects uncovered during construction activities and the process for consultation with the Heritage Council of NSW	Proposed change is consistent with the provisions of this commitment
H4		All personnel working on site would receive training in their responsibilities under the Heritage Act 1977. Site-specific training will be given to workers when working in the vicinity of identified heritage items.	Proposed change is consistent with the provisions of this commitment
REAOURCE MANAGEMENT			
RM1	Reduce demand on resources	Geotechnical investigations will be undertaken to identify suitable material on site for any additional fill material requirements.	Determined to be consistent
RM2		The Proposal will be designed to achieve balanced earthworks where feasible.	Determined to be consistent
RM3		Construction practices to minimise water use including investigating opportunities to reuse and recycle water will be adopted.	Determined to be consistent
RM4		Appropriate water sources for the construction will be investigated and identified in consultation with the relevant government agency	Not applicable

Soc Ref	SoC Objective	Commitment	Comments on Consistency
RM5	Minimise transport associated with the demand for resources	Where feasible, suitable materials will be obtained from local existing licensed quarries	Not applicable
RM6	Managing the sourcing of additional fill material outside of the road corridor should it be required	Only suitably approved and licensed quarries would be used for fill material outside of the road corridor and accordingly environmental impacts from the use of such quarries would be addressed and managed through appropriate licensing and approval process.	Not applicable
HYDROLOGY			
G1	Minimise the impact on groundwater resources and land capability and manage land degradation relating to waterlogging and salinisation	Strategies will be developed to manage groundwater issues associated with surrounding land uses, including management of recharge areas in consultation with relevant government agencies.	Not applicable
G2	Minimise the impact of high water table on road infrastructure	Appropriate subsurface drainage infrastructure (e.g. blind ditches) will be installed in areas identified as having groundwater levels, to divert groundwater away from pavement subgrade.	Determined to be consistent
TRAFFIC			
T1	Minimise impact on traffic due to construction	Construction vehicle movement arrangements will be developed to minimise impacts on other road users with specific regard to other road works in the region, local traffic requirements (stock or machinery) and peak traffic volumes, including long weekends and holiday periods.	Determined to be consistent
T2		Construction will be planned to minimise disruption to traffic including use of road occupancy licences, variable message signage and coordination between sections as far as feasible	Determined to be consistent

Hume Highway Southern Alliance

Soc Ref	SoC Objective	Commitment	Comments on Consistency
		through Hume Highway Duplication coordination meetings.	
T3		Periodic review of and survey of road conditions would be undertaken in consultation with Council(s) and rectification works undertaken as expediently as possible where considered necessary and/ or where there are safety concerns.	Determined to be consistent
SOCIAL AND ECONOMIC CONSIDERATIONS			
E1	Minimise property impacts to adjacent landholders	All property will be acquired in accordance with RTA land Acquisition Policy.	Determined to be consistent
E2	Minimise impacts to property access following construction	Negotiations for property acquisition will include consultation on property adjustments where required to maintain farm management practices.	Determined to be consistent
E3	Minimise impact to local and regional roads from construction traffic impacts	Dilapidation surveys of regional and local roads used by construction traffic will be undertaken in consultation with relevant local government authority. The RTA will be responsible for any necessary repair of deterioration attributable to the impacts of the construction traffic.	Not applicable
E4	Minimise the social and economic impact of the construction works on the local community	Property access will be maintained for the duration of the construction with any temporary access requirements being provided in consultation with adjacent landowners where necessary.	Determined to be consistent
E5		Advance notification will be given to property owners on project schedules, construction works and access arrangements.	Determined to be consistent

Soc Ref	SoC Objective	Commitment	Comments on Consistency
AIR QUALITY & GREENHOUSE GASES			
A1	Minimise generation of dust	Dust will be visually monitored and where necessary best practice mitigation measures will be implemented to minimise the generation of dust.	Determined to be consistent
A2		Dust deposition gauges will be installed at sensitive locations, and the performance of the dust suppression actions will be assessed against the DECC guideline.	Not Applicable
A3	Minimise greenhouse gas emissions and air pollution	Plant and equipment will be maintained in a proper and efficient condition and operated in a proper and efficient manner.	Determined to be consistent
A4		Greenhouse gas emission targets for the construction of the Proposal will be in line with government guidelines.	Determined to be consistent
A5		There will be no burning of green waste or any other wastes.	Determined to be consistent
A6		Construction will aim to use electricity energy derived from a renewable energy source accredited by the National Green Power Accreditation Steering Group (or equivalent) for the supply of at least 50% of the on-site electrical energy requirement for the Proposal construction.	Determined to be consistent
NOISE AND VIBRATION			
N1	Establish baseline conditions prior to the start of construction	As necessary, condition surveys will be undertaken on buildings and structures within the potential area of vibration impact prior to commencement of rock-breaking and blasting activities.	Determined to be consistent

Soc Ref	SoC Objective	Commitment	Comments on Consistency
N2	Minimise the impact of construction noise and vibration on surrounding residents and where necessary, comply with all relevant standards to reduce noise and vibration to an acceptable level	The standard construction hours for the Proposal will be 7:00am to 7:00pm Monday to Friday. 7:00am to 7:00pm Saturdays and no work on Sunday or public holidays.	Determined to be consistent
N3		Works required outside of standard construction hours will only be undertaken where the works are essential to be completed in this period and after appropriate consultation with affected residences, the DECC and local council and would be planned to minimise disruption to freight traffic	Determined to be consistent
N4		All plant and equipment will be well maintained and fitted with adequately maintained silencers that meet the vehicle design specifications. At sensitive locations 'broadband' reversing alarms or other alternative vehicle motion warning systems will be considered in lieu of tonal reversing alarms.	Determined to be consistent
N5		Prior consultation and notification will be undertaken with nearby residences that may be affected by noise or vibration generating activities.	Determined to be consistent
N6		Construction compounds will be located to limit noise impacts on adjacent residential premises to no more than 5 dB(A) above background.	Determined to be consistent
N7		Best management practices will be adopted in accordance with the RTA Environmental Noise management manual. Inspections and noise monitoring will be undertaken to determine the effectiveness of mitigation strategies.	Not applicable
N8		Controlled blasting techniques will be employed where feasible. Test blasts will be implemented at locations furthest	Determined to be consistent

Soc Ref	SoC Objective	Commitment	Comments on Consistency
		from residential receivers and noise and vibration levels measured at the nearest structures would be undertaken.	
N9	Minimise the operational noise impact on existing nearby residences	Mitigation measures implemented in accordance with RTA Environmental Noise management manual. These will be implemented during detailed design and in consultation with relevant property owners.	Determined to be consistent
VISUAL			
V1	Minimise visual impact and continue existing landscape and vegetation types	Disturbed areas will be progressively revegetated using plant species of local provenance selected in consultation with a qualified landscape officer.	Determined to be consistent
V2		The landscaping plans for the Proposal will consider the retention of existing views and vistas from the highway having regard to road user safety requirements.	Not applicable
V3		Cutting and embankments will be graded out whenever feasible to reflect and best fit characteristics of the local landform.	Determined to be consistent
WASTE MINIMISATION AND MANAGEMENT			
W1	Reduce creation of waste and maximise re-use of recycling	Reuse and recycling and avoidance strategies in accordance with NSW Government's Waste Avoidance and Resource Recovery Strategy 2006 will be adopted.	Not applicable
W2	Ensure waste generated is managed appropriately	Waste materials will be classified and managed in accordance with DECC Environmental Guidelines Assessment and Classification & Management of Liquid and Non-Liquid Wastes.	Determined to be consistent

Soc Ref	SoC Objective	Commitment	Comments on Consistency
GEOLOGY, SOILS AND WATER QUALITY			
S1	Minimise scour impacts	Scour protection will be installed in creek/river bank areas at risk of erosion as necessary	Determined to be consistent
S2		Culverts will be installed as early as possible in the construction program to ensure that traverse drainage is in place during early stages of construction. Permanent stream protection measures and other waterway structure requirements will also be established as early as possible.	Determined to be consistent
S3	Minimise the risk of water contamination and pollution of local watercourses	Any construction materials and fuels stored or used on site will be appropriately managed to minimise the risk of water contamination.	Determined to be consistent
S4		Operational stormwater controls will be implemented to meet identified receiving water objectives. These may include dispersed stormwater treatment through grassed swales, constructed treatment measures such as operational stormwater retention basins and the use of gross pollutant traps.	Not applicable
S5		<p>The requirement for spill containment will be made on the basis of a site-specific assessment that considers the following:</p> <ul style="list-style-type: none"> ■ The sensitivity of the receiving environment ■ The likelihood of an accident occurring that would result in a spill ■ The proximity of the discharge point to the receiving waters ■ The condition of the receiving waters 	Determined to be consistent

Hume Highway Southern Alliance

Soc Ref	SoC Objective	Commitment	Comments on Consistency
S6	Minimise disturbance to landform. Geology and soils and prevent erosion and sedimentation	A soil conservationist will be engaged to provide advice on management of soils through detailed planning and construction.	Determined to be consistent
S7		Erosion and sedimentation controls will be installed, maintained and managed prior to and during construction. The principles in Managing Urban Stormwater: Soils & Construction, Volume 2 Book 4 – Main Road Construction will apply. If any issues are encountered which are not covered by Volume 2, Managing Urban Stormwater: Soils & Construction will be used.	Determined to be consistent
S8		Sediment will be cleared from behind barriers on a regular basis and controls will be monitored and maintained to ensure they work effectively at all times.	Determined to be consistent
S9		Site access sediment controls such as hardstand material or rumble grids will be installed at entry and exit points to minimise the tracking of soil and particulates onto pavement surfaces.	Not Applicable
S10		Stockpiles will be established on slopes less than 2:1 (horizontal to vertical).	Determined to be consistent
S11		All stockpile sites will be designed, established, operated and decommissioned in accordance with RTA Stockpile management Procedures 2001. Stockpiles will be located not less than 100 metres from high bank of any rivers or drainage lines.	Determined to be consistent
S12		Rehabilitation of disturbed areas will be undertaken	Determined to be consistent

Soc Ref	SoC Objective	Commitment	Comments on Consistency
		progressively.	
CONTAMINATED LAND			
CL1	Identification and investigation of potentially contaminated areas	A review will be undertaken of all land impacted by the Proposal to identify potentially contaminated sites. Potentially contaminated sites will be further investigated in accordance with the RTA's Contaminated Land Management Guideline.	Determined to be consistent
CL2	Management of previously unidentified contamination	If site contamination investigation indicates that contaminants are present on the site in concentration above the intended land use criteria, then an appropriate risk based management plan approach would be developed in accordance with the RTA's Contaminated Land Management Guideline. Where contamination is found to pose unacceptable risk to either the environment or human health receptors a remedial action plan will be developed and remediation works will be undertaken.	Not applicable
HAZARD AND RISK			
R1	Minimise the risk of an incident during construction	Bunded storage areas will be located away from watercourses and will be established for oils and other hazardous liquids in accordance with Australian Standards. Spillages will be contained and collected any spillages for appropriate disposal.	Determined to be consistent
R2		Activities with the potential for spillage such as refuelling, maintenance of equipment, mixing of cutting oil and bitumen will be conducted in bunded areas to prevent discharge into watercourses.	Determined to be consistent
R3		Potentially hazardous and contaminating activities (such as washing construction plant, concrete mixers, bitumen surfacing	Determined to be consistent

Hume Highway Southern Alliance

Soc Ref	SoC Objective	Commitment	Comments on Consistency
		equipment and handling hazardous chemicals) will be conducted in bunded areas away from watercourses.	

2.4 Assessment of Consistency

FACTOR	Yes	No
4.2.1 Fundamental Consistency with Approved Project.		
<p>Will any proposed changes, considered together, result in a radical change to the activity as approved? (Note: that this question is aimed at the fundamental concept of the Project, its location and standard.)</p> <p>The proposed changes would not result in any fundamental change to the approved activity.</p>		✓
4.2.2 Consistency with objectives and functions of the Approved Project as a whole.		
<p>Will any proposed changes, considered together, result in any substantial change to the objectives and function of the approved Project as a whole?</p> <p>The proposed changes are consistent with the objectives, targets and function of the Approved Project. The primary objective of the Approved Project remains to duplicate the existing Hume Highway between Woomargama and Mullengandra. This objective is still accomplished.</p>		✓
4.2.3 Consistency with objectives and functions of elements of the Approved Project.		
<p>Will each separate proposed change result in any substantive change to the objectives and functions of that element of the Approved Project which is modifies AND do so without better satisfying any other Conditions of Approval such as the net improvement in the environmental results?</p> <p>As detailed above the function and objectives of duplicating the existing single carriageway of the Hume Highway will not be affected by the proposed modifications.</p>		✓
4.2.4 Consistency with Environmental Impact		
<p>Are there any new environmental impacts or changes to the environmental impact associated with the proposed changes that are not covered by the safeguards or mitigation measures identified in the EA or associated documentation; or any Minister's Conditions of Approval; or which would make safeguards, mitigation measures of Conditions of Approval ineffective?</p> <p>There are five new impacts to Non-Aboriginal Heritage sites, additional mitigation measures are required to manage the consequential environmental impacts.</p> <p>It should be noted, Item M212 "Hamilton and Head Family Memorial" does not have any heritage significance, however is of social significance to the Hamilton and Head Family Trust, Item M003 "Agricultural Feature" does not have any heritage values while M005 "Historical Road Reserve", M008/M208 "Road remnant (old line of road)" and M101 "George Pett's Mayfield" are considered to have locally significant heritage values.</p>	✓	
4.2.5 Consistency with particular Conditions of Approval		
<p>Will any proposed changes, either by itself or in association with any other proposed changes, result in the inability to satisfy any Condition of Approval?</p> <p>Proposed changes would not compromise the ability to satisfy any Condition of Approval. However, proposed changes would result in new impacts to Non-Aboriginal Heritage items not detailed in the MCoA. These new impacts suggest that proposed changes are inconsistent with the Minister's Conditions of Approval.</p>	✓	

3. Conclusion of Consistency

This Consistency Assessment determines that proposed design alterations within the “Woomargama to Mullengandra” section of the Hume Highway upgrade are generally consistent with the objectives and function of the Hume Highway Duplication Project, as approved by the Minister for Planning (Woomargama to Mullengandra (06_0249)). The proposed design alterations are also considered generally consistent with the objectives, functions of the Concept Approval (06-0314) and with the revised Statement of Commitments

Consequential environmental impacts of the proposed alignment (as a result of the detailed design process) are inconsistent to those described and identified in the Environmental Assessment for Woomargama to Mullengandra (RTA2007) and the Minister’s Conditions of Approval (Woomargama to Mullengandra) for particular impacts on heritage as follows:

- Design refinement in the vicinity Chainage 140500 to accommodate property access has resulted in new impacts to M003 “Agricultural Feature” and M005 “Historical Road Reserve”;
- Design developments between Chainage 133900 and 134300 to enable the continued use of Item M008/M208 “Road remnant (old line of road)” as a rest area and for access to a nearby property will result in minor new impacts to this item; and
- Design development around Chainage 139550 which has resulted in new impact to M101 “Mayfield and M212 “Hamilton and Head Family Memorial”.

The above, specific alterations along the Woomargama to Mullengandra project alignment are considered to be inconsistent with Approved Project (Woomargama to Mullengandra) and a request to modify the Approved Project should be sought from the Minister for Planning in accordance with Section 75W of the EP&A Act.

Appendix B Consultation with the Hamilton and Head Family Trust

Kerrigan, Lisa (SKM)

From: Beverley Smith [bev8rose@bigpond.com]
Sent: Wednesday, 28 November 2007 8:25 PM
To: Kerrigan, Lisa (SKM)
Subject: RE: Hamilton and Head Family Memorial Excavation Report

Hi Lisa

Thank you for your phone call this afternoon, and thank you very much for the very detailed report of the memorial site at Mullengandra, it is very much appreciated.

As mentioned on the phone there are a couple of very minor alterations :-

As I am now unmarried I am now using the Ms title (Page 7 & 8)

Bragg (on page 7) is spelt Bragge

The main correction is to mention that it was most probable that Kate Maud Hamilton was buried on the Echarina property – it is not known where she is buried. (Page 8)

As a matter of interest the Hatch and Hamilton families were related – I think it was Jane Hamilton who married Robert Hatch – I did have their family history – unfortunately I don't have it any more.

We will look forward to being in touch again especially when the memorial is reinstated.

Kind regards
Beverley

From: Kerrigan, Lisa (SKM) [mailto:LKerrigan@skm.com.au]
Sent: Monday, 26 November 2007 5:33 PM
To: Beverley Smith
Cc: O'Keefe, Claire (SKM); Moss, Jo J (SKM); jenny butler
Subject: Hamilton and Head Family Memorial Excavation Report

Beverly

Thanks for taking the time to meet with Peter Douglas (Hume Highway Southern Alliance's Heritage Consultant) and I last Thursday.

Please find attached an additional electronic copy of the Hamilton and Head Family Memorial Excavation Report (produced by Archaeological and Heritage Management Solutions for the Hume Highway Southern Alliance) for your reference. This report clearly documents the findings of archaeological test investigations at the Memorial site, which conclusively show that there are no burials in this location. I am happy to forward a full colour copy of this report to you for your reference if you would like to provide me with your postal address. If you would like additional copies of specific pages please let me know.

As discussed, the upgrade of the Hume Highway between Woomargama and Mullengandra will impact on the Memorial in its current location. Consequently, we propose to relocate this memorial to a suitable location in the vicinity of its existing location within the road reserve. The exact location of which is to be determined in consultation with William and Sarah Head Family Trust.

To ensure protection of the Memorial, we propose to remove it from its current location prior to the commencement of construction activities. The Memorial would be temporarily housed in a safe and secure location within the Hume Highway Southern Alliance Project Office (**Note:** from Monday 3 December 2007 the Project Office will be located at Knox Road on the western side of the existing Hume Highway - access via the existing Hume Highway) for the duration of construction activities. Once all construction activities are complete, we will be in a position to permanently reinstate the Memorial to its "new" location.

In addition, we would like to give the Trust the opportunity to have input into the nature of the reinstatement of the Memorial. For example the opportunity to bury time capsule under the Memorial.

We would be grateful if you could discuss the above proposal with the respective members of the William and

Sarah Head Family Trust and provide any initial feedback.

Please don't hesitate to contact me if you would like to discuss the above further.

Kind Regards

Lisa Kerrigan
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Appendix C Consultation with the Department of Planning, Heritage Office

Kerrigan, Lisa (SKM)

From: Siobhan Lavelle [Siobhan.Lavelle@heritage.nsw.gov.au]
Sent: Tuesday, 22 January 2008 9:34 AM
To: Kerrigan, Lisa (SKM)
Cc: SERETIS Kylie
Subject: RE: Research Design and Archaeological Excavation Methodologyfor M100 (Wine Shanty) - Consultation under MCoA2.11

Dear Lisa,

please be advised that the document 'Hume Highway Duplication Woomargama to Mullengandra Revised Non-Aboriginal Heritage Impact Assessment & Research Designs' prepared by AHMS Pty Ltd and sent to the Heritage Office in December 2007 has now been reviewed.

The proposed methodology and research questions are considered adequate for the resource identified in the report and consequently there is no objection to the commencement of the works.

The above will be confirmed by a formal letter.

regards,

Siobhan

Dr Siobhan Lavelle
Senior Heritage Officer (Archaeologist)
Conservation Team
Heritage Office, Department of Planning
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