

Modification of Minister's Approval

Section 75W of the *Environmental Planning and Assessment Act 1979*

I, the A/ Executive Director, Major Project Assessments Division of the Department of Planning, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 7 June 2007, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* determine to approve of the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.

Skitto 214108
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A/ Executive Director, Major Project Assessments
As delegate for the Minister for Planning

Sydney,

2008

SCHEDULE 1

Project Approval:

granted by the Minister for Planning on 29 August 2007 (MP06_0249).

For the following:

The upgrade of approximately 10 kilometres of the Hume Highway to achieve four lanes of dual carriageway, between approximately 131 kilometres south of Gundagai to approximately 141 kilometres south of Gundagai, in the Greater Hume local government area, referred to as 'Woomargama to Mullengandra'.

Modification:

Refinements to the road design at approximately chainage 140500, 133900 to 134300 and 139550.

SCHEDULE 2

The Approval is modified by:

1. Delete conditions 1.1 and 1.2 and replace with the following:

1.1 The Proponent shall carry out the project generally in accordance with the:

- a) Major Projects Application 06_0249;
- b) *Woomargama to Mullengandra – Hume Highway Duplication – Environmental Assessment* (four volumes), Connell Wagner Pty Ltd and Parsons Brinckerhoff Australia Pty Ltd and dated April 2007;
- c) *Hume Highway Duplication Yarra Yarra to Holbrook and Woomargama to Mullengandra Environmental Assessments – 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;
- d) *Hume Highway Duplication Project Southern Alliance – Woomargama to Table Top – Modification Report Woomargama to Mullengandra – Project Approval 06_0249*, Hume Highway Southern Alliance, dated 19 February 2008;
- e) the conditions of approval granted by the Minister for Planning for the Hume Highway Duplication Concept Plan (Application Number 06_0314) on 20 July 2007;
- f) the conditions of this approval.

1.2 In the event of an inconsistency between:

- a) the conditions of this approval and any document listed from condition 1.1a) to 1.1d) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
- b) any of the documents listed from condition 1.1a) to 1.1d) inclusive, the most recent document shall prevail to the extent of the inconsistency.

2. Delete conditions 2.11 and 2.12 and replace with the following:

2.11 Prior to the commencement of construction, the Proponent shall complete a site specific heritage investigation for Site M100 and shall investigate the options to avoid or minimise the impacts on this site in the final design of the alignment.

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.

2.12 Prior to the commencement of construction work in proximity to the following items, the Proponent shall complete all excavations and/or archival recordings, including photographic records, for M001, M004, M005, M006, M008/M208, M101, M203 and M211. 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.

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 has been developed in consultation with the Department's Heritage Branch 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.

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.

3. Insert the following after condition 2.12:

2.12A Unless otherwise agreed to by the Director-General, the Proponent shall in consultation with the Hamilton and Head Family Trust, remove relics from Site M212 for secure storage prior to the commencement of construction works in the vicinity of the Site and relocate the items to a suitable alternate location within the road reserve following the completion of construction.