

Modification of Minister's Approval

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

I, the Executive Director, Major DA Assessments of the Department of Planning, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 4 March 2009, 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.



Executive Director
Major DA Assessments
As delegate for the Minister for Planning

Sydney, 14 November 2009

SCHEDULE 1

Project Approval:	granted by the Minister for Planning on 13 January 2009
For the following:	Pacific Highway Upgrade – Sapphire to Woolgoolga (06_0293)
Modification:	modification to the Minister's approval in relation to stakeholder consultation and community interest groups.

SCHEDULE 2

The approval is modified by:

1. Replacing existing condition 1.1 with new condition 1.1, as follows:

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

- a) Major Projects Application 06_0293;
- b) *Coffs Harbour Highway Planning – Sapphire to Woolgoolga section - Environmental Assessment* (volumes 1, 2 and 3), prepared by Connell Wagner Pty Ltd and dated November 2007;
- c) *Coffs Harbour Highway Planning – Sapphire to Woolgoolga section – Environmental Assessment Submissions Report*, prepared by Connell Wagner Pty Ltd and dated June 2008, including the revised Statement of Commitments contained therein;
- d) correspondence from the NSW Roads and Traffic Authority to the Department of Planning dated 29 October 2008 withdrawing the proposed Arrawarra Rest Area from the project;
- e) Modification Application dated 21 October 2009 (06_0293 MOD 1), and request for modification dated 20 October 2009; and
- f) the conditions of this approval.

2. Replacing existing condition 1.2 with new condition 1.2, as follows:

1.2 In the event of an inconsistency between:

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

3. Deleting condition 5.5.

4. Replacing condition 5.6 with the following:

5.6 The Proponent shall prepare and implement a Community Communication Strategy for the project. This Strategy shall be designed to provide mechanisms to facilitate communication between the Proponent, the Contractor, the Environmental Representative, Council and local community (broader and local stakeholders) on the detailed design, progress and the related environmental management of the project. The Strategy shall include, but not necessarily limited to:

- a) identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners;
- b) procedures and mechanisms for the regular distribution of information to stakeholders on the progress of the project, detailed design and matters associated with environmental management;
- c) procedures and mechanisms through which stakeholders can discuss or provide feedback to the Proponent and/or Environmental Representative in relation to the environmental management, detailed design and delivery of the project;
- d) the formation of community-based forums (focus groups) that focus on key design and environmental management issues for the project. The Strategy shall provide detail on the structure, scope, objectives and frequency of the community-based forums;

- e) procedures and mechanisms through which the Proponent can respond to any enquires or feedback from stakeholders in relation to the environmental management, detailed design and delivery of the project; and
- f) 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. This may include the use of an appropriately qualified and experienced independent mediator.

Key issues that should be addressed in the Community Communication Strategy should include (but not necessarily be limited to):

- i) traffic management (including property access, pedestrian and cycleway access);
- ii) property acquisition;
- iii) business impacts;
- iv) landscaping/urban design matters;
- v) heritage;
- vi) construction activities; and
- vii) noise and vibration mitigation and management.

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 associated with the project, unless otherwise agreed by the Director-General.