

Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 1 October 2011, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.

Felicity Greenway
A/Director, Infrastructure Projects

Sydney

1st November

2012

SCHEDULE 1

Project Approval:

07_0051 granted by the Minister for Planning on 29 January 2010

For the following:

The construction and operation of an approximately 17 kilometre four lane divided carriageway, comprising a tunnel, six twin bridges, three underpasses, a half interchange and upgrading an existing interchange, preferred to as the Pacific highway Upgrade – 'Tintenbar to Ewingsdale' Project.

Modification:

07_0051 MOD 4: Amendment of condition 2.22 in relation to heritage site H29 and H39.

SCHEDULE 2

The approval is modified by:

1. Relacing condition 1.1 with new condition 1.1 as follows:

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

- (a) Major Projects Application 07_0051
- (b) Tintenbar to Ewingsdale - upgrading the Pacific Highway - Environmental Assessment (volumes 1, 2,3 and 4), prepared by the Roads and Traffic Authority and dated August 2008;
- (c) Tintenbar to Ewingsdale - Upgrading the Pacific Highway Environmental Assessment Submissions Report and Preferred Project Report, prepared by the Roads and Traffic Authority and dated May 2009, including the revised Statement of commitment contained therein;
- (d) The Roads and Traffic Authority modification request dated 17 June 2010 and assessment information supplemented by correspondences from the Roads and Traffic Authority on 18 June 2010 (07_0051 MOD1);
- (e) The Roads and Traffic Authority modification request and letter dated 2 November 2010 (07_0051 MOD 2);
- (f) The Roads and Maritime Services modification request and letter dated 4 October 2012 (07_0051 MOD4); and
- (g) The conditions of the approval.

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

3. Replacing condition 2.22 with new condition 2.22 as follows:

2.22 The Proponent shall not destroy, modify or otherwise physically affect sites A8, H18, H30 and H38."
