

Modification of Minister's Approval

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

As the delegate of the Minister for Planning and Infrastructure, under delegation dated 14 September 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

19 March

2013

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 5: Modification to the Conditions of Approval 2.14, 2.17 and 2.18 relating to blasting hours, airblast overpressure and ground vibration levels, respectively.

SCHEDULE 2 CONDITIONS

The approval is modified by:

1. Inserting the following definition in the table in Schedule 2:

St Helena Hill tunnel works	Works comprising the excavation of the St Helena hill tunnel, including the tunnel portals and twin tunnels, between chainage 27800 and 28500, excluding works associated with the establishment of a tunnel control centre
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2. Deleting condition 1.1 and replacing with the following:

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 Commitments contained therein;
- (d) The Roads and Traffic Authority modification request dated 17 June 2010 and assessment information supplemented by correspondence from the Roads and Traffic Authority on 18 June 2010 (07_0051 MOD 1);
- (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 5 October 2012 (07_0051 MOD4);
- (g) The Roads and Maritime Services modification request and letter dated 5 October 2012 (07_0051 MOD3) and additional information dated 25 October 2012;
- (h) The Roads and Maritime Services modification request and letter dated 29 January 2013, and the document titled *Modification request for an extension to blasting hours, airblast overpressure and vibration limits*, prepared by Baulderstone (RPT-ENV-004) dated 25 January 2013 (07_0051 MOD5);
- (i) the Roads and Maritime Services letter titled *Request for Modification to Ministers Conditions of Approval 2.14, 2.17 and 2.18 – Construction and Blasting Restrictions and Limits and the Tunnel Control Centre*, dated 5 March 2013, and
- (j) The conditions of this approval.

3. Deleting condition 1.2 and replacing with the following:

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(i) 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(i) inclusive, and any other document listed from condition 1.1(a) to 1.1(i) inclusive, the most recent document shall prevail to the extent of the inconsistency.

4. Deleting condition 2.14 and replacing with the following:

Blasting associated with the project shall only be undertaken during the following hours:

- (a) 9:00 am to 5:00 pm, Mondays to Fridays, inclusive;
- (b) 9:00 am to 1:00 pm on Saturdays;
- (c) at no time on Sundays or public holidays;
- (d) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive, for works required for the St Helena hill tunnel works, for a period of 12 months from the date of the approval of MOD 5 unless otherwise agreed by the Director-General in consultation with the EPA.

This condition does not apply in the event of a direction from police or other relevant authority for safety or emergency reasons to avoid loss of life, property loss and/or to prevent environmental harm.

5. Deleting condition 2.17 and replacing with the following:

The Proponent shall ensure that airblast overpressure generated by blasting associated with the project, excluding works subject to Condition 2.17A, does not exceed the criteria specified in Table 1 when measured at the most affected residence or other sensitive receiver.

Table 1 - Airblast Overpressure Criteria

Airblast Overpressure (dB(Lin Peak))	Allowable Exceedance
115	5% of total number of blasts over a 12 month period
120	Never

6. Inserting new condition 2.17A:

The Proponent shall ensure, where a written agreement has been entered into with an affected receiver, that the airblast overpressure generated by blasting associated with the St Helena hill tunnel works does not exceed the criteria specified in Table 2 when measured at that receiver.

Table 2 - Airblast Overpressure Criteria (St Helena hill tunnel works)

Airblast Overpressure (dB(Lin Peak))	Allowable Exceedance
125	5% of total number of blasts over a 12 month period
130	Never

7. Deleting condition 2.18 and replacing with the following:

The Proponent shall ensure that ground vibration generated by blasting associated with the project, excluding works subject to Condition 2.18A, does not exceed the criteria specified in Table 3 when measured at the most affected residence or other sensitive receiver.

Table 3 - Peak Particle Velocity Criteria

Peak Particle Velocity (mms^{-1})	Allowable Exceedance
5	5% of total number of blasts over a 12 month period
10	Never

8. Inserting new condition 2.18A:

The Proponent shall ensure, where a written agreement has been entered into with an affected receiver, that the ground vibration generated by blasting associated with the St Helena hill tunnel works does not exceed the criteria specified in Table 4 when measured at that receiver.

Table 4 - Peak Particle Velocity Criteria (St Helena hill tunnel works)

Peak Particle Velocity (mms^{-1})	Allowable Exceedance
15	5% of total number of blasts over a 12 month period
20	Never
