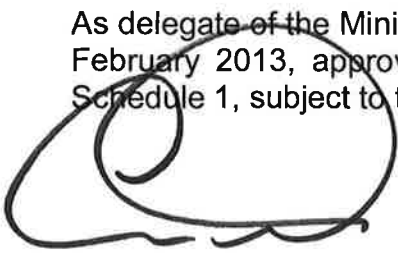


Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation dated 27 February 2013, approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Wilson
Executive Director
Development Assessment Systems and Approvals

Sydney

13 MM

2013

SCHEDULE 1

Project Approval:

10_0094 granted by the then Deputy Director-General, Development Assessment and Systems Performance, under delegated authority on 23 September 2011

For the following:

The "Nundah Bank Third Track Project" including the:

- construction and operation of a third rail track approximately 4km in length adjacent to the Main North Line;
- relocation of signalling infrastructure and new vehicle access tracks adjacent to the new rail track;
- construction/upgrade to culverts, road and water crossing for the third track;
- modification to the configuration of the Camberwell rail loop.

Modification:

10_0094 MOD 1 involving:

- Removal of condition C9, requiring the establishment of a Squirrel Glider crossing zone.

SCHEDULE 2

This approval is modified by:

1. Replacing existing condition A1 with new condition A1 as follows:

Terms of Approval

A1. The Proponent shall carry out the project in accordance with the:

- a) Major Project Application 10_0094;
- b) *Nundah Bank Third Track – Environmental Assessment (Volumes 1-3)*, prepared by KMH Environmental on behalf of Australian Rail Track Corporation and dated March 2010;
- c) *Nundah Bank Third Track – Environmental Assessment Submissions Report*, prepared by KMH Environmental on behalf of Australian Rail Track Corporation and dated May 2011;
- d) *Modification Application Request to Modify Project Approval (#10_0094). Removal of Condition C9 – Squirrel Glider Crossing Zone*, prepared by Upper Hunter Valley Alliance – Nundah Bank Third Track Project (dated 6 March 2013, Revision B); and
- e) the conditions of this approval.

2. Replacing existing condition A2 with new condition A2 as follows:

A2. In the event of an inconsistency between:

- a) the conditions of this approval and any document listed from condition A1a) to A1d) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
- b) any of the documents listed from condition A1a) to A1d) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. Deleting existing condition C9.
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