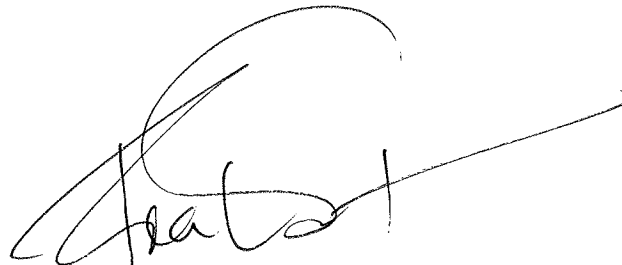


**Modification Approval**  
**Section 75W of the *Environmental Planning & Assessment Act 1979***

I, the Minister for Planning, modify the Project Approval referred to in Schedule 1 as set out in Schedule 2.



Frank Sartor MP  
Minister for Planning

Sydney,

21<sup>ST</sup> Feb

2006

File No: S03/02765 Pt 2

**SCHEDULE 1**

Approval for the Lane Cove Tunnel granted by the Minister for Planning on 3 December 2002 to the Roads and Traffic Authority, as modified on 10 March 2004, 3 June 2006 and 21 November 2006.

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## SCHEDULE 2

1. Insert the following two definitions into the Glossary and Abbreviations section of Schedule 1 of the Minister's Approval:

Modification Report	Report entitled <i>Lane Cove Tunnel Surface Traffic Modifications Environmental Assessment Report</i> , prepared by the Roads and Traffic Authority, and dated December 2006.
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Stage 2 Works	The Works defined as Stage 2 Works in the Modification Report .
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2. Delete Condition 1 of the Minister's Approval and replace with the following:

The Project shall be carried out in accordance with the Proposal as described in the Environmental Impact Statement (EIS), and as modified by the Representations Report and the Modification Report and where relevant:

- a) the Director-General's Reports;
- b) the Conditions of this Approval imposed by the Minister

Despite the above, in the event of any inconsistency with the Project as described in the EIS, Representations Report, Modification Report, supplementary information and the Conditions of Approval, the Conditions of Approval imposed by the Minister shall prevail.

These conditions do not relieve the Proponent of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act. Without affecting the generality of the foregoing, the Proponent shall comply with the terms and conditions of such approvals and licences.

It shall be the ultimate responsibility of the Proponent to ensure that the Project is carried out in accordance with the EIS and as modified by the Representations Report, Modification Report and supplementary information, and that full compliance with all Conditions of Approval granted by the Minister is achieved.

3. Delete Condition 3 of the Minister's Approval and replace with the following:

The Tunnel, Falcon Street ramps and Gore Hill Freeway widening shall be opened to traffic within a one month period unless otherwise agreed by the Director-General.

4. Insert a new Condition 3A into the Minister's Approval as follows:

The Stage 2 Works and the transit lanes on the Gore Hill Freeway are to be fully implemented no later than 11 months after Tunnel opening.

5. Delete Condition 7 of the Minister's Approval and replace with the following:

An Environmental Impact Audit Report shall be submitted to the Director-General, nine (9) months after the completion of the Stage 2 Works and five (5) years after the Project opening to traffic or at any time as requested by the Director-General within the first ten (10) years of operation. The environmental impact audit report shall be prepared by an independent person(s) or organisation approved by the Director-General and paid for by the Proponent. The Report shall assess the key impact predictions made in the EIS, Representations Report and supplementary information and detail the extent to which actual impacts reflect the predictions during the 12 month period prior to the submission of the first Report and any other periods as required. The Report shall provide details on actual versus predicted impacts for all key issues identified in the EIS. The suitability of implemented mitigation measures and safeguards shall also be assessed. The Report shall also assess compliance with the Operational EMP.

The Report shall discuss results of consultation with the local community in terms of feedback/complaints on the construction and operation phases of the Project and any issues of concern raised and shall be made available to any member of the public upon request. The Proponent shall comply with all reasonable requirements of the Director-General or any determining authority with respect to any reasonable measure arising from, or recommendations in, the report.

6. Insert a new Condition 15A into the Minister's Approval as follows:

The Proponent must prepare and implement a detailed Community Notification Strategy to provide information to road users, including motorists, pedestrians and cyclists, on the timing of the implementation of project elements.

7. Delete Condition 33 of the Minister's Approval and replace with the following:

The Proponent shall ensure adequate monitoring of the local and regional road network is conducted prior to the opening of the Project to provide an appropriate baseline for measuring any future impacts resulting from the operation of the Project as part of the impact verification required under Condition 7. Key impact verification shall include traffic volumes on approach and departure routes, Reserve Road (north and south of the Gore Hill Freeway), Falcon Street/Military Road, Ernest Street, Pacific Highway, Longueville Road/Epping Road (surface), Mowbray Road West and East, Pittwater Road, Badajoz Road, Wicks Road and all other roads where substantial increases or decreases were predicted in the EIS and/or Representations Report. Impacts on bus travel times on these roads (where relevant) shall also be monitored. The Proponent shall consult with and take into account comments from relevant Council(s) and bus operators regarding the methodology and timing of the study.

Six (6) months after the completion of the Stage 2 Works, the Proponent shall monitor morning and evening peak hour traffic levels for a period of one (1) week. Should monitoring indicate traffic intrusion on these roads/streets 10% or greater than that predicted in the EIS and Representations Report as a result of the operation of the Project, the Proponent shall also prepare and implement additional traffic management measures consistent with Condition of Approval No. 37 to mitigate the impacts of intrusive traffic in the affected areas following consultation and agreement with the relevant Council(s) and consultation with the local communities and the STA.

8. Delete Condition 35 of the Minister's Approval and replace with the following:

The Proponent shall monitor morning and evening peak hour traffic levels for a period of one (1) week (outside of school holiday periods), six (6) months after the completion of the Stage 2 Works and then every two (2) years for ten (10) years or for a shorter period as agreed to by the Director-General should monitoring indicate traffic levels close to those predicted. The monitoring shall occur across the western and eastern screenlines, as defined in Working Paper 4 of the EIS, and in the Lane Cove Tunnel. The results of this monitoring shall be compared to levels predicted in the model used for the EIS and forwarded to the Department and PTC within one (1) month of monitoring and made publicly available.

9. Delete Condition 41 of the Minister's Approval and replace with the following:

The Proponent shall in consultation with the PTC develop measurable performance indicators for pedestrian walk times at key pedestrian crossing locations (e.g. Delhi Road/Epping Road, Longueville Road/Epping Road intersection including Little Street, Centennial Avenue, Mowbray Road and Merlin Street) occurring as a result of the Project. The performance indicators at these crossing locations shall be reviewed six months after the completion of the Stage 2 Works and one (1) year after the initial review. The Proponent shall, at its own expense, implement any measures as reasonably required by the PTC.

10. Delete Condition 50 of the Minister's Approval and replace with the following:

The PTC shall consider the following specific matters as they relate to the study area:

- a) oversee provision of bus priority measures proposed by the RTA in the EIS and Representations Report ;
- b) assessment of the potential bus stop requirements on the Gore Hill Freeway (to provide access to the Artarmon Industrial Area);
- c) bus priority measures on Falcon Street, east of Pacific Highway;
- d) pedestrian access across Epping Road to Delhi Road;
- e) potential for bus priority measures at Pittwater Road, Longueville Road to the Pacific Highway southbound and from Epping Road to Mowbray Road West;
- f) appropriate signage and marking of proposed bus lanes;
- g) bus and transit lane enforcement measures;
- h) further opportunities for improved bus priority on the Pacific Highway including rationalisation of 'S' lane extensions to proposed bus lanes, need for parking restrictions and treatment of right turns;
- i) review the effectiveness of the T2 lane on the Gore Hill Freeway with a view to upgrading to T3 or bus lanes at 6 months after implementation of the transit lanes and every two years thereafter for ten years; and
- j) potential for real time bus information at bus stops.

11. Delete Condition 53 of the Minister's Approval and replace with the following:

The Proponent shall, in consultation with the PTC, monitor and review bus performance against the indicators developed in Condition 52 (including bus timetables) at six (6) months after the completion of the Stage 2 Works, then after one (1) and two (2) years of implementation of the bus lanes referred to in Condition 212 for key bus services and routes. The monitoring shall include bus services using the Gore Hill Freeway, Epping Road, Pacific Highway and Willoughby Road. The results of the monitoring

shall be forwarded to the Director-General. If bus performance does not meet the indicator targets, the Proponent shall initiate, at its own expense, any actions as reasonably required by the PTC or TNSW.

12. Delete Condition 60 of the Minister's Approval and replace with the following:

Monitoring of operational noise shall be undertaken in accordance with the Operational Noise Management Sub Plan prepared in accordance with Condition 59. The Proponent shall, to the satisfaction of the Director-General and in consultation with the EPA, assess the adequacy of the traffic noise and ventilation noise mitigation measures six (6) months after the completion of the Stage 2 Works and having regard to the criteria specified in the Operational Noise Management Sub Plan. Should assessment indicate a clear trend in traffic noise levels on surrounding roads which exceed the Operational Noise Management Sub Plan defined noise design goals prepared in accordance with the RTA's Environmental Noise Control Manual, the Proponent shall implement further reasonable and feasible mitigation measures in consultation with affected landowners and/or occupiers.

13. Delete Condition 166 of the Minister's Approval and replace with the following:

The Proponent shall install monitoring stations at the top of the building at 18-20 Orion Road and 401 Pacific Highway, in accordance with Condition of Approval No. 164 to monitor for pollutants identified in Table 4. Monitoring shall be undertaken over a period of at least 12 months from opening of the Project to traffic to correlate and verify impacts with the air quality modelling predictions. The Director-General may request that the Proponent extend the monitoring duration by 5 months, in the event that the Director-General, following consultation with the EPA, considers that further modelling is necessary to verify modelling predictions. The Director-General, the EPA and NSW Health shall be notified 6 weeks in advance of the closure of these monitoring stations. The results of the monitoring program shall be made available to the owners of 18-20 Orion Road and 401 Pacific Highway and the AQCCC.

14. Delete Condition 168 of the Minister's Approval and replace with the following:

The Proponent shall validate the ambient air quality assessment undertaken for the tunnel ventilation system as assessed in the Environmental Assessment for the Revised Ventilation Design for Lane Cove Tunnel (RTA, undated as submitted to DoP 25/10/02) for the Project utilising actual monitoring data recorded by the Proponent twelve (12) months after the completion of the Stage 2 Works. Validation shall be to the satisfaction of the Director-General in consultation with the EPA.

15. Delete Condition 212 of the Minister's Approval and replace with the following:

The Proponent shall implement continuous 24 hour bus lanes in both directions on Epping Road/Longueville Road from Mowbray Road West to the commencement of the Gore Hill Freeway within 10 months of Tunnel opening in consultation with the PTC except at three locations:

- a) Eastbound, Longueville Road, between the Longueville Road, between the Longueville Road exit ramp and Pacific Highway;
- b) Westbound, Longueville Road, between Pacific Highway and Epping Road; and
- c) Westbound, Epping Road, between the approach to Centennial Avenue and the approach to Tantallon Road.

16. Delete Condition 213 of the Minister's Approval and replace with the following:

No later than at the time of Project opening the Proponent shall where feasible install bus priority facilities for westbound traffic on Epping Road at Mowbray Road West, Pittwater Road and Delhi Road intersections in consultation with the PTC.

17. Delete Condition 214 of the Minister's Approval and replace with the following:

No later than 11 months after Tunnel opening the Proponent shall implement a continuous AM peak T3 lane on Epping Road between Delhi Road and Mowbray Road West for eastbound traffic in consultation with the PTC.

18. Delete Condition 215 of the Minister's Approval and replace with the following:

The Proponent shall install bus lane enforcement systems on Epping Road for both eastbound and westbound bus lanes in consultation with the STA, PTC and NSW Police Service at the time the bus lanes referred to in Condition 212 are installed.

19. Delete Condition 216 of the Minister's Approval and replace with the following:

The Proponent shall ensure that an at-grade pedestrian crossing is provided to allow pedestrians to cross in a single uninterrupted stage across Epping Road on the western side of the junction with Longueville Road (not including the slip lane from Longueville Road northbound to Epping Road westbound).

20. Insert new Condition 216A in the Minister's Approval as follows:

The Proponent must ensure that the crossing of Epping Road at Mowbray Road is staged with separate walk signals provided for the eastbound and westbound carriageways of Epping Road. The pedestrian push buttons on the northern and southern kerbs of Epping Road must place a call for both stages of the pedestrian crossing (eastbound and westbound carriageways).

21. Delete Condition 227 of the Minister's Approval and replace with the following:

The Proponent shall implement a dedicated 24 hour T2 lane in each direction on the entire length of the Gore Hill Freeway within 11 months of Tunnel opening.

22. Delete Condition 231 of the Minister's Approval and replace with the following:

The Proponent shall implement transit lane enforcement bays on the Gore Hill Freeway and bus lane enforcement required on the Pacific Highway in consultation with the NSW Police Service, STA and the PTC at the time the transit lanes and bus lanes referred to in Conditions 212, 214 and 227 are implemented.

23. Delete Condition 238 of the Minister's Approval and replace with the following:

The Proponent shall investigate the provision of a bus indent bay on Military Road to the east or in the vicinity of Merlin Street north. The location and design of any bay shall be to the satisfaction of the Public Transport Committee.