

Modification of Infrastructure Approval

Section 115ZI of the *Environmental Planning & Assessment Act 1979*

I, Karen Harragon, A/Director Infrastructure Projects, as delegate of the Minister for Planning under Instrument of Delegation dated 2 February 2015, approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Karen Harragon
A/Director, Infrastructure Projects

Sydney

7 October 2015

SCHEDULE 1

Infrastructure Approval:

SSI 4963 granted by the Minister for Planning on 24 June 2014

For the following:

The construction and operation of a four-lane motorway standard highway (two lanes in each direction) approximately 155 kilometres in length between Woolgoolga and Ballina, known as the Pacific Highway Upgrade – Woolgoolga to Ballina project.

Modification:

SSI 4963 MOD 2: Minor amendment to capture additional works outside the project boundary that may impact on heritage items to require archaeological investigations.

SCHEDULE 2 CONDITIONS

1. Insert the following after condition A2(g):

- (h) Modification request and letter dated 24 September 2015 to modify the approval to capture additional works outside the project boundary that may impact on heritage items to require archaeological investigations; and
- (i) conditions of this approval.

2. Insert the following after condition B54:

B54A. The Applicant may undertake archaeological investigations at sites outside the SSI boundary where the following works associated with the construction of the highway are proposed:

- i. ancillary sites that do not meet the criterion set out in condition B73; or
- ii. utilities or services, or
- iii. access and service roads and driveways; or
- iv. or similar works required for the project that are located within 5 metres of the SSI boundary (with the exception of drainage works in flood prone areas where such activities can be investigated within 20 metres of the SSI boundary).

These investigations are permitted where this is required to assess the potential Aboriginal and non-Aboriginal archaeological impacts of the ancillary facility or other works on previously unidentified heritage sites, provided:

- (a) any archaeological investigations undertaken under this condition shall be consistent with the requirements in condition B44 for Aboriginal heritage and condition B50 for non-Aboriginal heritage and with the Construction Heritage Management Plan or a methodology prepared to the satisfaction of the Secretary in consultation with OEH; and
- (b) the results of any relevant archaeological investigations undertaken under this condition shall be consistent with the reporting requirements of condition B45 for Aboriginal heritage and condition B50 for non-Aboriginal heritage, and for ancillary sites, be described in the assessment of the ancillary facility required under conditions B74 and B75.

3. Replace all references to condition B78, with condition B54A.

4. Delete condition B78.

5. Replace the references to (v) – (xiv) in condition D25 (d) with (i) – (x).