



SF2012/010643
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Karen Jones
Director, Infrastructure Projects
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: **Michael Young**

Dear Michael,

**Additional Crossing of the Clarence River at Grafton (SSI-6103)
Modification Request No.1**

The Additional Crossing of the Clarence River at Grafton ("the project") was approved by the NSW Minister for Planning on the 19th December 2014. Roads and Maritime Services (Roads and Maritime) request a modification to the definitions in the Minister's Conditions of Approval (MCoA).

As you are aware, Roads and Maritime and the EPA have a Memorandum of Understanding (MoU), which details the roles and responsibilities of both parties in relation to the Pacific Highway Program managed by the Roads and Maritime Pacific Highway Office. The Additional Crossing of the Clarence River at Grafton is being managed by Roads and Maritime within the Pacific Highway Office at Grafton. The MoU details the levels resourcing to be provided, the services to be delivered and a range of governance and administrative arrangements. In relation to the services delivered, the MoU confirms that the EPA is responsible for delivering both environment protection and biodiversity management services to the Pacific Highway Office and the projects which fall under its orbit.

While it is acknowledged that structural reforms within State Government have meant that environment protection (EPA) and biodiversity management (OEH) services are now delivered from separate agencies, it was a conscious decision to keep the existing EPA Pacific Highway team together to ensure that it could continue to focus on delivering dedicated services to the Pacific Highway Office and its Program of works. This approach has been negotiated and agreed between Roads and Maritime, EPA and OEH.

The EPA's Pacific Highway Upgrade Team therefore continues to provide both environment protection and biodiversity management services to the RMS Pacific Highway Office and its Program of Works. In delivering these biodiversity management services, the EPA continues to consult with OEH.

Roads and Maritime Services

Roads and Maritime have consulted with representatives from the EPA and OEH, who are supportive in Roads and Maritime seeking this modification. In this context, Roads and Maritime is requesting that the Additional Crossing of the Clarence River at Grafton, Minister's Conditions of Approval are amended to reflect the terms of the Roads and Maritime - EPA MoU. This would simply involve amending the Minister's Conditions of Approval to replace all references to OEH with EPA where these conditions refer to either biodiversity issues (including threatened species) or environment protection matters. It is understood conditions pertaining to heritage issues would still involve consultation with OEH.

In order to provide clarity for all agencies and thereby ensure timely delivery of the Additional Crossing of the Clarence River at Grafton project it would be appreciated if you would expedite the changes as requested.

Should you wish to clarify or discuss these matters further please contact Mr Scott Lawrence on 02 6640 1375 or Scott.Lawrence@rms.nsw.gov.au in the first instance.

Yours sincerely,



Wesley Stevenson Acting, General Manager Pacific Highway

24/9/2015

Cc. Environment Protection Authority – Director North, Gary Davey
Office Environment and Heritage – Regional Manager North East, Don Arnold