

Modification of Approval

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

I, the Minister for Infrastructure and Planning, modify under Section 115 BAA of the *Environmental Planning and Assessment Act 1979* the approval referred to in Schedule 1 in the manner set out in Schedule 2.

Craig Knowles MP
Minister for Infrastructure and Planning

Dated this day of 2004

SCHEDULE 1

Approval for the Western Sydney Orbital granted by the Minister for Planning on 28 February 2002 to the Roads and Traffic Authority, as modified on 19 June 2003 and 4 May 2004.

SCHEDULE 2

The Department recommends the following variations to Conditions of Approval 109 (last paragraph) and 223(g). Insertions to conditions are presented in “italics” (e.g. *italics*) and deletions are “struck through” (e.g. ~~struck through~~).

- 109 The Cycleway Strategy shall be submitted to the Director-General *for approval* ~~and require the approval of the Minister for Planning~~ within an appropriate timeframe to ensure that the approved cycleway is opened to cyclists no later than the opening of the Project to traffic.
- 223(g) sites are to be excluded from areas that would have an impact on any endangered ecological communities or threatened flora and fauna *unless otherwise agreed by the Director General. Where an area of low conservation significance cannot be used, justification for the selected site must be provided; and*