

# Modification of Infrastructure Approval

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

As delegate of the Minister for Planning under the instrument of delegation dated 16 February 2015, I approve the modification of the State significant infrastructure approval referred to in Schedule 1, subject to the conditions in Schedule 2.



**Karen Jones**  
Director  
Transport Assessments

Sydney

29 June

2016

### SCHEDULE 1

**Infrastructure Approval:**

SSI-6136 granted by the Minister for Planning on 13 January 2015

**For the following:**

Development for the purposes of the NorthConnex project being a new multi-lane road link between the M1 Pacific Motorway (formerly the F3 Sydney–Newcastle Expressway) at North Wahroonga and the Hills M2 Motorway at Baulkham Hills, including:

- construction and operation of two road tunnels for traffic traveling north - south between the M1 Pacific Motorway and the Hills M2 Motorway;
- M2 integration works;
- construction of access points and improvements to intersections and interchanges in the vicinity of NorthConnex;
- construction of ventilation facilities;
- motorway control centre; and
- 11 temporary construction facilities to support the construction of the proposal.

**Modification:**

Modification to condition D47 to permit the Secretary to extend the timeframe of implementation of the Biodiversity Offset Package.

## SCHEDULE 2

### CONDITIONS

#### 1. Delete Condition D47 and replace with the new condition D47 as follows:

##### **Biodiversity Offsets**

D47 Within 12 months of the commencement of construction, unless otherwise agreed by the Secretary, the Proponent shall develop and implement a Biodiversity Offset Package for the approval of the Secretary. The Package shall detail how the ecological values lost as a result of the SSI will be offset. The Package shall be consistent with the *NSW offset principles for major projects (state significant development and state significant infrastructure) (OEH, 2013)* and align, as far as is feasible and reasonable, with the *Biodiversity Offset Strategy requirements of the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014)*.

The Package shall include, but not necessarily be limited to:

- (a) the identification of the extent and types of habitat that would be lost or degraded as a result of the final design of the SSI;
- (b) the objectives and biodiversity outcomes to be achieved;
- (c) the final suite of the biodiversity offset measures selected and secured in consultation with OEH;
- (d) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including:
- (e) the monitoring of the condition of species and ecological communities at offset (including translocation) locations;
- (f) the methodology for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites;
- (g) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and
- (h) timing and responsibilities for the implementation of the provisions of the Package.

Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region.

Where monitoring referred to in (e) above indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved to the satisfaction of the Secretary. Such remedial actions shall be documented under an addendum to the Biodiversity Offset Package and the addendum be submitted for the approval of the Secretary, prior to the implementation of that addendum.