

Modification of Approval

Section 75W of the *Environmental Planning and Assessment Act 1979*

I, the Executive Director, Major Project Assessments Division of the Department of Planning, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 7 June 2007, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* determine the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.



Executive Director
Major Project Assessments
As delegate for the Minister for Planning

Sydney 13 June 2008 File No: 9039739

SCHEDULE 1

Project Approval: granted by the Minister for Planning on 22 October 2007 (MP 07_0054).

For the following: "the desalinated water delivery system" project as part of the approved concept plan for the Kurnell Desalination Plant (05_0082)

Modification: Amendments to the alignment of the Urban Sydney Sector of the project, generally in Alexandria and Erskinvile.

SCHEDULE 2

The approval is modified as follows:

1. Replacing existing condition 1.1 with new condition 1.1 as follows:

- 1.1 The Proponent shall carry out the project generally in accordance with the:
- a) *Environmental Assessment of the Desalinated Water Delivery System*, dated April 2007, and prepared by GHD on behalf of the Proponent;
 - b) *Desalinated Water Delivery System: Preferred Project Report*, dated August 2007, and prepared by Sydney Water Corporation;
 - c) *Desalinated Water Delivery System: Application for Modification of Project Approval for the Urban Sydney Sector: Sydney North*, prepared by the Water Delivery Alliance for Sydney's Desalination Project and dated 5 May 2008;
 - d) the concept plan approval granted with respect to the Kurnell Desalination Plant concept plan (05_0082); and
 - e) the conditions of this approval.

2. Replacing existing condition 1.2 with new condition 1.2 as follows:

- 1.2 In the event of an inconsistency between:
- a) the conditions of this approval and any document listed from condition 1.1a) to 1.1c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - b) any document listed from condition 1.1a) to 1.1c) inclusive, and any other document listed from condition 1.1a) to 1.1c) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. Replacing existing condition 2.1 with new 2.1 as follows:

- 2.1 Without limiting or restricting the selection of a construction method for other parts of the project, the Proponent shall ensure that the project parts identified in Table 1 are only constructed using a trenchless technology.

Table 1 - Trenchless Technology Project Segments

Sector	Description	Location
Kurnell Sector	Under residential streets	From under Captain Cook Drive (near the Kurnell subtransmission substation) to the corner of Tasman Street and Dampier Street, and along Dampier Street to Silver Beach (Figure 10-1 of the document referred to under condition 1.1b))
Botany Bay Sector	Under seagrass beds	From Silver Beach to a point around 800 metres from the mean high water mark into Botany Bay along the pipeline alignment (Figure 10-2 of the document referred to under condition 1.1b))
Urban Sydney Sector	Under residential streets and watercourses	From Cook Park along Tancred Avenue and under Muddy Creek to Riverine Park (Figure 10-3 of the document referred to under condition 1.1b))
	Under watercourses	Under Cooks River (near Marsh Street) to Tempe Recreation Reserve (Figure 10-3 of the document referred to under condition 1.1b))
	Under major rail infrastructure	Under Botany Freight Line (Figure 10-3 of the document referred to under condition 1.1b))
	Under major road infrastructure	Under Canal Road (Figure 10-3 of the document referred to under condition 1.1b))
	Under residential streets	From Sydney Park, near the intersection of Euston Road and Campbell Road, along Euston Lane to Maddox Street and through Ashmore and Mitchell Industrial Estates (Figure 2.2 of the document referred to under condition 1.1c))