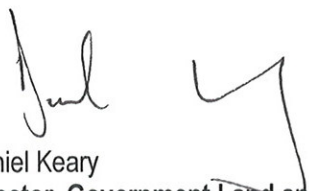


Modification of Major Project Approval

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

I, the Director, Government Land and Social Projects, as delegate of the Minister for Planning, under Instrument of Delegation dated 25 January 2010, modify under section 75W of the *Environmental Planning and Assessment Act 1979*, the Project Application Approval referred to in Schedule 1 in the manner set out in Schedule 2.



Daniel Keary
Director, Government Land and Social Projects
Department of Planning

Date: 26 May 2010

MP 08_0064 MOD 1

SCHEDULE 1

Additions to the Museum of Contemporary Art, 140 George Street, The Rocks, including:

- The removal of an existing café over the substation and the demolition of the 2 level south wing to the existing Police Building, and the partial reconstruction of the 'prisoner run' and van dock.
- Addition of a 6 storey building to the north of the existing MCA, for the following:
 - New foyer and entry areas et and West Circular Quay;
 - Additional gallery, educational and theatre spaces and a new café on Level 5; and
 - Undercover loading dock and parking area.
- Alterations and addition to the existing MCA building, including:
 - Reorganisation and remodelling of internal public gallery and circulation spaces, and MCA and other office uses;
 - Extension to level 1 terraces for outdoor seating area to existing café;
 - Addition of rooftop venue space on Level 7; and
 - New retail tenancies along the George Street frontage.
- The redevelopment of the public domain around the existing and proposed building including the provision of archaeological interpretation for the former dockyards.

SCHEDULE 2

The above approval is modified as follows:

1. **Schedule 1**

After the following words "DP1052780" add the following words "Part Lot 3 DP544167, Part Lot 4 DP787934".

2. **Insert the following condition:**

Condition F5 Sea-water Heat Exchange System

The sea-water heat exchange system must be operated in accordance with the general environmental protection provisions of the *Protection of the Environment Operations Act 1997* and in accordance with the provisions of the *Pesticides Act 1999*.

Note: The provisions of the Protection of the Environment Operations Act 1997 include a prohibition on the pollution of waters. Any thermal waste, being any liquid which, after being used in, or in connection with, any activity, is more than two degrees Celsius hotter or colder than the water into which it is discharged, is prescribed matter for the purposes of the definition of water pollution.