

Modification of Approval

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

I, the Executive Director of the Department of Planning, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 4 March 2009, 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 DA Assessments
Department of Planning
As delegate for the Minister for Planning

Sydney

25th January

2010

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 Project Approval for the Desalinated Water Delivery System: Botany Bay Sector relating to Dredged Material Storage in the Borrow Pit.

SCHEDULE 2

The approval is modified as follows:

1. *Replace 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) *Desalinated Water Delivery System: Application for Modification of Project Approval for the Botany Bay Sector*, prepared by the Water Delivery Alliance and dated 15 July 2008, and additional information dated 2 September 2008;
 - e) *Desalinated Water Delivery System: Application for Modification of Conditions 2.18 and 2.19 of the Project Approval, Relating to the Botany Bay Sector*, prepared by the Water Delivery Alliance for Sydney's Desalination Project and dated 24 November 2008;
 - f) *Desalinated Water Delivery System: Application for Modification of Condition 2.6 of the Project Approval, Relating to Vibration*, prepared by the Water Delivery Alliance for Sydney's Desalination Project and dated 6 February 2009;
 - g) *Desalinated Water Delivery System: Application for Modification of the Project Approval, Botany Bay Sector relating to Dredged Material Storage in the Borrow Pit*, prepared by the Water Delivery Alliance for Sydney's Desalination project and dated 9 December 2009;
 - h) the concept plan approval granted with respect to the Kurnell Desalination Plant concept plan (05_0082); and
 - i) 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 1.1g) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - b) any document listed from condition 1.1a) to 1.1g) inclusive, and any other document listed from condition 1.1a) to 1.1g) inclusive, the most recent document shall prevail to the extent of the inconsistency.
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