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20 October 2011

Richard Pearson
Deputy Director General
Development Assessment and Systems Performance
Department of Planning and Infrastructure

Dear Mr Pearson

In response to your letter dated 7 September 2011, I and Mr Graham Dowers of TRUenergy have had various discussions with Neville Osborne and Toby Philp of your Office, to attempt to clarify the Department of Planning and Infrastructure's position in relation to the Marulan Power Station approvals. In consultation with our legal advisors, I have provided TRUenergy with advice which I believe will address the approval mechanism for the proposed modifications to the previously approved development. I propose the following approval pathway:

- Seek a modification under Section 75W of the Environmental Planning and Assessment Act, 1979 (EP&A Act) to the:
 - Concept Plan Approval (MP 07-0174),
 - Previous Delta Electricity power station Project Approval (MP07_0176)
 - Common Infrastructure Project Approval (MP07_0174); and
- Surrender the previous EnergyAustralia power station Project Approval (MP07_0175) under a condition imposed under section 75YA(2) of the EP&A Act

For clarity, the proposed modifications include:


- The consolidation of the two previously approved, and adjacently located, power stations into a single footprint. No changes will be made to total output, plant type, polluting discharge or any other environmental impacts. The cumulative impacts of this consolidated power station are therefore identical to those previously approved.
- Construction and operation of a single water supply pipeline between the power station facilities and the Highland Source supply pipeline, running within the already approved gas pipeline route. Since the route of the pipeline follows an already assessed and approved corridor, the associated additional impacts will be insignificant.
- A shortened transmission line, but which essentially remains in the previously approved corridor
- The realignment of a short section of the approved access road, which does not encroach on any sensitive habitat or create any other impacts of any consequence

TRUenergy would hereby like to request guidance from the Department on the issues which they believe should be assessed in relation to these modifications, and should be contained in the modification application. We would suggest that due to the insignificant potential additional impacts of

the proposed modifications, that these requirements should be particularly focused. We would also suggest that due to the scale of the impacts, consultation will be focused on the relevant regulatory authorities and key stakeholders only.

We would be happy to discuss this matter further.

Regards

 20/10/2024

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