



Licence No. 51513

**PORT ADELAIDE ENERGY PTY
LTD**

ISSUED:

22 Nov 2021

EXPIRY:

31 Oct 2026

ACN:

105 607 538

Environmental Authorisation
under Part 6 of the
*Environment Protection
Act 1993*

**South Australian
Environment
Protection Authority**
GPO Box 2607
Adelaide SA 5001
Tel: 08 8204 2004

EPA

Environment Protection Authority

LICENCE NUMBER 51513

LICENSEE DETAILS

Licence Holder: PORT ADELAIDE ENERGY PTY LTD
ACN: 105 607 538
Registered Address: Suite 5.03/45 William Street, MELBOURNE VIC 3000

LICENSED ACTIVITIES

The Licensee is authorised to undertake, at the location(s) shown above, the following prescribed activities of environmental significance under Schedule 1 Part A of the Act, subject to the conditions in this Licence.

8(2)(a) Fuel burning not coal or wood

TERMS OF LICENCE

Commencement Date: 22 Nov 2021
Expiry Date: 31 Oct 2026

PREMISES ADDRESS

Allotments 205, 27 and 151 Pelican Point
Road, OUTER HARBOR SA 5018 and
Allotment 502 Mersey Road North,
OSBORNE 5017

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Licence Explanatory Notes – Do Not Form Part of the Licence

Compliance with this licence

The EPA seeks to ensure that all reasonable and practicable measures are taken to protect, restore and enhance the quality of the environment according to the principles of ecologically sustainable development. To achieve this objective, the EPA uses a number of regulatory decision making principles and actions outlined in the 'Compliance and enforcement regulatory options and tools' document available on the EPA website.

Notification – serious or material environmental harm caused or threatened

If serious or material environmental harm from pollution is caused or threatened in the course of an activity, the licence holder must, as soon as reasonably practicable after becoming aware of the harm or threatened harm, notify the EPA (preferably on EPA emergency phone number 1800 100 833) of the harm or threatened harm, its nature, the circumstances in which it occurred and the action taken to deal with it in accordance with section 83 of the [Environment Protection Act 1993](#) (the Act). In the event that the primary emergency phone number is out of order, the licence holder should phone (08) 8204 2004.

Variations, transfers and surrender of a licence

The EPA may impose or vary the conditions of a licence by notice in writing to the licence holder in accordance with sections 45 and 46 of the Act. Public notice may be required where the variation of licence conditions results in a relaxation of the requirements imposed for the protection or restoration of the environment and results in an adverse effect on any adjoining land or its amenity.

If a licence holder wishes to vary the conditions of a licence, transfer a licence to another entity, or surrender a licence, the licence holder must submit an application to the EPA in accordance with the applicable provisions of the Act (sections 45, 49 and 56, respectively). A licence remains in effect and in its original form until such time as any proposed variation, application for surrender, or transfer has been made and approved in writing by the EPA.

Suspension or cancellation of a licence

The EPA may suspend or cancel a licence by notice in writing to the licence holder in accordance with section 55 of the Act if satisfied the licence holder has either obtained the licence improperly, contravened a requirement under the Act or if the holder is a body corporate, a director of the body corporate has been guilty of misconduct of a prescribed kind (whether in this State or elsewhere).

Responsibilities under Environment Protection legislation

In addition to the conditions of any licence, a licence holder must comply with their obligations under all State and Federal legislation (as amended from time to time) including: the [Environment Protection Act 1993](#); the [Environment Protection Regulations 2009](#); all Environment Protection Policies made under the [Environment Protection Act 1993](#); and any National Environment Protection Measures not operating as an Environment Protection Policy under the [Environment Protection Act 1993](#)

Public Register Information

The EPA maintains and makes available a Public Register of details related to its determinations and other information it considers appropriate (i.e. excluding trade processes or financial information) in accordance with section 109 of the Act. These details include, but are not limited to:

- licensing and beverage container applications and approvals
- enforcement actions
- site contamination
- serious or material environmental harm caused or threatened in the course of an activity
- environment improvement programmes and environment performance agreements
- environment assessment reports; results of testing, monitoring or evaluation required by a licence
- EPA advice or direction regarding development approvals referred to the EPA by a planning authority

Definitions

Unless the contrary intention appears, terms used in this licence that are defined in the Act (including any regulations or environment protection policies made pursuant to the Act) have the respective meanings assigned to those terms by the Act.

THE ACT: The *Environment Protection Act 1993*

PREMISES: The whole of the land comprised in Titles Register - Certificate of Title, Crown Lease and Crown Record.

CT5920/564

CT6012/888

CT6088/191

CT6103/374

ACOUSTIC ENGINEER: means an Engineer who is eligible for membership of both the Institution of Engineers Australia and the Australian Acoustical Society.

AUTHORISATION FEE PAYMENT DATE: means the anniversary of the grant or renewal of this authorisation.

EMERGENCY SPILL KIT: means a kit containing materials that when used would prevent and/or minimise listed waste from entering the stormwater or groundwater system in the event of a spill.

ENVIRONMENTAL HARM: means the same as is defined in section 5 of the Environment Protection Act 1993.

POLLUTION CONTROL EQUIPMENT: means 'control equipment' as defined in the Environment Protection (Air Quality) Policy: any device that controls, limits, measures, records or indicates air pollution.

WASTE: means -

1. As defined under the Environment Protection Act 1993,

1(a) any discarded, dumped, rejected, abandoned, unwanted or surplus matter, whether or not intended for sale or for purification or resource recovery by a separate operation from that which produced the matter; or

1(b) any matter declared by regulation to be waste for the purposes of this Act (following consultation by the Minister on the regulation with prescribed bodies in accordance with the regulations); or

1(c) any matter declared by an environment protection policy to be waste for the purposes of this Act,

whether or not of value.

2. However, waste does not include—

2(a) an approved recovered resource whilst it is being dealt with in accordance with the declaration of that resource—see section 4A; or

2(b) anything declared by regulation or an environment protection policy not to be waste for the purposes of this Act,

even though the resource or the thing so declared might otherwise, but for the declaration, fall within the definition of waste in subsection (1).

Acronyms

EPA: means Environment Protection Authority

Conditions of Licence

The Licensee is authorised to conduct the prescribed activities as described in this Licence at the Premises nominated, subject to the following conditions:

1 CONTROL OF EMISSIONS

1.1 DUST PREVENTION (S - 7)

The Licensee must take all reasonable and practicable measures to prevent dust from leaving the Premises.

2 OPERATIONAL MANAGEMENT

2.1 BUNDING (S - 5)

The licensee must ensure that all chemicals or chemical products are stored, loaded or unloaded in an appropriately bunded area.

NOTES

The EPA will assess the appropriateness of any bund against the EPA's 'Bunding and Spill Management Guidelines'.

2.2 COMMUNITY ENGAGEMENT PLAN (U - 1408)

The Licensee must:

- 2.2.1 develop and implement a Community Engagement Plan in consultation with key stakeholders by 31 January 2022; and
- 2.2.2 provide public access to the Community Engagement Plan (and any subsequent amended version) once developed.

2.3 COMPLAINTS REGISTER (S - 1)

The Licensee must:

- 2.3.1 prepare and maintain a register of all complaints concerning environmental issues.
 - 2.3.2 ensure the register includes:
 - a the date and time that the complaint was made;
 - b details of the complaint including the likely cause of events giving rise to the complaint;
 - c the contact details of the complainant (if permitted by the complainant); and
 - d details of any action taken in response to the complaint by the Licensee.
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2.4 DEMINERALISED WATER INJECTION SYSTEM (U - 709)

The Licensee must:

- 2.4.1 effectively maintain a demineralised water injection system for each turbine on the Premises;
- 2.4.2 inject demineralised water into the combustor of each operating turbine using the demineralised water injection system;
- 2.4.3 ensure that the injection rate of demineralised water into each operating turbine is no less than 5660 litres per hour.

2.5 EMERGENCY SPILL KIT (S - 22)

The Licensee must ensure that an appropriate emergency spill kit is kept on the Premises at all times in locations where listed wastes are stored, loaded or unloaded and is appropriately used in the event of a spill.

2.6 IMPLEMENT STORMWATER MANAGEMENT PLAN (U - 1407)

The Licensee must implement the EPA-approved document entitled 'RJE Global Snapper Point Power Station Stormwater Management Plan' dated 13 September 2021 or any revised Plan approved in writing by the EPA.

2.7 POLLUTION CONTROL EQUIPMENT REGISTER (S - 2)

The Licensee must:

- 2.7.1 maintain all Pollution Control Equipment to ensure that pollution is minimised; and
- 2.7.2 keep a written record of all inspections of Pollution Control Equipment, which includes:
 - a the name of the recording officer;
 - b the date of each inspection of the equipment;
 - c details of the equipment that was inspected;
 - d an assessment of whether the equipment was working effectively; and
 - e the action taken (if required) to rectify any faults or failures.

2.8 SITE NOISE MINIMISATION (U - 1406)

The Licensee must:

- 2.8.1 take all reasonable and practicable measures to prevent noise from leaving the Premises;

- 2.8.2 develop a Noise Management Plan to the satisfaction of the EPA by the compliance date listed below;
- 2.8.3 ensure the Noise Management Plan includes, but is not limited to:
 - a detailed actions and response strategies that will be implemented to prevent and minimise noise emissions;
 - b a methodology and framework for the provision of annual reports to the EPA on the implementation and effectiveness of the Noise Management Plan; and
 - c a methodology and framework for providing public access to the Noise Management Plan (or any revised plan approved by the EPA) and to annual reports;
- 2.8.4 implement the Noise Management Plan approved in writing by the EPA (or any revised plan approved in writing by the EPA).

Compliance Date: 28-Feb-2022

3 MONITORING AND REPORTING

3.1 NOISE MONITORING AND REPORTING (U - 1404)

The Licensee must:

- 3.1.1 as soon as practicable, but no later than three months after commissioning of the power generating turbines, engage an acoustic engineer to:
 - a undertake noise measurements to determine the noise levels and the presence of noise characteristics from the operations conducted at the Premises, when measured and adjusted at sensitive receptors in accordance with the Environment Protection (Noise) Policy 2007;
 - b ensure that the noise measurements are undertaken when each power generation turbine is operating under stable conditions, at a minimum of 90% of its nameplate capacity;
 - c ensure that the noise measurements are undertaken during conditions most representative of potential worst case operational impact, between the hours of:
 - i 7am to 10pm; and
 - ii 10pm to 7am.
- 3.1.2 ensure that at least seven days prior to undertaking the noise measurements, the proposed dates and time of the noise measurements are submitted to the EPA in writing.
- 3.1.3 prepare a report which includes, but is not limited to:
 - a the results of the noise measurements, including a comparison of the results against previously submitted noise modelling reports and the applicable noise levels in the Environment Protection (Noise) Policy 2007;
 - b the local weather conditions during the noise measurement period (including wind speed, direction, temperature); and
 - c the locations of the noise measurement locations, and a rationale for the selection of these locations.

- 3.1.4 submit the report to the satisfaction of the EPA within 45 days of the completion of the noise measurements being undertaken.

3.2 TURBINE OPERATION RECORDING AND REPORTING (U - 777)

The Licensee must:

- 3.2.1 maintain a written record of the operation of each turbine unit on the Premises, including but not limited to:
- a the time, date and duration of operation;
- 3.2.2 submit to the satisfaction of the EPA a summary of the records kept for the previous six months (or part thereof), by the 31st day of July and the 31st day of January of each year.

4 ADMINISTRATION

4.1 ANNUAL RETURN AND PAYMENT OF ANNUAL FEES (A - 4)

For the purposes of section 48(2)(a) of the Act, the date in each year for the lodgement of the Annual Return is no later than 90 days before the anniversary of the grant or renewal of the Licence; and

- 4.1.1 For the purposes of section 48(2)(b) of the Act, the date in each year for the payment of Annual Authorisation Fee is the anniversary of the grant of the Licence.

4.2 APPROVAL OF OPERATING PROCESSES (A - 6)

The Licensee must not undertake changes to operating processes conducted pursuant to the Licence at the Premises without written approval from the EPA, where such changes:

- 4.2.1 have the potential to increase emissions or alter the nature of pollutants or waste currently generated by, or from the licensed activity; or
- 4.2.2 have the potential to increase the risk of environmental harm; or
- 4.2.3 would relocate the point of discharge of pollution or waste at the Premises.

4.3 APPROVAL OF WORKS (A - 5)

The Licensee must not construct or alter a building or structure, or install or alter any plant or equipment, for use of an activity undertaken pursuant to the Licence at the Premises without written approval from the EPA, where such changes:

- 4.3.1 have the potential to increase the emissions or alter the nature of pollutants or waste currently generated by, or from the licensed activity; or
- 4.3.2 have the potential to increase the risk of environmental harm; or

4.3.3 would relocate the point of discharge of pollution or waste at the Premises.

4.4 CHANGE OF LICENSEE DETAILS (A - 3)

If the Licensee's name or postal address (or both) changes, the Licensee must inform the EPA within 28 days of the change occurring.

4.5 IMPOSE OR VARY CONDITIONS OF LICENCE (U - 1405)

The EPA may during the term of the Licence, pursuant to section 45(3)(iii) of the Act, impose or vary conditions on the basis of information provided to the EPA pursuant to conditions U-777, U-1404, U-1406 or U-1407 of this licence.

4.6 LICENCE RENEWAL (A - 2)

For the purposes of section 43(3) of the Act, an application for Renewal of the Licence must be made no later than 90 days before the expiry date of the Licence.

4.7 OBLIGATIONS TO EMPLOYEES, AGENTS AND CONTRACTORS (A - 1)

The Licensee must ensure that every employee, agent or contractor responsible for undertaking any activity regulated by the Licence, is informed as to the conditions of the Licence.

Attachments

There are no documents attached to this licence.