

Q'LAND → WILTON
MW PIPELINE



NEW SOUTH WALES GOVERNMENT

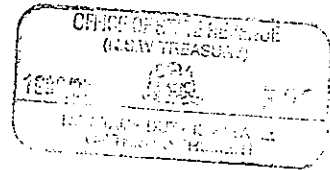
PIPELINES ACT 1967

LICENCE No. 16

INSTRUMENT OF GRANT OF PIPELINE LICENCE

PIPELINES ACT 1967

LICENCE NO. 16



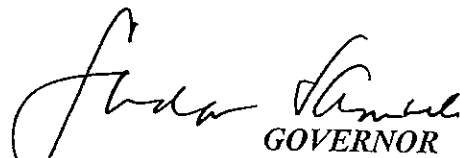
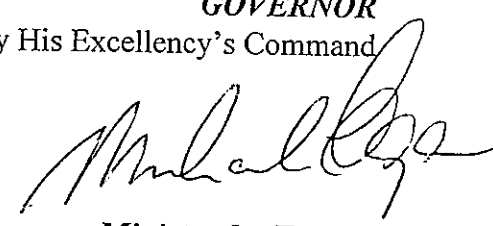
East Australian Pipeline Limited (ACN 064 629 009) having its registered office at 115 Canberra Avenue, Griffith, Australian Capital Territory, has applied in accordance with the provisions of section 12 of the Pipelines Act 1967 (hereinafter called "the Act") and the Pipelines Regulation 1993 (hereinafter called "the Regulation") for a Licence to operate a pipeline to convey natural gas between the Queensland-New South Wales border and Wilton (Sydney city gate), [called Pipeline Licence No. 16, after this agreement] and has agreed at Annexure A to accept the Licence and the provisions and conditions attached thereto.

This application complies with the provisions of the Act and Regulation and therefore I, THE HON. GORDON SAMUELS AC, GOVERNOR OF THE STATE OF NEW SOUTH WALES, acting with the advice of the Executive Council, do grant Licence No. 16 for a period of twenty one (21) years effective from my signing of this Licence.

The lands affected by the pipeline are the easements associated with Deposited Plan 499002, registered in the Land Titles Office, Sydney.

This Licence is granted subject to the requirements of and conditions set forth in Annexure B.

Signed at Sydney, New South Wales this.....28th.....day of.....May.....1997.


GOVERNOR
By His Excellency's Command

Minister for Energy


ANNEXURE A

PIPELINES ACT 1967

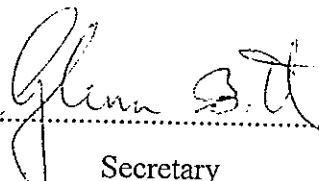
LICENCE No. 16

East Australian Pipeline Limited ACN 064 629 009, of 115 Canberra Avenue, Griffith ACT, hereby agrees to be bound by this Licence and confirms any warranties given therein.


The Common Seal of
EAST AUSTRALIAN PIPELINE
LIMITED, ACN 064 629 009,
was affixed in the presence of


Director
East Australian Pipeline Limited




Secretary

Registered in the Register of Permits and Licences kept in the Department of Energy of New South Wales at Sydney this 30th day of May 1997.


DIRECTOR GENERAL
DEPARTMENT OF ENERGY

ANNEXURE B

This and the succeeding pages are the conditions for Licence No. 16 granted on -----

1. DEFINITIONS

In this Licence, unless the contrary appears:

- (a) words in the singular include the plural and vice versa;
- (b) words denoting individuals include corporations and vice versa;
- (c) words denoting any gender include all genders;
- (d) headings are inserted for convenience of reference only and do not affect the interpretation or construction of this Licence;
- (e) schedules and annexures to this Licence form part of this Licence;
- (f) references to any party to this Licence or any other document or agreement include, where relevant, its successors, assigns, agents and representatives;
- (g) references to any agreement, document or legislation include a reference to such agreement, document or legislation as amended, varied, noted, supplemented or replaced from time to time;
- (h) if any condition of this Licence remains to be fulfilled on the expiry of this Licence, that condition shall survive the expiry;
- (i) "Act" refers to the Pipelines Act 1967;
- (j) "Application" means the application by the Licensee dated 23 May 1995.
- (k) "AS2885" refers to the Australian Standard 2885-1987 published by the Council of the Standards Association of Australia as in force from time to time;
- (l) "business day" means a day on which trading banks are open for business in Sydney;
- (m) "Department" refers to the Department of Energy;
- (n) "Director General" refers to the person from time to time holding office (or equivalent office) as Director General, Department of Energy;
- (o) "Licence No. 16" comprises this Licence and the Application;
- (p) "Licence Area" has the meaning specified in the Act;
- (q) "Licensee" refers to East Australian Pipeline Limited A.C.N. 064 629 009 and includes where relevant, its successors, assigns, agents and representatives;
- (r) "MAOP" means Maximum Allowable Operating Pressure;
- (s) "Minister" refers to the Minister for Energy;
- (t) "pipeline" includes any apparatus thereto;

- (u) "Regulation" refers to the Pipelines Regulation 1993;
- (v) "recognised" means recognised by Standards Association of Australia such as ANZS/ISO 9000 series or by the Director General reasonably based on good pipelining practice;
- (w) "public authority" has the meaning specified in the Act.

2. PIPELINE DESCRIPTION AND ENGINEERING DETAILS

2.1 Pipeline

The pipeline to which this Licence applies is described in Schedule 1.

2.2 Warranty by Licensee

The Licensee warrants that technical and other information supplied in support of its application for this licence and otherwise as required by the Licence is true and correct to the best of the knowledge of the Licensee, the Licensee having made full and diligent inquiry.

3. COMPLIANCE WITH LAW AND STANDARDS

In carrying out its obligations under this Licence, The Licensee must comply with all requirements imposed by law and with all recognised standards and practices to operate and maintain the pipeline and must obtain all the necessary consents and approvals.

4. OPERATION, MAINTENANCE AND ROUTINE TEST PROCEDURES

4.1 Operation and Maintenance of the pipeline

The Licensee must operate and maintain the pipeline and its apparatus in such manner as is reasonably necessary to protect all persons, property and the environment from injury, loss, damage and other harm as the case may be. Except as otherwise required by this Licence, the Licensee must operate and maintain the pipeline in accordance with recognised standards and practices and must meet the requirements of the Act, the Regulation, and AS2885.

4.2 Maximum Allowable Operating Pressure (MAOP)

Unless otherwise approved or directed in writing by the Director General, the MAOP of the pipeline must not exceed that determined in accordance with AS2885, and the control devices must comply with the requirements of clause 3.24 of AS2885. MAOP must be reviewed in accordance with clause 10.5 of AS2885.

4.3 Repairs / Maintenance of works

The Licensee must, when undertaking any maintenance or repairs to the pipeline, comply with all relevant safety requirements imposed by law and with recognised safety standards and practices. Without affecting the generality of the foregoing, the Licensee must provide guard fences, notices, warning lights and such other things as may reasonably be necessary for the protection of all persons, property and the environment from injury, loss, damage or other harm as the case may be.

4.4 Corrosion Control

The Licensee must operate and maintain cathodic protection systems on the pipeline in accordance with recognised standards and practices, so as to cause no undue corrosion to other structures or equipment. Without affecting the generality of the foregoing, the Licensee must:

- (a) carry out regular inspections of transformer and rectifier units associated with cathodic protection devices, to ensure they are operating satisfactorily and must maintain a record of such inspections.
- (b) conduct regular corrosion surveys including tests for stray current electrolysis and submit the results of these surveys to the Director General in accordance with condition 12, specifying any corrective action taken.

4.5 Pipeline Markers and Signs

The Licensee must inspect the signs relating to the location of the pipeline at suitable regular intervals and keep a record of such inspections.

4.6 Patrol of Pipeline

The Licensee must patrol the pipeline at suitable intervals for maintenance and repair purposes.

5. ALTERATIONS TO PIPELINE

5.1 Notice to the Director General

- (a) Except as provided in this clause, before undertaking any works involving permanent alteration to the pipeline, the Licensee must give written notice of the works to the Director General. In the case of an emergency, the Licensee must notify the Director General as soon as practicable after undertaking any permanent alterations to the pipeline.

- (b) On completion of any of the works or alterations referred to in condition 5.1(a), the Licensee must certify to the Director General in writing that the alteration or works were undertaken in accordance with the requirements of this licence including the Safety and Operating Plan, any safety and environmental requirements imposed by law and recognised safety and environmental standards and practices.

5.2 Advice to Contractors

The Licensee must use all reasonable endeavours to ensure that contractors engaged by it comply with the relevant safety and environmental requirements imposed by law, with the requirements of the Safety and Operating Plan and with recognised safety and environmental standards and practices, when undertaking any maintenance or repairs on the pipeline.

6. RECORDS AND RETURNS

6.1 Pipeline Condition and Maintenance Records

The Licensee must maintain records of the pipeline, including records of internal and external corrosion, the depth of pits, the condition of pipe coating, leaks, breaks and damage and other records relating to routine or unusual inspections, maintenance and repair, necessary for the Licensee to assess and report to the Director General on the condition of the pipeline at any time. Such records will be held by the Licensee for as long as the pipeline or any relevant section of it remains in operation. The records must be made available to the Director General, in such form and at such times, as the Director General may reasonably require.

6.2 Other Information Required by Director General

The Licensee must provide such other information in such form and at such times as the Director General may reasonably require regarding the design, construction, operation and maintenance of the pipeline.

6.3 Review of Land Ownership

The Licensee must review ownership of the land affected by the pipeline easements annually and advise the Director General of any changes by 28 February each year for the preceding year ending 31 December. The Licensee must establish contact with any new landowners and maintain adequate liaison with existing landowners.

7. RESTORATION

The Licensee must restore areas disturbed by the maintenance of, or repairs to, the pipeline to as near as possible the condition existing prior to the commencement of such works. In carrying out such works, the Licensee must satisfy the reasonable requirements of any landowners affected by such works, having regard to any specific terms of easements created for the purposes of the pipeline.

8. EASEMENT MAINTENANCE

The Licensee must maintain vegetation in the vicinity of the pipeline that is in keeping with the vegetation native to the region or as otherwise considered appropriate by the Licensee in consultation with the landowner. Such vegetation must not interfere with the safe operation of the pipeline or the assets of relevant land owners or public authorities.

9. DAMAGE

The Licensee must make good and repair at its own expense, or where appropriate pay the costs of repair of, all loss, harm or damage caused to any person, property or the environment, being loss, harm or damage arising out of or in any way connected with the actions or inactions of the Licensee, or any of its agents, officers or employees or any contractor or subcontractor of the Licensee, concerning matters arising from the operation conducted pursuant to this Licence. Such reparation must meet the reasonable requirements of the affected party or parties. The Licensee must by 28 February each year, submit a report to the Director General on such reparations for the preceding calendar year.

10. INSURANCE AND INDEMNITY

10.1 Insurance

The Licensee must arrange and maintain with a reputable insurance company, appropriate and adequate insurance, including public-risk insurance, in respect of the potential for any loss, harm or damage caused to any person, property or the environment, arising out of or in any way connected with the action or inaction of the Licensee or any of its agents or employees or any contractor, or subcontractor of the Licensee, pursuant to the Licence.

10.2 Advice to Director General

The Licensee must produce to the Director General on or before each anniversary of the date on which this Licence was granted;

- (a) satisfactory evidence that such insurance is in force; and
- (b) a certificate signed by a senior, responsible officer of the Licensee, stating that the Licensee has taken all reasonable steps to ensure that no circumstances exist under which the insurer has or may have the right to deny indemnity under, or avoid, any such policy.

10.3 Indemnification

The Licensee must indemnify and keep indemnified the Minister, the Director General and the Department from and against all claims, demands, rights, actions, suits, proceedings, verdicts and judgments of whatsoever kind or nature and whether at law or in equity or arising under the provisions of any statute howsoever and whether for damages, costs, expenses or otherwise and whether for a liquidated or an unliquidated sum, which may be brought against these parties, arising out of any wilful, unlawful or negligent act or omission of the Licensee, or any of its agents, officers, employees or contractors, in connection with this Licence.

11. REQUIREMENTS OF STATUTORY AUTHORITIES

Where the pipeline passes through any lands vested in or under the care and management of any public authority, the Licensee must comply with any agreements relating to the pipeline which it has with such public authorities now and hereafter, unless the public authority waives any compliance.

12. SAFETY AND OPERATING PLAN

12.1 Safety and Operating Plan in operation

The Licensee must within 6 months after the date of the grant of this Licence or such other time as may be approved in writing by the Director General, have in operation and maintain during the term of this Licence, a Safety and Operating Plan which satisfies recognised quality management and safety standards and which includes, but is not limited to, those items shown in Schedule 2. Nothing in this clause shall be taken to permit the Licensee to operate the pipeline without adequate or recognised safety and operating procedures or practices before the Safety and Operating Plan is approved.

12.2 Audit

- (a) The Licensee must within 6 months after the date of the grant of this Licence, or within such other time as may be approved in writing by the Director General, submit a certificate to the Director General from an agreed independent auditor which shows:
 - (i) that the Safety and Operating Plan meets all relevant quality management and safety standards and the requirements of Schedule 2.
 - (ii) a summary schedule of all proposed tests, inspections, procedures, standards and maintenance measures contained in the Safety and Operating Plan.
- (b) The Licensee must thereafter have the Safety and Operating Plan audited in a manner, and at intervals agreed in writing by the Director General, which are consistent with the requirements of Schedule 2.
- (c) The Licensee must, within 3 months after the end of each interval, or within such other time as may be approved in writing by the Director General, submit the results of such audits, including any auditor's report and any certification, to the Director General.
- (d) The Director General may make reasonable directions in relation to any documents produced to the Director General pursuant to this condition, which must be complied with by the Licensee.

13. NOTICES

13.1 Addresses for notices

All notices, requests, requirements, demands, consents or other communications to be given under this Licence must be in writing and will be valid and sufficient if posted in a prepaid envelope addressed to the following:

- (a) if to the Director General or the Minister to:
Department of Energy
29 -57 Christie Street
St. Leonards NSW 2065
(GPO Box 536)
- (b) if to the Licensee to:
General Manager
East Australian Pipeline Limited
115 Canberra Avenue
Griffith, ACT 2603
(GPO Box 2179, Canberra ACT 2601)

or to such address as the relevant party may hereafter specify by notice in writing.

13.2 Service of Notices

All notices, requests, requirements, demands, consents or other communications will be deemed to have been served on the fifth business day after posting.

13.3 Authorisation of Notices

Any notice, request, requirement, demand, consent or other communication signed by an officer of a party will be deemed to be duly given and authorised by that party for the purpose of this Licence.

14. CONFLICT

14.1 Application of Act

In the event of any inconsistency between the conditions of this Licence and the Act or Regulation, the Act or Regulation will prevail to the extent of such inconsistency.

14.2 Application of conditions

In the event of any inconsistency between the conditions of this Licence and the Schedules or Annexures, the conditions of this Licence prevail to the extent of such inconsistency.

14.3 Disputes

Where, in respect of any land or part of any land comprised in the Licence Area, which now is or later becomes comprised in another Licence Area, any difference or dispute arises between the Licensees of the respective Licence Areas, the Licensees of the respective Licence Areas or any one or more of them may refer the matter for determination by the Minister. The Minister's determination will be final.

15. GENERAL

15.1 Stamping of Licence

The Licensee is responsible and liable for the stamping of this Licence by the Office of State Revenue.

15.2 Delays and Waivers

- (a) No failure or delay on the part of any party in the execution of any right, power or remedy hereunder will operate as a waiver thereof nor will any exercise of such right, power or remedy preclude any other or further exercise thereof or the exercise of any other right, power or remedy hereunder.
- (b) No waiver, whether express or implied, of any breach of any condition of this Licence may be construed as a waiver of any subsequent breach of that or any other condition whether of the same or of a different nature.

15.3 Invalid conditions

If any condition, or any part thereof (in this condition called the "offending condition") in this Licence is for any reason whatsoever declared to be or becomes unenforceable, invalid or illegal, including, but without derogating from the generality of the foregoing, by a decision of any court, an Act of Parliament or any statutory by-law or regulation or any other requirement having the force of law, the remaining conditions of this Licence will remain in full force and effect as if this Licence had been granted without the offending condition appearing therein.

16. VARIATION OF CONDITIONS

The Minister may, with the agreement of the Licensee, vary, suspend or remove any of the conditions to which this Licence is subject, or may include additional conditions.

SCHEDULE 1

DESCRIPTION OF PIPELINE

1. **Route**

The pipeline is approximately 1142 kilometres in length extending from the Queensland/New South Wales border within Sturt National Park to Wilton, as indicated on Deposited Plan 499002, registered at the Land Titles Office Sydney.

2. **Pipeline system summary.**

PIPELINE SYSTEM SUMMARY

LICENCE No. 16

| | |
|---------------------------------------|--|
| • Construction commenced | 1974 |
| • Pipeline commissioned | 1976 |
| • Pipeline length (NSW) | 1142km |
| • Diameter mm | 864 |
| • Wall thickness mm | 8.3, 9.2, 13.3 |
| • Grade of steel | API 5L X65 |
| • Coating | coal tar enamel, asbestos wrap |
| • Lining | epoxy paint |
| • Design pressure (max) | 6895kPa |
| • Operating pressure (max) | 6378kPa |
| • Code for construction operating etc | AS2885 |
| • Design capacity | 770 TJ/day |
| • Steel pipe specification | API 5L, as amended |
| • Coating specification | AS 1518 |
| • Flange & fitting specification | ASME B16.5, as amended |
| • Filter separator specification | AS 1210, as amended |
| • Valve specification | API 6D, as amended |
| • Cathodic protection specification | AS 2832.1 |
| • Offtakes | Young, Dalton, Blakney Ck (Yass) (POTS) Marsden (POTS), Marulan, Goulburn, Moss Vale, Bowral Wilton, Boorowra (POTS) Bargo (POTS), Sally's Corner (POTS) |

3. **Condition of the Pipeline**

The Licensee certifies that appropriate corrective actions have been taken wherever required in respect of deformities such as dents, metal loss and the girth weld dents detected by the British Gas OIL tool to the best of the company's knowledge and satisfaction and believes that the pipeline is fit for its purpose for a period in excess of 21 years from the date of grant of Licence.

SCHEDULE A
MODIFICATIONS – MOOMBA TO WILTON PIPELINE
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The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

Black type represents Modification 1 (October 2021)
Red type represents Modification 3 (December 2022)

DEFINITIONS

| | |
|----------------------------|--|
| BDAR | APA East Coast Grid Expansion, Moomba to Wilton Pipeline - Modification 1 Biodiversity Development Assessment Report (EMM, July 2021) |
| Blow down event | The controlled expulsion of gas from the compressor station system |
| CEMP | Construction Environmental Management Plan |
| Construction | All physical works associated with the East Coast Grid Expansion - Stages 1 and 2, including but not limited to demolition and removal of buildings or works, erection or installation of buildings and infrastructure, road upgrades, and the carrying out of works permitted by this approval |
| Council | Lachlan Shire Council and/or Central Darling Shire Council |
| Day | The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays |
| Decommissioning | The demolition and/or removal of buildings, infrastructure and works installed for the East Coast Grid Expansion - Stages 1 and 2 and/or rehabilitation of the sites |
| Department | Department of Planning and Environment |
| Development | East Coast Grid Expansion – Stages 1 and 2 The construction and operation of two compressor stations on the MWP as described in the Modification Report and shown in Appendix 2 |
| DPE Water | Water Group within the Department |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> |
| Feasible | Means what is possible and practical in the circumstances |
| Heritage item | An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> |
| Incident | An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance |
| Land | Has the same meaning as the definition of the term in section 1.4 of the EP&A Act |
| Material harm | Is harm that: <ul style="list-style-type: none"> involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) |
| Minimise | Implement all reasonable and feasible measures to reduce the impacts of the East Coast Grid Expansion – Stages 1 and 2 |
| Minister | Minister for Planning, or delegate |
| Mitigation | Activities associated with reducing the impacts of the East Coast Grid Expansion – Stages 1 and 2 prior to or during those impacts occurring |
| Modification Report | The modification report titled <i>APA East Coast Grid Expansion - Moomba to Wilton Pipeline – Modification 1 Report</i> , the response to submissions report titled <i>East Coast Grid Expansion – Moomba to Wilton Pipeline Modification 1 - Submissions Report</i> dated September 2021; The modification report titled <i>APA East Coast Expansion Project - Moomba to Wilton Pipeline – Modification 3</i> , the response to submissions report titled <i>East Coast Grid Expansion – Moomba to Wilton Pipeline Modification 3 – Submissions Report</i> dated November 18, 2022 |
| MWP | Moomba to Wilton Pipeline |
| NRAR | Natural Resources Access Regulator |
| Operation | The operation of the East Coast Grid Expansion – Stages 1 and 2, but does not include commissioning, trials of equipment or the use of temporary facilities |
| Pipelines Act | <i>Pipelines Act 1967</i> |
| Planning Secretary | Secretary under the EP&A Act, or nominee |
| POEO Act | <i>Protection of the Environment Operations Act 1997</i> |

CONSOLIDATED CONSENT

| | |
|--------------------------------------|---|
| Proponent | Australian Pipeline Limited or any person who seeks to construct and operate the East Coast Grid Expansion – Stages 1 and 2 |
| Public infrastructure | Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, irrigation channels, drainage channels |
| Reasonable | Means applying judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements |
| Rehabilitation | The restoration of land disturbed by the East Coast Grid Expansion – Stages 1 and 2 to a satisfactory condition, to ensure it is safe, stable and non-polluting |
| Secretary – Authorising Sites | Secretary with responsibility under the <i>Pipelines Act 1967</i> The areas of disturbance for the East Coast Grid Expansion – Stages 1 and 2 as identified in the Modification Report |
| Stage 1 | The compressor station site identified as MW880 in the Modification Report and depicted in Appendix 2 |
| Stage 2 | The compressor station site identified as MW433 in the Modification Report and depicted in Appendix 2 |
| TfNSW | Transport for NSW |

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. The Proponent must implement all reasonable and feasible measures to prevent, and if prevention is not reasonable or feasible, minimise any material harm to the environment that may result from the construction, operation, rehabilitation or decommissioning of the development.

TERMS OF APPROVAL

- A2. The Proponent must construct and operate the development:
- (a) in accordance with the conditions contained in this Schedule;
 - (b) in accordance with all written directions of the Secretary; and
 - (c) generally in accordance with the Modification Report.
- A3. If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this Schedule prevail to the extent of any inconsistency.
- A4. The Proponent must comply with any requirement/s of the Secretary arising from the Department's assessment of:
- (a) any strategies, plans or correspondence that are submitted in accordance with this approval;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this approval; and
 - (c) the implementation of any actions or measures contained in these documents.

REHABILITATION

- A5. The Proponent must:
- (a) rehabilitate the sites progressively, as soon as reasonably practicable following disturbance;
 - (b) minimise the disturbance area at any time; and
 - (c) employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion on parts of the sites that cannot yet be permanently rehabilitated.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A6. Unless the Proponent and the applicable authority agree otherwise, the Proponent must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the construction or operation of the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the construction of the development.

NOTIFICATION OF CONSTRUCTION AND COMMISSIONING

- A7. At least two weeks prior to the commencement of the construction and commissioning of each site, the Proponent must notify the Department of the relevant date via the Major Projects Portal.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A8. With the approval of the Planning Secretary, the Proponent may:
- (a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);
 - (c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this approval are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and

CONSOLIDATED CONSENT

- (d) combine any strategy, plan or program required by this approval with any similar strategy, plan or program required by an approval for any adjoining infrastructure subject to common, shared or related ownership or management.
- A9. If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this approval if those requirements are not applicable to the particular stage.
- A10. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.

PART B ENVIRONMENTAL CONDITIONS

HAZARDS AND RISKS

Pre-construction

- B1. Prior to the commencement of construction of the development, unless otherwise agreed by the Secretary, the Proponent must prepare and submit to the satisfaction of the Secretary a:
- (a) Hazard and operability study for the development, that must be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'* and *Australian Standard AS 2885, Pipelines – Gas and liquid petroleum*, and must be prepared by a suitably qualified, experienced and independent expert; and
 - (b) Final Hazard Analysis that must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 6, *'Guidelines for Hazard Analysis'*.
- Note:** An Updated Preliminary Hazards Analysis based on the final design and adopted control measures will satisfy this condition.
- B2. The Proponent must operate the development in accordance with the approved Hazard and operability study and Final Hazard Analysis.

Pre-commissioning

- B3. Prior to the commencement of commissioning of the development, unless otherwise agreed by the Secretary – Authorising, the Proponent meet its obligations under the Pipelines Act, including to review, and if required, amend and resubmit to the Energy Operations team administering the Pipelines Act:
- (a) an Emergency Plan prepared in accordance with AS 2885.3; and
 - (b) a Pipeline Management Plan prepared in accordance with AS 2885.3, which must clearly specify all safety related procedures, responsibilities and policies, along with detail of measures to ensure adherence to the procedures.
- B4. The Proponent must implement the approved Emergency Plan and Pipeline Management Plan.

TRAFFIC

Construction Traffic Management Requirements

- B5. The Proponent must:
- (a) minimise traffic and pedestrian safety issues and disruption to local users of the transport route/s during construction; and
 - (b) maintain all roads and utility-related infrastructure in a safe and serviceable condition.
- B6. The Proponent must undertake road maintenance and grading works on various sections of Crown Camp Road identified in the Modification Report, to the satisfaction of Lachlan Shire Council.
- If an agreement of the appropriate road maintenance works cannot be reached, then either party may refer the matter to the Planning Secretary for resolution.

AMENITY

Construction hours

- B7. Unless otherwise agreed by the Secretary, the Proponent may only undertake construction activities between:
- (a) 7 am to 6 pm Monday to Friday;
 - (b) 8 am to 1 pm Saturdays; and
 - (c) at no time on Sundays and NSW public holidays

The following activities may be undertaken outside these hours without the approval of the Secretary:

- (a) the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons;

- (b) emergency work to avoid the loss of life, property and/or material harm to the environment;
- (c) where a negotiated agreement has been reached with affected receivers; or
- (d) works as approved through the out-of-hours works protocol as approved through the CEMP required by condition C1.

Noise

B8. The Proponent must:

- a) minimise the noise generated by any construction, upgrading or decommissioning activities in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009), or its latest version.
- b) ensure any blow down events occur during the day;
- c) notify affected landholders at least 24 hours prior to any blow down events; and
- d) minimise traffic noise impacts on receivers along the transport routes for the sites.

Air Quality and Greenhouse gas

B9. The Proponent must minimise the dust and greenhouse gas emissions generated by the development, including wind-blown and traffic generated dust.

Visual

B10. The Proponent must:

- a) minimise the visual and off-site lighting impacts of the development;
- b) ensure that all external lighting associated with the development complies with relevant Australian Standards including the latest version of Australian Standard AS4282 (INT) 2019 – Control of Obtrusive Effects of Outdoor Lighting; and
- c) consult with affected landowners after construction regarding potential vegetation screening options.

SOIL AND WATER

B11. The Proponent must ensure it has sufficient water supply for all stages of the development.

B12. Prior to the commencement of construction of Stage 1, the Proponent must provide confirmation to the Department of the water suppliers to provide the necessary water volumes for the construction and operation of the site.

B13. The Proponent must not commence construction of Stage 2 until:

- a) it has received the relevant approvals to construct and extract from a groundwater bore on the site; or
- b) it has provided the Department confirmation of the water suppliers to provide the necessary water volumes for the construction and operation of the site.

Note: Under the *Water Management Act 2000*, the Proponent is required to obtain all necessary water licences if required for the development.

B14. The Proponent must:

- (a) ensure that construction, commissioning and operation of the development does not cause any water pollution, as defined under Section 120 of the POEO Act, including the management of surface water runoff and spray irrigation of treated effluent;
- (b) minimise any soil erosion associated with the construction of the development in accordance with the relevant requirements in the *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004) manual, or its latest version; and
- (c) ensure that construction is undertaken to minimise impacts on watercourses by applying management measures generally in accordance with the guidance series for *Controlled Activities on Waterfront Land* (DPIE Water 2012 or latest versions).

B14A. The Proponent must:

- (a) not extract more than 40ML of water from the groundwater bore at the Stage 2 compressor station site, unless otherwise authorised by DPE Water (or NRAR); and
- (b) construct and decommission the groundwater bore to the satisfaction of DPE Water.

Soil and Water Management Plan

B15. The Proponent must prepare a Soil and Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- a) be prepared by a suitably qualified and experienced person/s approved by the Planning Secretary;
- b) be prepared in consultation with Council and **DPE Water**;
- c) be submitted to the Planning Secretary for approval prior to carrying out construction under this approval;
- d) includes:
 - i) details of the sources and security of water supplies for the construction and life of the development (including authorised entitlements and licences);
 - ii) details of water use and management on the sites;
 - iii) an Erosion and Sediment Control Plan, consistent with the requirements of the guideline *Managing Urban Stormwater: Soils and Construction (Landcom 2004)* and the *Guidelines for Controlled Activities on Waterfront Land (NRAR 2018)*; and
 - iv) details the wastewater treatment and spray irrigation system, including measures to mitigate downstream and offsite impacts.

CONTAMINATION

B16. The Proponent must ensure the development is constructed to minimise the potential for contaminant mobilisation.

WASTE

B17. The Proponent must:

- (a) minimise the waste generated by the construction and operation of the development;
- (b) manage onsite wastewater to the satisfaction of the relevant Council;
- (c) store and handle all waste in accordance with its classification; and
- (d) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal.

HERITAGE

Protection of Heritage Items

B18. The Proponent must ensure the development does not cause any direct or indirect impacts on heritage items located outside the approved disturbance area.

The Proponent must ensure that all known Aboriginal objects or Aboriginal places on the sites are properly recorded, and those records are kept up to date, in the Aboriginal Heritage Information Management System (AHIMS) Register.

Aboriginal Cultural Heritage Management Plan

B19. The Proponent must prepare an Aboriginal Cultural Heritage Management Plan to the satisfaction of the Planning Secretary. This plan must:

- a) be prepared by a suitably qualified and experienced person/s;
- b) be prepared in consultation with Heritage NSW and Registered Aboriginal Parties;
- c) be submitted to the Planning Secretary for approval prior to carrying out construction under this approval;
- d) describe the measures to be implemented to:
 - protect, monitor and/or manage identified Aboriginal objects and Aboriginal places (including proposed archaeological investigations and salvage of objects within the approved disturbance area) in accordance with the commitments made in the document/s listed in condition **Error! Reference source not found.**;

manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, over the life of the development;

facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the sites; and

- B20. The Proponent must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.

BIODIVERSITY

- B21. Construction impacts must be restricted to areas for which biodiversity impacts were assessed in the BDAR and must not encroach into other areas of retained native vegetation and habitat.

Biodiversity Offsets

- B22. Prior to the commencement of each stage, for works that would impact on biodiversity values, unless otherwise agreed by the Planning Secretary, the number and classes of species credits in Tables 1 and 2 must be retired to offset the residual biodiversity impacts.

Table 1: Stage 1 species credits required to be retired

| Species | Credits Required |
|---|------------------|
| A spear-grass (<i>Austrostipa metatoris</i>) | 5 |
| Pine Donkey Orchid (<i>Diuris tricolor</i>) | 4 |
| Superb Parrot (<i>Polytelis swainsonii</i>) | 1 |
| Silky Swainson-pea (<i>Swainsona sericea</i>) | 5 |

Table 2: Stage 2 species credits required to be retired

| Species | Credits Required |
|--|------------------|
| Stimson's Python (<i>Antaresia stimsoni</i>) | 26 |
| Australian Bustard (<i>Ardeotis australis</i>) | 26 |
| A saltbush (<i>Atriplex frequens</i>) | 26 |
| Crowned Gecko (<i>Lucasium stenodactylum</i>) | 26 |

- B23. Evidence of the retirement of credits in satisfaction of B21 must be provided to the Planning Secretary prior to commencement of works for the development that will impact on biodiversity values

PART C ENVIRONMENTAL MANAGEMENT AND REPORTING

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C1. Prior to commencing construction, the Proponent must prepare a Construction Environmental Management Plan (CEMP) for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared in consultation with the relevant Council, Heritage NSW and BCS;
 - (b) identify the statutory approvals that apply to the construction and commissioning of the development;
 - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the construction, commissioning and operations of the development;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise;
 - respond to any non-compliance; and
 - respond to emergencies; and
 - (e) include:
 - the following sub-plans:
 - noise, including an out-of-hours works protocol;
 - air quality and greenhouse gas;
 - biodiversity;
 - traffic management, including detail of measures to minimise impacts on regional towns; and waste.
 - a clear plan depicting monitoring to be carried out in relation to the development.
- C2. The CEMP sub-plans must state how:
- (a) the mitigation measures identified in the Modification Report will be implemented; and
 - (b) the relevant terms of this Schedule will be complied with.
- C3. The Proponent must implement the approved CEMP.

NOTIFICATION AND REPORTING

Incident Notification, Reporting and Response

- A1. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Proponent becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 1.

Non-Compliance Notification

The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance.

A non-compliance notification must identify the development and the application number for it, set out the condition of approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

APPENDIX 1: SCHEDULE OF LAND

| Stage | Lot | Plan |
|-----------|-----|----------|
| 1 (MW880) | 1 | DP580284 |
| 2 (MW433) | 3 | DP593787 |

APPENDIX 2: GENERAL LAYOUT OF THE DEVELOPMENT



Figure 1 – Stage 1 (MW880)

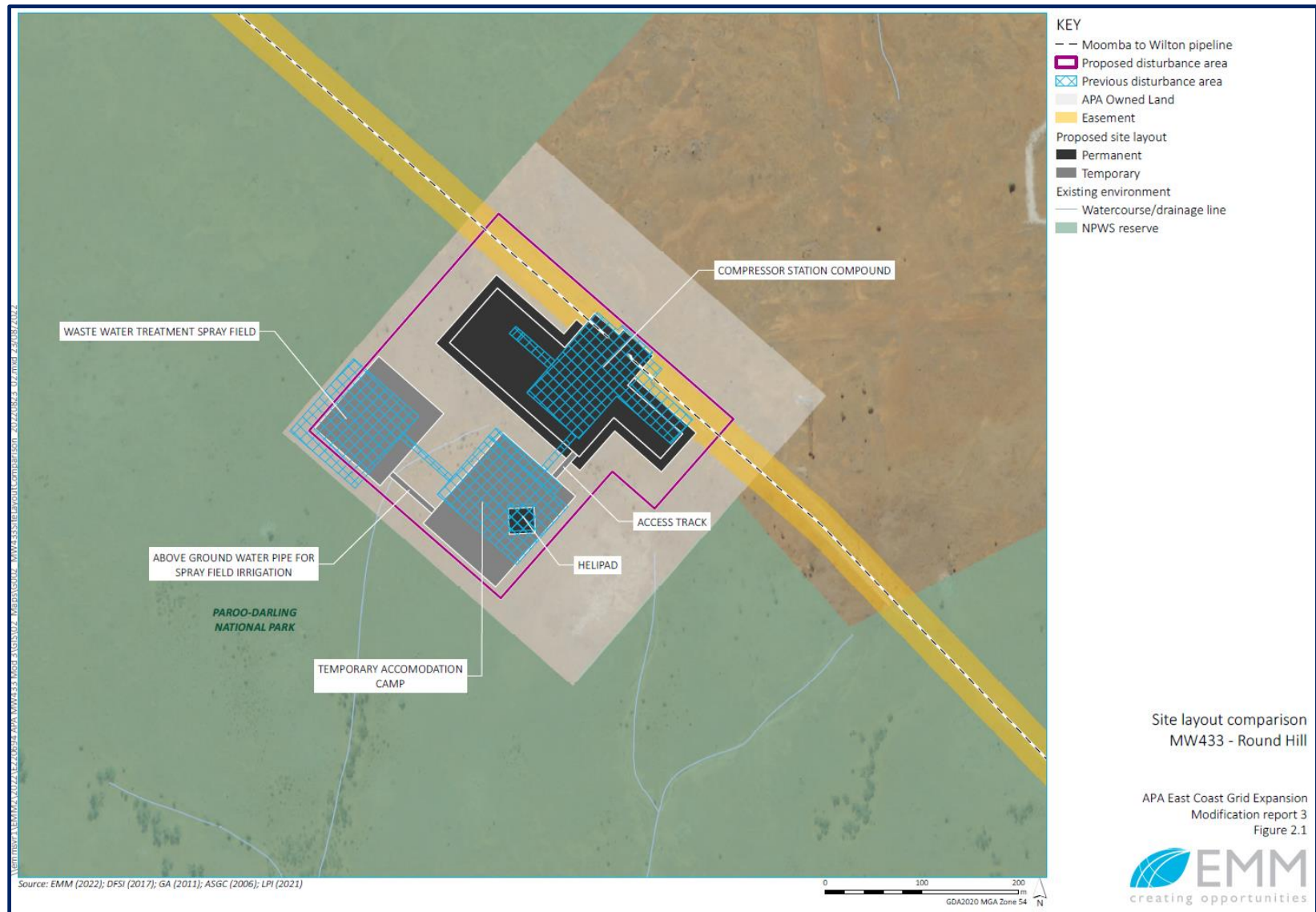


Figure 2 – Stage 2 (MW433)