

Environment Protection Licence

Licence - 21404

Licence Details

Number:	21404
Anniversary Date:	03-December

Licensee

FLYERS CREEK WIND FARM PTY LTD
 599 DONCASTER ROAD
 DONCASTER VIC 3108

Premises

FLYERS CREEK WIND FARM PTY LTD
 FLYERS CREEK WIND FARM
 ERROWANBANG NSW 2791

Scheduled Activity

Crushing, grinding or separating
 Electricity generation

Fee Based Activity

Scale

Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Electricity works (wind farms)	0-450 GWh annual generating capacity

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Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).



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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

FLYERS CREEK WIND FARM PTY LTD
599 DONCASTER ROAD
DONCASTER VIC 3108

subject to the conditions which follow.



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1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2.

There are 2 stages to the scheduled development works of which the following stages are authorised by this licence:

Stage 1: Construction & Commissioning.

A1.2 The licensee can only progress with Stage 2: Operation of wind turbines, if the licence is varied accordingly.

Note: "Operation" referred to in condition A1.2 means the carrying out of the approved purpose of the development upon completion of construction, but does not include commissioning trials of equipment or use of temporary facilities. The meaning of 'operation' is the same as the definition provided in the Definitions section of the project approval MP 08_0252

A1.3 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Electricity generation	Electricity works (wind farms)	0 - 450 GWh annual generating capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
FLYERS CREEK WIND FARM PTY LTD
FLYERS CREEK WIND FARM
ERROWANBANG
NSW 2791



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THE FLYERS CREEK WIND FARM IS LOCATED 20 KILOMETRES (KM) SOUTH OF ORANGE AND 15 KM WEST OF BLAYNEY IN CENTRAL WESTERN NSW WITHIN THE BLAYNEY AND CABONNE SHIRE LOCAL GOVERNMENT AREAS.

SEE CONDITION A2.2 FOR THE FULL DESCRIPTION OF THE LICENSED PREMISES.

A2.2 The premise is defined by the most recent approved Flyers Creek Wind Farm Site Map(s) held by the EPA in Electronic File EF20/18341.

A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Concrete works

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

P1.2 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

Noise/Weather

EPA identification no.	Type of monitoring point	Location description
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8	Meteorological Station	Northern Weather Station. Identified as Point 27 in Flyers Creek Wind Farm Project Approval MP 08_0252 Appendix 2, Figure 2-1. (DOC20/286836)
9	Meteorological Station	Central Weather Station. Identified as Point 89 in Flyers Creek Wind Farm Project Approval MP 08_0252 Appendix 2, Figure 2-1. (DOC20/286836)
10	Meteorological Station	Southern Weather Station. Identified as Point 78 in Flyers Creek Wind Farm Project Approval MP 08_0252 Appendix 2, Figure 2-1. (DOC20/286836)
11	Noise monitoring	Noise Monitoring Logger R012 representing relevant receivers identified as R010, R011, R012, R013, R014, R046, R048, R057, R071, R072, R074, R095 and R102 in Flyers Creek Wind Farm MP 08_0252 – Modification 4, Appendix F, Table 3-1: Noise criteria at hub height wind speeds for key receivers. (DOC20/286836)
12	Noise monitoring	Noise Monitoring Logger R025 representing relevant receivers identified as R023, R024, R025, R043, R055, R090 and R108 in Flyers Creek Wind Farm MP 08_0252 – Modification 4, Appendix F, Table 3-1: Noise criteria at hub height wind speeds for key receivers. (DOC20/286836)
13	Noise monitoring	Noise Monitoring Logger R027 representing relevant receivers identified as R027 and R044 in Flyers Creek Wind Farm MP 08_0252 – Modification 4, Appendix F, Table 3-1: Noise criteria at hub height wind speeds for key receivers. (DOC20/286836)
14	Noise monitoring	Noise Monitoring Logger R078 representing relevant receivers identified as R056, R077, R078 and R099 in Flyers Creek Wind Farm MP 08_0252 – Modification 4, Appendix F, Table 3-1: Noise criteria at hub height wind speeds for key receivers. (DOC20/286836)
15	Noise monitoring	Noise Monitoring Logger R089 representing relevant receivers identified as R089 in Flyers Creek Wind Farm MP 08_0252 – Modification 4, Appendix F, Table 3-1: Noise criteria at hub height wind speeds for key receivers. (DOC20/286836)

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

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L2 Waste

- L2.1 The licensee must ensure that all liquid and/or non-liquid waste generated and/or stored on the site is assessed and classified in accordance with Waste Classification Guidelines Part 1: Classifying Waste (NSW EPA, 2014) or any future guideline that may supersede that document.
- L2.2 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

L3 Noise limits

- L3.1 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.

POINT 11

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed 5 metres per second at hub height LAeq (10 minute)	-	36
All hours	Integer Wind Speed 7 metres per second at hub height LAeq (10 minute)	-	38
All hours	Integer Wind Speed 6 metres per second at hub height LAeq (10 minute)	-	37
All hours	Integer Wind Speed 10 metres per second at hub height LAeq (10 minute)	-	41
All hours	Integer Wind Speed 11 metres per second at hub height LAeq (10 minute)	-	42

POINT 11,12,13,14,15

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed <= 3 metres per second at hub height LAeq (10 minute)	-	35
All hours	Integer Wind Speed 4 metres per second at hub height LAeq (10 minute)	-	35

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POINT 11,15

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed 8 metres per second at hub height LAeq (10 minute)	-	39
All hours	Integer Wind Speed 9 metres per second at hub height LAeq (10 minute)	-	40
All hours	Integer Wind Speed >= 12 metres per second at hub height LAeq (10 minute)	-	43

POINT 12

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed 8 metres per second at hub height LAeq (10 minute)	-	37
All hours	Integer Wind Speed 7 metres per second at hub height LAeq (10 minute)	-	36

POINT 12,13

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed 11 metres per second at hub height LAeq (10 minute)	-	40
All hours	Integer Wind Speed 10 metres per second at hub height LAeq (10 minute)	-	39
All hours	Integer Wind Speed 9 metres per second at hub height LAeq (10 minute)	-	38

POINT 12,13,14,15

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed 6 metres per second at hub height LAeq (10 minute)	-	35
All hours	Integer Wind Speed 5 metres per second at hub height LAeq (10 minute)	-	35

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POINT 12,14

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed >= 12 metres per second at hub height LAeq (10 minute)	-	40

POINT 13

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed 8 metres per second at hub height LAeq (10 minute)	-	36
All hours	Integer Wind Speed >= 12 metres per second at hub height LAeq (10 minute)	-	41

POINT 13,14

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed 7 metres per second at hub height LAeq (10 minute)	-	35

POINT 14

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
All hours	Integer Wind Speed 10 metres per second at hub height LAeq (10 minute)	-	37
All hours	Integer Wind Speed 11 metres per second at hub height LAeq (10 minute)	-	38
All hours	Integer Wind Speed 8 metres per second at hub height LAeq (10 minute)	-	35
All hours	Integer Wind Speed 9 metres per second at hub height LAeq (10 minute)	-	36

POINT 15

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
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All hours	Integer Wind Speed 7 metres per second at hub height LAeq (10 minute)	-	37
All hours	Integer Wind Speed 11 metres per second at hub height LAeq (10 minute)	-	43
All hours	Integer Wind Speed 10 metres per second at hub height LAeq (10 minute)	-	42

- L3.2 Noise Limits specified in condition L3.1 are operational noise limits and are not applicable during Stage 1: Construction & Commissioning.
- L3.3 The noise limits specified in condition L3.1 do not apply to any non-associated receiver locations (residences) as defined in the Project Approval MP 08_0252, where a noise agreement is in place between the licensee and the respective land owner(s) in respect to noise impacts and/or noise limits.
- L3.4 For the purpose of condition L3.1, noise must be determined in accordance with the relevant requirements of the Department's Wind Energy: Noise Assessment Bulletin (2016) (or its latest version) and the provisions in Appendix 2 of Project Approval MP08_0252. If this guideline is replaced by an equivalent NSW guideline, then the noise generated is to be measured in accordance with the requirements in the NSW guideline.
- L3.5 For the purpose of condition L3.4, the presence of excessive tonality (a special noise characteristic) must be determined in accordance with ISO 1996.2:2007 Acoustics - Description, measurement and assessment of environmental noise - Determination of environmental noise levels.
- If tonality is found to be a repeated characteristic of the wind turbine noise, 5 dBA should be added to measured noise level from the wind farm. If tonality is only identified for certain wind directions and speeds, the penalty is only applicable under these conditions.
- The tonal characteristic penalty applies only if the tone from the wind turbine is audible at the relevant receiver. Absence of tone in noise emissions measured at an intermediate location is sufficient proof that the tone at the receiver is not associated with the wind farm's operation.
- The assessment for tonality should only be made for frequencies of concern from 25 Hz to 10 kHz and for sound pressure levels above the threshold of hearing (as defined in ISO 389.7:2005 Acoustics - Reference zero for the calibration of audiometric equipment - Part 7: Reference threshold of hearing under free-field and diffuse - field listening conditions).
- L3.6 For the purposes of condition L3.4, the presence of excessive low frequency noise (a special noise characteristic) must be determined with reference to the NSW Wind Energy: Noise Assessment Bulletin For State significant wind energy development (2016).
- L3.7 The maximum penalty to be added to the measured noise level from the wind farm for any special characteristic individually or cumulatively is 5 dB(A).
- L3.8 For the purpose of condition L3.1, wind speed is to be measured in accordance with condition M2.1 at licenced points 8, 9 and 10

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L4 Blasting

- L4.1 Airblast overpressure generated by blasting associated Project construction activities shall not exceed the criteria specified in the table below when measured at the most affected residence or other sensitive receiver.

Airblast overpressure (dB(Lin Peak))	Allowable exceedence
115	5% of total number of blasts over a 12 month period
120	0%

- L4.2 Blasting operations on the premises may only take place between:
9am and 5pm Monday to Friday; and
8am to 1pm Saturday.

Blasting is not permitted on Sunday or public holidays, or during periods of inversions.

The hours of operation for blasting operations specified in this condition may be varied if the EPA, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.

L5 Hours of operation

- L5.1 Construction activities associated with the project shall be undertaken during the following standard construction hours:
- 7:00am to 6:00pm Mondays to Fridays;
 - 8:00am to 1:00pm Saturdays; and
 - at no time on Sundays or public holidays
- in accordance with condition 3 of Schedule F of Approval MP08_0252 (DOC20/286836)
- L5.2 Construction works outside of the standard construction hours identified in condition L5.1 may be undertaken in the following circumstances:
- construction works that generate noise that is:
 - no more than 5 dB(A) above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and
 - no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive receivers; or
 - for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - where it is required in an emergency to avoid the loss of lives, property and / or to prevent environmental harm; or
 - works approved through this licence; or
 - works as approved through the out-of-hours work protocol outlined in the Construction Noise and Vibration Management Plan required under condition F21(b) of the project approval.

- L5.3 Activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving)

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shall only be undertaken:

- (a) between the hours of 8:00 am to 5:00 pm Monday to Friday;
- (b) between the hours of 8:00 am to 1:00 pm Saturday; and
- (c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block.

For the purposes of this condition 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

O3 Dust

O3.1 Trucks entering and leaving the premises that are carrying loads that may generate dust must be covered at all times, except during loading and unloading.

O3.2 All areas in or on the premises must be maintained in a condition that prevents or minimises the emission into the air of air pollutants (which includes dust).

O3.3 Any activity in or on the premises must be carried out by such practicable means as to prevent or minimise the emission into the air of air pollutants (which includes dust).

O3.4 Any plant in or on the premises must be operated by such practicable means as to prevent or minimise the emission into the air or air pollutants (which includes dust).

O4 Other operating conditions

Construction Environmental Management Plan

O4.1 The Licensee must prepare and implement a Construction Environmental Management Plan in accordance with condition 20 of Schedule F of the project approval MP 08_0252.

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- O4.2 The Licensee must prepare and implement a Construction Noise and Vibration Management Plan in accordance with condition 21(b) of Schedule F of the project approval MP 08_0252.
- O4.3 Construction noise generated at the premises must be managed in accordance with the most current version of the Construction Noise and Vibration Management Plan.
- O4.4 The licensee must ensure that all feasible and reasonable noise and vibration mitigation and management measures are implemented during construction work authorised by this licence, in accordance with the *Interim Construction Noise Guideline* (DECC, 2009).
- O4.5 The Licensee must prepare and implement a Construction Soil and Water Quality Management Plan in accordance with condition 21(d) of Schedule F of the project approval MP 08_0252.
- O4.6 The Licensee must prepare and implement a Construction Air Quality Management Plan in accordance with condition 21(g) of Schedule F of the project approval MP 08_0252.

Operational Environmental Management Plan.

- O4.7 Prior to commencement of operation, the Licensee must prepare and implement an Operation Environmental Management Plan for the project in compliance with condition G11 of the project approval MP 08_0252.

Chemical and Fuel Handling and Storage

- O4.8 All chemicals, fuels and explosives must be handled and stored in a bunded area which complies with the specifications of the relevant Australian Standard and legislative requirements.
- O4.9 Contingency and emergency management plans must be developed and implemented for the spill of any chemical and fuel.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
 - a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
 - a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and

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d) the name of the person who collected the sample.

M2 Weather monitoring

M2.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

POINT 8,9,10

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Rainfall	AM-4	millimetres	1 hour	Continuous
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous

M3 Recording of pollution complaints

M3.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M3.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M3.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M3.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M4 Telephone complaints line

M4.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

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M4.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M4.3 The preceding two conditions do not apply until after the date of the issue of this licence.

M5 Noise monitoring

M5.1 To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below.

POINT 11,12,13,14,15

Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period
Day, Evening, Night	Special Frequency 1	10 minutes	3 consecutive operation days

Note: For the purposes of condition M5.1 above, Special Frequency 1 means one round of noise monitoring must be conducted within 3 months of the commencement of operations (or the commencement of operation of a cluster of turbines, if the project is to be staged).

6 Reporting Conditions

R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual

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Return until after the end of the reporting period.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm

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occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R4 Other reporting conditions

R4.1 Within 4 months of the commencement of operations (or the commencement of operation of a cluster of turbines, if the project is to be staged) the licensee must complete and submit to the EPA a report comprising:

- a) Data, reported graphically where practicable, for monitoring conducted in accordance with licence requirements;
- b) Statement of compliance;
- c) A complaints summary; and
- d) An outline of any management actions taken within the period to address any non-compliances identified during construction and the first 3 months following commencement of operations.

7 General Conditions

G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the

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premises.

8 Pollution Studies and Reduction Programs

U1 Sediment and Erosion Management Plan

Stage 1: Preliminary assessment

- U1.1 By 31 March 2023, the licensee must provide the EPA with an assessment of all sediment and erosion controls to be implemented at the Premises. The assessment aims to identify and classify key areas where there is a potential for sediment and erosion migration to occur. The assessment must at a minimum;
1. The Licensee must engage a suitably qualified and experienced sediment and erosion specialist, who must be approved by the EPA in writing.
 2. Identify all areas where there is a potential for sediment and erosion migration;
 3. Demonstrate that the premises sediment and erosion management plan has identified and classified all areas into a priority work schedule based on the associated risk level i.e., High-Risk, Medium-Risk, and Low-Risk areas;
 4. Provide the EPA in writing a list of High, Medium, and Low-risk sites, which outlines the proposed sediment and erosion control works.
 5. The licensee must include an excel spreadsheet or table equivalent that clearly defines all sediment and erosion installation statuses, as well as all associated completion timeframes.

Stage 2: Implementation of proposed works

- U1.2
1. The licensee must ensure all identified active high-risk sites have an appropriate level of sediment and erosion protection such as sediment fencing, coir logs or any other temporary control measures as recommended by the sediment and erosion specialist (as per U1.1.1) by 14 April 2023.
 2. The licensee must ensure all other proposed works outlined in the "Erosion and Sediment Control Management Plan" (ESCMAP) is completed within the agreed-upon timeframes as defined in U1.1.5.
 3. In the instance where the timeframes are unable to be met due to unforeseen circumstances the Licensee must notify the EPA within 3 days of becoming aware of the delay.
 4. The Licensee must submit a quarterly progress report to the EPA on the first Monday of the month commencing 01 May 2023 to ensure that all agreed timeframes are being complied with. The report should include but not be limited to documentary and photographic evidence of the implementation.

Stage 3: Notification of completed works

- U1.3 By 31 September 2023, the Licensee must provide the EPA in writing a final report that describes the improvements made to sediment and erosion controls at the premises in line with the High, Medium and Low-Risk mitigation measures as found within the ESCMAP (DOC23/244157). The report should include, but not be limited to documentary, photographic evidence of implementation and an excel spreadsheet or equivalent that shows the completion date of each installation.

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Ms Sheridan Ledger

Environment Protection Authority

(By Delegation)

Date of this edition: 03-December-2021

End Notes

2 Licence varied by notice 1627588 issued on 03-Apr-2023