



Licence No. 41142

**LUMO GENERATION SA PTY
LTD**

ISSUED:
01 Dec 2022

EXPIRY:
30 Nov 2027

ACN:
115 291 042

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 41142

LICENSEE DETAILS

Licence Holder: LUMO GENERATION SA PTY LTD
ACN: 115 291 042
Registered Address: Monaro Highway, COOMA NSW 2630

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: 01 Dec 2022
Expiry Date: 30 Nov 2027

PREMISES ADDRESS

Allotment 7 (FP 8387) and Allotment 100
(DP 50597), Refinery Road, LONSDALE
SA 5160

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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.

CT5603/79

CT6158/73

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

AUTHORISED OFFICER: means a person appointed to be an authorised officer pursuant to Part 10 Division 1 Section 85 of the Act.

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 OPERATIONAL MANAGEMENT

1.1 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'.

1.2 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.

1.3 ENVIRONMENTAL MANAGEMENT PLAN (315 - 40)

The Licensee must review the environmental management plan annually and if amended significantly regarding environmental matters, submit a report to the Authority.

1.4 OPERATION DATES AND TIMES (330 - 21)

The Licensee must ensure that records showing dates and times of licensed operations are maintained and made available to Authorised Officers upon request.

1.5 POLLUTION CONTROL EQUIPMENT REGISTER (S - 2)

The Licensee must:

- 1.5.1 maintain all Pollution Control Equipment to ensure that pollution is minimised; and

- 1.5.2 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 MONITORING AND REPORTING

2.1 OXIDES OF NITROGEN EMISSIONS (U - 259)

The licensee must:

- 2.1.1 ensure that the total mass emission rate of oxides of nitrogen (expressed as nitrogen dioxide) does not exceed fifteen grams per second; and
- 2.1.2 implement the EPA approved document entitled "Emissions to air monitoring plan - Lonsdale and Port Stanvac Power Stations" dated 21 April 2015 (or any revised plan approved in writing by the EPA).

3 ADMINISTRATION

3.1 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

- 3.1.1 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.

3.2 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:

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

3.3 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:

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

3.4 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.

3.5 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.

3.6 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.