



Statement of Conditions

as at 28 February 2014

issued under *Water Management Act 2000*

**Water Access Licence
Number**

27428

Reference Number

10AL116411

Contact Details

Name EnergyAustralia NSW Pty Ltd

Customer ID 1139922

Contact Address EnergyAustralia NSW Pty Ltd
Locked Bag 1
Portland NSW 2847

Licence Details

Status Current

Category Major Utility [Power generation]

Date of Commencement 1 July 2011

Tenure Type Specific Purpose

Share Component 25,000 megalitres per year

Extraction Management Unit Upper Nepean and Upstream Warragamba

Water Source Upper Nepean and Upstream Warragamba Water Source

Water Sharing Plan Greater Metropolitan Region Unregulated River Water Sources 2011

Extraction Zone Wywandy

Conditions Schedule 1

Notes:

1. The extraction component of this access licence may be amended by the Minister in accordance with the water sharing plan for the water source specified on this licence.
2. A requirement to notify the Minister in writing is satisfied by making a notification in writing to the address shown on this Statement.

Administrative contact details

All correspondence and notifications in relation to compliance with the conditions of this licence must be addressed to:

Manager Water Regulation Hunter/ Sydney/ South
Coast
NSW Office of Water
PO Box 3720
PARRAMATTA NSW 2124

Schedule 1 – Conditions

INTRODUCTION

Under section 66 (1) (a) of the *Water Management Act 2000* this access licence is subject to such conditions as are from time to time required to be imposed on the access licence by the Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011 (hereinafter referred to as the Water Sharing Plan). Under section 66 (1) (b) of the *Water Management Act 2000* this access licence is subject to such other conditions as the Minister may impose on the licence as the Minister thinks fit, including conditions relating to the protection of the environment.

CONDITIONS

1. The Licence Holder must not take water under this access licence other than in compliance with the conditions of the water supply work and water use approval nominated by this licence. The nominated water supply work and water use approval for this licence is 10CA117220.
2. The volume of water taken by the Licence Holder under this access licence must not exceed 23,000 megalitres per year for that water year.
3. Notwithstanding condition two (2) of this approval, if in any water year the Licence Holder's volume of water available from the Fish River Water Supply Scheme is reduced by 30 percent or more relative to the full entitlement, the volume of water taken by the Licence Holder under this access licence must not exceed 25,000 megalitres for that water year.

Note 1: EnergyAustralia NSW entitlement in the Fish River Water Supply Scheme is 8,184 megalitres per year. A reduction of 30 percent from the full entitlement equates to 5,729 megalitres per year.

4. The Licence Holder must not take any water from the Coxs River under this access licence unless the Licence Holder has first used all available mine water from its storages for the purpose of power generation.

Note 1: To meet the requirements of this condition, EnergyAustralia NSW must account for water taken from sources other than the Coxs River prior to accounting for water taken from the Coxs River, under this access licence.

Note 2: Mine water discharged directly into the Coxs River and then extracted for consumption by EnergyAustralia NSW will be debited against its water allocation.

Note 3: Mine water received directly to EnergyAustralia NSW via pipework will not be accounted for in its water allocation.

5. The Licence Holder must not take water using the works authorised by the nominated water supply work and water use approval in excess of its annual share component.
6. The Licence Holder must ensure water allocations remaining in the access licence account are not carried over from one water year to the next.
7. The Licence Holder must not take any water using the works authorised by the nominated water supply work and water use approval if the water allocation account of this licence is, or will go into debt in any water year.

8. The Licence Holder must keep a Logbook and record the following in the Logbook:
- a) each date on which water was taken under the access licence;
 - b) the volume of water taken on that date;
 - c) the water supply work and water use approval number of the water supply work used to take the water on that date;
 - d) the purpose or purposes for which the water was taken on that date;
 - e) confirmation that environmental flow protection conditions do not apply at the time of extraction; and
 - f) any other information required to be recorded in the Logbook under the rules of the Water Sharing Plan.

Note 1: A “Logbook” means a record, kept in hard copy or electronic form, which accurately records all information required to be kept for this licence.

9. The Licence Holder must produce the Logbook to the Minister for inspection, when requested.
10. The Licence Holder must retain the information required to be recorded in the Logbook for 5 years from the date to which that information relates.
11. The Licence Holder must notify the Minister in writing at the earliest practical opportunity following any event, but not exceeding seven (7) working days that has caused, or is likely to cause, deviation to any of the conditions of this licence. The notification must include, but need not be limited to, the following information:
- a) whether the event has resulted in deviation to any of the licence conditions (at the date of the notification) and details of any altered releases;
 - b) the date, time and location of the event, or works involved;
 - c) the cause and nature of the event, including details of any environmental harm or damage that may have occurred;
 - d) any action taken where it was necessary to avoid harm; and
 - e) any action that was, or will be taken to prevent a recurrence of the event.
12. Notwithstanding conditions one (1) to eleven (11) of this licence, the Licence Holder must comply with any other conditions required to implement the provisions of the Water Sharing Plan.