Department of Environment and Resource Management

Registration certificate

Environmental Protection Act 1994

Registration certificate

No: ENRE00211305

This registration certificate is issued by the administering authority and takes effect from: 01-JAN-2009.

The anniversary day for the purposes of the Annual Return remains: 7 December.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activity listed below at the following place; subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Origin Energy Power Limited
44425 Warrego Highway
ROMA QLD 4455

Place:-
Lot 2 Plan RP835140

Located at:-
Warrego HWY,ROMA QLD 4455

Registered Activity: -
ERA 14 Electricity generation Threshold 1 - generating electricity by using gas at a rated capacity of 10MW electrical or more

David Darvall
Delegate
Department of Environment and Resource Management
Environmental Protection Act 1994

29-FEB-2012

Department of Environment and Resource Management
www.derm.qld.gov.au ABN 46 640 294 485

Queensland Government

ecoaccess
environmental licences and permits

Notice

Change to an existing approval

This notice is issued by the Environmental Protection Agency pursuant to Section 3.5.33 of the Integrated Planning Act 1997 to advise of a decision or action.

Origin Energy Limited
Level 45 Australia Square
264-278 George Street
SYDNEY NSW 2000

cc: Chief Executive Officer
Maranoa Regional Council
PO Box 42
MITCHELL QLD 4465

cc: Origin Energy Limited
GPO Box 148
BRISBANE QLD 4001

Our reference: 264203

Dear Sir/Madam

Re: Application to change or cancel a condition of your development approval [1]

The Department of Environment and Resource Management (DERM), acting as concurrence agency, wishes to advise that your application to change or cancel a condition of your existing development approval [Permit Ref: IPDE01409209], received on 06-JAN-2009, has been assessed, and was granted.

1. Your application requested:

Change or cancel conditions of development approval.

2. The details of the original approval were:

Property/Location:

Street address - Warrego HWY ROMA QLD 4455
Lot/Plan - Lot 2 Plan RP835140

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

Environmental Protection Agency
www.epa.qld.gov.au ABN 87 221 158 786

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

2. Your application has been approved to the extent detailed below:

Release of Contaminants to the Atmosphere

(B1) The release of contaminants to the atmosphere from A1-Gas Turbine (GT7) and A2-Gas Turbine (GT8) must only occur from those release points identified in Table 1 - Contaminant release limits to air at the gas turbine and must be directed vertically upwards without any impedance or hindrance.

(B2) Contaminants from release points in Table 1 - Contaminant release limits to air at the gas turbine, must be released to the atmosphere from a release point at a height and a velocity not less than the corresponding height and velocity stated for that release point.

(B3) Contaminants must not be released to the atmosphere from a release point at a mass emission rate, as measured at a monitoring point, in excess of that stated in Table 1 - Contaminant release limits to air at the gas turbine. Compliance with this condition may be demonstrated through completion of condition (B4).

(B4) If monitoring conducted under condition (B5) identifies contaminants are released to the atmosphere at a mass emission rate in excess of that stated in Table 1, the holder of this authority will;

(a) Estimate the Power Station contribution to NO_2 ground level concentrations using data collected under condition (B5). Ground level concentrations are to be estimated using air dispersion modelling package acceptable to the administering authority.

(b) Provide to the administering authority a report comparing ground level concentrations estimated under condition (B4)(a) with the appropriate levels identified in the Environment Protection Policy (Air) 2008 (EPP(Air)) and National Environment Protection Measure (NEPM) criteria for NO_2.

Table 1 - Contaminant release limits to air at the gas turbine

Release point number	Minimum release height (metres)	Minimum velocity (m/sec)	Contaminant release	Maximum mass release limit [1]
A1 – Gas Turbine (GT7)	15	30	NOx (expressed as NO_2)	35 grams/second
A2 – Gas Turbine (GT8)	15	30	NOx (expressed as NO_2)	35 grams/second

Note 1: The above NOx release limits are applicable at all times except start-up, shut-down and calibration of emission monitoring devices. The start-up duration allowed is up to 30 minutes.

(B5) The holder of this approval must conduct and keep records of contaminants released to the atmosphere at the release points, frequency, and for the parameter specified in Table 2 – Required Release Point Determinations which complies with the following:

(a) Monitoring for the release points listed in Table 2 must be undertaken in accordance with the Australian Standard AS 4323.1–1995 "Stationary source emissions Method 1: Selection of sampling positions" (or more recent editions). Any deviations from the standard method must be reported.

(b) The following tests must be performed for each determination specified in Table 2:

I. gas velocity and volume flow rate;
II. temperature, oxygen and carbon monoxide flue gas concentration; and
III. water vapour concentration (moisture content).

(c) Where practicable samples taken must be representative of the contaminants discharged when emissions are expected to be at maximum rates.

(d) During the sampling period the following additional information must be gathered:
I. quantity and type of fuel used;
II. combustion efficiency;
III. operating load and number of operating units; and
IV. operating pressure.

Table 2 - Required Release Point Determinations

Determination Required	Release Point Numbers	Frequency
Mass emission rate (grams/second) and concentration (mg/Nm^3) of oxides of nitrogen (NOx expressed as NO_2) in the flue gas at the 15% oxygen reference level.	Stacks A1 and A2	Within three months of commencement of this authority and then biennially thereafter

(A6) All determinations of air contaminant releases to the atmosphere must be made in accordance with the methods prescribed in the most recent version of the Administering Authority's Air Quality Sampling Manual. If monitoring requirements for specific contaminants are not described in the Administering Authority's Air Quality Sampling Manual, monitoring protocols must be in accordance with a method as approved by New South Wales EPA, Victorian EPA or United States EPA.

An attached extract from the *Integrated Planning Act 1997* details your appeal rights regarding this decision. You should seek independent advice to confirm all your available avenues.

Should you require any further information please contact Sthree Hilton the project manager, on the telephone number listed below.

Yours sincerely

Delegate
Department of Environment and Resource Management
15-MAR-2010

Enquiries:
ES - Reg Serv - Western - Twba - EPA
PO Box 731 TOOWOOMBA QLD 4350
Phone: (07) 46994333
Fax: (07) 46994399

APPEAL RIGHTS - Extract from the *Integrated Planning Act 1997*

Division 8—Appeals to court relating to development applications

4.1.27 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following -
  (a) the refusal, or the refusal in part, of a development application;
  (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;
  (c) the decision to give a preliminary approval when a development permit was applied for;
  (d) the length of a currency period;
  (e) a deemed refusal.

(2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the **"applicant's appeal period"**) after the day the decision notice or negotiated decision notice is given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

4.1.28 Appeals by submitters

(1) A submitter for a development application may appeal to the court only against -
  (a) the part of the approval relating to the assessment manager's decision under section 3.5.14 or 3.5.14A; or
  (b) for an application processed under section 6.1.28(2) – the part of the approval about the aspects of the development that would have required public notification under the repealed Act.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following-
  (a) the giving of a development approval;
  (b) any provision of the approval including-
    (i) a condition of, or lack of condition for, the approval; or
    (ii) the length of a currency period for the approval.

(3) However, a submitter may not appeal if the submitter-
  (a) withdraws the submission before the application is decided; or
  (b) has given the assessment manager a notice under section 3.5.19(1)(b)(ii).

(4) The appeal must be started within 20 business days (the **"submitter's appeal period"**) after the decision notice or negotiated decision notice is given to the submitter.

4.1.29 Appeals by advice agency submitters

(1) Subsection (1A) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(1A)The advice agency may, within the limits of its jurisdiction, appeal to the court about any part of the approval relating to the assessment manager's decision under section 3.5.14 or 3.5.14A.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 3.5.19(1)(b)(ii), the advice agency may not appeal the decision.

4.1.30 Appeals for matters arising after approval given (co-respondents)

(1) For a development approval given for a development application, a person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
  (a) a notice giving a decision on a request for an extension of the currency period for an approval;
  (b) a notice giving a decision on a request to make a minor change to an approval.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Subsection (1)(a) does not apply if the approval resulted from a development application (superseded planning scheme) that was assessed as if it were an application made under a superseded planning scheme.

Division 9 - Appeals to court about other matters

4.1.31 Appeals for matters arising after approval given (no co-respondents)

(1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
  (a) a notice giving a decision on a request to change or cancel a condition of a development approval;
  (b) a notice under section 3.5.33A(9)(b) or 6.1.44 giving a decision to change or cancel a condition of a development approval.
(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

4.1.32 Appeals against enforcement notices

(1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.
(2) The appeal must be started within 20 business days after the day notice is given to the person.

4.1.33 Stay of operation of enforcement notice

(1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until -
  (a) the court, on the application of the entity issuing the notice, decides otherwise; or
  (b) the appeal is withdrawn; or
  (c) the appeal is dismissed.
(2) However, subsection (1) does not apply if the enforcement notice is about -
  (a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or
  (b) carrying out development that is the demolition of a work.

4.1.34 Appeals against decisions on compensation claims

(1) A person who is dissatisfied with a decision under section 5.4.8 or 5.5.3 for the payment of compensation may appeal to the court against -
  (a) the decision; or
  (b) a deemed refusal of the claim.
(2) An appeal under subsection (1)(a) must be started with 20 business days after the day notice of the decision is given to the person.
(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

4.1.35 Appeals against decisions on requests to acquire designated land under hardship

(1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 2.6.19, may appeal to the court against -
  (a) the decision; or
  (b) a deemed refusal of the request.
(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.
(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

4.1.37 Appeals from tribunals

(1) A party to a proceeding decided by a tribunal may appeal to the court against the tribunal's decision, but only on the ground -
  (a) of error or mistake in law on the part of the tribunal; or
  (b) that the tribunal had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.
(2) An appeal against a tribunal's decision must be started within 20 business days after the day notice of the tribunal's decision is given to the party.

4.1.38 Court may remit matter to tribunal

If an appeal includes a matter within the jurisdiction of a tribunal and the court is satisfied the matter should be dealt with by a tribunal, the court must remit the matter to the tribunal for decision.

Division 10 - Making an appeal to court

4.1.39 How appeals to the court are started

(1) An appeal is started by lodging written notice of appeal with the registrar of the court.
(2) The notice of appeal must state the grounds of the appeal.
(3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
(4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

4.1.41 Notice of appeal to other parties (div 8)

(1) An appellant under division 8 must give written notice of the appeal to-
  (a) if the appellant is an applicant-
    (i) the chief executive; and
    (ii) the assessment manager; and
    (iii) any concurrence agency; and
    (iv) any principal submitter whose submission has not been withdrawn; and
    (v) any advice agency treated as a submitter whose submission has not been withdrawn; or
  (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal-
    (i) the chief executive; and
    (ii) the assessment manager; and
    (iii) any referral agency; and
    (iv) the applicant; or
  (c) if the appellant is a person to whom a notice mentioned in section 4.1.30 has been given-
    (i) the chief executive; and
    (ii) the deciding entity; and
    (iii) any entity that was a concurrence agency or building referral agency for the development application to which the notice relates.
(2) The notice must be given within-
  (a) if paragraph (b) does not apply-10 business days after the appeal is started; or
  (b) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal-2 business days after the appeal is started.
(3) The notice must state-
  (a) the grounds of the appeal; and
  (b) if the person given the notice is not the respondent or a co-respondent under section 4.1.43 -
  (c) that the person may, within 10 business days after the day the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

4.1.42 Notice of appeal to other parties (div 9)

(1) An appellant under division 9 must, within 10 business days after the day the appeal is started give written notice of the appeal to -
  (a) if the appellant is a person to whom a notice mentioned in section 4.1.31[73] has been given - the entity that gave the notice; or
  (b) if the appellant is a person to whom an enforcement notice is given - the entity that gave the notice and if the entity is not the local government, the local government; or
  (c) if the appellant is a person dissatisfied with a decision about compensation - the local government that decided the claim; or
  (d) if the appellant is a person dissatisfied with a decision about acquiring designated land - the designator; or
  (e) if the appellant is a person who is disqualified as a private certifier - the entity disqualifying the person and if the entity disqualifying the person is not the accrediting body, the accrediting body; or
  (f) if the appellant is a party to a proceeding decided by a tribunal - the other party to the proceeding.
(2) The notice must state the grounds of the appeal.

4.1.43 Respondent and co-respondents for appeals under div 8

(1) Subsections (2) to (8) apply for appeals under section 4.1.27 to 4.1.29.
(2) The assessment manager is the respondent for the appeal.
(3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
(4) Any submitter may elect to become a co-respondent to the appeal.
(5) If the appeal is about a concurrence agency response, the concurrence agency is a co-respondent for the appeal.
(6) If the appeal is only about a concurrence agency response, the assessment manager may apply to the court to withdraw from the appeal.
(7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
(8) A person to whom a notice of appeal is required to be given under section 4.1.41 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
(9) For an appeal under section 4.1.30-
    (a) the assessment manager is the respondent; and
    (b) any entity that was a concurrence agency or a building referral agency for the development application to which a notice under section 3.6.3 relates may elect to become a co-respondent.

4.1.44 Respondent and co-respondents for appeals under div 9

(1) This section applies if an entity is required under section 4.1.42 to be given a notice of an appeal.
(2) The entity given written notice is the respondent for the appeal.
(3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.
(4) The second entity mentioned in the provision may elect to be a co-respondent.

4.1.45 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to the appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

4.1.46 Minister entitled to be represented in an appeal involving a State interest

If the Minister is satisfied that an appeal involves a State interest, the Minister is entitled to be represented in the appeal.

4.1.47 Lodging appeal stops certain actions

(1) If an appeal (other than an appeal under section 4.1.30) is started under division 8, the development must not be started until the appeal is decided or withdrawn.
(2) Despite subsection (1), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

This environmental authority consists of the following schedules-

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule F - Noise

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

SCHEDULE A - GENERAL CONDITIONS

Display of Environment Authority

(A3) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A4) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be visible for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

(A5) Copies of any record required to be kept by a condition of this environmental authority must be provided to any authorised person or the administering authority on request.

Alterations

(A6) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this environmental authority.

Site Based Management Plan

(NS) The holder of this environmental authority must:

(a) develop and implement a site based management plan which provides for the following functions:

- the monitoring of releases of contaminants into the environment and an environmental assessment of the releases; and
- staff training and awareness of environmental issues; and
- the conduct of environmental and energy audits; and
- waste prevention, treatment and disposal; and
- avoidance and minimisation of contaminated stormwater; and
- reuse, treatment and disposal of contaminated stormwater

(b) on or before 31 December 1999, have completed and implemented the site based management plan.

(c) lodge with the administering authority on or before 31 December 1999, a brief report describing the progress in developing and implementing the site based management plan.

End of Conditions for Schedule A

SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

(B1) Contaminants resulting from the operation of the sources described in Table 1 of the air schedule must only be released to the atmosphere from those release points specified in Table 1 of the air schedule.

(B2) Contaminants released from each release point specified in Table 1 of the air schedule must be directed vertically upwards without any impedance or hindrance.

(B3) Contaminants must be released to the atmosphere from a release point at a height not less than the corresponding height stated for that release point in Table 1 of the air schedule.

(B4) Contaminants must be released to the atmosphere from a release point at a velocity not less than the corresponding velocity stated for that release point in Table 1 of the air schedule.

(NS) The concentration of oxides of nitrogen (No_x) in the effluent gas at the release point number A1 (Table 1 of the air schedule) is not to exceed 300 mg in each normal cubic metre of effluent gas calculated as NO_2 at a 7 percent oxygen reference level, under normal operating conditions.

SOURCE DESCRIPTION	RELEASE POINT NUMBER AND STACK DESCRIPTION	MINIMUM RELEASE HEIGHT (above ground level) (metres)	MINIMUM EFFLUX VELOCITY @ MAXIMUM RATED LOAD (metres/second)
Stack of Turbine	A1	20	20

End of Conditions for Schedule B

SCHEDULE C - WATER

Release of Contaminants to Waters

(NS) Contaminants must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except as permitted under the water schedule or the stormwater management schedule, or to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

SCHEDULE D - STORMWATER MANAGEMENT

No conditions are specified for this schedule

End of Conditions for Schedule D

SCHEDULLE F - NOISE

Emission of Noise

(NS) The licensee must take all reasonable and practicable measures to minimise noise which could cause environmental nuisance and to minimise the likelihood of complaints about noise emission.

End of Conditions for Schedule F

SCHEDULE G - WASTE MANAGEMENT

(NS1) Each drum which is used only for storage of oil must be enclosed by bunding so that the capacity of each bunded area is not less than 110% of the capacity of the drum or drums it encloses.

(NS2) The holder of this environmental authority must take all reasonable and practicable measures to minimise the likelihood of environmental harm being caused.

End of Conditions for Schedule G

Schedule H - MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the holder of this enviornmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept in a log book with the folllowing details:

(i) time, dated and nature of complaint;
(ii) type of communication (telephone, letter, personal etc);
(iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then “Not identified” is to be recorded);
(iv) response and investigation undertaken as a result of the complaint;
(v) name of person responsible for investigating complaint; and
(vi) action taken as a result of the complaint investigation and signature of the responsible person.

Noise Monitoring

(NS) In the event of a complaint about noise that constitutes nuisance, the holder of this environmental authority must monitor and record the "L(Amax adj,T)" and "Background" noise level at the "noise sensitive place" from where the complaint originates during the operation period.

(H11) The method of measuring and reporting of noise levels must comply with the Department of Environment and Heritage Noise Measurement Manual, second edition, March 199, or more recent additions or supplements to that document as become available.

(H12) The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.

Notification of Emergencies and Incidents

(H18) As soon as practicable after becoming aware of any emegency or incident which results in the release of contaminants not in accordance, or reasonable expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

(H19) The notification of emergencies or incidents as required by condition number H18 must include but not be limited to the following:

(i) the holder of the environmental authority;
(ii) the location of the emergency or incident;
(iii) the number of the environmental authority;
(iv) the name and telephone number of the designed contact person;
(v) the time of the release;
(vi) the time the holder of the environmental authority become aware of the release;
(vii) the suspected cause of the release
(viii) the environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release; and
(ix) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

(H20) Not more than 14 days following the intial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number H19 in additon to:

(i) proposed actions to prevent a recurrence of the emergency or incident
(ii) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
(iii) the results of any environmental monitoring performed.

End of Conditions for Schedule H

SCHEDULE I - DEFINITIONS

(NS1) "normal cubic metre" (Nm^3") means the volume of dry gas which occupies 1 cubic metre at a temperature of zero degrees Celcius and at an absolkute pressure of 101.3 kiloPascals.

(NS2) "normal operating conditions" is the normal operating state of a unit, and means that the Unit is operating on a stable flame. For all practical purposes, this shall be defined as "at, or above, a load of 38MW".

(I16) "L(Amax adj,T") means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.

(I17) "Background noise level" means either:

L (A90, T) being the A-weighted sound pressure level exceeded for 90 percent of the time period not less than 15 minutes, using fast response, or

L (Abg, T) being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

(I19) "noise sensitive place" means -

(a) a dwelling, mobile home or caravan park, residential marina or other residential permises; or
(b) a motel, hotel or hostel; or
(c) a kindergarten, school, university or other educational institution; or
(d) a protected area; or
(e) a park or gardens.

(NS3) The term "release" as used in condition number H18 when applied for the release of natural gas for a period less than or equal to 10 minutes is not considered as a reportable incident.

End of Conditions for Schedule I

END OF LICENCE CONDITIONS