Electricity Supply Industry Act 1995

ELECTRICITY SUPPLY INDUSTRY

GENERATION LICENCE

issued to

Woolnorth Bluff Point Wind Farm Pty Ltd
ACN 095 369 396

Effective Date

27 May 2012

Amended:
1. 14 December 2012 (Notice of Amendment No. 1)
2. 27 June 2017 (Notice of Amendment No. 2)
Tasmanian Electricity Generation Licence

1 Grant of Licence

The Regulator, in exercise of the powers conferred by section 19 of the Act, authorises the Licensee to undertake the generation of electricity at the generating plant.

2 Definitions and Interpretation

2.1 In this licence, words and phrases appearing italicised in bold type:

2.1.1 which are defined in the Act, have the same meaning when used in this licence; and

2.1.2 which are not defined in the Act, have the meaning ascribed to them in Part 1 of Schedule 2.

2.2 This licence must be interpreted in accordance with Part 2 of Schedule 2.

3 Compliance with Laws and Other Requirements

3.1 The Licensee must comply with the Act, the Code and guidelines.

3.2 The Licensee must comply with the National Electricity Rules. In the event that the National Electricity Rules are inconsistent with the Code, then the National Electricity Rules prevail to the extent of such inconsistency.

3.3 For the avoidance of doubt, the statutory licence conditions are deemed to form part of this licence and the Licensee must comply with the statutory licence conditions.

3.4 The Licensee must use best endeavours to ensure that each contractor engaged by it complies with the terms and conditions of this licence, to the extent that such terms and conditions are relevant to that contractor.

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4  Term of Licence

Subject to this licence and the Act, this licence takes effect on and from 27 May 2012 for a period of ten (10) years.

5  Payment of Fees and Charges

The Licensee must pay to the Regulator fees and charges in accordance with clause 2.4.2 of the Code.

6  Communications

6.1  A communication must be in writing.

6.2  A communication is to be regarded as having been given by the sender and received by the addressee:

6.2.1  when delivered in person to the addressee;

6.2.2  where sent by post, on the 4th business day after the date of posting, if the communication is posted within Australia;

6.2.3  where sent by post, on the 7th business day after the date of posting, if the communication is posted outside Australia; or

6.2.4  when, according to the sender's transmission report, received by facsimile transmission by the addressee.

7  Provision of Information

7.1  The Licensee must provide to the Regulator, in the manner and form advised by the Regulator, such information as the Regulator may from time to time require and which is, in the opinion of the Regulator, relevant to the Regulator's functions under the Act, the Code, the National Electricity Rules and guidelines.

7.2  If the Licensee becomes aware of any material breach of the Act, the Code, the National Electricity Rules, guidelines or this licence, the
Licensee must notify the Regulator of the breach as soon as practicable and provide such information as the Regulator requires in relation to the breach.

8 Advice to the Regulator

The Licensee must report to the Regulator as soon as possible the occurrence of any of the following circumstances:

8.1 the Licensee is put under external administration as defined in the Corporations Act 2001 (Cwth); and

8.2 the Licensee’s circumstances change such that the Licensee’s ability to meet its obligations under the Act, the Code, the National Electricity Rules, guidelines or this licence may be materially affected.

9 Management Plans and Compliance Plan

9.1 The Licensee must develop and submit to the Regulator, in accordance with the Code, management plans.

9.2 The Licensee must develop and submit to the Regulator, in accordance with the Code, a compliance plan.

10 Deleted

11 Management and Operating Contracts

11.1 The Licensee must advise the Regulator of the entering into, by the Licensee, of any contract under the terms of which another person assumes, or will assume, operational responsibility for carrying out any substantive part of the operations authorised by this licence.

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11.2 The Licensee must submit to the Regulator not less than 14 days prior to the commencement of any contract referred to in clause 11.1:

11.2.1 the identity and contact details of the other person;

11.2.2 details of the nature of the operations that the other person will assume responsibility for carrying out; and

11.2.3 details of the relevant qualifications and experience of the other person to undertake the specified operations.

12 Compliance Officer

12.1 The Licensee must appoint a compliance officer and advise the Regulator of the identity of the compliance officer within 10 business days of the appointment.

12.2 The Licensee must report to the Regulator any change of the Licensee's compliance officer within 10 business days of that change.

13 Connection Agreement

13.1 The Licensee must not allow its generating plant to be, or to remain, connected to the Tasmanian network at a time when no connection agreement subsists.

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Schedule 1 - Description of Generating Facility

Generator Type: Thirty seven 1.75 MW wind turbine generators

Location: Lots 1, 3 and 4 off Woolnorth Road near Studland and Calm Bays in Tasmania – Certificate of Title references volume 135793 folios 1, 3 and 4

Capacity: 64.75 MW

Network Voltage: 110 kV (generator voltage up to 690 V)

Frequency: 50 hertz

Contribution to the power system: Up to approximately 64.75 MW

Connection: Via 43.7km long 110kV transmission line (Route no. 473) to TasNetworks' Smithton Substation

The generating facility includes the 42.2km long 110kV overhead transmission line (Route no. 473), to pole 148, and a 1.5km underground transmission line from pole 148 (Route no. 473) to TasNetworks' Smithton Substation, as shown in the maps below.

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Schedule 2 – Part 1

Definitions

“Act” means the Electricity Supply Industry Act 1995 (Tas);

“business day” means any day except a Saturday, Sunday, statutory holiday as defined in the Statutory Holidays Act 2000 or public holiday;

“communication” means a notice, agreement, consent, direction, representation, advice or statement required or given pursuant to or in connection with this licence;

“compliance officer” means the person responsible for regulatory compliance and may include a director;

“compliance plan” has the same meaning as in the Code;

“connection agreement” has the same meaning as in the Code;

“generating plant” means the generating facility described in Schedule 1 as amended from time to time;

“guideline” means a written statement of regulatory intent or policy for the information and guidance of licensees, issued by the Regulator or by any other relevant person determined and advised to licensees by the Regulator;

“Jurisdictional System Security Co-ordinator” has the same meaning as in the National Electricity Law;

“Licensee” means Woolnorth Bluff Point Wind Farm Pty Ltd (ACN 095 369 396);

“licensee” means the holder of a licence under the Act;

“management plan” has the same meaning as in the Code and for the purpose of this licence, the relevant schedule is Schedule 3 of this licence;

“statutory licence conditions” means the licence conditions referred to in the Act and applicable to this licence;

“Tasmanian network” has the same meaning as in the Code;

“writing” includes any mode of representing or reproducing words, figures, drawings and symbols in a visible form.

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Interpretation

In this licence, unless the context otherwise requires:

2.1 headings are for convenience only and do not affect the interpretation of this licence;

2.2 words importing the singular include the plural and vice versa;

2.3 words importing a gender include any gender;

2.4 an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;

2.5 a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;

2.6 a reference to terms of an offer or agreement is to all terms, conditions and provisions of the offer or agreement;

2.7 a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;

2.8 a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;

2.9 a reference to a person includes that person’s executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;

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2.10 when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence or in the Act, have a corresponding meaning;

2.11 a period of time:

2.11.1 which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or

2.11.2 which commences on a given day or the day of an act or event is to be calculated inclusive of that day;

2.12 an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day;

2.13 in the event of any inconsistency between the conditions of this licence and the Act, the Act will prevail to the extent of such inconsistency; and

2.14 in the event of any inconsistency between the conditions of this licence and the schedules, the conditions of this licence prevail to the extent of such inconsistency.
Schedule 3 - Management Plans

The aspects of the Licensee’s operations that shall be the subject of management plans are:

1. asset management of the Licensee’s generating plant, including reliability and performance of the Licensee's generating plant; and
2. vegetation management.

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