

WATER ACT 1989

Section 51

GROUNDWATER LICENCE No 2007412

(Licence to take and use groundwater)

Objective

The objective of this licence is to allow the efficient depressurising of the Morwell open cut mine whilst minimising adverse impacts on the Gippsland Groundwater Basin.

Definitions

In this licence-

“**Mining Licence**” means a mining licence issued under the provisions of the *Electricity Industry Act* 1993.

“**Approved work plan**” means the mining licence work plan applicable to Mining Licence No 5004

“**Regional monitoring program**” means the monitoring program described in Part B of the approved work plan.

“**Rehabilitation plan**” means a rehabilitation plan approved under the provisions of the *Electricity Industry Act* 1993.

Preamble

The extraction of groundwater for the purpose of achieving safe and stable conditions in the Morwell open cut mine is authorised under this Groundwater Licence issued by the Minister responsible for the *Water Act*, 1989. The administration of the licence may be delegated by the Minister to the Gippsland and Southern Rural Water Authority

The extraction of groundwater at mine sites in the Latrobe Valley results in a regional cone of depression of the groundwater and in ground subsidence.

The monitoring and reporting of regional groundwater and land level trends is to be carried out by the licensee as part of the approved work plan under the Mining Licence.

The Minister or his delegate may set annual charges under this licence to recover the costs incurred in:

- ensuring compliance with licence conditions;
- assessing and reviewing the regional monitoring program; and
- managing and administering the licence.

Licence Authorisation

Hazelwood Power Corporation Limited of PO Box 195 MORWELL 3840 is authorised to take and use groundwater subject to the following conditions:

1. This licence is valid for a period of thirty years from 1 September 1995
2. The licensee is authorised to take and use groundwater to facilitate mining for coal and generation of electrical energy and purposes incidental thereto.
3. The licensee is authorised to extract groundwater from the aquifers at quantities and during the times specified in the First Schedule or on application by the licensee such other quantities and during such other times as from time to time approved by the Minister or his delegate.
4. The licensee may vary the maximum monthly rate of extraction from any particular aquifer or the maximum annual volume to be extracted from any particular aquifer provided that the total monthly rate of extraction and the total annual volume from all aquifers is not exceeded and shall report at monthly intervals such variations as they occur to the Minister or his delegate.
5. The licensee may only take and use groundwater under this licence on the land with respect to which the licensee holds a mining licence for the Hazelwood Power mine.
6. Annual fee at date of issue \$19,300.
7. The licensee shall pay annual charges for the forthcoming year due under the licence in quarterly installments or on an annual basis as agreed between the licensee and the Minister or his delegate.
8. The licensee shall meter all groundwater extractions and shall keep an accurate record of the quantity of groundwater taken or used under this licence and allow the Minister or his delegate to inspect this record during normal business hours and to provide a copy of such record to the Minister or his delegate within seven days of a notice given by post to the licensee at the address contained in this licence.
9. The licensee shall provide to the Minister or his delegate annually details of the location of each bore from which groundwater is extracted under this licence.
10. By the issue of this licence the Minister or his delegate in no way accepts any liability for injury to any party arising as a consequence of any adverse effects that may be deemed to have been caused by the extraction of groundwater under the licence.
11. The licensee shall compensate any person whose existing authorised use of water is adversely and materially affected by the taking of water under this licence. The compensation may be either financial or may be constituted by the making available of, or granting access to, water. If the licensee is unable to or unwilling to make compensation by the making available of or granting access to water in the quantities previously enjoyed by the person so affected then the amount of financial compensation payable shall be that as

determined by a Valuer nominated by the President of the Victorian Division of The Australian Institute of Valuers and Land Economists (Inc)

12. The licensee shall undertake a regional monitoring program of the nature scope and extent as that previously undertaken by the State Electricity Commission of Victoria as detailed in the approved work plan and the information is to be provided on request to the Minister or his delegate and as required under the work plan.
13. All information obtained from the regional monitoring program belongs to the generation companies, the State Electricity Commission of Victoria and the Minister jointly.
14. The licensee must maintain the existing data bases, and undertake additional work that may be required from time to time by the Minister or his delegate to maintain the effectiveness of the regional monitoring program.
15. If the licensee fails to provide the information required under condition 12 the Minister or his delegate may undertake any necessary work to obtain the information and recover the costs of such work from the licensee.
16. The regional monitoring program and any remedial measures must be incorporated in the approved work plan and the rehabilitation plan to the satisfaction of the Minister or his delegate.
17. The licensee shall comply with the provisions in its mining licence, approved work plan and the rehabilitation plan dealing with the regional monitoring program and remedial action.

PATRICK JOHN McNAMARA
MINISTER for AGRICULTURE and RESOURCES

Date

FIRST SCHEDULE

Year	M1 Aquifer		M2 Aquifer		Total Annual Volume ML
	Rate of extraction ML/Month	Annual Volume ML	Rate of extraction ML/Month	Annual Volume ML	
1996	367	3,212	1,640	19,680	22,892
1997	367	3,212	1,640	19,680	22,892
1998	367	3,212	1,640	19,680	22,892
1999	367	3,212	1,640	19,680	22,892
2000	367	3,212	1,640	19,680	22,892
2001	367	3,212	1,640	19,680	22,892
2002	367	3,212	1,640	19,680	22,892
2003	367	3,212	1,640	19,680	22,892
2004	367	3,212	1,640	19,680	22,892
2005	367	3,212	1,640	19,680	22,892
2006	367	3,212	1,640	19,680	22,892
2007	367	3,212	1,640	19,680	22,892
2008	367	3,212	1,606	19,272	22,484
2009	367	3,212	1,606	19,272	22,484
2010	367	3,212	1,606	19,272	22,484
2011	367	3,212	1,606	19,272	22,484
2012	367	3,212	1,606	19,272	22,484
2013	367	3,212	1,606	19,272	22,484
2014	367	3,212	1,606	19,272	22,484
2015	367	3,212	1,606	19,272	22,484
2016	367	3,212	1,606	19,272	22,484
2017	367	3,212	1,606	19,272	22,484
2018	367	3,212	1,606	19,272	22,484
2019	367	3,212	1,606	19,272	22,484
2020	367	3,212	1,439	17,268	20,480
2021	367	3,212	1,439	17,268	20,480
2022	367	3,212	1,439	17,268	20,480
2023	367	3,212	1,439	17,268	20,480
2024	367	3,212	1,439	17,268	20,480
2025	367	3,212	1,439	17,268	20,480