

**INDEX OF DOCUMENTS HELD ON THE
HYDROGEN AND RENEWABLE ENERGY REGISTER FOR
ASSOCIATED INFRASTRUCTURE LICENCE AIL 24**

1. 26 June 2026 Grant of Associated Infrastructure Licence AIL 24.

 Interests in the licence are:-

 Pacific Hydro Clements Gap BESS Pty Ltd 100%

 Expiry date: 25 June 2047
2. 26 June 2026 Memorandum entering grant of licence on the register.

Hydrogen and Renewable Energy Act 2023
s.108

MEMORANDUM

ASSOCIATED INFRASTRUCTURE LICENCE
AIL 24

1. The Licence granted with effect from and including 26 June 2026 is hereby entered on the register.

2. Interests in the Licence are:

Pacific Hydro Clements Gap BESS Pty Ltd	100%
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PAUL DE IONNO
Executive Director
Regulation and Compliance Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

Date: 26 June 2026

Ref: F2026/000432

Hydrogen and Renewable Energy Act 2023

ASSOCIATED INFRASTRUCTURE LICENCE

AIL 24

I, PAUL DE IONNO, Executive Director, Regulation and Compliance Division, Department for Energy and Mining, in the State of South Australia, pursuant to clause 17(6) of Schedule 1 to the *Hydrogen and Renewable Energy Act 2023* (**Act**) and all other enabling powers, for and on behalf of the Minister for Energy and Mining (**Minister**), pursuant to delegated powers HEREBY GRANT to:

Pacific Hydro Clements Gap BESS Pty Ltd
ACN 110 295 933

(hereinafter referred to as the **Licensee**), an Associated Infrastructure Licence in respect of the Licence Area, to have effect for a period of twenty-one (21) years (**Term**) commencing upon execution of this Licence (**Commencement Date**) and to expire on 25 June 2047 (**Expiry Date**), subject to the provisions of the Act and the Conditions below (**Licence**).

DESCRIPTION OF AREA

The land comprised in this Licence is that part of the State of South Australia described in Schedule 1 (**Licence Area**).

CONDITIONS

1. AUTHORISED OPERATIONS

- 1.1 During the Term of the Licence, the Licensee shall carry out or cause to be carried out the **Authorised Operations** within the Licence Area.
- 1.2 Authorised operations include the operation, maintenance and decommissioning of a Battery Energy Storage System (BESS) up to 60 MW / 120 MWh, and supporting infrastructure.
- 1.3 The Licensee must ensure that Authorised Operations are undertaken in accordance with the approved *Clements Gap Battery Energy Storage System (BESS) Operational Management Plan (OMP)*, including as revised from time to time.
- 1.4 The Licensee shall operate and maintain all infrastructure within the Licence Area in good and substantial repair and condition, in accordance with the OMP and all applicable **Laws** and relevant industry standards.
- 1.5 Any proposed modification, addition or change to the OMP is subject to the prior review and approval by the Minister.

2. NO RIGHT TO ENTER AND USE LAND

- 2.1 This Licence does not confer a right to enter and use land for the purposes of undertaking Authorised Operations in respect of land within the Licence Area.

3. DEVELOPMENT AUTHORISATION

- 3.1 Pursuant to clause 17(8) of Schedule 1 to the Act, those conditions of the **Development Authorisation (DA)** 354/V004/21 V1, as set out in Schedule 2 to this Licence, will apply as conditions of this Licence and, on and from the Commencement Date, any such conditions will be enforced under the Act instead of the *Planning, Development and Infrastructure Act 2016*.
- 3.2 If any inconsistency arises between any condition set out in Schedule 2 and the terms of this Licence or the Act, this Licence or the Act (as relevant) shall prevail to the extent of any inconsistency.

4. NOTICE OF COMMENCEMENT OF OPERATIONS

- 4.1 Pursuant to section 44 of the Act, the Licensee must notify the Minister of:
- a) the commencement of Authorised Operations in the Licence Area; and
 - b) the completion of Authorised Operations in the Licence Area.

5. DAMAGE TO LAND

- 5.1 The Licensee shall take all reasonable measures to prevent Authorised Operations from causing damage to land within the Licence Area or causing nuisance to or otherwise obstructing the owner of land or other users of the Land.

6. AUTHORISATIONS AND APPROVALS

- 6.1 In undertaking Authorised Operations under this Licence, the Licensee must:
- a) not clear any native vegetation unless the clearance is authorised in accordance with Part 5 of the *Native Vegetation Act 1991*; and
 - b) not cause any damage, disturbance or interference to any Aboriginal sites, objects or remains unless authorisation has been obtained under the *Aboriginal Heritage Act 1988*.
- 6.2 Without limiting the Licensee's obligations under this Licence, the Licensee shall at its own expense obtain and maintain during the Licence Term all authorisations, approvals and consents necessary to carry out the Authorised Operations.

7. REPORTING

- 7.1 Pursuant to section 46 of the Act, it is a condition of this Licence that the Licensee must:
- a) at the prescribed times and at any other time on the written request of the Minister, provide a report, information or material that is relevant to the Authorised Operations under this Licence in accordance with the requirements prescribed by the *Hydrogen and Renewable Energy Regulations 2024 (Regulations)*; and
 - b) on the written request of the Minister provide a report verifying information or material provided to the Minister.
- 7.2 Pursuant to section 47 of the Act, the Licensee must report any reportable incident or immediately reportable incident to the Minister in the manner and form and within the period prescribed by the Regulations.

8. REHABILITATION AND DECOMMISSIONING

- 8.1 The Licensee must, during the Licence Term and prior to the Expiry Date (including for each stage of the Project, where relevant):
- a) undertake progressive decommissioning and removal of any infrastructure located within the Licence Area; and
 - b) undertake progressive rehabilitation of land within the Licence Area at its cost in all respects, and must ensure that a proper process is put in place and resources allocated during the term of the Licence to facilitate this.
- 8.2 Without limiting condition 8.1, the Licensee must ensure that any and all decommissioning of infrastructure and rehabilitation of land within the Licence Area is undertaken in accordance with the provisions of a Decommissioning Plan, and such Decommissioning Plan must be submitted to the Minister for approval prior to the commencement of any decommissioning activities or the Expiry Date of the Licence (whichever is the sooner).

9. INSURANCE

- 9.1 Authorised Operations and for the duration of the Term, take out and maintain a policy of public liability insurance indemnifying the Licensee in an amount that is reasonable taking into account the kind of Licence, the nature and extent of the Authorised Operations undertaken under the Licence, and relevant industry standards, in relation to any action arising out of the Authorised Operations undertaken under the Licence and complying with the other requirements (if any) determined by the Minister.
- 9.2 The level of public liability insurance referred to in condition 9.1 will be a sum not less than twenty million dollars (\$20,000,000.00).

10. DEALING WITH LICENCE

- 10.1 Pursuant to section 50 of the Act, the Licence must not be transferred, assigned, held subject to a trust or otherwise dealt with, whether directly or indirectly, without the consent of the Minister.

11. INTERACTION WITH ACT

- 11.1 This Licence is not intended to be an exhaustive statement of relevant rights and obligations under the Act and Regulations.
- 11.2 This Licence does not derogate from or otherwise alter any rights or obligations of the Licensee under the Act, Regulations or any other Law.

12. DEFINITIONS

In this Licence, unless otherwise provided or defined in the Act:

- 12.1 “**Act**” means the *Hydrogen and Renewable Energy Act 2023*;
- 12.2 “**Associated Infrastructure Licence**” means an Associated Infrastructure Licence granted by the Minister pursuant to clause 17(6) of Schedule 1 of the Act;
- 12.3 “**Authorised Operations**” means the activities authorised to be undertaken under the Licence, as identified in condition 1.2;

- 12.4 **“Business Day”** means Monday to Friday (excluding public holidays under the Holidays Act 1910 (SA));
- 12.5 **“Commencement Date”** means the date the Licence is signed into effect;
- 12.6 **“Department”** means the South Australian Department for Energy and Mining, or the agency responsible for administering the Act following any machinery of government change;
- 12.7 **“Development Authorisation”** means the development authorisation held by the Licensee (or which the Licensee has acquired the benefit of) in respect of the Project under the Planning, Development and Infrastructure Act 2016, as described in condition 3;
- 12.8 **“Expiry Date”** means the date on which this licence is stated to expire on;
- 12.9 **“Laws”** shall mean and include all present and future legislation (both State and Federal) and all amendments to them and re-enactments of them and all regulations, by-laws and orders made pursuant to them;
- 12.10 **“Licence”** means this Licence and includes all schedules;
- 12.11 **“Licence Area”** means that part of the State of South Australia as described in Schedule 1;
- 12.12 **“Licensee”** means the person identified as having been granted the Licence;
- 12.13 **“Minister”** means the South Australian Minister for Energy and Mining, or the Minister responsible for administering the Act from time-to-time;
- 12.14 **“OMP”** means the approved Operational Management Plan which is in force in relation to the Licence pursuant to Part 4 Division 4 Subdivision 4 of the Act (other than requirements relating to a statement of environmental objectives), as described in Condition 1.3;
- 12.15 **“Regulations”** means the Hydrogen and Renewable Energy Regulations 2024 made under the Act; and
- 12.16 **“Term”** means the Licence term as set out in this Licence, including any renewal term granted pursuant to the Act.

13. **INTERPRETATION**

In this Licence, unless a contrary intention is evident:

- 13.1 a reference to this Licence is a reference to this Licence as amended, varied, novated or substituted from time to time;
- 13.2 a reference to any legislation or to any provision of any legislation includes:
- a) all legislation, regulations, proclamations, ordinances, by-laws and instruments issued under that legislation or provision; and
 - b) any modification, consolidation, amendment, re-enactment or substitution of that legislation or provision;
- 13.3 a word importing:
- a) the singular includes the plural;

- b) the plural includes the singular; and
- c) a gender includes every other gender;
- 13.4 words denoting individuals include corporations, unincorporated associations, partnerships, trusts and joint ventures;
- 13.5 a reference to a party includes that party's administrators, successors and permitted assigns;
- 13.6 if any act pursuant to this Licence would otherwise be required to be done on a day which is not a Business Day then that act may be done on the next Business Day;
- 13.7 where a word or phrase is given a defined meaning, any other part of speech or grammatical form in respect of that word or phrase has a corresponding meaning;
- 13.8 a reference to two or more persons is a reference to those persons jointly and severally;
- 13.9 a reference to a condition is a reference to a condition to this Licence
- 13.10 a reference to a schedule is a schedule to this Licence, unless stated otherwise;
- 13.11 a reference to a condition number is a reference to all of its sub-conditions;
- 13.12 a reference to dollars is to Australian dollars;
- 13.13 where general words are associated with specific words which define a class, the general words are not limited by reference to that class; and
- 13.14 the condition headings are for convenient reference only and they do not form part of this Licence.

Dated: 26 June 2026



PAUL DE IONNO
Executive Director
Regulation and Compliance Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

EXECUTED BY THE LICENSEE:

EXECUTED by Pacific Hydro Clements Gap BESS Pty Ltd (ACN 110 295 933)
in accordance with Section 127 of the
Corporations Act 2001 (Cth):

Signed by:

4876E896D6E64F8.....
Signature of Director

Travis Neal
.....
Print Name of Director

Signed by:

3FD428E66B77436.....
Signature of Secretary

Joanne D'Andrea
.....
Print Name of Secretary

SCHEDULE 1

ASSOCIATED INFRASTRUCTURE LICENCE

AIL 24

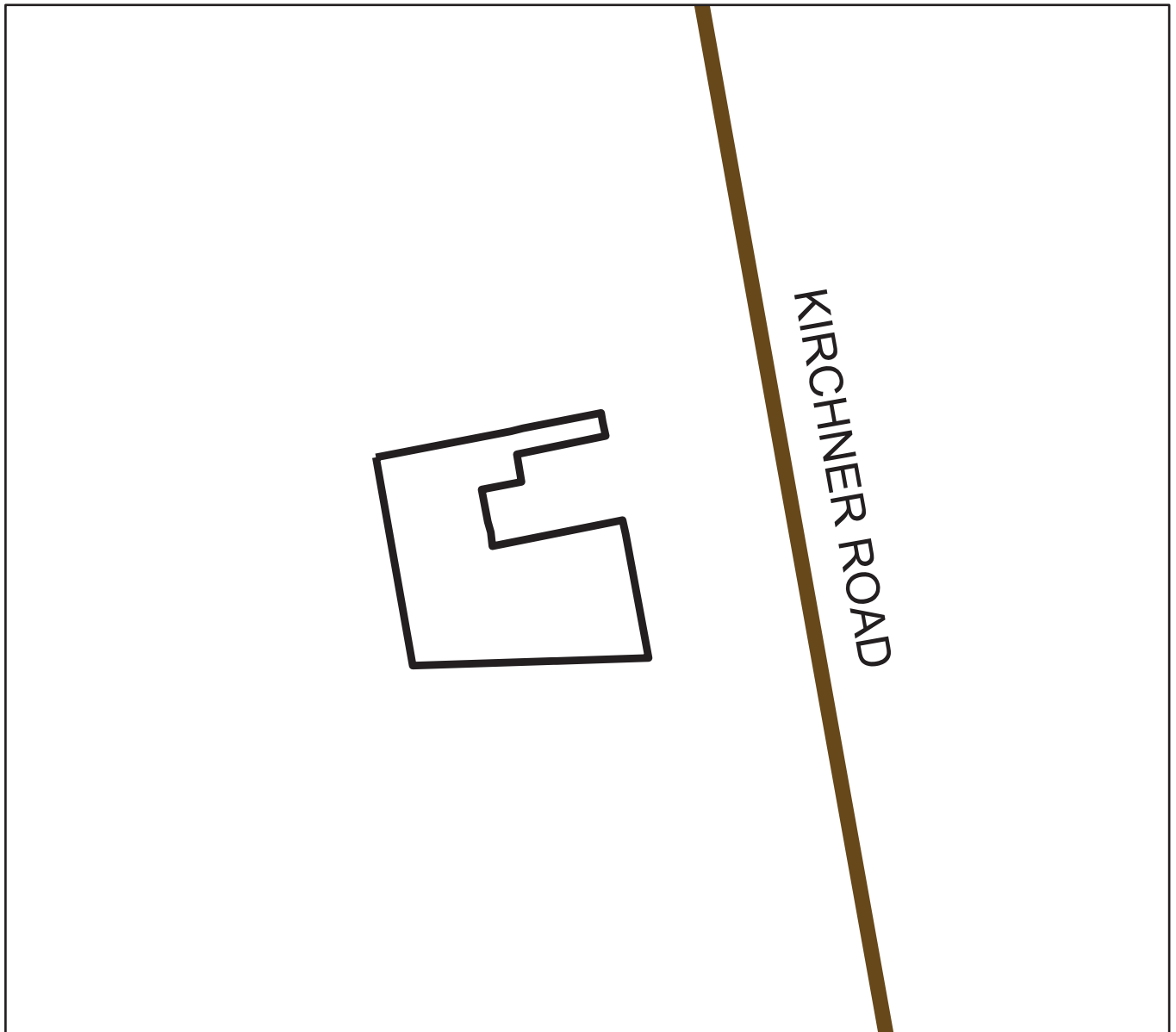
DESCRIPTION OF LICENCE AREA

The Licence Area includes that part of the State of South Australia, bounded as follows:

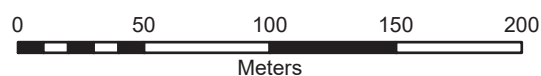
All coordinates GDA2020, Zone 54

233295.32mE	6288744.02mN
233357.08mE	6288756.28mN
233362.97mE	6288757.45mN
233398.83mE	6288764.57mN
233399.56mE	6288760.79mN
233400.89mE	6288753.94mN
233359.71mE	6288746.05mN
233362.16mE	6288733.23mN
233343.80mE	6288729.72mN
233346.72mE	6288714.44mN
233347.66mE	6288709.53mN
233348.79mE	6288703.64mN
233408.45mE	6288715.07mN
233409.63mE	6288709.00mN
233420.67mE	6288652.22mN
233378.23mE	6288650.59mN
233377.08mE	6288650.55mN
233311.75mE	6288648.04mN
233295.32mE	6288744.02mN

AREA: **0.01** square kilometres approximately.



SCALE 1:3,000



Note: There is no warranty that the boundary of this licence is correct in relation to other features of the map. The boundary is to be ascertained by reference to the Geocentric Datum of Australia (GDA2020) and the schedule.

THE PLAN HEREINBEFORE REFERRED TO

ASSOCIATED INFRASTRUCTURE LICENCE NO: 24

SCHEDULE 2

ASSOCIATED INFRASTRUCTURE LICENCE

AIL 24

ADDITIONAL CONDITIONS FROM DA 354/V004/21 V1

Condition 5

All Council, utility or state-agency maintained infrastructure (i.e. roads, drains, crossovers etc.) that are demolished, altered, removed or damaged during the repair works shall be reinstated to Council or state agency specifications. All costs associated with these works shall be met by the developer.

Condition 7

All external lighting shall be designed and constructed to conform with Australian Standards (AS 4282-2019) and must be located, directed and shielded and of such limited intensity that no demonstrable nuisance or loss of amenity is caused to any person beyond the site.

Condition 8

The external finishes of the battery containers, inverters, and control room shall comprise neutral, low reflective colours consistent with the surrounding rural environment.

Condition 11

Following the completion of construction works on-site, temporary lay-down area (excluding those used for on-going access and maintenance) shall be reinstated as soon as possible, or made available for arable agriculture to ensure bare areas are re-vegetated or cropped.

Condition 14

All vehicles shall enter and exit the site via the abutting arterial roads in a forward direction. All construction traffic movements shall be in accordance with the Traffic Management Plan.

Condition 15

All access to the subject site shall be in accordance with the final traffic report.

Condition 17

Landscaping shown on the approved plan shall be established within 12 months of the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.