Government of Western Australia
Department of Water and Environmental Regulation

Amended Licence

Licence number	L8356/2009/2
Licence holder	NewGen Neerabup Pty Ltd
ACN	126 965 722
Registered business address	Infrastructure Capital Group Ltd 'L38 Se3', 120 Collins Street MELBOURNE VIC 3000
DWER file number	2010/007483
Duration	3/12/2012 to 2/12/2035
Date of amendment	26 July 2023
Premises details	Neerabup Power Station 45 Trandos Road NEERABUP WA 6031 Legal description – Lot 100 on Deposited Plan 63371

Prescribed premises category description (Schedule 1, Environmental Protection Regulations 1987)	Assessed design capacity
Category 52: Electric power generation: premises (other than premises within category 53 or an emergency or standby power generating plant) on which electrical power is generated using a fuel	330 MWe

This amended licence is granted to the licence holder, subject to the attached conditions, on 26 July 2023, by:

Amine Fisher
Digitally signed by Amine Fisher
Date: 2023.07.26 09:41:00 +08'00'

Amine Fisher
A/MANAGER PROCESS INDUSTRIES
REGULATORY SERVICES
an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Licence history

Date	Ref number	Summary of changes
3/12/2009	L8356/2009/1	Licence granted.
3/12/2012	L8356/2009/2	Renewed for five years.
29/04/2016	L8356/2009/2	Expiry date amended to 30/06/2035.
30/11/2021	L8356/2009/2	Licence amendment to remove targets for NOx, modify monitoring frequency and administrative and format changes
26/07/2023	L8356/2009/2	Licence amendment to clarify use of low NOx burner and allow treated wastewater from the oily water separator to be discharged to soakage pit.

Interpretation

In this licence:

(a) the words ‘including’, ‘includes’ and ‘include’ in conditions mean ‘including but not limited to’, and similar, as appropriate;
(b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
(c) where tables are used in a condition, each row in a table constitutes a separate condition;
(d) any reference to an Australian or other standard, guideline or code of practice in this works approval:
    (i) if dated, refers to that particular version; and
    (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
(e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
(f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

Licence conditions

The licence holder must ensure that the following conditions are complied with:

Infrastructure and equipment

1. The licence holder must ensure the site infrastructure and equipment listed in Table 1 and located at the corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in Table 1.

Table 1: Infrastructure and equipment requirements

Site infrastructure and equipment	Operational requirement	Infrastructure location
2 x 165 MWe open cycle gas turbines	Each turbine must be operated with a low NOx burner under normal operating conditions.	Unit 11 and Unit 12 Schedule 1
2 x lined settling ponds	Each pond must be lined with not less than 2 mm thick HDPE	Settling ponds in Schedule 1
Oily water separator	All potentially contaminated wastewater must be directed to the oily water separator for treatment.	Oily water separator Schedule 1
De-Mineralised water plant	All reject water must be directed to the lined settling ponds.	De-Mineralised water plant Schedule 1

Emissions and discharges

2. The licence holder must ensure that the emissions specified in Table 2, are discharged only from the corresponding discharge point and only at the corresponding discharge point location.

Table 2: Authorised discharge points

Emission	Discharge point	Discharge point location
NOx, particulates, CO and SO_2	Stack for open cycle Gas Turbine Unit 11	A1 in Figure 1 Schedule 1
	Stack for open cycle Gas Turbine Unit 12	A2 in Figure 1 Schedule 1
Treated stormwater	Discharge point to stormwater soakage pit	W1 in Figure 1 of Schedule 1

Limits

3. The licence holder must ensure that emissions from the discharge point listed in Table 3 for the corresponding parameter do not exceed the corresponding limit when monitored in accordance with condition 7.

Table 3: Emission and discharge limits

Discharge point	Parameter	Limit
W1	TRH	5 mg/L

Monitoring

Monitoring of emissions to air

4. The licence holder must undertake the monitoring in Table 4 according to the specifications in that table.

Table 4: Monitoring of point source emissions to air

Discharge point reference	Parameter	Units[1, 3]	Frequency[2]	Method[4]
A1, A2	NOx	mg/m^3 g/s	Within 9 months of every 2000 hours of operation	USEPA Method 7E
	CO	mg/m^3 g/s		USEPA Method 10
	Volumetric flow rate and velocity	m/s		USEPA Method 2

Note 1: All units are referenced to STP dry
Note 2: Monitoring must be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production such that minimum output per gas turbine at all times during the testing is maintained at 100 MWe and variation of no more than ± 5% is observed at all times during the testing.
Note 3: All units are referenced to 15% O_2
Note 4: Where any USEPA method refers to USEPA Method 1 for the sampling plane, this must be read as referral to AS 4323.1

5. The licence holder must ensure that all non-continuous sampling and analysis undertaken pursuant to conditions 4 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.

6. The licence holder must record production or throughput data and any other process parameters relevant to any non-continuous monitoring undertaken.

Monitoring of emissions to land

7. The licence holder must monitor emissions to land in accordance with the requirements specified in Table 5 and record the results of all such monitoring.

Table 5: Monitoring of emissions to land

Discharge point	Monitoring location	Parameter	Frequency	Averaging period	Unit	Method
W1	M1 in Figure 1 of Schedule 1	TRH	Prior to commencing each discharge from the oily water separator	Spot sample	mg/L	AS5667.10

Ambient monitoring

8. The licence holder must conduct a groundwater monitoring programme in accordance with the requirements specified in Table 6 and record the results of all monitoring activity conducted under that programme.

Table 6: Monitoring of ambient groundwater quality

Monitoring point reference	Parameter	Units	Averaging period	Frequency
Refer to Figure 2 in Schedule 1 GW1, GW2, GW3, GW4, GW5, GW6, GW7	pH	-	Spot sample	Annually
	Total dissolved solids	mg/L		
	Conductivity	µS/cm		
	Total nitrogen	mg/L		
	Total phosphorus	mg/L		
	Total recoverable hydrocarbons	mg/L		

9. The licence holder must ensure that:

(a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
(b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
(c) all water samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.

10. The licence holder must ensure that monitoring is undertaken in each annual period such that there are at least 9 months in between the days on which samples are taken in successive years.

11. The licence holder must ensure that all monitoring equipment used on the Premises to comply with the conditions of this licence is calibrated in accordance with the manufacturer's specifications.

12. The licence holder must, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods

Process monitoring

13. The licence holder must monitor and record parameters specified in Table 7 according to the specifications in that table. The recorded data must be reported in cumulative monthly totals.

Table 7: Load monitoring parameters

Parameter	Units	Frequency
Run time	Hours	Monthly
Total electrical energy generated	MWh	
Operating capacity	%	

Records and reporting

14. The licence holder must record the following information in relation to complaints received by the licence holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:

(a) the name and contact details of the complainant, (if provided);
(b) the time and date of the complaint;
(c) the complete details of the complaint and any other concerns or other issues raised; and

(d) the complete details and dates of any action taken by the licence holder to investigate or respond to any complaint.

15. The licence holder must:

(a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
(b) prepare and submit to the CEO by 30 August of each year an Annual Audit Compliance Report in the approved form for the preceding annual period.

16. The licence holder must maintain accurate and auditable books including the following records, information, reports, and data required by this licence:

(a) the calculation of fees payable in respect of this licence;
(b) any maintenance of infrastructure that is performed in the course of complying with condition 1;
(c) monitoring programmes undertaken in accordance with conditions 4, 7, 8 and 13; and
(d) complaints received under condition 14.

17. The books specified under condition 16 must:

(a) be legible;
(b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
(c) be retained by the licence holder for the duration of the licence; and
(d) be available to be produced to an inspector or the CEO as required.

18. The licence holder must submit to the CEO by no later than 30 August of each year, an Annual Environmental Report for the preceding annual period for the conditions listed in Table 8, and which provides information in accordance with the corresponding requirement set out in Table 8.

Table 8: Annual Environmental Report

Condition	Requirement
Condition 4 (Table 4)	Stack monitoring results (if applicable).
Condition 7 (Table 5)	Oily water separator discharge monitoring results and comparison with limits in Table 3.
Condition 8 (Table 6)	Groundwater monitoring results
Condition 13 (Table 7)	Load monitoring parameters
Condition 14	Complaints summary
Condition 15	Compliance

Definitions

In this licence, the terms in Table 9 have the meanings defined.

Table 9: Definitions

Term	Definition
AS/NZS 4323.1	means the Australian Standard AS/NZS 4323.1 *Stationary source emissions Method 1: Selection of sampling positions*
AS/NZS 5667.1	means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*
AS/NZ 5667.10	means the Australian Standard AS/NZ 5667.10 *Water quality - Sampling, Part 10: Guidance on sampling of waste waters*
AS/NZS 5667.11	means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website)
annual period	a 12 month period commencing from 1 July until 30 June of the immediately following year
CEO	means Chief Executive Officer of the Department. "submit to / notify the CEO" (or similar), means either: Director General Department administering the *Environmental Protection Act 1986* Locked Bag 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
CO	means carbon monoxide
Department	means the department established under section 35 of the *Public Sector Management Act 1994* (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	*Environmental Protection Act 1986* (WA)
licence	refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.
licence holder	refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.
MWe	Mega Watts electrical
NATA	means the National Association of Testing Authorities Australia
NATA accredited	means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis
normal operating conditions	means any operation of a particular process (including abatement equipment) excluding start-up, shut-down and upset conditions
NOx	means oxides of nitrogen, calculated as the sum of nitric oxide and nitrogen dioxide and expressed as nitrogen dioxide

Term	Definition
premises	refers to the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map Figure 1 in Schedule 1 to this licence.
shut-down	means the period when plant or equipment is brought from normal operating conditions to inactivity
spot sample	means a discrete sample representative at the time and place at which the sample is taken
start-up	means the period when plant or equipment is brought from inactivity to normal operating conditions
STP dry	means standard temperature and pressure (0^{o} Celsius and 101.325 kilopascals respectively), dry
TRH	means total recoverable hydrocarbons
USEPA	means United States (of America) Environmental Protection Agency
USEPA Method 2	means the *Test Method 2 – Determination of Stack Gas Velocity and Volumetric Flow Rate*
USEPA Method 7E	means the *Test Method 7E - Determination of Nitrogen Oxide Emissions from Stationary Sources*
USEPA Method 10	means the *Test Method 10- Determination of Carbon Monoxide Emissions from Stationary Sources*
µS/cm	means microsiemens per centimetre

END OF CONDITIONS

Schedule 1: Maps

Premises map

Figure 1: Map of the boundary, discharge points and layout of the prescribed premises

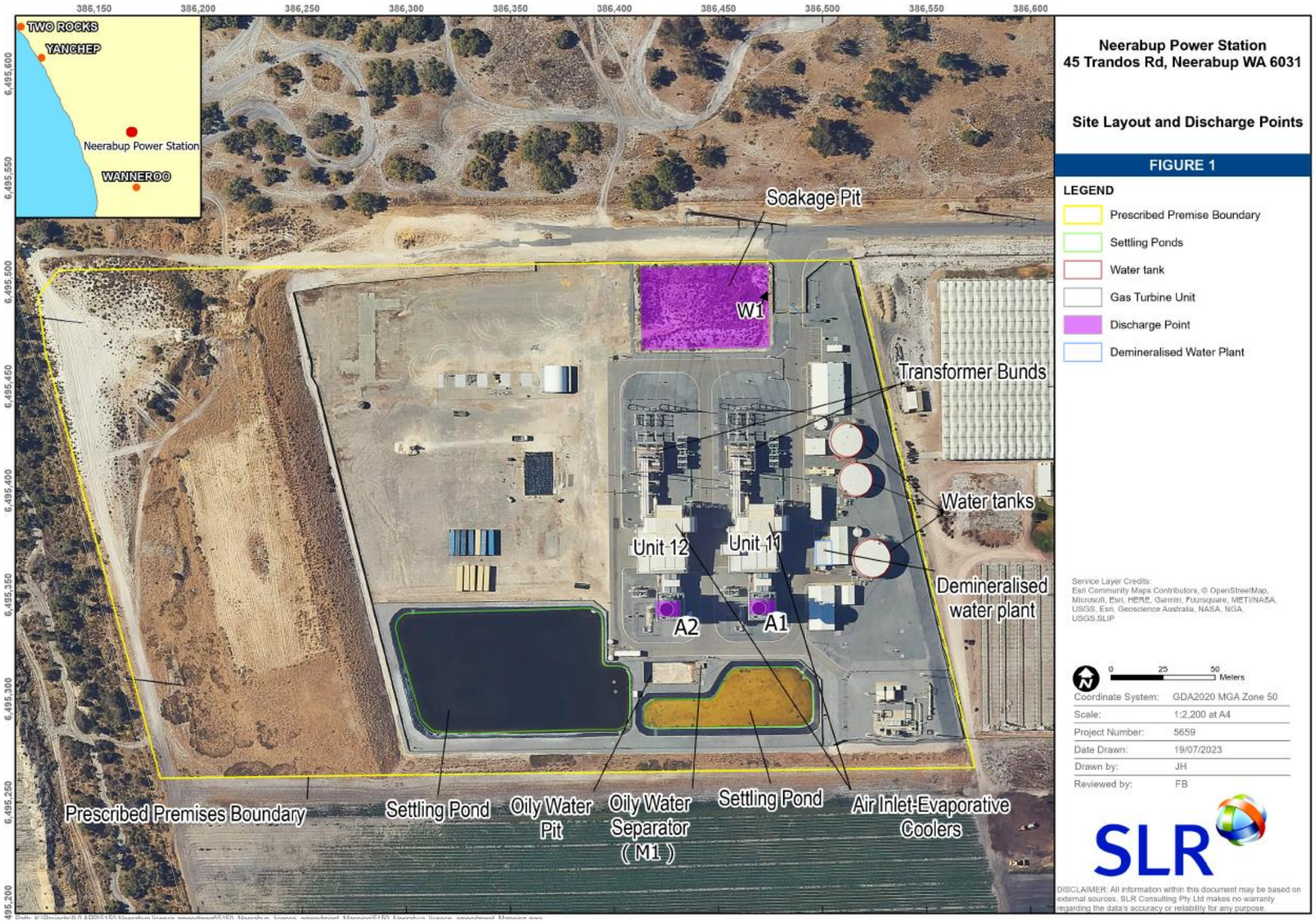

Figure 2: Map of groundwater monitoring locations