



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Tesla Corporation Management Pty Ltd

**Licence:** L8581/2011/3

**Registered office:** Level 3 Exchange House  
68 Georges Terrace  
PERTH WA 6000

**ACN:** 135 785 394

**Premises address:** Harris Road Power Station  
7 Hardisty Court  
EAST PICTON WA 6229  
Being Lot 504 on Deposited Plan 59719 as depicted in Schedule 1

**Issue date:** Thursday, 24 September 2015

**Commencement date:** Thursday, 1 October 2015

**Expiry date:** Sunday, 30 September 2035

**Prescribed premises category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
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.	20 MWe or more in aggregate (using natural gas)  10 MWe or more in aggregate (using a fuel other than natural gas)	10 MWe

**Conditions**

This Licence is subject to the conditions set out in the attached pages.

.....  
Jonathan Bailes  
Manager Licensing (Process Industries)  
Officer delegated under section 20  
of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

### Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

#### **Licence fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

#### **Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

#### **Premises description and Licence summary**

Tesla Corporation Management Pty Ltd (Tesla) operates the Harris Road Power Station at 7 Hardisty Court, East Picton. The premises is approximately six kilometres east south-east of Bunbury within the Shire of Dardanup in an area zoned for general industrial land use. It is located on the Swan Coastal Plain within an area of moderate to low risk of acid sulphate soils occurring generally at depths greater than three metres. The nearest residential receptors include a caretaker residence located approximately 200 m south-east of the Premises and residential houses over 300 m from the Premises boundary. The Power Station was commissioned in 2011 as a peak load plant operating on an as-required basis dependant on power demand.

The Power Station comprises five self bunded, diesel-fuelled, Caterpillar type 3516B-HD generator sets providing a maximum capacity of 10 megawatts. The generators have their individual exhaust ducts combined into a single five-ducted stack above the central generator. Fuel supply is stored within two 25 000 L and one 10 000 L self bunded diesel fuel tanks. The station generates peak load power which is fed into the South-West Interconnected System (SWIS). The operation of the Power Station is controlled by the proponent at the request of Western Power. Direction to operate is given when it is anticipated that additional power will be required, predominantly on hot days in summer when power usage is at a maximum. The premises is unmanned, however it is attended on a two monthly basis for maintenance and servicing. The premises is monitored via CCTV. The power station is licensed to operate for up to 200 hours per generator per year but typically operates for significantly less time. Since commissioning, the power station has operated for less than 20 hours per generator per year.

This Licence is the successor to licence L8581/2011/2 and includes changes to conditions consistent with the current licence template. As there have been no changes at the site since the previous licence issue, and the site has operated for significantly less time than originally expected, DER has not reassessed the acceptability or impact of emissions and discharges from the Premises or re-visited any existing emission control levels.

The licences and works approvals issued for the Premises 28/08/2010 are:

<b>Instrument log</b>		
<b>Instrument</b>	<b>Issued</b>	<b>Description</b>
W4704/2010/1	28/08/2010	Works approval for construction.
L8581/2011/1	14/06/2012	Licence issue.
L8581/2011/2	10/05/2013	Licence re-issue and amendment to REFIRE format
L8581/2011/3	24/09/2015	Licence re-issue



## Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

## END OF INTRODUCTION

# Licence conditions

## 1 General

### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

**'the Act'** means the *Environmental Protection Act 1986*;

**'annual period'** means the inclusive period from 1 October until 30 September in the following year;

**'AS 4323.1'** means the Australian Standard AS4323.1 *Stationary Source Emissions Method 1: Selection of sampling positions*;

**'averaging period'** means the time over which a limit is measured or a monitoring result is obtained;

**'CEO'** means Chief Executive Officer of the Department of Environment Regulation;

**'CEO'** for the purpose of correspondence means;

Chief Executive Officer  
Department Administering the Environmental Protection Act 1986  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Email: [info@der.wa.gov.au](mailto:info@der.wa.gov.au);

**'Licence'** means this Licence numbered L8581/2011/3 and issued under the Act;

**'Licensee'** means the person or organisation named as Licensee on page 1 of the Licence;

**'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, in relation to stack sampling or monitoring;

**'NOx'** means oxides of nitrogen, calculated as the sum of nitric oxide and nitrogen dioxide and expressed as nitrogen dioxide;



**'Premises'** means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

**'Schedule 1'** means Schedule 1 of this Licence unless otherwise stated;

**'Schedule 2'** means Schedule 2 of this Licence unless otherwise stated;

**'shut-down'** means the period when plant or equipment is brought from normal operating conditions to inactivity;

**'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°Celsius and 101.325 kilopascals respectively), dry;

**'USEPA'** means United States (of America) Environmental Protection Agency;

**'usual working day'** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

## **1.2 General conditions**

1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.3 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.<sup>1</sup>

Note 1: The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.



### 1.3 Premises operation

- 1.3.1 The Licensee shall ensure that the power generation equipment is not operated for more than 200 hours per year per generator.
- 1.3.2 The Licensee shall ensure that fuel used in the power generation equipment does not have a sulphur content that exceeds 10 mg/kg.

## 2 Emissions

### 2.1 Point source emissions to air

- 2.1.1 The Licensee shall ensure that where waste is emitted to air from the emission points in Table 2.1.1 and identified on the premises map in Schedule 1 it is done so in accordance with the conditions of this Licence.

**Table 2.1.1: Emission points to air**

Emission point reference and location on premises map	Emission Point	Emission point height (m)	Source, including any abatement
A1	Stack 1- Multi-flued stack	12.5	Diesel generator units Gen 1-Gen 5 (2MWe each)

### 2.2 Noise

- 2.2.1 The Licensee shall, every 500 hours of operation (total hours of generators 1-5), undertake a noise assessment to determine the noise emissions at the premises boundary.

## 3 Monitoring

### 3.1 General monitoring

- 3.1.1 The Licensee shall record production or throughput data and any other process parameters relevant to any monitoring undertaken.
- 3.1.2 The Licensee shall 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.
- 3.1.3 The Licensee shall, 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.



### 3.2 Monitoring of point source emissions to air

3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of point source emissions to air					
Emission point reference	Parameter	Units <sup>1,3</sup>	Averaging period	Frequency <sup>2</sup>	Method
A1	Volumetric flow rate	m <sup>3</sup> /s	As per method	Every 500 hours of operation (total for power station, generators 1-5)	USEPA Method 2
	Sulfur dioxide	mg/m <sup>3</sup> g/s	30 min		USEPA Method 6
	Nitrogen oxides (NOx)		30 min		USEPA Method 7E or 7D
	Carbon monoxide		As per method		USEPA Method 10
	Volatile Organic Compounds		15 min		USEPA Method 18

Note 1: All units are referenced to STP dry

Note 2: Monitoring shall be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production.

Note 3: Concentration units for A1 are referenced to 3% O<sub>2</sub>.

3.2.2 The Licensee shall ensure that sampling required under Condition 3.2.1 of the Licence is undertaken at sampling locations in accordance with the AS 4323.1.

3.2.3 The Licensee shall ensure that all non-continuous sampling and analysis undertaken pursuant to condition 3.2.1 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.

### 3.3 Process monitoring

3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table.

Table 3.3.1: Process monitoring					
Monitoring point reference	Process description	Parameter	Units	Frequency	Method
Generators 1 - 5	Cumulative operating hours	Operating hours	Hours	Monthly	None specified

## 4 Information

### 4.1 Records

4.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
  - (i) off-site environmental effects; or
  - (ii) matters which affect the condition of the land or waters.

4.1.2 The Licensee shall ensure that:



- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

4.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

4.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

## 4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

<b>Table 4.2.1: Annual Environmental Report</b>		
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Format or form<sup>1</sup></b>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 3.3.1	Operating hours	None specified
Table 3.2.1	Stack emissions monitoring results (if undertaken in the annual period)	AR1
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

4.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:

- (a) any relevant process, production or operational data recorded under Condition 3.1.2; and
- (b) an assessment of the information contained within the report against previous monitoring results and Licence limits.

4.2.3 The Licensee shall submit the information in Table 4.2.2 to the CEO according to the specifications in that table.





<b>Table 4.2.2: Non-annual reporting requirements</b>				
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Reporting period</b>	<b>Reporting date (after end of the reporting period)</b>	<b>Format or form</b>
Table 3.2.1	Volatile organic compounds, sulfur dioxide, nitrogen oxides, carbon monoxide and volumetric flow rate	Every 500 hours of operation (total for power station, generators 1-5)	Within 28 days of the monitoring	Original monitoring report provided by a third party
2.2.1	Noise assessment		Within 28 days of the assessment	Original assessment report provided by a third party

### 4.3 Notification

4.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

<b>Table 4.3.1: Notification requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Notification requirement<sup>1</sup></b>	<b>Format or form</b>
3.1.3	Calibration report	As soon as practicable.	None specified

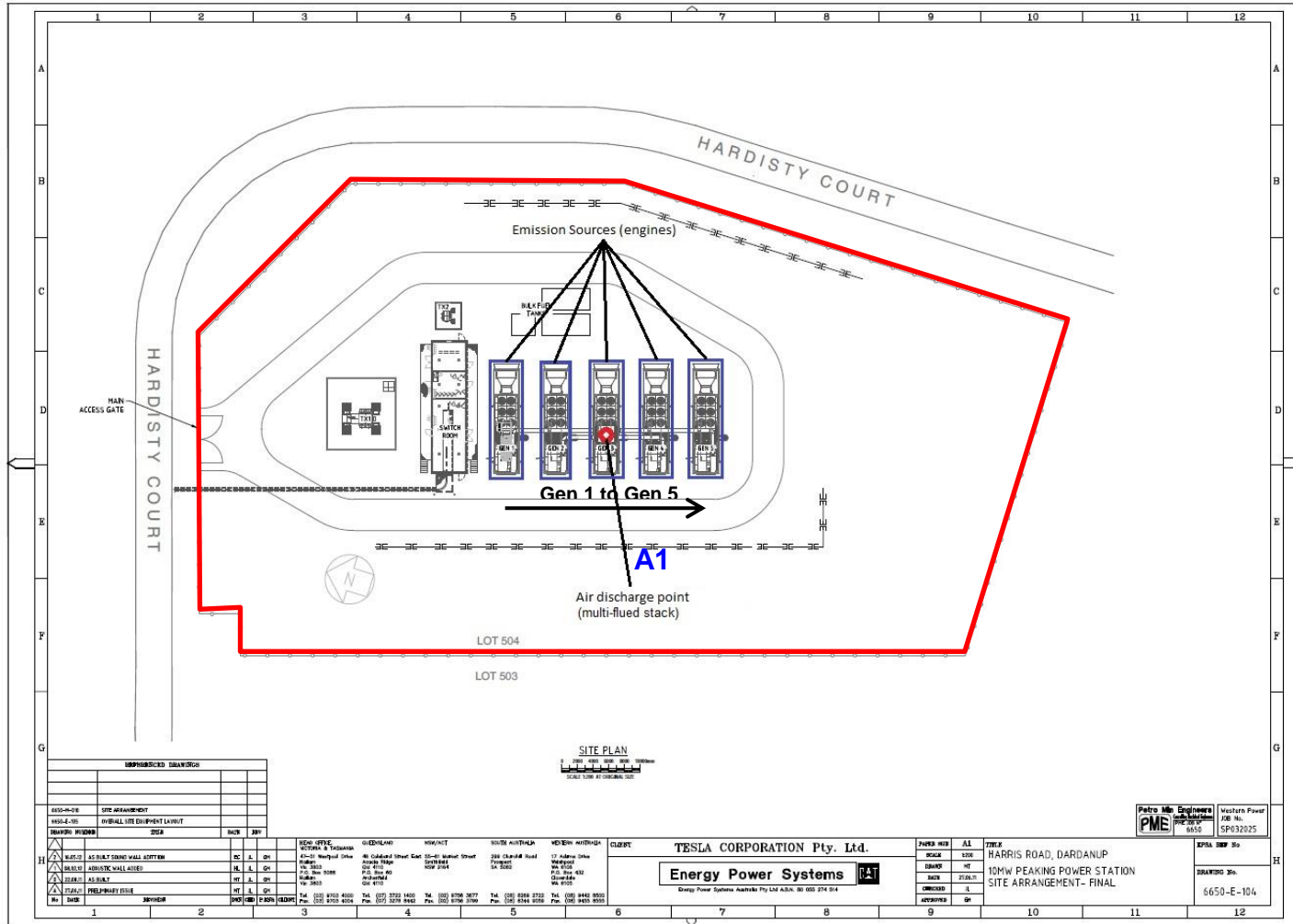
Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act



# Schedule 1: Maps

## Premises map

The Premises is shown in the map below. The red line depicts the Premises boundary.





## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

#### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes  Please proceed to Section C

No  Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



## SECTION B DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____
<input type="checkbox"/> No	
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)



Licence: L8581/2011/3  
Form: AR1  
Name: Monitoring of point source emissions to air

Licensee: Tesla Corporation Management Pty Ltd  
Period :

<b>Form AR1: Monitoring of point source emissions to air</b>						
<b>Emission point</b>	<b>Parameter</b>	<b>Result<sup>1</sup></b>	<b>Units</b>	<b>Averaging period</b>	<b>Method</b>	<b>Sample date &amp; times</b>
A1	Volumetric flow rate		m <sup>3</sup> /s		USEPA Method 2	
	Sulfur dioxide		mg/m <sup>3</sup>		USEPA Method 6	
	Nitrogen oxides		mg/m <sup>3</sup>		USEPA Method 7E or 7D	
	Carbon monoxide		mg/m <sup>3</sup>		USEPA Method 10	
	Volatile Organic Compounds		mg/m <sup>3</sup>		USEPA Method 18	

Note 1: All units are referenced to STP dry and relevant Oxygen Correction in Table 2.2.2

Signed on behalf of Tesla Corporation Management Pty Ltd: ..... Date: .....



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Tesla Corporation Management Pty Ltd

**Licence:** L8581/2011/3

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**Registered office:** Level 3 Exchange House  
68 Georges Terrace  
PERTH WA 6000

**ACN:** 135 785 394

**Premises address:** Harris Road Power Station  
7 Hardisty Court  
EAST PICTON WA 6229  
Being Lot 504 on Deposited Plan 59719

**Issue date:** Thursday, 24 September 2015

**Commencement date:** Thursday, 1 October 2015

**Expiry date:** Sunday, 30 September 2035

### **Decision**

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue a licence. DER considers that in reaching this decision it has taken into account all relevant considerations and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Amine Callegari  
Licensing Officer

Decision Document authorised by: Jonathan Bailes  
Delegated Officer



## Contents

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### 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.





## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	
	New Licence <input checked="" type="checkbox"/>	
	Licence amendment <input type="checkbox"/>	
	Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	52: Electric power generation	10 MWe per year
Application verified	Date: 13 July 2015	
Application fee paid	Date: 31 July 2015	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	



### **3 Executive summary of proposal and assessment**

Tesla Corporation Management Pty Ltd (Tesla) operates the Harris Road Power Station at 7 Hardisty Court, East Picton. The premises is approximately six kilometres east south-east of Bunbury within the Shire of Dardanup in an area zoned for general industrial land use. It is located on the Swan Coastal Plain within an area of moderate to low risk of acid sulphate soils occurring generally at depths greater than three metres. The nearest residential receptors include a caretaker residence located approximately 200 m south-east of the Premises and residential houses over 300 m from the Premises boundary. The Power Station was commissioned in 2011 as a peak load plant operating on an as-required basis dependant on power demand.

The Power Station comprises five self banded, diesel-fuelled, Caterpillar type 3516B-HD generator sets providing a maximum capacity of 10 megawatts. The generators have their individual exhaust ducts combined into a single five-ducted stack above the central generator. Fuel supply is stored within two 25 000 L and one 10 000 L self banded diesel fuel tanks. The station generates peak load power which is fed into the South-West Interconnected System (SWIS). The operation of the Power Station is controlled by the proponent at the request of Western Power. Direction to operate is given when it is anticipated that additional power will be required, predominantly on hot days in summer when power usage is at a maximum. The premises is unmanned, however it is attended on a two monthly basis for maintenance and servicing. The premises is monitored via CCTV. The power station is licensed to operate for up to 200 hours per generator per year but typically operates for significantly less time. Since commissioning, the power station has operated for less than 20 hours per generator per year.

This Licence is the successor to licence L8581/2011/2 and includes changes to conditions consistent with the current licence template. As there have been no changes at the site since the previous licence issue, and the site has operated for significantly less time than originally expected, DER has not reassessed the acceptability or impact of emissions and discharges from the Premises or re-visited any existing emission control levels.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.2 - L1.2.3	<p><b>Operation</b></p> <p><u>Emission Description</u></p> <p><i>Emission:</i> Diesel contaminated stormwater and/or diesel or oil from spillages during tank refilling or leakage from generators, diesel storage tanks or the transformer.</p> <p><i>Impact:</i> Contamination of surrounding land and surface water systems. An EPP multiple use wetland is located approximately 200m south of the power station infrastructure.</p> <p><i>Controls:</i> The site is unmanned and has therefore implemented CCTV monitoring to ensure any issues on the site are identified and responded to promptly. Equipment has low level alarms to alert the operator to a potentially significant release of diesel or oil. The alarms automatically notify a company representative when triggered. This ensures the alarm can be responded to in a timely manner and potential hydrocarbon releases addressed. All diesel storage tanks and generators are housed within self bunded infrastructure to prevent ingress of stormwater and retain any leaks or spills within the internal bunding. Any liquid captured in the internal bunding will be pumped out by a licensed contractor and disposed to a licensed offsite facility. There is one transformer on site located within an open bund which has 200% capacity of the contained hydrocarbon volume. This is the only bund which can retain stormwater which could potentially become contaminated if leakage from the transformer into the bund occurs. Two monthly maintenance checks of the site and CCTV footage are used to identify if bund capacity is being affected by stormwater or leakages. Any potentially contaminated stormwater from the bund will be removed by a licensed contractor for</p>	<p>Application supporting documentation</p> <p>Harris Road Power Station Works Approval Application, MBS Environmental 2010</p> <p>L8581/2011/1 Environmental Assessment Report</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>offsite disposal to a licensed offsite facility.</p> <p>The majority of infrastructure on site is within self-contained bunding therefore refuelling the diesel storage tanks has been identified as the activity most likely to result in release of diesel, due to spillages during the transfer, which could result in stormwater or land contamination. Fuel delivery infrastructure is housed within the internal bunding of the storage tanks to capture any spillages occurring at the storage tank transfer point. The licensee has a fuel unloading procedure requiring the use of spill trays during fuel transfer to capture any leakage from the delivery hose outside of the bunded area and/or the connection to the delivery truck. Spill kits are maintained on the site to contain and clean up any spills which occur during fuel delivery. Fuel delivery occurs infrequently due to the premises operating for only a few short intervals each year. To date deliveries have only been required 1-2 times per year as there is sufficient fuel storage on site for 14 hours of operation.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Rare  <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u>            Despite the low risk of stormwater and land contamination, condition 1.2.3 has been included on the licence to require the operator to prevent contamination of stormwater and treat any contaminated or potentially contaminated stormwater prior to discharge from the premises. The condition has been included due to conditions 1.3.3 and 1.3.4 being removed from the licence. Conditions 1.3.3 and 1.3.4 specified requirements for refuelling of the diesel storage tanks which were intended to prevent land and stormwater contamination due to the refuelling. The conditions specified that refuelling was to be undertaken on a hardstand area which included a sump to collect spillages. The fuel delivery area at the premises was not constructed in the way described in the</p>	



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<p>conditions therefore the licensee has been able to comply with these conditions. Inclusion of conditions 1.2.2 and 1.2.3 on the licence sufficiently covers the intent of previous condition 1.3.3 and 1.3.4 as they require clean-up of spillages which may occur in the area and appropriate management of potentially contamination stormwater.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p>	
<b>Premises operation</b>	L1.3.1	<p>Condition 1.3.1 limits the operating hours of the premises. This condition has been carried over from previous versions of the licence and is included because the risk assessment of emissions and discharges from the premises is based on scenario of the power station only operating for a maximum of 200 hours per generator per year. The wording of the condition has been amended to clarify that the station is able to operate up to 200 hours per year per generator.</p>	Harris Road Power Station Works Approval Application, MBS Environmental 2010
<b>Point source emissions to air including monitoring</b>	L2.1.1 and L3.2.1	<p>Reassessment of air emissions has not been undertaken as part of the reissue. The wording of the monitoring frequency has however been modified to clarify that monitoring is required every 500 hours of operation, which is the sum of the operating hours for all generators.</p>	NA
<b>Noise</b>	L2.2.1	<p>Reassessment of noise emissions has not been undertaken as part of the reissue. The wording of the monitoring frequency has however been modified to clarify that monitoring is required every 500 hours of operation, which is the sum of the operating hours for all generators.</p>	NA
<b>Process monitoring</b>	L3.3.1	<p>Recording of the power station operating hours was not specified on the previous version the licence but reporting conditions require that operating hours are reported in the Annual Environmental Report (AER). The original version of the licence L8581/2011/1 did include a requirement to record power station operating hours in</p>	L8581/2011/1



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		order to demonstrate compliance with the licence operating hours limit of 200 hours per annum. Monthly monitoring of operating hours for each generator has been included in the reissued licence as condition 3.3.1 in order to demonstrate continued compliance with the operating hours limit. Hours will be reported through the AER as specified in condition 4.2.1.	
<b>Licence Duration</b>	20 years	The licensee has requested the licence be issued for the maximum duration of 20 years and has provided evidence of ownership of the land. The premises is classified as a moderate risk premises and due to the infrequency of operation, and limitations on operating hours, the licence has been issued for the maximum term of 20 years.	Application supporting documentation  Certificate of Title



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
10/08/2015	Application advertised in West Australian (or other relevant newspaper)	None received	N/A
18/09/2015	Proponent sent a copy of draft instrument	22/09/2015 – Proponent advised they had no comments to provide on the draft instrument	N/A

## 6 Risk Assessment

*Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management*

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High