



Application to renew a licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L7337/1998/11
Licence Holder	Alinta Energy Transmission (Roy Hill) Pty Ltd
ACN	159 279 857
File Number	DER2013/001074-1~14
Premises	Newman Power Station Legal description - Lot 555 on Deposited Plan 400578 NEWMAN WA 6753 as depicted in Schedule 1 of licence As defined by the coordinates in Appendix A of issued licence
Date of Report	6/12/2023
Decision	To grant a licence

Neville Welsh
SENIOR INDUSTRY REGULATION OFFICER
REGULATORY SERVICES
Officer delegated under section 20 of the *Environmental Protection Act 1986*

1. Decision summary

Under the regulatory framework the Delegated Officer decided to process the application to renew licence L7337/1998/11 without conducting additional risk assessments.

The licence can be issued for 20 years, which is consistent with the *Guidance Statement on Licence Duration 2016*. In renewing the licence the Delegated Officer has determined to:

- correct clerical mistakes and unintentional errors;
- update Schedule 1: Maps; and
- transfer all existing regulatory controls and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L7337/1998/11 with twenty year duration and subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 8/9/2023, Alinta Energy Transmission (Roy Hill) Pty Ltd (licence holder) applied to renew licence L7337/1998/10 as the licence is due to expire on 07/12/2023. The licence was granted to the licence holder for the premises located at Lot 555 on Deposited Plan 400578, NEWMAN (Premises).

The licence relates to prescribed premises categories as described in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed 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.	Not more than 162 MW

The Newman Power Station (NPS) is situated within the East Pilbara Region of Western Australia, approximately 2km north-west of the town of Newman in the Shire of the East Pilbara.

Site infrastructure on the Premises comprises of 3X GE Frame 6 turbine units, 1x Rolls Royce Trent 60 turbine, 14X Jenbacher engines and 1X black start diesel generator.

3. Regulatory framework

The Delegated Officer has not conducted a review nor environmental risk assessment of emissions and discharges from the Premises in line with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position* October 2021.

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

4. Considerations for issuing a new licence

4.1 Compliance and enforcement actions

There have been no incidents or complaints identified at the Premises by the department in the last five years. There has been no enforcement action in the last 5 years regarding compliance with the licence.

4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

4.3 Categories of the licence

The requested categories and the corresponding maximum production capacities for the renewal of the licence are consistent with the categories for which the licence holder currently holds a licence and which was previously assessed.

4.4 Planning approval

The licence holder has informed the department that it is exempt from planning approval because their activity is endorsed by the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS).

5. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm resulting from emissions and/or discharges from the Premises.

Table summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

Table 2: Licence conditions changes, description and rationale

Current condition / table	New condition / table (if relevant)	Description and rationale
Table 8	Table 8	Added NO ₂ to parameter with limit 0.924g/s in Table 8. Change as requested by licence holder.
	Figures 3,4 and 5	Included in licence: Figure 3: Location of Premises in Newman; Figure 4: Premises layout plan; and Figure 5: Boundary co-ordinate. All maps supplied by licence holder.
	Appendix A - Table 16	Premises boundary coordinates as supplied by licence holder.

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 3.

Table 3: Consultation

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website and West on 23 October 2023 with submissions closing on 14 November 2023.	No submissions received by 14 November 2023	N/A
The Shire of East Pilbarra was referred the licence renewal application on 22 September 2023.	No submission received from the Shire of East Pilbarra.	N/A
The Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) was notified of the application on 22 September 2023.	No submission received from DEMIRS.	N/A
Licence holder was provided a draft copy of the licence on 14 November 2023. The licence holder provided comments on 23 November 2023.	Licence Conditions "Works" 1 to 11 should be removed as these were related the commissioning of the PEMS, which is now complete.	The Delegated Officer considered this request and determined that conditions 1 to 11 will remain until the Department confirms the licence holder has submitted the necessary compliance reports plus an application for the removal of each condition.
	The Table 8 limit change has not been amended as requested. The NO _x has been added, but there is an error of the limit value which should be adjusted from 0.942g/s to 0.924g/s.	The Delegated Officer has considered and determined that the limit value for NO _x be adjusted to 0.924g/s.