

Shell Energy Power Generation  
Neerabup Gas-fired Power Station

Compliance Assessment Report  
Ministerial Statement 759

18 December 2022

63878

JBS&G Australia Pty Ltd

## Table of Contents

1.	Introduction .....	1
1.1	Project background .....	1
2.	Current status .....	2
3.	Audit methodology .....	4
3.1	Audit plan .....	4
3.1.1	Purpose and scope .....	4
3.1.2	Methodology .....	5
3.2	Audit terminology .....	5
4.	Audit results .....	6
4.1	Compliance with conditions .....	6
4.2	Compliance with conditions of MS 759 .....	6
4.3	Compliance with conditions of Schedule 1 of MS 759 .....	6
4.4	Compliance with conditions of the Greenhouse Gas Abatement Programme ...	6
4.5	Bankers Audit .....	6
4.5.1	Compliance with Environmental License (License Number L8356/2009/2) .....	6
4.5.2	Compliance with Licence to Take Water (GWL164093(6)) .....	6
4.6	Opportunity for Improvement .....	7
5.	Environmental monitoring .....	8
6.	Stakeholder consultation .....	9
7.	Limitations .....	10
8.	References .....	11

## List of Tables

Table 3.1: Action implementation status .....	5
Table B.1: Compliance with MS 759 .....	3
Table C.1: Schedule 1 of MS 759 audit table .....	10
Table E.1: Greenhouse Gas Abatement Programme audit table .....	13

## Appendices

Appendix A	Statement of Compliance
Appendix B	MS 759 audit table
Appendix C	MS 759 Schedule 1 audit table
Appendix D	Stack Emissions Management Plan Rev 2.0 (20 June 2013) audit table
Appendix E	Greenhouse Gas abatement Programme audit table

## Appendix F Banker's Audit

## 1. Introduction

This report addresses the status and compliance of the Neerabup Gas-Fired Power Station with conditions in Ministerial Statement (MS) 759. This report has been prepared for the purpose of meeting the requirements of condition 4-1 of MS 759, which requires submission of an annual Compliance Assessment Report (CAR).

Appendix F of this report also addresses the status and compliance of the Neerabup Gas-Fired Power Station with the conditions of various environmental and planning approvals and has been prepared to meet a requirement of the “Banker’s conditions” to submit an annual compliance report.

### 1.1 Project background

NewGen Neerabup Partnership (NewGen) is the Proponent for a proposal to construct and operate:

- a 330 megawatt open-cycle gas-turbine power station
- a 30 kilometre long gas pipeline and compressor station to transport natural gas from the Dampier to Bunbury Natural Gas Pipeline to the power station
- a 330 kilovolt electricity transmission line, approximately two kilometres long, to connect the power station to the Western Power Neerabup terminal substation.

The Minister for the Environment issued MS 759 on 21 January 2008, under Part IV of the *Environmental Protection Act 1986* (EP Act), enabling the proposal to be implemented. A number of subsequent environmental and planning approvals have also been granted.

The power station is located at Neerabup, approximately 30 km north of Perth. The power station provides additional power into the South West Interconnected System (SWIS) during times of peak demand.

## 2. Current status

Construction of the power station, gas pipeline and transmission line were completed in 2009, and the power station officially opened on 3 December 2009. The power station has been supplying power into the SWIS (as requested by Synergy) since that time.

The 330-kilovolt electricity transmission line was handed over to Western Power on 11 March 2010 and was officially published in the WA Government Gazette on 19 March 2010.

The NewGen Neerabup Power Station (NewGen Neerabup Pty Ltd) was commissioned in October 2009 and is operated by Shell Energy. NewGen remains the proponent of the Gas-Fired Power Station, transmission line and natural gas pipeline.

Typically, power station operations consist of infrequent very short run durations. During the reporting period a total of 334 starts were recorded between the two units (11 and 12), with a 7.59% total operating capacity factor for the reporting financial year.

In 2021 NewGen requested a change to the proposal under s.45C of the EP Act, to remove the 330-kilovolt electricity transmission line component from the proposal and update the current proposal address. The transmission line is no longer owned or operated by the proponent and its management and ownership has been transferred to Western Power. In June 2021, the EPA under delegation from the Minister for Environment amended the proposal under Attached 2 of MS 759 replacing Schedule 1, Attachment 1 and Figures 1 and 2 of Ministerial Statement 759.

In September 2019, NewGen submitted an application under s.46 of the EP Act requesting the following changes to the implementation conditions of MS 759:

- removal of condition 5 – relating to performance review
- removal of condition 9 – relating to stack emissions
- modification of condition 11 – remove condition 11-1 (Preparation of Preliminary Decommissioning Plan)
- changes to Table 1: Summary of key proposal characteristics, referred to in condition 1 of MS 759 – remove elements relating to maximum output levels of the facility including nominal power output, thermal efficiency, operating times, annual levels of emissions and other elements.

In February 2020, the Minister for Environment requested that the EPA inquire into and report on the matter of changing the implementation conditions 5, 9 and 11 of MS 759 relating to the proposal as requested by NewGen. In September 2021, the EPA issued its report to the Minister for Environment recommending that conditions 5, 9 and 11-1 be removed from MS 759. The EPA concluded that the requested changes to Table 1 (Summary of key proposal characteristics) were not appropriate as these elements are not represented in other regulatory instruments. In November 2021 the Minister for Environment issued Ministerial Statement 1176 changing the implementation conditions under MS 759 as follows:

1. Conditions 5 and 9 of Ministerial Statement 759 are deleted.
2. Condition 11 of Ministerial Statement 759 is changed by removing condition 11-1 and amending 11-2, as follows:

### **11 Decommissioning**

- 11-2 At least twelve (12) months prior to the anticipated date of closure, or at a time approved by the CEO, the proponent shall submit a Final Decommissioning Plan designed to ensure that the site is suitable for future land uses, for approval of the CEO.

The Final Decommissioning Plan shall set out procedures and measures for:

- (1) removal or, if appropriate, retention of plant and infrastructure agreed in consultation with relevant stakeholders;
  - (2) rehabilitation of all disturbed areas to a standard suitable for the agreed new land use(s); and
  - (3) identification of contaminated areas, including provision of evidence of notification and proposed management measures to relevant statutory authorities.
- 11-3 The proponent shall implement the Final Decommissioning Plan required by condition 11-2 until such time as the Minister for the Environment determines, on advice of the CEO, that the proponent's decommissioning responsibilities have been fulfilled.
- 11-4 The proponent shall make the Final Decommissioning Plan required by condition 11-2 publicly available in a manner approved by the CEO.

### **3. Audit methodology**

#### **3.1 Audit plan**

##### **3.1.1 Purpose and scope**

This CAR has been prepared for NewGen (the proponent) to fulfil the requirements of condition 4-1 of MS 759, issued for the Neerabup Gas-Fired Power Station proposal. Condition 4-1 requires the proponent to submit an annual CAR (on the previous twelve-month period) to the Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER).

Condition 4-2 requires the report to address each element of an approved audit program and be in an acceptable format.

Condition 4-3 requires the report to:

1. Be endorsed by signature of the proponent's Chief Executive Officer or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's CEO.
2. State whether the proponent has complied with each condition and procedure contained in this statement.
3. Provide verifiable evidence of compliance with each condition and procedure contained in this statement.
4. State whether the proponent has complied with each key action contained in any environmental management plan or program required by this statement.
5. Provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by this statement.
6. Identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance.
7. Review the effectiveness of all corrective and preventative actions taken.
8. Describe the state of implementation of the proposal.

Conditions 4-3.2 and 4-3.3 refer to complying with procedures contained in MS 759 and providing verifiable evidence of compliance with the procedures. MS 759 does not contain any procedures and these requirements are consequently not applicable to this audit.

Conditions 4-3.4 and 4-3.5 refer to conformance with key actions within any environmental management plan or program required by MS 759. The plans and programs required to be implemented are:

- Rehabilitation Management Plan (RMP)
- Greenhouse Gas Abatement Programme (GGAP).

Key implementation actions of the RMP have been completed and are no longer audited. The status of implementation of the GGAP is provided in Appendix D and Appendix E, respectively.

In addition, a third-party annual compliance review is required to address Banker's conditions. The Banker's audit, presented in Appendix F, has been undertaken as part of this CAR; incorporating the MS, subsidiary management plans and additional environmental approvals including:

- operating licence L8356/2009/2
- groundwater licence GWL164093(6).

The audit period relevant to this CAR and Banker's audit is 1 July 2021 to 30 June 2022.

### 3.1.2 Methodology

The site component of the audit was undertaken by Andrea Wills and Andrew Winzer (Strategen JBS&G) on 30 November 2022. The audit included discussion and review of key documents with Bruno Lanciano, Neerabup Power Station Manager, Shell Energy.

### 3.2 Audit terminology

The 'Status' field of the audit tables (refer to Appendix B - Appendix E) describes the implementation of actions and compliance with the Statement. This report has been prepared using guidance related to the preparation of compliance audits, including generic expressions that are used to identify the status of each action (Table 3.1). The terminology in Table 3.1 has been applied to complete the status field of the audit tables given in Appendix B - Appendix E.

**Table 3.1: Action implementation status**

Status	Description
Compliant/conformant.	Implementation of the proposal has been carried out in accordance with requirements of the audit element.
Completed.	A requirement with a finite period of application has been satisfactorily completed.
Not required at this stage.	The requirements of the audit element were not triggered during the reporting period.
Potentially non-compliant/Potentially non-conformant.	Possible or likely failure to meet the requirements of the audit element.
In process.	Where an audit element requires a management or monitoring plan be submitted to the OEPA or another government agency for approval, that submission has been made and no further information or changes have been requested by the OEPA or the other government agency and assessment by the OEPA or other government agency for approval is still pending.
Not audited.	Unable to be audited.

Source: Adapted from OEPA (2012a, 2012b, 2012c and 2012d) – note that the 'Not audited' status has been added for items that were unable to be audited.



## **4. Audit results**

### **4.1 Compliance with conditions**

A signed Statement of Compliance is provided in Appendix A.

The results of the audit for MS 759 are presented in Appendix B.

Condition 1-1 of MS 759 requires implementation of the proposal as documented in Schedule 1 and Schedule 2 of MS 759. The results of the audit of implementation of the key characteristics contained in Schedule 1 are outlined in Appendix C. Schedule 2 has been completed as discussed in Appendix C item 759 M10.1.

Condition 4-3 requires each key action contained in any management plan/program to be audited. The results of the audit of key actions in the GGAP are outlined in Appendix D.

Results of the audit of key actions of the Banker's audit including the operating licence L8356/2009/2 and groundwater licence GWL164093(6) are outlined in Appendix E. A summary of audit findings against each approvals instrument is provided below.

### **4.2 Compliance with conditions of MS 759**

The audit addressed 32 conditions; Neerabup Power Station was found to be fully compliant with MS 759, with:

- Twenty-one conditions assessed as completed
- Eight conditions assessed as compliant (during this audit period)
- Three conditions assessed as not required at this stage (during this audit period).

### **4.3 Compliance with conditions of Schedule 1 of MS 759**

The audit addressed 32 conditions; Neerabup Power Station was found to be fully compliant with MS 759, with:

- Twenty conditions assessed as compliant/conformant (during this audit period)
- Ten conditions assessed as completed
- Two conditions assessed as not required / not applicable at this stage (during this audit period)

### **4.4 Compliance with conditions of the Greenhouse Gas Abatement Programme**

The audit addressed 7 conditions; Neerabup Power Station was found to be fully conformant with all conditions of the GGAP, with:

- Five conditions assessed as conformant (during this audit period)
- Two conditions assessed as completed

### **4.5 Bankers Audit**

The Bankers Audit determined compliance with the Environmental License and Licence to Take Water.

#### **4.5.1 Compliance with Environmental License (License Number L8356/2009/2)**

The audit addressed 16 conditions and determined that Neerabup Power Station was compliant with all conditions.

#### **4.5.2 Compliance with Licence to Take Water (GWL164093(6))**

The audit addressed 12 Conditions and determined that Neerabup Power Station was compliant with all relevant conditions, with:

- Seven conditions assessed as compliant/conformant (during this audit period)
- Five conditions assessed as not required or not audited (during this audit period)

#### **4.6 Opportunity for Improvement**

One opportunity for improvement was identified during the audit in relation to NewGen having four different registered addresses on various regulator documentation:

OFI – NewGen to amend the address with the individual agencies to uniformly have one registered business address.

## 5. Environmental monitoring

A range of monitoring programs have been undertaken during the audit period, as required by the various management plans and licences. Monitoring includes:

- air emissions monitoring in accordance with the operating licence administered by DWER (previously Department of Environment Regulation [DER])
- groundwater monitoring in accordance with the operating licence and the abstraction licence administered by DWER
- greenhouse gas emissions monitoring and reporting in accordance with National Greenhouse and Energy Reporting Scheme (NGERS).

## 6. Stakeholder consultation

Shell Energy maintains a standard operating procedure for stakeholder management, which requires that annual contact is made with each landowner or occupier to keep them informed of safety matters.

The following stakeholders were consulted during the audit period:

- adjacent land owners
- pipeline land owners
- other Neerabup Industrial Estate neighbours
- WA Government Department DWER and DMIRS

No complaints were received during the audit period between 1 July 2021 to 30 June 2022.

## **7. Limitations**

### **Scope of services**

This report ("the report") has been prepared by Strategen-JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and Strategen-JBS&G. In some circumstances, a range of factors such as time, budget, access and/or site disturbance constraints may have limited the scope of services. This report is strictly limited to the matters stated in it and is not to be read as extending, by implication, to any other matter in connection with the matters addressed in it.

### **Reliance on data**

In preparing the report, Strategen-JBS&G has relied upon data and other information provided by the Client and other individuals and organisations, most of which are referred to in the report ("the data"). Except as otherwise expressly stated in the report, Strategen-JBS&G has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report ("conclusions") are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. Strategen-JBS&G has also not attempted to determine whether any material matter has been omitted from the data. Strategen-JBS&G will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to Strategen-JBS&G. The making of any assumption does not imply that Strategen-JBS&G has made any enquiry to verify the correctness of that assumption.

The report is based on conditions encountered and information received at the time of preparation of this report or the time that site investigations were carried out. Strategen-JBS&G disclaims responsibility for any changes that may have occurred after this time. This report and any legal issues arising from it are governed by and construed in accordance with the law of Western Australia as at the date of this report.

### **Environmental conclusions**

Within the limitations imposed by the scope of services, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted environmental consulting practices. No other warranty, whether express or implied, is made.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

Strategen-JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client, or amended in any way without prior approval by Strategen-JBS&G, and should not be relied upon by other parties, who should make their own enquiries.

## 8. References

Standards Australia, Australian Standard 1940 (2017) 'The Storage and Handling of Flammable and Combustible Liquids' (AS:1940), 2017.

Office of Environmental Protection Authority (OEPA) 2012b, Post Assessment Guideline for Preparing an Audit Table, OEPA, Perth, August 2012.

Office of Environmental Protection Authority (OEPA) 2012c, Post Assessment Guideline for Making Information Publicly Available, OEPA, Perth, August 2012.

Office of Environmental Protection Authority (OEPA) 2012d, Post Assessment Guideline for Preparing a Compliance Assessment Report, OEPA, Perth, August 2012.

## Appendix A Statement of Compliance

## Statement of Compliance

### 1. Proposal and Proponent Details

Proposal Title	330 MW Gas Fired Power Station, Neerabup City of Wanneroo
Statement Number	759
Proponent Name	NewGen Neerabup Pty Ltd
Proponent's Australian Company Number (where relevant)	126 965 722

### 2. Statement of Compliance Details

Reporting Period	1/07/21 to 30/06/22
------------------	---------------------

Implementation phase(s) during reporting period (please tick ✓ relevant phase(s))							
Pre-construction	<input type="checkbox"/>	Construction	<input type="checkbox"/>	Operation	<input checked="" type="checkbox"/>	Decommissioning	<input type="checkbox"/>

Audit Table for Statement addressed in this Statement of Compliance is provided at Attachment:	2
<p>An audit table for the Statement addressed in this Statement of Compliance must be provided as Attachment 2 to this Statement of Compliance. The audit table must be prepared and maintained in accordance with the Department of Water and Environmental Regulation (DWER) <i>Post Assessment Guideline for Preparing an Audit Table</i>, as amended from time to time. The 'Status Column' of the audit table must accurately describe the compliance status of each implementation condition and/or procedure for the reporting period of this Statement of Compliance. The terms that may be used by the proponent in the 'Status Column' of the audit table are limited to the Compliance Status Terms listed and defined in Table 1 of Attachment 1.</p>	

Were all implementation conditions and/or procedures of the Statement complied with within the reporting period? (please tick ✓ the appropriate box)			
No (please proceed to Section 3)	<input type="checkbox"/>	Yes (please proceed to Section 4)	<input checked="" type="checkbox"/>



### 3. Details of Non-compliance(s) and/or Potential Non-compliance(s)

The information required Section 3 must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

#### Non-compliance/potential non-compliance 3-1

Which implementation condition or procedure was non-compliant or potentially non-compliant?
Was the implementation condition or procedure non-compliant or potentially non-compliant?
On what date(s) did the non-compliance or potential non-compliance occur (if applicable)?

Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DWER verbally      Date _____ <input type="checkbox"/> Reported to DWER in writing      Date _____	<input type="checkbox"/> No

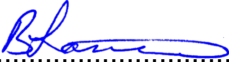
What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?
What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates)
What was the cause(s) of the non-compliance or potential non-compliance?
What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?
What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?
Please provide information/documentation collected and recorded in relation to this implementation condition or procedure: <ul style="list-style-type: none"> <li>• in the reporting period addressed in this Statement of Compliance; and</li> <li>• as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance.</li> </ul> (the above information may be provided as an attachment to this Statement of Compliance)

*For additional non-compliance or potential non-compliance, please duplicate this page as required.*

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.  
 INITIALS: BL

#### 4. Proponent Declaration

I, .....Bruno Lanciano, Neerabup Power Station Manager....., (full name and position title)  
 declare that I am authorised on behalf of .....Newgen Neerabup Pty Ltd.....  
 (being the person responsible for the proposal) to submit this form and that the information  
 contained in this form is true and not misleading.

Signature:.......... Date: 07/02/2023.....

Please note that:

- it is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- the Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

#### 5. Submission of Statement of Compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

#### 6. Contact Information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

**Manager, Compliance (Ministerial Statements)**

**Department of Water and Environmental Regulation**

Postal Address: Locked Bag 10  
 Joondalup DC  
 WA 6919

Phone: (08) 6364 7000

Email: [compliance@dwer.wa.gov.au](mailto:compliance@dwer.wa.gov.au)

#### 7. Post Assessment Guidelines and Forms

Post assessment documents can be found at [www.epa.wa.gov.au](http://www.epa.wa.gov.au)

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.  
 INITIALS: BL

**ATTACHMENT 1****Table 1 Compliance Status Terms**

<b>Compliance Status Terms</b>	<b>Abbrev</b>	<b>Definition</b>	<b>Notes</b>
Compliant	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.	This term applies to audit elements with: <ul style="list-style-type: none"> <li>ongoing requirements that have been met during the reporting period; and</li> <li>requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'completed'.</li> </ul>
Completed	CLD	A requirement with a finite period of application has been satisfactorily completed.	This term may only be used where: <ul style="list-style-type: none"> <li>audit elements have a finite period of application (e.g. construction activities, development of a document);</li> <li>the action has been satisfactorily completed; and</li> <li>the DWER has provided written acceptance of 'completed' status for the audit element.</li> </ul>
Not required at this stage	NR	The requirements of the audit element were not triggered during the reporting period.	This should be consistent with the 'Phase' column of the audit table.
Potentially Non-compliant	PNC	Possible or likely failure to meet the requirements of the audit element.	This term may apply where during the reporting period the proponent has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred.
Non-compliant	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.	This term applies where the requirements of the audit element are not "complete" have not been met during the reporting period.
In Process	IP	Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending.	<p><b>The term 'In Process' may not be used for any purpose other than that stated in the Definition Column.</b></p> <p>The term 'In Process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan).</p>

## Appendix B MS 759 audit table

**Table B.1: Compliance with MS 759**

Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
759:M1.1 Implementation	<u>Action</u> Implement the proposal as documented and described in schedules 1 and 2 of Statement 759 subject to the conditions and procedures of this statement. <u>Objective</u> To avoid unforeseen or unassessed impacts.	Overall.		Refer to Appendix C.  Refer to 759:M10.1.	Refer to Appendix C of this audit report which outlines compliance with Schedule 1.  Refer to 759:M10.1 which addresses compliance with Schedule 2, which is considered completed.	Compliant
759:M2.1 Nominated proponent	<u>Action</u> The proponent for the time being nominated by the Minister for the Environment under sections 38(6) or 38(7) of the <i>Environmental Protection Act 1986</i> is responsible for the implementation of the proposal. <u>Objective</u> To ensure legal responsibility rests with the nominated proponent.	Overall.		Management Advice 30/11/2022	NewGen Neerabup Partnership is still the proponent for the proposal.	Compliant
759:M2.2 Proponent nomination	<u>Action</u> Notify the Chief Executive Officer of the DEC (CEO) of any change of the name and address for the serving of notices or other correspondence within 30 days of such change. <u>How</u> Written notification. <u>Objective</u> To enable the DEC to maintain contact with the proponent.	Overall.	Within 30 days of change of contact details.	Management Advice 30/11/2022	The auditor was advised that the contact name and address did not change during the audit period however there are (4) different registered offices for NewGen on the following documents: <ul style="list-style-type: none"> <li>Ministerial Statement 1176 (Perth)</li> <li>AACR (Sydney)</li> <li>Part V Licence (Melbourne)</li> <li>2022 NPI Report (Brisbane)</li> </ul> OFI – NewGen to amend the address with the individual agencies to uniformly have one registered business address.	Compliant
759:M3.1 Commencement	<u>Action</u> The authorisation to implement the proposal provided for in Ministerial Statement 759 shall lapse and be void within five years after the date of this statement if the proposal to which this statement relates is not substantially commenced. <u>How</u> Commence substantial construction. <u>Objective</u> To define the period for which the authorisation to implement is valid.	Overall.	Prior to 21 January 2013.	R03_2019 CAR (Rev 0)	This item was assessed as Completed in the 2019 CAR.	Compliant (Complete)
759:M3.2 Commencement	<u>Action</u> Provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the 21 January 2013. <u>How</u> Written evidence. <u>Objectives</u> To ensure the CEO is notified that the project has substantially commenced.	Overall.	Prior to 21 January 2013.	R03_2019 CAR (Rev 0)	This item was assessed as Completed in the 2019 CAR.	Compliant (Complete)
759:M4.1 Compliance reporting	<u>Action</u> Submit to the CEO environmental compliance reports annually reporting on the previous twelve-month period, unless required by the CEO to report more frequently. <u>How</u> Written evidence addressing each element of the audit table. <u>Objective</u> To provide evidence that the proposal is being implemented as approved and that the relevant conditions and commitments are being met.	Overall.	Annually unless required by the CEO to report more frequently.	R02_2021 Compliance Assessment Report  C02_Annual Compliance Audit Report for the July 2020 - June 2021 period	The 2021 Compliance Assessment Report (CAR) (R02) addressed the audit period from 1 July 2020 to 30 June 2021 and was submitted by Shell Energy to DWER on 01/02/2022.  DWER confirmed receipt of the report on 02/02/2022.	Compliant
759:M4.2 Compliance Reporting - Audit Program	<u>Action</u> Prepare and submit an Audit Program in a format acceptable to the CEO.	Design.		R03_2019 CAR (Rev 0)	This item was assessed as Completed in the 2019 CAR.	Compliant (Complete)
759:M4.3 Compliance reporting	<u>Action</u> Submit compliance reports to CEO. <u>How</u> Environmental compliance reports shall: <ol style="list-style-type: none"> <li>Be endorsed by signature of the proponent's CEO or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's CEO.</li> <li>State whether the proponent has complied with each condition and procedure contained in Statement 759.</li> </ol>	Overall.	Annually, unless required by the CEO to report more frequently.	R02_2021 Compliance Assessment Report  C02_Annual Compliance Audit Report for the July 2020 - June 2021 period  R01_2022 CAR (Rev 0)	The 2021 Compliance Assessment Report (CAR) (R02) addressed the audit period from 1 July 2020 to 30 June 2021 and was submitted by Shell Energy to DWER on 01/02/2022.  NB: In terms of auditing key management actions within relevant management plans or programs; the RMP and GGAP are relevant. Only key actions from these plans were audited during this audit period (see Appendix D). Actions in the RMP have been deemed completed.	Compliant

Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
	<p>3. Provide verifiable evidence of compliance with each condition and procedure contained in Statement 759.</p> <p>4. State whether the proponent has complied with each key action contained in any environmental management plan or program required by Statement 759.</p> <p>5. Provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by Statement 759.</p> <p>6. Identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance.</p> <p>7. Review the effectiveness of all corrective and preventative actions taken.</p> <p>8. Describe the state of implementation of the proposal.</p> <p><u>Objective</u> To provide evidence that the proposal is being implemented as approved, and that the relevant conditions and commitments are being met.</p>				In addition, actions identified in the licence to operate (L8356/2009/2) and groundwater licence (GWL164093(6)) have been assessed as part of the Banker's Audit (Appendix F).	
759:M4.4 Compliance reporting – public availability	<p><u>Action</u> Compliance reports shall be made publicly available in a manner approved by the CEO.</p> <p><u>How</u> Carry out the following:</p> <ol style="list-style-type: none"> <li>1. Advertise the availability of the document in the 'Public Notices Section' of the local community newspaper.</li> <li>2. Provide copies of the documentation to the DEC library (1 hard copy, 1 CD copy), local government public library (2 copies), JS Battye library (2 copies).</li> <li>3. Post the document on the proponent's website.</li> </ol> <p><u>Objective</u> To ensure that the public is kept informed.</p>	Overall.		<p>R02_2021 Compliance Assessment Report</p> <p><a href="https://shellenergy.com.au/wp-content/uploads/2022/02/61675_2021-Neerabup-Environmental-CAR-Rev0.pdf">https://shellenergy.com.au/wp-content/uploads/2022/02/61675_2021-Neerabup-Environmental-CAR-Rev0.pdf</a> (accessed 03/11/2022)</p> <p>E03_Shell Website Screenshot</p>	The 2021 Compliance Assessment Report is available on the Shell Energy website at <a href="https://shellenergy.com.au/regulatory/">https://shellenergy.com.au/regulatory/</a>	Compliant
759:M6.1 Vegetation disturbance – boundaries	<p><u>Action</u> Prior to ground disturbing activities, clearly delineate on the ground the boundaries of the gas pipeline lateral and electricity transmission line easements and the area of disturbance outside the easements.</p> <p><u>How</u> Boundaries are to be clearly visible for workers conducting disturbance activities.</p> <p><u>Objectives</u> To ensure no disturbance occurs to vegetation outside the boundaries.</p>	Design and construction.	Prior to ground-disturbing activities.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M6.2 Vegetation disturbance – exceedance of boundaries	<p><u>Action</u> Do not cause disturbance of vegetation outside the delineated gas pipeline lateral and electricity line easements, or the delineated area of disturbance outside the easements referred to in condition 6–1, unless authorised by the Minister for the Environment.</p> <p><u>How</u> Clearing to only be within delineated areas.</p> <p><u>Objective</u> To ensure no disturbance of vegetation outside the delineated boundaries.</p>	Overall.		R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M6.3 Vegetation disturbance – environmentally sensitive areas	<p><u>Action</u> Do not cause or allow disturbance of vegetation outside a 20-metre wide gas pipeline lateral easement in environmentally sensitive areas, unless authorised by the Minister for the Environment.</p> <p><u>How</u> Delineated areas within environmentally sensitive areas to be limited to a 20 m wide easement unless otherwise authorised by the Minister for the Environment.</p> <p><u>Objective</u> To ensure no additional disturbance of vegetation occurs outside approved boundaries in environmentally sensitive areas.</p>	Construction.	Within environmentally sensitive areas.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M7.1 Rehabilitation - Management Plan	<p><u>Action</u> Prior to ground disturbing activities prepare a Rehabilitation Management Plan in consultation with DEC, to the requirements of the Minister for Environment on advice of the EPA.</p> <p><u>How</u> The Rehabilitation Management Plan shall address:</p> <ol style="list-style-type: none"> <li>1. Weed management protocols.</li> </ol>	Design.	Prior to ground-disturbing activities.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)

Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
	2. Dieback management protocols. 3. Soil management protocols. 4. Rehabilitation completion criteria. 5. The need for propagule augmentation to achieve completion criteria. 6. With reference to, EPA Guidance Statement No. 6 - Rehabilitation of Terrestrial Ecosystems. <u>Objective</u> To ensure rehabilitation meets EPA requirements.					
759:M7.2 Rehabilitation – management period	<u>Action</u> Manage rehabilitation of the gas pipeline lateral and electricity transmission line easements until the rehabilitation completion criteria, referred to in condition 7-1, have been achieved. (Note: obligations under DoIR legislation mean the vehicular access track must be maintained and thus certain completion criteria may not be achievable within the access track). <u>How</u> In accordance with industry best practice environmental management and rehabilitation plan. Criteria established by M7.1 and EPA Guidance Statement No. 6 - Rehabilitation of Terrestrial Ecosystems. <u>Objective</u> To ensure rehabilitation meets EPA requirements.	Overall.		R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M7.3 Rehabilitation Management Plan – review and revision	<u>Action</u> As required, review and revise the Rehabilitation Management Plan in consultation with DEC. <u>How</u> With reference to EPA Guidance Statement No. 6 – Rehabilitation of Terrestrial Ecosystems. <u>Objective</u> To ensure rehabilitation meets DEC and EPA requirements.	Overall.		R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M7.4 Rehabilitation Management Plan – implementation	<u>Action</u> Implement the Rehabilitation Management Plan required by M7.1 and subsequent revisions of the Rehabilitation Management Plan as required by M7.3. <u>Objective</u> To ensure rehabilitation planning and activities are implemented.	Overall.		R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M7.5 Rehabilitation Management Plan – public availability	<u>Action</u> The Rehabilitation Management Plan and subsequent revisions shall be made publicly available in a manner approved by the CEO. <u>How</u> Carry out the following (according to the recently approved Audit Program): 1. Advertise the availability of the document in the 'Public Notices Section' of the local community newspaper. 2. Provide copies of the documentation to the DEC library (1 hard copy, 1 CD copy), local government public library (2 copies), JS Battye library (2 copies). 3. Post the document on the proponent's website. <u>Objective</u> To ensure the public is kept informed.	Overall.	After approval of the Plan by Minister for Environment.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M8.1:1 Fauna – trench clearing	<u>Action</u> Trapped fauna within open trenches shall be cleared and recorded by a suitably trained fauna-clearing person no later than three hours after sunrise. The clearing and recording shall be repeated before sunset. (Note: "Fauna-clearing person" means an employee of the proponent whose responsibility it is to walk the open trench to recover and record fauna found within the trench.) <u>How</u> Employ a suitably trained fauna management person. <u>Objective</u> To minimise death or injury to fauna trapped in the open trenches.	Construction.	No later than three hours after sunrise and again before sunset.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)



Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
759 M8.1:2 Fauna – trench clearing	<u>Action</u> Open trenches shall be cleared and recorded by a suitably trained fauna-clearing person no more than one hour prior to backfilling of trenches. <u>How</u> Implement Fauna Management Plan/Protocol. <u>Objective</u> To minimise death or injury to fauna trapped in open trenches.	Construction.	No more than one hour before backfilling of trenches.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M8.2 Fauna clearing – qualifications of fauna clearing person	<u>Action</u> The fauna-clearing person shall be experienced to the requirements of the DEC. <u>How</u> The fauna-clearing person will be experienced to the requirements of the DEC in: 1. Fauna identification, capture and handling (including venomous snakes). 2. Identification of tracks, scats, burrows and nests of conservation significant species. 3. Fauna vouchering. 4. Assessing injured fauna for suitability for release, rehabilitation or euthanasia. 5. Familiarity with the ecology of the species which may be encountered in order to be able to appropriately translocate fauna encountered. 6. Performing euthanasia. <u>Objective</u> To ensure fauna handling and assessment is of a high standard.	Construction.	Prior to trench construction and fauna handling.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M8:3 Fauna – clearing person training	<u>Action</u> Ensure that basic fauna handling training is provided to fauna clearing persons who do not possess the skills and experience outlined in M8-2 prior to the fauna-clearing person commencing employment. <u>How</u> Fauna handling training course delivered to inexperienced staff. <u>Objective</u> To ensure fauna handling and assessment is of a high standard.	Design.	Prior to trench construction and fauna handling by inexperienced persons.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M8.4 Fauna – clearing person training	<u>Action</u> Fauna handling training as outlined in M8.3 shall be developed in consultation with the DEC. <u>How</u> In consultation with DEC. <u>Objective</u> To ensure best practice fauna handling and assessment.	Design.	Prior to fauna handling by inexperienced persons.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M8.5 Fauna – open trench length	<u>Action</u> Open trench lengths shall not exceed a length capable of being inspected and cleared by fauna clearing persons within the required times as set out in condition 8.1. <u>Objective</u> To minimise death or injury to fauna trapped in the open trenches.	Construction.	In areas where there are open trenches.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M8.6 Fauna – flooding of trench	<u>Action</u> Monitor weather forecasts through the Bureau of Meteorology and in the event of a weather forecast indicating rainfall sufficient to cause flooding of trenches or drowning of fauna trapped in trenches, in consultation with DEC, backfill all lengths of open trench with a potential to be flooded or cause drowning of fauna. <u>How</u> Monitor weather forecasts in areas where there are open trenches. Calculate rainfall level which could cause flooding of trenches or drowning of fauna. Consult with DEC where weather indicates potential flooding or drowning of fauna could occur as to whether backfilling of trenches needs to occur. <u>Objective</u> To minimise harm to fauna trapped in open trenches.	Construction.	In areas where there are open trenches.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M8.7:1 Fauna management – report	<u>Action</u> Produce a report on fauna management within the gas pipeline lateral easement at the completion of gas pipeline construction and provide report to the CEO no later than 14 days after the completion of the gas pipeline construction. <u>How</u> The Fauna Management Report shall include:	Post-construction.	Provided to CEO no later than 14 days after the completion of gas pipeline construction.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)



Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
	1. Details of all fauna inspections. 2. The number of fauna cleared from trenches. 3. Fauna interactions. 4. Fauna mortalities. 5. All actions taken. <u>Objective</u> To ensure that fauna management was carried out in accordance with conditions and, to understand project impacts on fauna and to further develop industry best practice fauna management.					
759 M8.7:2 Fauna management report - publicly availability	<u>Action</u> Report on fauna management to be made publicly available in a manner approved by the CEO. <u>How</u> Carry out the following (according to the recently approved Audit Program): 1. Advertise the availability of the document in the 'Public Notices Section' of the local community newspaper. 2. Provide copies of the documentation to the DEC library (1 hard copy, 1 CD copy), local government public library (2 copies), JS Battye library (2 copies). 3. Post the document on the proponent's website. <u>Objective</u> To ensure the public is informed of project impacts on fauna.	Post-construction.	No later than 14 days after the completion of gas pipeline construction.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M10.1 Greenhouse Gas Abatement Programme – prepare	<u>Action</u> Prior to commencement of ground disturbing activities, prepare and submit a Greenhouse Gas Abatement Programme for approval by CEO. <u>How</u> The Greenhouse Gas Abatement Programme shall set out measures and processes to: 1. Ensure that the plant is designed and operated in a manner which achieves reductions in "greenhouse gas" emissions as far as practicable. 2. Provide for ongoing "greenhouse gas" emissions reductions over time. 3. Ensure that the total net "greenhouse gas" emissions and/or "greenhouse gas" emissions per unit of product from the project are minimised; and 4. Manage "greenhouse gas" emissions in accordance with the Framework Convention on Climate Change 1992, and consistent with the contemporary National Greenhouse Strategy as updated from time to time. <u>Objective</u> To manage greenhouse gas emissions to achieve ongoing reductions and minimise project emissions. <u>Criteria</u> Criteria set out in Schedule 2 of Statement 759 and on advice from the EPA. With reference to EPA Guidance Statement No. 12, Minimising Greenhouse Gas Emissions.	Design.	Prior to commencement of ground disturbing activities.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M10.2 Greenhouse Gas Abatement Programme – implementation	<u>Action</u> Implement the Greenhouse Gas Abatement Programme unless modifications are approved by the CEO. <u>Objective</u> To manage greenhouse gas emissions to achieve ongoing reductions and minimise project emissions.	Overall.	Prior to commencement of ground disturbing activities.	Refer to Appendix D	The GGAP is being implemented (see Appendix D). No modifications have been made to the plan during the audit period.  Of the seven key actions, two were completed, and five were conformant.	Compliant
759 M10.3 Greenhouse Gas Abatement Programme – publicly available	<u>Action</u> Prior to commencement of ground disturbing activities, the Greenhouse Gas Abatement Programme required by condition 10.1 shall be made publicly available in a manner approved by the CEO. <u>How</u> Carry out the following (according to the recently approved Audit Program): 1. Advertise the availability of the document in the 'Public Notices Section' of the local community newspaper. 2. Provide copies of the documentation to the DEC library (1 hard copy, 1 CD copy), local government public library (2 copies), JS Battye library (2 copies). 3. Post the document on the proponent's website.	Design.	Prior to commencement of ground disturbing activities.	R05_GGAP (Rev1.0) <a href="https://shellenergy.com.au/wp-content/uploads/2021/01/Neerabup-Greenhouse-Gas-Abatement-Programme.pdf">https://shellenergy.com.au/wp-content/uploads/2021/01/Neerabup-Greenhouse-Gas-Abatement-Programme.pdf</a> (accessed 03/11/2022)  E03_Shell Website Screenshot	The GGAP is made publicly available on the Shell Energy website at <a href="https://shellenergy.com.au/regulatory/">https://shellenergy.com.au/regulatory/</a> consistent with DWER requirements for making documents regarding the proposal publicly available. The GGAP was available on the Shell Energy website at the time of the audit.	Compliant

Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
	<u>Objective</u> To ensure the public is kept informed.					
759:M11.2 Final Decommissioning Plan – prepare and submit	<u>Action</u> At least twelve (12) months prior to the anticipated date of closure, or at a time approved by the CEO, submit a Final Decommissioning Plan designed to ensure that the site is suitable for future land uses for approval by the CEO. <u>How</u> The Final Decommissioning Plan shall set out procedures and measures for: 1. Removal or, if appropriate, retention of plant and infrastructure agreed in consultation with relevant stakeholders. 2. Rehabilitation of all disturbed areas to a standard suitable for the agreed new land use(s). 3. Identification of contaminated area, including provision of evidence of notification and proposed management measures to relevant statutory authorities. <u>Objective</u> To ensure that the site is left in an environmentally acceptable condition suitable for future land uses.	Operation and Closure.	At least 6 months prior to anticipated closure.	Management advice 30/11/2022.	The project life is approximately 30 years, with closure anticipated to occur in 2040.	Not required at this stage
759:M11.3 Final Decommissioning Plan – implementation	<u>Action</u> Implement the Final Decommissioning Plan until such time as the Minister for the Environment determines, on advice of the CEO, that decommissioning responsibilities have been fulfilled. <u>Objective</u> To ensure that the Final Decommissioning Plan is implemented.	Closure.	Until such time as the Minister determines that decommissioning responsibilities have been fulfilled.	Refer to 759:M11.2	Refer to 759:M11.2	Not required at this stage
759:M11.4 Final Decommissioning Plan – public availability	<u>Action</u> The Final Decommissioning Plan shall be made publicly available in a manner approved by the CEO. <u>How</u> Carry out the following: 1. Advertise the availability of the document in the 'Public Notices Section' of the local community newspaper. 2. Provide copies of the documentation to the DEC library (1 hard copy, 1 CD copy), local government public library (2 copies), JS Battye library (2 copies). 3. Post the document on the proponent's website. <u>Objective</u> To ensure the public is kept informed.	Overall.	After approval of Plan by CEO, and prior to implementation of Plan.	Refer to 759:M11.2	Refer to 759:M11.2	Not required at this stage

## Appendix C MS 759 Schedule 1 audit table

**Table C.1: Schedule 1 of MS 759 audit table**

Element	Description	Evidence	Comments	Status
Project purpose:	To construct, operate and maintain a 330 MW power station and associated infrastructure.	Management advice 30/11/2022.  Site inspection 30/11/2022.  R02_2021 CAR (Rev 0)	Previous Compliance Assessment Reports noted that construction of the gas pipeline, transmission line and power station was completed in 2009. The power station was commissioned in December 2009, with operation and maintenance currently occurring. The facility manager advised that no changes have been made to the construction of the power station during the audit period.	Compliant
Project life:	30 years.	Management advice 30/11/2022	No change, closure is anticipated to occur in 2040.	Not required at this stage
Power output:	330 MW (nominal).	Management advice 30/11/2022  R02_2021 CAR (Rev 0)	There have been no changes to the nominal power output for the power station. The operator advises that 330 MW is the default rating and represents a nominal rating. The station can produce 342 MW with additional controls as a maximum in peaking situations.	Compliant
Sent out electricity:	Approximately 867GWh/yr.	E01_2021-2022_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	Data shows that sent out electricity is 226.43 GWh/yr.	Compliant
Thermal efficiency:	33.3% HHV at 25°C and 60% relative humidity.	Management advice 30/11/2022  E01_2021-2022_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	Results from real-time monitoring recorded generator thermal efficiency at approximately 29.79% based upon average heat rate calculated from Energy sent out and gas consumed.	Compliant
Plant operation:	Intermittent operation to suit demand – peak and shoulder periods.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report  Management advice 30/11/2022	The number of starts and low run times reported by the facility is evidence of intermittent operation of the facility.	Compliant
Operating hours:	Approximately 2628 hours per year.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	The operating hours for the two units combined was 1,324 hours during the audit period.	Compliant
Capacity factor:	Approximately 30%.	Management advice 30/11/2022  E01_2021-2022_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	Based upon 330.6 MW capacity, the capacity factor was 7.59% during the audit period.	Compliant
Power station footprint:	Site is 10 ha of cleared farming land of which approximately 4 ha is used for infrastructure.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Pipeline footprint:	Construction corridor 30 m wide over 30 km length. Approximately 30 ha of native vegetation to be cleared and rehabilitated after construction.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Transmission line footprint:	Approximately 400 m <sup>2</sup> of native vegetation for construction of each of seven single column power pole bases.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
<b>Fuel:</b>				
Type:	Natural gas.	Management advice 30/11/2022.	Natural gas is delivered from the Dampier to Bunbury Natural Gas Pipeline (DBNGP) to lateral that serves the station.	Compliant
Source:	North-west Shelf.	Management advice 24 November 2021.	The supply of gas provided through the DBNGP is sourced from the North West Shelf, and supplemented from other gas fields en-route, and is controlled by the pipeline owner/operator (DBP).	Compliant
Method of transport:	Dampier to Bunbury Natural Gas Pipeline and an approximately 30 km long gas pipeline lateral to the power station site.	Management advice 30/11/2022.  Site inspection 30/11/2022.	Gas is delivered from DBNGP to lateral that serves the station.  Auditors observed the gas yard and pipeline junction that services the power station.	Compliant
<b>Major plant components</b>				
Power station gas turbines:	Two 165 MW open-cycle gas turbines fitted with low NOx burners.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Number of stacks:	2.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Height of stacks:	35 m.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Stack diameter:	6 m.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Gas pipeline:	A dedicated lateral from the Dampier to Bunbury Natural Gas Pipeline of approximately 30 km length.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Compressor station:	Located on gas pipeline lateral and consists of two compressor units with only one unit in operation at any time.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Electricity transmission line:	330 kV line to Western Power Neerabup terminal substation – approximately 2 km long.	R04_2018 CAR (Rev 0)	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
<b>Inputs</b>				
Natural gas:	Approximately 11.2 PJ per year.	E01_2021-2022_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	A total of 2.729 PJ of natural gas per year was utilised during the audit period.	Compliant

Element	Description	Evidence	Comments	Status
Process water:	Approximately 15 ML per year from onsite bore.	E01_2021-2022_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance  R06_GWL164093(6)-Licence to Take Water	The <i>Rights in Water and Irrigation Act 1914</i> Licence entitlement is 100,000 kL per year and includes two bores established on the site. There was 21.85 ML abstracted in total for process water. Total water use for the 2021/2022 year was within the permitted volume for the Licence (GWL 164093).	Compliant
<b>Outputs</b>				
Wastewater:	No discharge of wastewater.	Management advice 30/11/2022.  Site inspection 30/11/2022.	There was no discharge of wastewater.  The Reverse Osmosis plant minimises waste water collected in the evaporation ponds.	Compliant
Oxides of nitrogen (NOx):	380,000kg/yr (<25 ppmv @ 15% O <sub>2</sub> ).	R07_2022 NPI EmissionReport Submitted	Both Unit 11 and 12 was recorded at 18 ppmv, which is below the limit specified.  Using NPI techniques it is estimated that NOx emissions were 83,976.19 kg/yr.	Compliant
Particulates (PM10):	74,000kg/yr.	R07_2022 NPI EmissionReport Submitted	PM10 was not included in stack testing.  Using NPI techniques it is estimated that PM10 emissions were 7,669.23 kg/yr.	Compliant
Carbon monoxide (CO):	93,000kg/yr (<10 ppmv @ 15% O <sub>2</sub> ).	R07_2022 NPI EmissionReport Submitted	Unit 11 was recorded at <5 ppmv and Unit 12 at <3 ppmv, which is below the limit specified.  Using NPI techniques it is estimated that CO emissions were 17,880.36 kg/yr.	Compliant
Sulphur dioxide (SO <sub>2</sub> ):	5,100 kg/yr.	Management advice 28/11/2022	NA - Not tested for in the 2021-2022 stack test program, DWER licence does not require this to be tested.	N/A
Direct greenhouse gas emissions:	Approximately 590,000 tonnes of CO <sub>2</sub> -e per year.	R09_FINAL SEHAL Investments Report_NGER Report	The direct greenhouse gas emissions were approximately 138,811 (Scope 1) tonnes of CO <sub>2</sub> -e for the audit period.	Compliant
Full fuel cycle greenhouse gas emissions:	Approximately 673,000 tonnes of CO <sub>2</sub> -e per year.	R09_FINAL SEHAL Investments Report_NGER Report	The full fuel cycle greenhouse gas emissions were approximately 142,036 tonnes of CO <sub>2</sub> -e for the audit period.	Compliant
Greenhouse intensity:	Approximately 554kg of CO <sub>2</sub> -e per MWh.	E01_2021-2022_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance  Management advice 30/11/2022  R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report  R02_2021 CAR (Rev 0)	The greenhouse intensity recorded during the audit period was 627.28 kg of CO <sub>2</sub> -e per MWh for the audit period which was 12% over the 554 kg CO <sub>2</sub> -e per MWh greenhouse intensity target.  As reported last year, the Proponent has advised that typical operations through the reporting period involved infrequent very short duration runs (station capacity factor of 7.59 %, total of approximately 334 starts between the two units during the audit period). Management advised that low operating hours tends to unfavourably skew the greenhouse intensity data per output due to the inherent inefficiency of the fast start-up cycle and short runs associated with a peak demand power station. The Proponent also notes that the heat rate degrades when the station is run at lower power output and the Proponent receives requests from the market to run at lower than maximum capacity output. As the future capacity factor of the power station increases, the ratio of starts to 'online' hours should improve with a corresponding reduction in greenhouse intensity.	Compliant
Noise:	Will comply with the Environmental Protection (Noise) Regulations 1997: • <30dB(A) at nearest residential property and • <65dB(A) at nearest industrial property.	Management advice 30/11/2022  E02_NPS-REG-EXT-COMP External Complaints Register_29Aug2022	No monitoring of noise emissions was undertaken in the reporting period to determine direct compliance with this condition.  No complaints were received during the audit period indicating that noise levels were not problematic to nearby residents and industrial properties.	Compliant

## Appendix D Greenhouse Gas abatement Programme audit table

**Table E.1: Greenhouse Gas Abatement Programme audit table**

Audit code	Action	Evidence	Comments	Status
GGAP1	Minimise/reduce energy use through the following: <ul style="list-style-type: none"> <li>routine monitoring of plant efficiency</li> <li>operate plant at optimum efficiency in accordance with manufacturer's operation and maintenance.</li> </ul>	Management advice 30/11/2022  E01_2021-2022_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance  E04_GT11 Comp Perf Tracking  E05_GT11 Performance Tracking  E06_GT12 Comp Perf Tracking  E05_GT12 Performance Tracking  R10_221129 Neerabup Inspection Plan 2009-2035	<p>As previously reported, it should be noted that a power station designed and operated to provide peak supply has an inherently lower operational efficiency due to the number of start-ups against operating times and the lower efficiency of running the power plant at low outputs.</p> <p>The operator advised that there are a number of factors that could potentially influence plant efficiency including fuel quality and age of the plant. Efficiency of the plant is generally expected to gradually decline over the life of the plant. Performance monitoring is undertaken for both units with monitoring results from efficiency tests demonstrating that Unit 11 and 12 turbines are operating at 34.47% (12) and 34.75% (11) net efficiency.</p> <p>The Facility Manager advised that the maintenance trigger of number of starts is tracked within Neerabup Forecasted Inspection Plan 2009–2032, to indicate the appropriate timing of maintenance activities.</p> <p>Four minor inspections (routine maintenance outages) have been undertaken to date:  <b>First:</b> 17 to 21 November 2014 when Unit 11 was at 273 starts and Unit 12 was at 272 starts.  <b>Second:</b> 7 to 10 November 2017 when both Unit 11 and 12 had 523 starts.  <b>Third:</b> 26 to 29 February 2020 when Unit 11 had 785 starts and Unit 12 had 788 starts.  <b>Fourth:</b> 1 to 3 October 2021 (Unit 11) and 16 – 19 October 2021 (Unit 12) when Unit 11 had 1027 starts and Unit 12 has 1032 starts.</p> <p>Consultations with the OEM (Siemens) and an independent Engineering Assessment has determined that the 1,000 start major service can be postponed until 1500 starts (with some intermediary checks/works that have been completed or scheduled). Based on the current operating regime of Neerabup Power Station the this will be due to occur in October 2023.</p>	Conformant
GGAP2	Implement a routine preventative maintenance and cleaning regime to maintain operation of the power station at optimal efficiency.	Management advice 30/11/2022  R10_221129 Neerabup Inspection Plan 2009-2035  R02_2021 CAR (Rev 0)	<p>Refer to GGAP1.</p> <p>Maintenance planning schedules are in accordance with the manufacturer's requirements. Maintenance on the Neerabup gas turbines are triggered by the number of starts rather than the equivalent operating hours (EOH) due to the peaking nature of Neerabup Operations (short runs with frequent starts).</p> <p>The most recent inspection, the fourth since operations began, confirmed that Unit 11 had accumulated 242 starts and Unit 12 had accumulated 244 starts between the third and fourth minor inspection (inside OEM tolerance). The Siemens OEM schedules minor inspections at 250 starts (+/- 10 starts) or 8,000EOH whichever is earlier. It is noted that the "Minor inspections" are an "Inspection" only outage trigger to detect issues, rather than the scheduled maintenance overhaul or parts replacements that are scheduled at "Major Maintenance" triggers. As reported in the 2021 CAR (R02) the minor inspections were conducted revealing no corrective action was required.</p> <p>Consultations with the OEM (Siemens) and an independent Engineering Assessment has determined that the 1,000 start major service can be postponed until 1500 starts (with some intermediary checks/works that have been completed or scheduled). Based on the current operating regime of Neerabup Power Station the this will be due to occur in October 2023.</p>	Conformant
GGAP3	Implement a 'continuous improvement approach' so that advances in technology and potential operational improvement of plant performance are adopted where practicable.	Management advice 30/11/2022  E08_V942_PROGRAM  E09_V942_Webinar_November2021_Registrations	<p>The plant utilises current technology; however, it is being reviewed to enable continuous improvement in the future. The company is represented at gas turbine user group functions which are specifically designed to address continual improvement.</p> <p>The Facility Manager actively participates in the V94.2 group which is a group established specifically for users of the V94.2 gas turbine allowing personnel to improve their sharing of experience and to promote best technical solutions. The last V94.2 Australian user group webinar was attended by the Facility Manager and Project Engineer and occurred between 9<sup>th</sup> to 16<sup>th</sup> November 2021.</p>	Conformant

Audit code	Action	Evidence	Comments	Status
GGAP4	NewGen Power will become a member of the Greenhouse Challenge Plus Program.	R_001_Strategen-JBS&G_Neerabup Power Station CAR 2019_06012020	The previous Compliance Assessment Report indicated that the Greenhouse Challenge Plus Program ceased on 1 July 2009 before the NewGen Power Station became operational. Based on this, the auditors have assessed this item as Completed.	Completed
GGAP5	Annual auditing of greenhouse gas emissions.	Management advice 30/11/2022 R09_FINAL SEHAL Investments Report_NGER Report	The Proponent advised that reporting is undertaken annually under the requirements of the National Greenhouse and Energy Reporting Act 2007 (NGER). The auditor sighted the Section 19 – Energy and Emissions Report for the 2021-2022 reporting year. The report was submitted to the Clean Energy Regulator on 29/10/2022	Conformant
GGAP6	Fund energy efficient programs in conjunction with Synergy, including the employment of a Greenhouse Program Officer.	R02_2021 CAR (Rev 0)	This item was deemed no longer relevant in the 2014-2015 Compliance Assessment Report and therefore the auditors have assessed it as Completed.	Completed
GGAP7	Undertake an annual review of state-of-the-art mitigation measures to identify advances in technology and potential operational improvements of plant performance that are relevant for open-cycle gas-turbines. Investigate the feasibility of implementing these technological improvements at the NewGen Power Station.	Management advice 30/11/2022 E10_Neerabup Product Service Bulletin - MASTER LIST E08_V942_PROGRAM E09_V942_Webinar_November2021_Registrations	The Facility Manager advised that Product and Service Bulletins are reviewed when received from Siemens or at a minimum annually to ensure that all corrections and operational specifications are up to date. Correction work orders are added to the list of outstanding maintenance activities compiled within the Neerabup Product and Service Bulletin – Master List. Correction work orders are typically conducted during scheduled maintenance outages.  As reported previously, the company is represented at gas turbine user group functions, which are specifically designed to address continual improvement (refer to GGAP3).  These current measures are undertaken throughout the year in an ongoing manner, rather than once a year.	Conformant



## **Appendix E Banker's Audit**

Shell Energy Power Generation  
Bankers Audit  
Neerabup Power Station

18 December 2022

63878

JBS&G Australia Pty Ltd T/A Strategen-JBS&G

## Table of Contents

1.	Introduction .....	3
1.1	Project background .....	3
1.2	Current status .....	3
2.	Audit methodology .....	5
2.1	Audit plan .....	5
2.1.1	Purpose and scope .....	5
2.1.1	Methodology .....	6
2.2	Audit terminology .....	6
3.	Audit results .....	7
3.1	Compliance with conditions .....	7
3.2	Compliance with Environmental License (License Number L8356/2009/2) .....	7
3.3	Compliance with Licence to Take Water (GWL164093(6)) .....	7

## List of Tables

Table 2.1:	Approvals issued to date .....	5
Table 2.2:	Action implementation status .....	6
Table 3.1:	Environmental License (License Number L8356/2009/2; amended 30 November 2021) audit table .....	8
Table 3.2:	Licence to Take Water (GWL164093(6)) Issued 5 July 2021 (applicable to both bores – Licence valid from 5 July 2021 to 4 July 2031) audit table .....	11

## 1. Introduction

This report addresses the status and compliance of environmental approvals granted for the Neerabup Gas-Fired Power Station. This report has been prepared for the purpose of meeting a requirement of the banker's conditions to submit an annual compliance report.

### 1.1 Project background

NewGen Neerabup Partnership (NewGen) is the Proponent for a proposal to construct and operate:

- a 330 megawatt open-cycle gas-turbine power station
- a 30 kilometre long gas pipeline and compressor station to transport natural gas from the Dampier to Bunbury Natural Gas Pipeline to the power station
- a 330 kilovolt electricity transmission line, approximately two kilometres long, to connect the power station to the Western Power Neerabup terminal substation.

The Minister for the Environment issued Ministerial Statement (MS) 759 on 21 January 2008, under Part IV of the *Environmental Protection Act 1986 (EP Act)*, enabling the proposal to be implemented. A number of subsequent environmental approvals have also been granted.

The power station is located at Neerabup, approximately 30 km north of Perth. The power station provides additional power into the South West Interconnected System (SWIS) during times of peak demand.

### 1.2 Current status

Construction of the power station, gas pipeline and transmission line were completed in 2009, and the power station officially opened on 3 December 2009. The power station has been supplying power into the South-West Interconnected System (SWIS; as requested by Synergy) since that time.

The 330-kilovolt electricity transmission line was handed over to Western Power on 11 March 2010 and was officially published in the WA Government Gazette on 19 March 2010.

The NewGen Neerabup Power Station (NewGen Neerabup Pty Ltd) was commissioned in October 2009 and is operated by Shell Energy ((Shell acquired ERM Power and all its subsidiaries in November 2019). NewGen remains the proponent of the Gas-Fired Power Station, transmission line and natural gas pipeline.

Typically, power station operations consist of infrequent very short run durations. During the reporting period a total of 334 starts were recorded between the two units (11 and 12), with a 7.59% total operating capacity factor for the reporting financial year.

In 2021 NewGen requested a change to the proposal under s.45C of the EP Act, to remove the 330-kilovolt electricity transmission line component from the proposal and update the current proposal address. The transmission line is no longer owned or operated by the proponent and its management and ownership has been transferred to Western Power. In June 2021, the EPA under delegation from the Minister for Environmental amended the proposal under Attached 2 of MS 759 replacing Schedule 1, Attachment 1 and Figures 1 and 2 of Ministerial Statement 759.

In September 2019, NewGen submitted an application under s.46 of the EP Act requesting the following changes to the implementation conditions of MS 759:

- removal of condition 5 – relating to performance review
- removal of condition 9 – relating to stack emissions
- modification of condition 11 – remove condition 11-1 (Preparation of Preliminary Decommissioning Plan)

- changes to Table 1: Summary of key proposal characteristics, referred to in condition 1 of MS 759 – remove elements relating to maximum output levels of the facility including nominal power output, thermal efficiency, operating times, annual levels of emissions and other elements.

In February 2020, the Minister for Environment requested that the EPA inquire into and report on the matter of changing the implementation conditions 5, 9 and 11 of MS 759 relating to the proposal as requested by NewGen. In September 2021, the EPA issued its report to the Minister for Environment recommending that conditions 5, 9 and 11-1 be removed from MS 759. The EPA concluded that the requested changes to Table 1 (Summary of key proposal characteristics) were not appropriate as these elements are not represented in other regulatory instruments. In November 2021 the Minister for Environment issued Ministerial Statement 1176 changing the implementation conditions under MS 759 as follows:

1. Conditions 5 and 9 of Ministerial Statement 759 are deleted.
2. Condition 11 of Ministerial Statement 759 is changed by removing condition 11-1 and amending 11-2, as follows:

#### **11 Decommissioning**

11-2 At least twelve (12) months prior to the anticipated date of closure, or at a time approved by the CEO, the proponent shall submit a Final Decommissioning Plan designed to ensure that the site is suitable for future land uses, for approval of the CEO.

The Final Decommissioning Plan shall set out procedures and measures for:

- (1) removal or, if appropriate, retention of plant and infrastructure agreed in consultation with relevant stakeholders;
  - (2) rehabilitation of all disturbed areas to a standard suitable for the agreed new land use(s); and
  - (3) identification of contaminated areas, including provision of evidence of notification and proposed management measures to relevant statutory authorities.
- 11-3 The proponent shall implement the Final Decommissioning Plan required by condition 11-2 until such time as the Minister for the Environment determines, on advice of the CEO, that the proponent's decommissioning responsibilities have been fulfilled.
- 11-4 The proponent shall make the Final Decommissioning Plan required by condition 11-2 publicly available in a manner approved by the CEO.

## 2. Audit methodology

### 2.1 Audit plan

#### 2.1.1 Purpose and scope

This document has been prepared for NewGen to fulfil the requirement of submitting a third-party annual compliance review. Specifically, the compliance review is required for the approvals that have been issued to date in relation to the NewGen Neerabup Power Station, including gas pipeline and transmission line (Table 2.1).

This audit report addresses the period from 1 July 2021 to 30 June 2022.

**Table 2.1: Approvals issued to date**

Relevant approval	Identification No.	Issue date
Implementation Statement that permits the implementation of the proposal pursuant to Part IV of the <i>Environmental Protection Act 1986</i> .	Statement 759.	21 January 2008.
	Statement 1176	25 November 2021
Works Approval pursuant to Part V of the <i>Environmental Protection Act 1986</i> .	W4/2008/1.	17 April 2008.
Environmental Licence for prescribed premise pursuant to Part V of the <i>Environmental Protection Act 1986</i> and Schedule 1 Category 52 of the <i>Environmental Protection Regulations 1987</i> .	L8356/2009/2	4 December 2009 (amended 27 March 2013, 5 August 2013, 23 October 2014 and 30 November 2021). Expires 2 December 2035
Licence to Construct or Alter Well pursuant to the <i>Rights in Water and Irrigation Act 1914</i> .	RF2083, CAW168369(1).	23 January 2009.
Licence to Take Water pursuant to the <i>Rights in Water and Irrigation Act 1914</i> (Water Licence).	RF2083, GWL164093(2). RF2083, GWL164093(6)	23 January 2009 (last re-issued 5 July 2021).
WAPC Development Approval for power station under the provisions of the Metropolitan Region Scheme.	30-50179-1.	23 April 2008.
WAPC Development Approval for gas pipeline and transmission line under the provisions of the Metropolitan Region Scheme.	30-50179-2.	27 October 2008.
City of Wanneroo Development Approval for power station under the provisions of the Wanneroo District Planning Scheme No. 2.	DA07/1107.	17 March 2008.
City of Wanneroo Development Approval for gas pipeline and transmission line under the provisions of the Wanneroo District Planning Scheme No. 2.	DA08/0667.	4 September 2008.
Notice of Amendment for Environmental Licence for prescribed premise pursuant to Part V of the <i>Environmental Protection Act 1986</i> and Schedule 1 Category 52 of the <i>Environmental Protection Regulations 1987</i> .	L8356/2009/2	29 April 2016
Notice of Amendment for Environmental Licence for prescribed premise pursuant to Part V of the <i>Environmental Protection Act 1986</i> and Schedule 1 Category 52 of the <i>Environmental Protection Regulations 1987</i> .	L8356/2009/2	30 November 2021

Notes:

- Compliance with MS 759 is assessed in the annual Compliance Assessment Report (Strategen 2022- to which this report is appended)
- Works Approval was not audited as the conditions contained in the Works Approval were all completed during the Banker's Audit prepared in 2010
- Licence to Construct or Alter Well (CAW 168369(1)) expired in July 2009 and did not form part of this audit
- WAPC Development Approval for the power station has no relevant conditions and was not part of this audit
- WAPC Development Approval (Gas Pipeline and Transmission Line) is no longer relevant and did not form part of this audit
- City of Wanneroo Development Approval (Gas Pipeline and Transmission) is no longer relevant since the construction phase is complete, and did not form part of this audit.
- In June 2021, the EPA under delegation from the Minister for Environment amended MS 759 under s.45C of the EP Act.
- In November 2021, the Minister for Environment issued Ministerial Statement 1176 changing the implementation conditions under MS 759.

### 1.1.1 Methodology

The site component of the audit was undertaken by Andrea Wills and Andrew Winzer (Strategen JBS&G) on 30 November 2022 addressing the period from 1 July 2020 to 30 June 2021. The audit included interviews with the Neerabup Power Station Manager, Bruno Lanciano, and review of key documents supplied by Shell Energy.

### 2.2 Audit terminology

The 'Status' field of the audit tables (refer to Table 3.1; Table 3.2) describes the implementation of actions and compliance with the Statement. The Department of Water and Environmental Regulation (DWER) (previously called OEPA) prepared guidance related to the preparation of compliance audits, including generic expressions that are used to identify the status of each action. The auditor applied the terminology in Table 2.2 to complete the status field of the audit tables.

**Table 2.2: Action implementation status**

Status	Description
Compliant/conformant.	Implementation of the proposal has been carried out in accordance with requirements of the audit element.
Completed.	A requirement with a finite period of application has been satisfactorily completed.
Not required at this stage.	The requirements of the audit element were not triggered during the reporting period.
Potentially non-compliant/Potentially non-conformant.	Possible or likely failure to meet the requirements of the audit element.
In process.	Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending.
Not audited.	Unable to be audited.

Source: adapted from OEPA (2012a, 2012b, 2012c and 2012d) – note that the 'Not audited' status has been added for items that were unable to be audited.

### **3. Audit results**

#### **3.1 Compliance with conditions**

Full results of the assessment of compliance associated with this Banker's Audit are provided in the following audit tables, specifically:

- Environmental licence (L8356/2009/2) (refer to Table 3.1)
- Water Licence (GWL164093(6)) (refer to Table 3.2).

#### **3.2 Compliance with Environmental License (License Number L8356/2009/2)**

The audit addressed 16 conditions and determined that Neerabup Power Station was compliant with all conditions.

#### **3.3 Compliance with Licence to Take Water (GWL164093(6))**

The audit addressed 12 Conditions and determined that Neerabup Power Station was compliant with all relevant conditions, with:

- Seven conditions assessed as compliant/conformant (during this audit period)
- Five conditions assessed as not required or not audited (during this audit period)



**Table 3.1: Environmental License (License Number L8356/2009/2; amended 30 November 2021) audit table**

I.D Code	Requirement	Evidence	Comments	Status																				
L8356-2009-2: 01	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.	Site inspection 30/11/2022	Site infrastructure and equipment was as per Table 1: <ul style="list-style-type: none"><li>Unit 1 and 12 were in place each operated with a low NOx burner</li><li>Two HDPE lined settling ponds</li><li>Wastewater is directed towards the lined oily water separator</li><li>All reject water from the demineralised water plant is directed to the lined settling ponds.</li></ul>	Compliant																				
	<table><tr><th>Site infrastructure and equipment</th><th>Operational requirement</th><th>Infrastructure location</th></tr><tr><td>2 x 165 MWe open cycle gas turbines</td><td>Each turbine must be operated with a low NOx burner</td><td>Unit 11 and Unit 12 Schedule 1 map</td></tr><tr><td>2 x lined settling ponds</td><td>Each pond must be lined with a HDPE geomembrane liner with a manufacturer specified thickness of at least 2 mm</td><td>Settling ponds in Schedule 1 map</td></tr><tr><td>Oily water separator</td><td>Wastewater must be directed to the lined settling ponds</td><td>Oily water separator Schedule 1 map</td></tr><tr><td>Demineralised water plant</td><td>All reject water must be directed to the lined settling ponds</td><td>Demineralised water plant Schedule 1 map</td></tr></table>				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	Unit 11 and Unit 12 Schedule 1 map	2 x lined settling ponds	Each pond must be lined with a HDPE geomembrane liner with a manufacturer specified thickness of at least 2 mm	Settling ponds in Schedule 1 map	Oily water separator	Wastewater must be directed to the lined settling ponds	Oily water separator Schedule 1 map	Demineralised water plant	All reject water must be directed to the lined settling ponds	Demineralised water plant Schedule 1 map					
	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	Unit 11 and Unit 12 Schedule 1 map																		
	2 x lined settling ponds				Each pond must be lined with a HDPE geomembrane liner with a manufacturer specified thickness of at least 2 mm	Settling ponds in Schedule 1 map																		
Oily water separator	Wastewater must be directed to the lined settling ponds	Oily water separator Schedule 1 map																						
Demineralised water plant	All reject water must be directed to the lined settling ponds	Demineralised water plant Schedule 1 map																						
L8356-2009-2: 02	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.	Site inspection 30/11/2022	Emissions of NOx, CO and SO2 are from discharge points A1 and A2 only.	Compliant																				
	<table><tr><th>Emission</th><th>Discharge point</th><th>Discharge point location</th></tr><tr><td rowspan="2">NOx, particulates, CO and SO<sub>2</sub></td><td>Stack for open cycle Gas Turbine Unit 11</td><td>A1 in Figure 1 Schedule 1 maps</td></tr><tr><td>Stack for open cycle Gas Turbine Unit 12</td><td>A2 in Figure 1 Schedule 1 maps</td></tr></table>				Emission	Discharge point	Discharge point location	NOx, particulates, CO and SO <sub>2</sub>	Stack for open cycle Gas Turbine Unit 11	A1 in Figure 1 Schedule 1 maps	Stack for open cycle Gas Turbine Unit 12	A2 in Figure 1 Schedule 1 maps												
	Emission				Discharge point	Discharge point location																		
NOx, particulates, CO and SO <sub>2</sub>	Stack for open cycle Gas Turbine Unit 11	A1 in Figure 1 Schedule 1 maps																						
	Stack for open cycle Gas Turbine Unit 12	A2 in Figure 1 Schedule 1 maps																						
L8356-2009-2: 03	The licence holder must undertake the monitoring in Table 3 according to the specifications in that table.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	Ektimo Report Number R011737 testing 21/10/2021 (there has been 923 hours (<2000 hours) of operation since then) reports that: NOx is 38 mg/m3 (A1) and 37 mg/m3 (A2) CO is <6 mg/m3 (A1) and <3 mg/m3 (A2) Volumetric Flow is 1200m3/s and velocity 39m/s (A1) / 38m/s (A2)	Compliant																				
	<table><tr><th>Discharge point reference</th><th>Parameter</th><th>Units<sup>1, 3</sup></th><th>Frequency<sup>2</sup></th><th>Method<sup>4</sup></th></tr><tr><td rowspan="3">A1, A2</td><td>NOx</td><td>mg/m<sup>3</sup> g/s</td><td rowspan="3">Within 9 months of every 2000 hours of operation</td><td>USEPA Method 7E</td></tr><tr><td>CO</td><td>mg/m<sup>3</sup> g/s</td><td>USEPA Method 10</td></tr><tr><td>Volumetric flow rate and velocity</td><td>m/s</td><td>USEPA Method 2</td></tr></table>				Discharge point reference	Parameter	Units <sup>1, 3</sup>	Frequency <sup>2</sup>	Method <sup>4</sup>	A1, A2	NOx	mg/m <sup>3</sup> g/s	Within 9 months of every 2000 hours of operation	USEPA Method 7E	CO	mg/m <sup>3</sup> g/s	USEPA Method 10	Volumetric flow rate and velocity	m/s	USEPA Method 2				
	Discharge point reference				Parameter	Units <sup>1, 3</sup>	Frequency <sup>2</sup>	Method <sup>4</sup>																
	A1, A2				NOx	mg/m <sup>3</sup> g/s	Within 9 months of every 2000 hours of operation	USEPA Method 7E																
CO		mg/m <sup>3</sup> g/s	USEPA Method 10																					
Volumetric flow rate and velocity		m/s	USEPA Method 2																					
L8356-2009-2: 04	The licence holder must ensure that all non-continuous sampling and analysis undertaken pursuant to condition 3 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	Ektimo Pty Ltd are NATA accredited (NATA accreditation No. 14601) for the sampling and analysis undertaken as part of the stack emissions monitoring program.	Compliant																				
L8356-2009-2: 05	The licence holder must record production or throughput data and any other process parameters relevant to any non-continuous monitoring undertaken.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	Appendix 1 of the DWER Annual Environmental Report shows the results from records of production data.	Compliant																				
L8356-2009-2: 06	The licence holder must conduct a groundwater monitoring program in accordance with the requirements specified in Table 4 and record the results of all monitoring activity conducted under that program.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	Groundwater was sampled and analysed in September 2021 in accordance with Table 4. There are no targets for ambient groundwater quality specified in the licence. The 2021 Groundwater Monitoring Report prepared following the September 2021 round of monitoring made the following conclusions: <ul style="list-style-type: none"><li>Water quality results from the September 2021 round of monitoring are generally consistent with long-term historical groundwater data for the site.</li><li>Concentrations of TRH were observed above the LOR in the September 2021 monitoring round. Silica gel clean-up was undertaken on the sample locations that recorded hydrocarbon detections and returned result less than LORs. This is consistent with the results of the November 2019 round of monitoring and indicates that the original detections were a result of natural organic source, as opposed to anthropogenic hydrocarbon sources.</li><li>Concentrations of TP were not observed above the FWG criterion in any sample locations, baring MW5, in the September monitoring round and indicate a return to historical trends, after elevated concentrations of TP were reported during the October 2020 groundwater monitoring event.</li><li>Concentrations of TN exceeding the adopted FWG criteria are likely to be the result of neighboring land uses, including an active market garden and a chicken farm, rather than as a result of Power Station operations.</li><li>The occurrence of the elevated nutrient concentrations in groundwater at the site, are unlikely to result in significant impacts to any potential down-gradient ecological receptors, such as Lake Pinjar.</li></ul>	Compliant																				
	<table><tr><th>Monitoring point reference</th><th>Parameter</th><th>Units</th><th>Averaging period</th><th>Frequency</th></tr><tr><td rowspan="6">Refer to Figure 2 in Schedule 1 maps GW1, GW2, GW3, GW4, GW5, GW6, GW7</td><td>pH</td><td>-</td><td rowspan="6">Spot sample</td><td rowspan="6">Annually</td></tr><tr><td>Electrical conductivity</td><td>µS/cm</td></tr><tr><td>Total dissolved solids</td><td>mg/L</td></tr><tr><td>Total nitrogen</td><td></td></tr><tr><td>Total phosphorus</td><td></td></tr><tr><td>Total recoverable hydrocarbons</td><td></td></tr></table>				Monitoring point reference	Parameter	Units	Averaging period	Frequency	Refer to Figure 2 in Schedule 1 maps GW1, GW2, GW3, GW4, GW5, GW6, GW7	pH	-	Spot sample	Annually	Electrical conductivity	µS/cm	Total dissolved solids	mg/L	Total nitrogen		Total phosphorus		Total recoverable hydrocarbons	
	Monitoring point reference				Parameter	Units	Averaging period	Frequency																
	Refer to Figure 2 in Schedule 1 maps GW1, GW2, GW3, GW4, GW5, GW6, GW7				pH	-	Spot sample	Annually																
					Electrical conductivity	µS/cm																		
					Total dissolved solids	mg/L																		
Total nitrogen																								
Total phosphorus																								
Total recoverable hydrocarbons																								

I.D Code	Requirement	Evidence	Comments	Status										
			<ul style="list-style-type: none"><li>It is unlikely that the Power Station operations have had a significant impact on the quality of groundwater beneath the site</li></ul>											
L8356-2009-2: 07	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.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	The Annual Groundwater monitoring was undertaken in September 2021 Groundwater samples were collected by 360 Environmental as per: <ul style="list-style-type: none"><li>AS/NZS 5667.1:1998 Water Quality Sampling. Part I – Guidance on the Design of Sampling Programs, Sampling Techniques and the Preservation and Handling of Samples</li><li>AS/NZS 5667.11:1998 Water Quality Sampling. Part II – Guidance on Sampling of Groundwater.</li></ul> Samples were analysed by Eurofins ARL laboratories (NATA Accredited).	Compliant										
L8356-2009-2: 08	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.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	Annual groundwater sampling was completed on the 23 September 2021, greater than 9 months since the previous groundwater sampling that was completed on 27 October 2020.  Annual air emissions stack testing monitoring was conducted on the 12 October 2021 (Unit 12) and 21 October 2021 (Unit 11) which is greater than 9 months since the previous monitoring that was completed on the 27 and 29 of October 2020.	Compliant										
L8356-2009-2: 09	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.	Management Advice 30/11/2022  R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	Monitoring equipment used on the Premises complies with the conditions of the licence and is calibrated in accordance with manufacturer’s specifications.	Compliant										
L8356-2009-2: 10	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	Management Advice 30/11/2022	Calibration requirements can be met.	Compliant										
L8356-2009-2: 11	The licence holder must monitor and record parameters specified in Table 5 according to the specifications in that table. The recorded data must be reported in cumulative monthly totals. <table><tr><th>Parameter</th><th>Units</th><th>Frequency</th></tr><tr><td>Run time</td><td>Hours</td><td rowspan="3">Monthly</td></tr><tr><td>Total electrical energy generated</td><td>MWh</td></tr><tr><td>Operating capacity</td><td>%</td></tr></table>	Parameter	Units	Frequency	Run time	Hours	Monthly	Total electrical energy generated	MWh	Operating capacity	%	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	Appendix 1 of the NewGen DWER AER contains the monthly totals of the data required in Table 5.	Compliant
Parameter	Units	Frequency												
Run time	Hours	Monthly												
Total electrical energy generated	MWh													
Operating capacity	%													
L8356-2009-2: 12	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.	Management Advice 30/11/2022  E02_NPS-REG-EXT-COMP External Complaints Register_29Aug2022  E15_NPS-OPS-EXT-COMP External Complaints Procedure	The complaints register recorded no complaints for the recording period. The external complaints procedure requires the recording of the details marked.	Compliant										
L8356-2009-2: 13	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.	R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report  C01_email_DWER Annual Environmental Monitoring report & AACR submission - 2021_2022	An Annual Audit Compliance Report (AACR) was prepared in the form specified in Schedule 2 of the licence. This AACR addresses compliance with L8356/2009/2 during the reporting period 1 July 2021 to 30 June 2022 and was signed 27/07/2022 and sent to the DWER on 2 August 2022.	Compliant										
L8356-2009-2: 14	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 3, 6 and 11; and (d) complaints received under condition 12.	Management advice 30/11/2022  Records Inspection 30/11/2022  E16_2021-22 Neerabup Emissions Fee Calc	The licence holder made available records to verify all aspects of the licence including calculation of emissions for purposes of licence fees, maintenance, monitoring programmes and complaints.	Compliant										
L8356-2009-2: 15	The books specified under condition 14 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.	Management advice 30/11/2022	Records that are required by this licence (including original and subsequent amendments) are stored on the local server that is replicated in the Brisbane head office and backed up on duplicate servers.	Compliant										
L8356-2009-2: 16	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 6, and which provides information in accordance with the corresponding requirement set out in Table 6.	Management advice 30/11/2022  R08_2021-2022 NewGen Neerabup DWER AMR-AER-AACR Report	An annual monitoring report addressing the reporting period 1 July 2021 to 30 June 2022 was prepared in accordance with the amended licence conditions issued on 30 November 2021. The report contained the information listed in Table6 in the format specified in that table.  The report was submitted to DWER on 2 August 2022.	Compliant										

I.D Code	Requirement		Evidence	Comments	Status
	Condition	Requirement	C01_email_DWER Annual Environmental Monitoring report & AACR submission - 2021_2022		
	Condition 3 (Table 3)	Stack monitoring results (if applicable).			
	Condition 11 (Table 5)	Load monitoring parameters			
	Condition 6 (Table 4)	Groundwater monitoring results			
	Condition 12	Complaints summary			
	Condition 13	Compliance			

**Table 3.2: Licence to Take Water (GWL164093(6)) Issued 5 July 2021 (applicable to both bores – Licence valid from 5 July 2021 to 4 July 2031) audit table**

#	Associated conditions (Licence to take Water)	Evidence	Comments	Status
GWL01	That should the licensee's draw adversely affect the aquifer or other users in the area, the Department of Water may reduce the amount that may be drawn.	N/A.	This item has been taken as a note.	Not audited.
GWL02	Approval by the Department of Water is to be obtained prior to the construction of additional and replacement wells and the modification or refurbishment of existing wells.	Shell Energy Management advice 30/11/2022	No additional wells required. None of the existing wells were modified or refurbished.	N/A
GWL03	The licensee must install a cumulative water meter of a type approved under the Rights in Water and Irrigation (Approved Meters) Order 2009 to each water draw point under this licence.	Management advice 30/11/2022 R02_2021 CAR (Rev 0)  E11_Flow Meter Calibration Cert Bore 1-24062021  E12_Flow Meter Calibration Cert Bore 2-24062021	As reported last year, the water meter has been installed in accordance with the requirements of the Rights in Water and Irrigation (Approved Meters) Order 2009.  The Facility Manager advised that a five-yearly interval for calibration has been deemed to be appropriate. This was determined in communication with the manufacturer and the Department of Water.  Bore 1 and Bore 2 were last calibrated on 2 and 24 June 2021 respectively. Both bores are next due for calibration in June 2026. This maintenance will be tracked through the work order system. Calibration certificates state that the water meters are acceptable in accordance with relevant Australian Standards.	Compliant
GWL04	The meter(s) must be installed in accordance with the provisions of the document entitled 'Guidelines for Water Meter Installation 2009' before any water is taken under this licence.	Refer to GWL03	Refer to GWL03	Compliant
GWL05	The annual water year for water taken under this licence is defined as 12:00pm at 30 June to 12:00pm at 30 June twelve months later.	N/A	This item has been taken as a note.	Not audited.
GWL06	The licensee must not, in any water year, take more water than the annual water entitlement specified in this licence.	E13_29112022 - Power Station Site - Bore 1 - Water Online  E14_29112022 - Power Station Site - Bore 2 - Water Online	The licence entitlement is 100,000 kL per year and includes two bores established on the site: Bore 1-meter serial No. 08HC05315 - total water use of 20,271 kL during the audit period. Bore 2-meter serial No. 08HC05638 – total water use is 2,335 kL during the audit period.  Total water use for 2021/2022 year was 22,606 kL which is within the permitted volume for the licence (GWL 164093).	Compliant
GWL07	The licensee must take and record the reading from each meter required under this licence at the beginning and another at the end of the water year defined on this licence.	E13_29112022 - Power Station Site - Bore 1 - Water Online  E14_29112022 - Power Station Site - Bore 2 - Water Online	Water bore records were undertaken monthly, including at the beginning and the end of the water year for each meter.	Compliant
GWL08	In addition to taking and recording the reading(s) at the beginning and the end of the water year, the licensee must, as close as practicable to the end of each month (other than the month in which the water year ends), take and record the reading from each meter required under this licence.	E13_29112022 - Power Station Site - Bore 1 - Water Online  E14_29112022 - Power Station Site - Bore 2 - Water Online	All water bore readings were recorded as close as practicable to the end of each month during the reporting period.	Compliant
GWL09	All meter readings must be recorded on the 'Meter Water Use Card'.	E13_29112022 - Power Station Site - Bore 1 - Water Online  E14_29112022 - Power Station Site - Bore 2 - Water Online	The water use was uploaded each month to DWER's 'WaterOnline'	Compliant
GWL10	The completed Water Meter Use Card must be returned to the Department of Water by 7 July each year.	E13_29112022 - Power Station Site - Bore 1 - Water Online  E14_29112022 - Power Station Site - Bore 2 - Water Online	Refer to GWL09	Compliant
GWL11	The licensee must notify the Department of Water in writing of any water meter malfunction within seven days of the malfunction being noticed.	Management advice 30/11/2022	The operator advised that there were no malfunctions during the audit period.	N/A
GWL12	The licensee must obtain authorisation from the Department of Water before removing, replacing or interfering with any meter required under this licence.	Management advice 30/11/2022	No replacement or interfering of meters was undertaken during the audit period.	N/A


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