



Neerabup Gas-fired Power Station

Shell Energy Power Generation

Ministerial Statement 759

Compliance Assessment Report (2022-23)

JBS&G Australia Pty Ltd | 66169 | (Rev 1)

9 January 2024





We acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea and community.

We pay respect to Elders past and present and in the spirit of reconciliation, we commit to working together for our shared future.

Caring for Country The Journey of JBS&G
Artist: Patrick Caruso, Eastern Arrernte

Table of Contents

1.	Introduction	3
1.1	Project Background	3
2.	Current Status	3
3.	Audit Methodology	5
3.1	Audit Plan	5
3.1.1	Purpose & Scope.....	5
3.1.2	Methodology	6
3.2	Terminology	6
4.	Audit Results	7
4.1	Compliance with conditions.....	7
4.1.1	Compliance with conditions of MS 759	7
4.1.2	Compliance with conditions of Schedule 1 of MS 759	7
4.1.3	Compliance with conditions of the Greenhouse Gas Abatement Programme	7
4.1.4	Bankers Audit.....	7
5.	Environmental monitoring	8
6.	Stakeholder consultation	8
7.	Limitations	9
8.	References	10

List of Tables

Table 3.2:	Action implementation status	6
Table B.1:	MS 759 Audit Table	1
Table C.1:	Schedule 1 of MS 759 Audit Table.....	1
Table D.1:	Greenhouse Gas Abatement Programme Audit Table.....	4

Appendices

Appendix A	Statement of Compliance
Appendix B	MS 759 Compliance Assessment
Appendix C	Schedule 1 of MS 759 Compliance Assessment
Appendix D	Greenhouse Gas Abatement Programme Compliance Assessment
Appendix E	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 414 starts were recorded between the two units (11 and 12), with a 11.23% 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.

3. Audit Methodology

3.1 Audit Plan

3.1.1 Purpose & 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.

In addition, a third-party annual compliance review is required to address Banker's conditions. The Banker's audit, presented in Appendix E, 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 2022 to 30 June 2023.

3.1.2 Methodology

The site component of the audit was undertaken by Andrea Wills on 12 December 2023. The audit included discussion and review of key documents with Bruno Lanciano, Neerabup Power Station Manager, Shell Energy.

3.2 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 3.2 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.

4.1.1 Compliance with conditions of MS 759

The audit addressed 32 conditions; Neerabup Power Station was found to be compliant with all conditions of 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).

4.1.2 Compliance with conditions of Schedule 1 of MS 759

The audit addressed 32 conditions; Neerabup Power Station was found to be fully compliant with Schedule 1 of 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)

4.1.3 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

4.1.4 Bankers Audit

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

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.

Compliance with Licence to Take Water (GWL164093(56))

The audit addressed 11 Conditions and determined that Neerabup Power Station was compliant with all relevant conditions, with:

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

5. Environmental monitoring

Monitoring undertaken in the reporting period included groundwater monitoring in accordance with the operating licence and the abstraction licence administered by DWER.

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 2022 to 30 June 2023.

7. Limitations

Scope of Services

This report ('the report') has been prepared by JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and 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, 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, 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. JBS&G has also not attempted to determine whether any material matter has been omitted from the data. 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 JBS&G. The making of any assumption does not imply that 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. 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 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.

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 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
Statement Number	759 & 1176
Proponent Name	<i>Enter the proponent name as it appears on the Ministerial Statement.</i>
Proponent's Australian Company Number <i>(where relevant)</i>	NewGen Neerabup Pty Ltd Australian Company Number 126 965 722

2. Statement of Compliance Details

Reporting Period	1/07/22 to 30/06/23
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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"> • in the reporting period addressed in this Statement of Compliance; and • as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance. (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: 9/01/2024.....

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

7. Post Assessment Guidelines and Forms

Post assessment documents can be found at 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

Compliance Status Terms	Abbrev	Definition	Notes
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"> ongoing requirements that have been met during the reporting period; and 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'.
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"> audit elements have a finite period of application (e.g. construction activities, development of a document); the action has been satisfactorily completed; and the DWER has provided written acceptance of 'completed' status for the audit element.
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.	The term 'In Process' may not be used for any purpose other than that stated in the Definition Column. 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).

Appendix B MS 759 Compliance Assessment

Table B.1: MS 759 Audit Table

Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
759:M1.1 Proposal Implementation	<p><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.</p> <p><u>Objective</u> To avoid unforeseen or unassessed impacts.</p>	Overall.		<p>Refer to Appendix C.</p> <p>Refer to 759:M10.1.</p>	<p>Refer to Appendix C of this audit report which outlines compliance with Schedule 1.</p> <p>Refer to 759:M10.1 which addresses compliance with Schedule 2, which is considered completed.</p>	Compliant
759:M2.1 Proponent Nomination and Contact Details	<p><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.</p> <p><u>Objective</u> To ensure legal responsibility rests with the nominated proponent.</p>	Overall.		Management Advice 12/12/2023	NewGen Neerabup Partnership is still the proponent for the proposal.	Compliant
759:M2.2 Proponent Nomination and Contact Details	<p><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.</p> <p><u>How</u> Written notification.</p> <p><u>Objective</u> To enable the DEC to maintain contact with the proponent.</p>	Overall.	Within 30 days of change of contact details.	Management Advice 12/12/2023	The auditor was advised that the contact name and address did not change during the audit period.	Compliant
759:M3.1 Time Limit of Authorisation	<p><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.</p> <p><u>How</u> Commence substantial construction.</p> <p><u>Objective</u> To define the period for which the authorisation to implement is valid.</p>	Overall.	Prior to 21 January 2013.	R02_2021_22 CAR (Rev 0)	This item was assessed as Completed in the 2019 CAR.	Compliant (Complete)
759:M3.2 Time Limit of Authorisation	<p><u>Action</u> Provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the 21 January 2013.</p> <p><u>How</u> Written evidence.</p> <p><u>Objectives</u> To ensure the CEO is notified that the project has substantially commenced.</p>	Overall.	Prior to 21 January 2013.	R02_2021_22 CAR (Rev 0)	This item was assessed as Completed in the 2019 CAR.	Compliant (Complete)

Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
759:M4.1 Compliance reporting	<p><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.</p> <p><u>How</u> Written evidence addressing each element of the audit table.</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>	Overall.	Annually unless required by the CEO to report more frequently.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	The 2022 Compliance Assessment Report (CAR) (R02) addressed the audit period from 1 July 2021 to 30 June 2022 and was submitted by Shell Energy to DWER.	Compliant
759:M4.2 Compliance Reporting	<p><u>Action</u> Prepare and submit an Audit Program in a format acceptable to the CEO.</p>	Design.		R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2019 CAR.	Compliant (Complete)
759:M4.3 Compliance reporting	<p><u>Action</u> Submit compliance reports to CEO.</p> <p><u>How</u> Environmental compliance reports shall:</p> <ol style="list-style-type: none"> 1. 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. 2. State whether the proponent has complied with each condition and procedure contained in Statement 759. 3. Provide verifiable evidence of compliance with each condition and procedure contained in Statement 759. 4. State whether the proponent has complied with each key action contained in any environmental management plan or program required by Statement 759. 5. Provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by Statement 759. 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. <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>	Overall.	Annually, unless required by the CEO to report more frequently.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0 R01_2023 CAR (Rev 0)	<p>The 2022 Compliance Assessment Report (CAR) (R02) addressed the audit period from 1 July 2021 to 30 June 2022 and was submitted by Shell Energy to DWER.</p> <p>The CAR:</p> <ol style="list-style-type: none"> 1. The CAR is endorsed by signature of a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's CEO in Appendix A. 2. States that the proponent has complied with each condition and procedure contained in Statement 759 in Appendix A. 3. Provides verifiable evidence of compliance with each condition and procedure contained in Statement 759 in Appendix B. 4. State whether the proponent has complied with each key action contained in any environmental management plan or program required by Statement 759 in Appendix D. 5. Provides verifiable evidence of conformance with each key action contained in the GGAP (environmental management plan or program required by Statement 759) in Appendix D. Actions in the RMP have been deemed completed. 6. Identifies that there were no non-compliances or non-conformances in Section 4. 7. Describes the state of implementation of the proposal in Section 2. 	Compliant
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"> 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. <p><u>Objective</u> To ensure that the public is kept informed.</p>	Overall.		R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0 https://shellenergy.com.au/wp-content/uploads/2023/02/63878-Neerabup-Power-Station-MS759-CAR-Rev-0.pdf (accessed 27/11/2023) W01_Screenshot 2023-11-27	The 2022 Compliance Assessment Report is available on the Shell Energy website at https://shellenergy.com.au/regulatory/	Compliant

Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
759:M5 Performance Review	Under Ministerial Statement 1176, Condition 5 has been deleted					
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.	R02_63878-Neerabup-Power-Station-MS759-2022 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.		R02_63878-Neerabup-Power-Station-MS759-2022 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.	R02_63878-Neerabup-Power-Station-MS759-2022 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"> 1. Weed management protocols. 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. <p><u>Objective</u> To ensure rehabilitation meets EPA requirements.</p>	Design.	Prior to ground-disturbing activities.	R02_63878-Neerabup-Power-Station-MS759-2022 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:M7.2 Rehabilitation – management period	<p><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).</p> <p><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.</p> <p><u>Objective</u> To ensure rehabilitation meets EPA requirements.</p>	Overall.		R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M7.3 Rehabilitation Management Plan – review and revision	<p><u>Action</u> As required, review and revise the Rehabilitation Management Plan in consultation with DEC.</p> <p><u>How</u> With reference to EPA Guidance Statement No. 6 – Rehabilitation of Terrestrial Ecosystems.</p> <p><u>Objective</u> To ensure rehabilitation meets DEC and EPA requirements.</p>	Overall.		R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M7.4 Rehabilitation Management Plan – implementation	<p><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.</p> <p><u>Objective</u> To ensure rehabilitation planning and activities are implemented.</p>	Overall.		R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M7.5 Rehabilitation Management Plan – public availability	<p><u>Action</u> The Rehabilitation Management Plan and subsequent revisions shall be made publicly available in a manner approved by the CEO.</p> <p><u>How</u> Carry out the following (according to the recently approved Audit Program):</p> <ol style="list-style-type: none"> 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. <p><u>Objective</u> To ensure the public is kept informed.</p>	Overall.	After approval of the Plan by Minister for Environment.	R02_63878-Neerabup-Power-Station-MS759-2022 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:M8.1:1 Fauna – trench clearing	<p><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.)</p> <p><u>How</u> Employ a suitably trained fauna management person.</p> <p><u>Objective</u> To minimise death or injury to fauna trapped in the open trenches.</p>	Construction.	No later than three hours after sunrise and again before sunset.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M8.1:2 Fauna – trench clearing	<p><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.</p> <p><u>How</u> Implement Fauna Management Plan/Protocol.</p> <p><u>Objective</u> To minimise death or injury to fauna trapped in open trenches.</p>	Construction.	No more than one hour before backfilling of trenches.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M8.2 Fauna	<p><u>Action</u> The fauna-clearing person shall be experienced to the requirements of the DEC.</p> <p><u>How</u> The fauna-clearing person will be experienced to the requirements of the DEC in:</p> <ol style="list-style-type: none"> 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. <p><u>Objective</u> To ensure fauna handling and assessment is of a high standard.</p>	Construction.	Prior to trench construction and fauna handling.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M8:3 Fauna	<p><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.</p> <p><u>How</u> Fauna handling training course delivered to inexperienced staff.</p> <p><u>Objective</u> To ensure fauna handling and assessment is of a high standard.</p>	Design.	Prior to trench construction and fauna handling by inexperienced persons.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M8.4 Fauna	<p><u>Action</u> Fauna handling training as outlined in M8.3 shall be developed in consultation with the DEC.</p> <p><u>How</u> In consultation with DEC.</p> <p><u>Objective</u> To ensure best practice fauna handling and assessment.</p>	Design.	Prior to fauna handling by inexperienced persons.	R02_63878-Neerabup-Power-Station-MS759-2022 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:M8.5 Fauna	<p><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.</p> <p><u>Objective</u> To minimise death or injury to fauna trapped in the open trenches.</p>	Construction.	In areas where there are open trenches.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759:M8.6 Fauna	<p><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.</p> <p><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.</p> <p><u>Objective</u> To minimise harm to fauna trapped in open trenches.</p>	Construction.	In areas where there are open trenches.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M8.7:1 Fauna	<p><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.</p> <p><u>How</u> The Fauna Management Report shall include:</p> <ol style="list-style-type: none"> 1. Details of all fauna inspections. 2. The number of fauna cleared from trenches. 3. Fauna interactions. 4. Fauna mortalities. 5. All actions taken. <p><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.</p>	Post-construction.	Provided to CEO no later than 14 days after the completion of gas pipeline construction.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M8.7:2 Fauna	<p><u>Action</u> Report on fauna management to be made publicly available in a manner approved by the CEO.</p> <p><u>How</u> Carry out the following (according to the recently approved Audit Program):</p> <ol style="list-style-type: none"> 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. <p><u>Objective</u> To ensure the public is informed of project impacts on fauna.</p>	Post-construction.	No later than 14 days after the completion of gas pipeline construction.	R02_63878-Neerabup-Power-Station-MS759-2022 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 M9 Stack Emissions	Under Ministerial Statement 1176, Condition 9 has been deleted					
759 M10.1 Greenhouse Gas Abatement	<p><u>Action</u> Prior to commencement of ground disturbing activities, prepare and submit a Greenhouse Gas Abatement Programme for approval by CEO.</p> <p><u>How</u> The Greenhouse Gas Abatement Programme shall set out measures and processes to:</p> <ol style="list-style-type: none"> 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. <p><u>Objective</u> To manage greenhouse gas emissions to achieve ongoing reductions and minimise project emissions.</p> <p><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.</p>	Design.	Prior to commencement of ground disturbing activities.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (Complete)
759 M10.2 Greenhouse Gas Abatement	<p><u>Action</u> Implement the Greenhouse Gas Abatement Programme unless modifications are approved by the CEO.</p> <p><u>Objective</u> To manage greenhouse gas emissions to achieve ongoing reductions and minimise project emissions.</p>	Overall.	Prior to commencement of ground disturbing activities.	Refer to Appendix D	<p>The GGAP is being implemented (see Appendix D). No modifications have been made to the plan during the audit period.</p> <p>Of the seven key actions, two were completed, and five were conformant.</p>	Compliant
759 M10.3 Greenhouse Gas Abatement	<p><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.</p> <p><u>How</u> Carry out the following (according to the recently approved Audit Program):</p> <ol style="list-style-type: none"> 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. <p><u>Objective</u> To ensure the public is kept informed.</p>	Design.	Prior to commencement of ground disturbing activities.	<p>R04_Neerabup-Greenhouse-Gas-Abatement-Programme</p> <p>https://shellenergy.com.au/wp-content/uploads/2021/01/Neerabup-Greenhouse-Gas-Abatement-Programme.pdf (accessed 27/11/2023)</p> <p>W01_Screenshot 2023-11-27</p>	The GGAP is made publicly available on the Shell Energy website at https://shellenergy.com.au/regulatory/ 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
759 M11.1 Decommissioning	Under Ministerial Statement 1176, Condition 11.1 has been deleted					

Audit code Subject	Action How Objective Criteria	Phase	When/Where	Evidence	Comments	Status
759:M11.2 Decommissioning	<p><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.</p> <p><u>How</u> The Final Decommissioning Plan shall set out procedures and measures for:</p> <ol style="list-style-type: none"> 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. <p><u>Objective</u> To ensure that the site is left in an environmentally acceptable condition suitable for future land uses.</p>	Operation and Closure.	At least 6 months prior to anticipated closure.	Management advice 12/12/2023.	The project life is approximately 30 years, with closure anticipated to occur in 2039.	Not required at this stage
759:M11.3 Decommissioning	<p><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.</p> <p><u>Objective</u> To ensure that the Final Decommissioning Plan is implemented.</p>	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 Decommissioning	<p><u>Action</u> The Final Decommissioning Plan 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"> 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. <p><u>Objective</u> To ensure the public is kept informed.</p>	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 Schedule 1 of MS 759 Compliance Assessment

Table C.2: 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 12/12/2023. Site inspection 12/12/2023. R02_63878-Neerabup-Power-Station-MS759-2022 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. Major service was undertaken on Unit 12 in the reporting period.	Compliant
Project life:	30 years.	Management advice 12/12/2023	No change, closure is anticipated to occur in 2040.	Not required at this stage
Power output:	330 MW (nominal).	Management advice 12/12/2023 R02_63878-Neerabup-Power-Station-MS759-2022 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.	E12_2022-2023_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	Data shows that sent out electricity is 336.3 GWh/yr.	Compliant
Thermal efficiency:	33.3% HHV at 25°C and 60% relative humidity.	Management advice 12/12/2023 E12_2022-2023_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	Results from real-time monitoring recorded generator thermal efficiency at approximately 29.45% 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.	R06_2022-2023 NewGen Neerabup DWER AMR-AER-AACR Report Management advice 12/12/2023	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.	E12_2022-2023_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	The operating hours for the two units combined was 1,967 hours during the audit period.	Compliant
Capacity factor:	Approximately 30%.	Management advice 12/12/2023 E12_2022-2023_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	Based upon 330.6 MW capacity, the capacity factor was 11.23% 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.	R02_63878-Neerabup-Power-Station-MS759-2022 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.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Transmission line footprint:	Approximately 400 m ² of native vegetation for construction of each of seven single column power pole bases.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Fuel:				
Type:	Natural gas.	Management advice 12/12/2023	Natural gas is delivered from the Dampier to Bunbury Natural Gas Pipeline (DBNGP) to lateral that serves the station. Electricity off the grid is required for black start.	Compliant

Element	Description	Evidence	Comments	Status
Source:	North-west Shelf.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	As per previous CARs, it has been noted that 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 12/12/2023 Site inspection 12/12/2023	Gas is delivered from DBNGP to lateral that serves the station. Auditor observed the gas yard and pipeline junction that services the power station.	Compliant
Major plant components				
Power station gas turbines:	Two 165 MW open-cycle gas turbines fitted with low NOx burners.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Number of stacks:	2.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Height of stacks:	35 m.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Stack diameter:	6 m.	R02_63878-Neerabup-Power-Station-MS759-2022 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.	R02_63878-Neerabup-Power-Station-MS759-2022 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.	R02_63878-Neerabup-Power-Station-MS759-2022 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.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was assessed as Completed in the 2018 CAR.	Compliant (complete)
Inputs				
Natural gas:	Approximately 11.2 PJ per year.	E12_2022-2023_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance	A total of 4.078 PJ of natural gas per year was utilised during the audit period.	Compliant
Process water:	Approximately 15 ML per year from onsite bore.	E12_2022-2023_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance R06_GWL164093(6)-Licence to Take Water	The Rights in Water and Irrigation Act 1914 Licence entitlement is 100,000 kL per year and includes two bores established on the site. There was 19.13 ML abstracted in total for process water. Total water use for the reporting year was within the permitted volume for the Licence (GWL 164093).	Compliant
Outputs				
Wastewater:	No discharge of wastewater.	Management advice 12/12/2023. Site inspection 12/12/2023. P03_Oily Water Separator IMG_6187 P04_Infiltration Basin IMG_6147	There is no offsite discharge of wastewater. Onsite discharge wastewater is directed to the oily water separator. This water is treated in accordance with the EP Act 1986 Licence before discharge into the stormwater infiltration basin. The Reverse Osmosis plant minimises waste water collected in the evaporation ponds.	Compliant
Oxides of nitrogen (NOx):	380,000kg/yr (<25 ppmv @ 15% O ₂).	R11_Air Emissions Testing 2021 R08_NPI WA1204 Emission Report 2022-2023	In the previous air emissions testing conducted in 2021, both Unit 11 and 12 was recorded at 18 ppmv, which is below the limit specified. The next monitoring is due January 2024. Using NPI techniques it is estimated that NOx emissions were 125,297.84 kg/yr for the reporting period.	Compliant

Element	Description	Evidence	Comments	Status
Particulates (PM10):	74,000kg/yr.	R08_NPI WA1204 Emission Report 2022-2023	PM10 was not included in stack testing. Using NPI techniques it is estimated that PM10 emissions were 11,445.10 kg/yr for the reporting period.	Compliant
Carbon monoxide (CO):	93,000kg/yr (<10 ppmv @ 15% O ₂).	R11_Air Emissions Testing 2021 R08_NPI WA1204 Emission Report 2022-2023	In the previous air emissions testing conducted in 2021, Unit 11 was recorded at <5 ppmv and Unit 12 at <3 ppmv, which is below the limit specified. The next monitoring is due January 2024. Using NPI techniques it is estimated that CO emissions were 26,641.26 kg/yr for the reporting period.	Compliant
Sulphur dioxide (SO ₂):	5,100 kg/yr.	Management advice 12/12/2023	NA - Not tested for in the 2021-2022 stack test program, DWER licence does not require this to be tested.	NRATS
Direct greenhouse gas emissions:	Approximately 590,000 tonnes of CO ₂ -e per year.	R05_FY23 Shell Energy NGER Report	The direct greenhouse gas emissions were approximately 233,084 (Scope 1) tonnes of CO ₂ -e for the reporting period.	Compliant
Full fuel cycle greenhouse gas emissions:	Approximately 673,000 tonnes of CO ₂ -e per year.	R05_FY23 Shell Energy NGER Report	The full fuel cycle greenhouse gas emissions were approximately 235,222 tonnes of CO ₂ -e for the reporting period.	Compliant
Greenhouse intensity:	Approximately 554kg of CO ₂ -e per MWh.	E12_2022-2023_Schedule 1 calcs_Audit Info Neerabup Stats_Compliance Management advice 12/12/2023 R06_2022-2023 NewGen Neerabup DWER AMR-AER-AACR Report R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	The greenhouse intensity recorded during the audit period was 619.36 kg of CO ₂ -e per MWh for the audit period which was 11% over the 554 kg CO ₂ -e per MWh greenhouse intensity target. This is a slight improvement on the 2021/22 reporting period. 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 11.23 %, total of approximately 414 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: <ul style="list-style-type: none"> <30dB(A) at nearest residential property and <65dB(A) at nearest industrial property. 	Management advice 12/12/2023 R06_2022-2023 NewGen Neerabup DWER AMR-AER-AACR Report	No monitoring of noise emissions were 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 Compliance Assessment

Table D.3: 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"> • routine monitoring of plant efficiency • operate plant at optimum efficiency in accordance with manufacturer’s operation and maintenance. 	Management advice 12/12/2023 E09_231212 Neerabup Inspection Plan 2009-2035 E02_GT11 Performance Tracking E04_GT12 Performance Tracking	<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 34.27% (12) and 34.70% (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>Five minor inspections (routine maintenance outages) have been undertaken to date: First: November 2014 when Unit 11 was at 273 starts and Unit 12 was at 272 starts. Second: November 2017 when both Unit 11 and 12 had 523 starts. Third: February 2020 when Unit 11 had 785 starts and Unit 12 had 788 starts. Fourth: October 2021 when Unit 11 had 1027 starts and Unit 12 had 1032 starts. Fifth: September 2022 when Unit 12 had 1259 starts and April 2023 when Unit 11 had 1232 starts and Unit 12 had 1354 starts.</p> <p>An Engineering Assessor determined that the 1,250 start major service is not required until 1500 starts. This major inspection was undertaken in the next reporting period in the months between October to December 2023.</p>	Conformant
GGAP2	Implement a routine preventative maintenance and cleaning regime to maintain operation of the power station at optimal efficiency.	Management advice 12/12/2023 R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0 E09_231212 Neerabup Inspection Plan 2009-2035	<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 inspections in the reporting period, the fifth since operations began, confirmed that Unit 11 had accumulated 205 starts and Unit 12 had accumulated 227 starts between the fourth and fifth 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. The minor inspections were conducted revealing no immediate corrective action was required.</p> <p>An Engineering Assessor has determined that the 1,250 start major service is not required until 1500 starts. This major inspection was undertaken in the next reporting period in the months between October to December 2023.</p>	Conformant

Audit code	Action	Evidence	Comments	Status
GGAP3	Implement a 'continuous improvement approach' so that advances in technology and potential operational improvement of plant performance are adopted where practicable.	Management advice 12/12/2023	<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.</p>	Conformant
GGAP4	NewGen Power will become a member of the Greenhouse Challenge Plus Program.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	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.	<p>Management advice 12/12/2023</p> <p>R05_FY23 Shell Energy NGER Report</p>	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 30/10/2023	Conformant
GGAP6	Fund energy efficient programs in conjunction with Synergy, including the employment of a Greenhouse Program Officer.	R02_63878-Neerabup-Power-Station-MS759-2022 CAR-Rev-0	This item was deemed no longer relevant from 2014-2015 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.	<p>Management advice 12/12/2023</p> <p>E06_Neerabup Product Service Bulletin ---- MASTER LIST</p>	<p>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.</p> <p>As reported previously, the company is represented at gas turbine user group functions, which are specifically designed to address continual improvement (refer to GGAP3).</p> <p>These current measures are undertaken throughout the year in an ongoing manner, rather than once a year.</p>	Conformant

Appendix E Banker's Audit



Neerabup Gas-fired Power Station

Shell Energy Power Generation

Banker's Audit (2022-23)

JBS&G Australia Pty Ltd | 66169 | (Rev 1)

9 January 2024





We acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea and community.

We pay respect to Elders past and present and in the spirit of reconciliation, we commit to working together for our shared future.

Caring for Country The Journey of JBS&G
Artist: Patrick Caruso, Eastern Arrernte

Table of Contents

1. Introduction	2
1.1 Project Background	2
2. Current Status	2
3. Audit Methodology	4
3.1 Audit Plan	4
3.1.1 Purpose & Scope	4
3.1.2 Methodology	5
3.2 Terminology	5
4. Audit Results	6
4.1 Compliance with conditions	6
4.1.1 Compliance with Environmental License (License Number L8356/2009/2)	6
4.1.2 Compliance with Licence to Take Water (GWL164093(6))	6
5. Limitations	13
6. References	14

List of Tables

Table 2.1: Approvals issued to date	4
Table 3.2: Action implementation status	5
Table 4.1: Environmental License L8356/2009/2; amended 30 November 2021 Audit Table	7
Table 4.2: Licence to Take Water (GWL164093(6)) Issued 05/07/2021 (applicable to both bores – Licence valid from 05/07/2021 to 04/07/2031) Audit Table	11

List of Figures

No table of figures entries found.

Appendices

No table of contents entries found.

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 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 414 starts were recorded between the two units (11 and 12), with a 11.23% 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.

3. Audit Methodology

3.1 Audit Plan

3.1.1 Purpose & 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 2022 to 30 June 2023.

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.

3.1.2 Methodology

The site component of the audit was undertaken by Andrea Wills (JBS&G) on 12 December 2023 addressing the period from 1 July 2022 to 30 June 2023. The audit included interviews with the Neerabup Power Station Manager, Bruno Lanciano, and review of key documents supplied by Shell Energy.

3.2 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 3.2: 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.

4. Audit Results

4.1 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).

4.1.1 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.

4.1.2 Compliance with Licence to Take Water (GWL164093(6))

The audit addressed 11 Conditions and determined that Neerabup Power Station was compliant with all relevant conditions, with:

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

Table 4.1: Environmental License L8356/2009/2; amended 30 November 2021 Audit Table

Note: The licence conditions were amended 26/07/2023 which will be applicable for the 2024 audit report.

ID Code	Requirement	Evidence	Comments	Status																
L8356-2009-2: 01	<p>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.</p> <table border="1"> <thead> <tr> <th>Site infrastructure and equipment</th> <th>Operational requirement</th> <th>Infrastructure location</th> </tr> </thead> <tbody> <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> </tbody> </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	<p>Site inspection 12/12/2023 P05_Lined Evaporation Pond 1 IMG_6189 P06_Lined Evaporation Pond 2 IMG_6183 P03_Oily Water Separator IMG_6187</p>	<p>Site infrastructure and equipment was as per Table 1:</p> <ul style="list-style-type: none"> Unit 11 and 12 were in place each operated with a low NOx burner (*under normal operating conditions) Two HDPE lined settling ponds Wastewater is directed towards the lined oily water separator <p>All reject water from the demineralised water plant is directed to the lined settling ponds. Clean water (determined to be no longer waste water) from the oily water separator is directed to the infiltration basin.</p>	Compliant	
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																		
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Demineralised water plant	All reject water must be directed to the lined settling ponds	Demineralised water plant Schedule 1 map																		
L8356-2009-2: 02	<p>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.</p> <table border="1"> <thead> <tr> <th>Emission</th> <th>Discharge point</th> <th>Discharge point location</th> </tr> </thead> <tbody> <tr> <td rowspan="2">NOx, particulates, CO and SO₂</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> </tbody> </table>	Emission	Discharge point	Discharge point location	NOx, particulates, CO and SO ₂	Stack for open cycle Gas Turbine Unit 11	A1 in Figure 1 Schedule 1 maps	Stack for open cycle Gas Turbine Unit 12	A2 in Figure 1 Schedule 1 maps	<p>Site inspection 12/12/2023</p>	<p>Emissions of NOx, CO and SO₂ are from discharge points A1 and A2.</p>	Compliant								
Emission	Discharge point	Discharge point location																		
NOx, particulates, CO and SO ₂	Stack for open cycle Gas Turbine Unit 11	A1 in Figure 1 Schedule 1 maps																		
	Stack for open cycle Gas Turbine Unit 12	A2 in Figure 1 Schedule 1 maps																		
L8356-2009-2: 03	<p>The licence holder must undertake the monitoring in Table 3 according to the specifications in that table.</p> <table border="1"> <thead> <tr> <th>Discharge point reference</th> <th>Parameter</th> <th>Units^{1,3}</th> <th>Frequency²</th> <th>Method⁴</th> </tr> </thead> <tbody> <tr> <td rowspan="3">A1, A2</td> <td>NOx</td> <td>mg/m³ 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/m³ 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> </tbody> </table>	Discharge point reference	Parameter	Units ^{1,3}	Frequency ²	Method ⁴	A1, A2	NOx	mg/m ³ g/s	Within 9 months of every 2000 hours of operation	USEPA Method 7E	CO	mg/m ³ g/s	USEPA Method 10	Volumetric flow rate and velocity	m/s	USEPA Method 2	<p>R11_Air Emissions Testing 2021 R06_2022-2023 NewGen Neerabup DWER AMR-AER-AACR Report</p>	<p>Ektimo Report Number R011737 testing 21/10/2021 (triggered 2,000 hours of operation during reporting period, now due for monitoring August 2023) 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)</p>	Compliant
Discharge point reference	Parameter	Units ^{1,3}	Frequency ²	Method ⁴																
A1, A2	NOx	mg/m ³ g/s	Within 9 months of every 2000 hours of operation	USEPA Method 7E																
	CO	mg/m ³ g/s		USEPA Method 10																
	Volumetric flow rate and velocity	m/s		USEPA Method 2																
L8356-2009-2: 04	<p>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.</p>	<p>R11_Air Emissions Testing 2021</p>	<p>Ektimo Pty Ltd are NATA accredited (NATA accreditation No. 14601) for the sampling and analysis undertaken as part of the stack emissions monitoring program.</p>	Compliant																
L8356-2009-2: 05	<p>The licence holder must record production or throughput data and any other process parameters relevant to any non-continuous monitoring undertaken.</p>	<p>R06_2022-2023 NewGen Neerabup DWER AMR-AER-AACR Report</p>	<p>Production data contained in SCADA this includes MWH generated, starts & run time; data history is kept. Appendix 1 of the DWER Annual Environmental Report shows the results from records of production data.</p>	Compliant																

ID Code	Requirement	Evidence	Comments	Status																					
L8356-2009-2: 06	<p>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.</p> <table border="1"> <thead> <tr> <th>Monitoring point reference</th> <th>Parameter</th> <th>Units</th> <th>Averaging period</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td rowspan="5">Refer to Figure 2 in Schedule 1 maps GW1, GW2, GW3, GW4, GW5, GW6, GW7</td> <td>pH</td> <td>-</td> <td rowspan="5">Spot sample</td> <td rowspan="5">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> <td></td> </tr> </tbody> </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			R10_Nov 2022 Groundwater Monitoring Report	<p>Groundwater was sampled and analysed in November 2022 in accordance with Table 4. There are no targets for ambient groundwater quality specified in the licence. The 2022 Groundwater Monitoring Report prepared following the November 2022 round of monitoring made the following conclusions:</p> <ul style="list-style-type: none"> Water quality results from the November 2022 round of monitoring are generally consistent with long-term historical groundwater data for the site. Concentrations of TRH were not observed above their respective Laboratory levels of detection in the November 2022 monitoring round, indicating no concentrations of natural or anthropogenic hydrocarbon sources on site. Concentrations of TN and TP exceeding the adopted FWG criteria are likely to be the result of neighbouring land uses, including an active market garden and a chicken farm, rather than as a result of Power Station operations. 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 (Lake Pinjar) or groundwater resources (Gnangara and Gwelup Pollution Control Areas). It is unlikely that the Power Station operations have had a significant impact on the quality of groundwater beneath the site. 	Compliant
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																									
L8356-2009-2: 07	<p>The licence holder must ensure that:</p> <p>(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.</p>	R10_Nov 2022 Groundwater Monitoring Report	<p>The Annual Groundwater monitoring was undertaken in November 2022. Groundwater samples were collected by 360 Environmental as per:</p> <p>Groundwater sampling was undertaken in accordance with the following standards as per the licence requirements:</p> <ul style="list-style-type: none"> AS/NZS 5567.1:1998 Water Quality Sampling. Part I – Guidance on the design of sampling programs, sampling techniques, and the preservation and handling of samples AS/NZS 5667.11:1998 Water Quality Sampling. Part II – Guidance on the sampling of groundwater. <p>Quality assurance and quality control (QA/QC) practices included:</p> <ul style="list-style-type: none"> Instrument Calibration Decontamination Groundwater Monitoring: Low Flow Purging and Sampling. Collection of field QC samples including one duplicate, one triplicate and one field blank for laboratory analysis of TRH, BTEX, PAHs, TP and speciated nitrogen Samples were analysed by Eurofins ARL Perth (NATA Accredited) was used as the primary laboratory and ALS Environmental Perth was used as the secondary laboratory (NATA Accredited). 	Compliant																					
L8356-2009-2: 08	<p>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.</p>	R10_Nov 2022 Groundwater Monitoring Report	<p>Annual groundwater sampling was completed on the 15 November 2022, greater than 9 months since the previous groundwater sampling that was completed on 23 September 2021.</p>	Compliant																					
L8356-2009-2: 09	<p>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.</p>	<p>R10_Nov 2022 Groundwater Monitoring Report</p> <p>R11_Air Emissions Testing 2021</p>	<p><u>Groundwater Monitoring Equipment</u></p> <p>Monitoring equipment used on the Premises complies with the conditions of the licence and is calibrated in accordance with manufacturer's specifications.</p> <p><u>Air Emissions Monitoring Equipment</u></p> <p>Ektimo is accredited by NATA (National Association of Testing Authorities) to ISO/IEC 17025 - Testing. ISO/IEC 17025 - Testing requires that a laboratory have adequate equipment to perform the testing, as well as laboratory personnel with the competence to perform the testing.</p>	Compliant																					

ID Code	Requirement	Evidence	Comments	Status										
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 12/12/2023 C08_Approval for Alternate Volumetric Flowrate Measurement	Calibration requirements can be met. Note related to measurement rather than calibration: Alternate volumetric flow rate measurement method (stoichiometric calculations) has been approved by DWER.	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 border="1" data-bbox="409 520 1279 667"> <thead> <tr> <th>Parameter</th> <th>Units</th> <th>Frequency</th> </tr> </thead> <tbody> <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> </tbody> </table>	Parameter	Units	Frequency	Run time	Hours	Monthly	Total electrical energy generated	MWh	Operating capacity	%	R06_2022-2023 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 12/12/2023 R06_2022-2023 NewGen Neerabup DWER AMR-AER-AACR Report	The 2022-23 AER documented no complaints in the reporting year.	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.	Management Advice 12/12/2023 R06_2022-2023 NewGen Neerabup DWER AMR-AER-AACR Report R01_2022_23 CAR C01__ DWER AER & AACR submission - 2022_2023 C02_DWER AER & AACR submission - 2022_2023 receipt	Appendix 2 (Environmental Licence Conditions Reviewed) contains the audit of compliance with the conditions of the licence for the reporting period. 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 2022 to 30 June 2023 and was signed 18/08/2023 and sent to the DWER on 30 August 2023 (C01).	Compliant										

ID Code	Requirement	Evidence	Comments	Status												
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 E10_2022-23 Neerabup Emissions Fee Calc E01_GT11 Comp Perf tracking E03_GT12 Comp Perf tracking E07_220727 NPS-PS-OPS-FC Inspection Checklist E08_230131 NPS-PS-OPS-FC Inspection Checklist P01_Major Service 20231030_155349	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.	R01_2023 CAR Management advice 12/12/2023 Records Inspection 12/12/2023	Records that are required by this licence (including original and subsequent amendments) are stored on the sharepoint. This has been a recent upgrade and the transfer of data from the previous system created some delays in the availability of all evidence for the audit. This was rectified.	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. <table border="1" data-bbox="409 1276 1279 1476"> <thead> <tr> <th>Condition</th> <th>Requirement</th> </tr> </thead> <tbody> <tr> <td>Condition 3 (Table 3)</td> <td>Stack monitoring results (if applicable).</td> </tr> <tr> <td>Condition 11 (Table 5)</td> <td>Load monitoring parameters</td> </tr> <tr> <td>Condition 6 (Table 4)</td> <td>Groundwater monitoring results</td> </tr> <tr> <td>Condition 12</td> <td>Complaints summary</td> </tr> <tr> <td>Condition 13</td> <td>Compliance</td> </tr> </tbody> </table>	Condition	Requirement	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	Management advice 12/12/2023 C01__ DWER AER & AACR submission - 2022_2023 C02_DWER AER & AACR submission - 2022_2023 receipt R06_2022-2023 NewGen Neerabup DWER AMR-AER-AACR Report	An annual monitoring report addressing the reporting period 1 July 2022 to 30 June 2023 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 30 August 2023.	Compliant
Condition	Requirement															
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 4.2: Licence to Take Water (GWL164093(6)) Issued 05/07/2021 (applicable to both bores – Licence valid from 05/07/2021 to 04/07/2031) 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 12/12/2023	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 12/12/2023 R09_2021 CAR E13_Flow Meter Calibration Cert Bore 1-24062021 E14_Flow Meter Calibration Cert Bore 2-24062021	As reported in 2021, 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 is 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 01 March to 12:00pm at 28 February 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.	Site Inspection 12/12/2023 WaterOnline	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 13,7411 kL during the audit period. Bore 2-meter serial No. 08HC05638 – total water use is 0 kL during the audit period. Total water use for 2022/2023 year was 13,7411 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.	Site Inspection 12/12/2023 WaterOnline	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.	Site Inspection 12/12/2023 WaterOnline	All water bore readings were recorded as close as practicable to the end of each month during the reporting period. The auditor viewed the entries for the end of each month in the reporting period.	Compliant
GWL09	All meter readings must be recorded on 'WaterOnline' monthly.	Site Inspection 12/12/2023 WaterOnline	The water use was uploaded each month to DWER's 'WaterOnline'. The auditor viewed the entries for the end of each month in the reporting period. The abstraction for the reporting period was: Bore 1 – 13,7411 kL Bore 2 – 0 kL	Compliant
GWL10	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 12/12/2023	The operator advised that there were no malfunctions during the audit period.	N/A

#	Associated conditions (Licence to take Water)	Evidence	Comments	Status
GWL11	The licensee must obtain authorisation from the Department of Water before removing, replacing or interfering with any meter required under this licence.	Management advice 12/12/2023 P07_Bore 1 Meter IMG_6149 P08_Bore 2 Meter IMG_6150	No replacement or interfering of meters was undertaken during the audit period.	N/A

5. Limitations

Scope of Services

This report ('the report') has been prepared by JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and 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.

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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. 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 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.

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6. References

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




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