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Published on: 1 February 2021

Statement No. 1161

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED**  
**(*Environmental Protection Act 1986*)**

**PILBARA ENERGY GENERATION POWER STATION**

**Proposal:** The proposal is for the construction and operation of a gas-fired power station in the Pilbara bioregion of Western Australia. The proposal will supply up to 165MW of power to produce an average 150 MW of power to the North Star mining operations and the Pilbara Transmission Project.

**Proponent:** Pilbara Energy (Generation) Pty Ltd  
Australian Company Number 631 303 305

**Proponent Address:** Level 2, 87 Adelaide Terrace  
East Perth WA 6004

**Assessment Number:** 2250

**Report of the Environmental Protection Authority:** 1686

Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal described and documented in Table 2 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

**1 Proposal Implementation**

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.

**2 Contact Details**

2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

### **3 Time Limit for Proposal Implementation**

- 3-1 The proponent shall not commence implementation of the proposal after five (5) years from the date of this Statement, and any commencement, prior to this date, must be substantial.
- 3-2 Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.

### **4 Compliance Reporting**

- 4-1 The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to the commencement date of the proposal, whichever is sooner.
- 4-2 The Compliance Assessment Plan shall indicate:
  - (1) the frequency of compliance reporting;
  - (2) the approach and timing of compliance assessments;
  - (3) the retention of compliance assessments;
  - (4) the method of reporting of potential non-compliances and corrective actions taken;
  - (5) the table of contents of Compliance Assessment Reports; and
  - (6) public availability of Compliance Assessment Reports.
- 4-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.
- 4-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 4-6 The proponent shall submit to the CEO the first Compliance Assessment Report on 31 March following the date of issue of this Statement addressing the period from the date of issue of this Statement to 1 March following the date of issue of this Statement, and then annually on 31 March, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.

## **5 Public Availability of Data**

5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

5-2 If any data referred to in condition 5-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

## **6 Greenhouse Gas Management**

6-1 The proponent shall take measures to ensure that **Net GHG Emissions** do not exceed:

- (1) the **First Emissions Limit**, for the period between the **Commencement Date** and 30 June 2025;
- (2) 2,912,300 tCO<sub>2</sub>-e for the period between 1 July 2025 and 30 June 2030;
- (3) 2,443,087 tCO<sub>2</sub>-e for the period between 1 July 2030 and 30 June 2035;
- (4) 1,040,001 tCO<sub>2</sub>-e for the period between 1 July 2035 and 30 June 2040; and

- (5) 0 tCO<sub>2</sub>-e for every five year period from 1 July 2040 onwards.
- 6-2 The proponent shall submit a report to the CEO each year by 31 March, commencing on the first 31 March after the date of this Statement specifying for the previous financial year:
- (1) the quantity of **Proposal GHG Emissions** and electricity produced; and
  - (2) the **Emissions Intensity** for the proposal.
- 6-3 The proponent shall submit to the CEO by 31 March 2026, and every fifth 31 March thereafter:
- (1) a report specifying:
    - (a) for each of the preceding five (5) financial years, the matters referred to in conditions 6-2(1) and (2);
    - (b) for the period specified in conditions 6-1(1), (2), (3), (4), or (5) that ended on 30 June of the year before the report is due:
      - i. the quantity of **Proposal GHG Emissions**;
      - ii. the **Net GHG Emissions**;
      - iii. the type, quantity, identification or serial number, and date of retirement or cancellation of any **Authorised Offsets** which have been retired or cancelled and which have been used to calculate the **Net GHG Emissions** referred to in condition 6-3(1)(b)(ii), including written evidence of such retirement or cancellation; and
      - iv. any measures that have been implemented to avoid or reduce **Proposal GHG Emissions**.
  - (2) an audit and peer review of the report required by condition 6-3(1), carried out by an independent person or independent persons with suitable technical experience dealing with the suitability of the methodology used to determine the matters set out in the report, whether the report is accurate and whether the report is supported by credible evidence. This report is to be made publicly available as required by condition 6-8.
- 6-4 A summary document comprising of a summary plan and progress statement outlining key information from the Greenhouse Gas Management Plan (and reports to that time) must be provided every five years as per condition 6-3 and also if the Greenhouse Gas Management Plan is revised under condition 6-6. The summary must include:
- (a) a graphical comparison of emission reduction commitments in the Greenhouse Gas Management Plan with 'actual' emissions for compliance periods

- (b) proposal performance against benchmarking for comparable facilities
- (c) emissions intensity
- (d) a summary of emission reduction measures undertaken by the proponent
- (e) a clear statement as to whether interim targets have been achieved.

6-5 Subject to, and consistently with condition 6-1, the proponent shall implement:

- (1) **Greenhouse Gas Management Plan** revision 6 dated July 2020; or
- (2) if that plan has been revised, the latest version of the plan that the CEO has confirmed in writing meets the requirements of condition 6-6.

6-6 The proponent:

- (1) may revise a **Greenhouse Gas Management Plan** at any time;
- (2) must revise the **Greenhouse Gas Management Plan** if there is a change to the proposal which means there is a material risk that condition 6-1 will not be achieved; or
- (3) must revise the **Greenhouse Gas Management Plan** at least every five years to align with the five yearly reporting requirements specified in condition 6-3; and
- (4) must revise a **Greenhouse Gas Management Plan** if directed to by the CEO, within the time specified by the CEO.

6-7 The proponent shall submit a revised **Greenhouse Gas Management Plan** referred to in condition 6-5 to the CEO that:

- (1) is not inconsistent with condition 6-1;
- (2) specifies the estimated **Proposal GHG Emissions** and **Emissions Intensity** for the remainder of the life of the proposal;
- (3) includes comparison of the estimated **Proposal GHG Emissions** and **Emissions Intensity** for the remainder of the life of the proposal against other comparable projects;
- (4) identifies and describes any measures that the proponent will implement to avoid, reduce and/or offset **Proposal GHG Emissions** or reduce the **Emissions Intensity** of the proposal; and
- (5) provides for a program for the future review of the plan to:
  - (a) assess the effectiveness of measures referred to in condition 6-7(4); and

- (b) identify and describe options for future measures that the proponent may or could implement to avoid, reduce and/or offset **Proposal GHG Emissions** or reduce the **Emissions Intensity** of the proposal.

6-8 The proponent shall make all **Greenhouse Gas Management Plans** and the reports (including summary plans and progress statements) publicly available within the specified timeframes on the proponent's website for the life of the proposal, or in any other manner specified by the CEO, within a time specified by the CEO:

- (1) the **Greenhouse Gas Management Plan** referred to in condition 6-5(1) within two (2) weeks of the issue of the Statement;
- (2) the report referred to in condition 6-2 within two (2) weeks of submitting a relevant report to the CEO;
- (3) the reports, summary plans and progress statements referred to conditions 6-3 and 6-4 within two (2) weeks of submitting the relevant reports, summary statements and progress reports to the CEO; and
- (4) any revised **Greenhouse Gas Management Plan** referred to in condition 6-6 within two (2) weeks of receiving confirmation from the CEO as referred in condition 6-5(2).

[signed on 1 February 2021]

Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT**

Table 1: Summary of the proposal

<b>Proposal title</b>	Pilbara Energy Generation Power Station
<b>Short description</b>	The proposal will be constructed with an installed capacity of 165 MW to produce an average 150 MW of power to the North Star mining operations and the Pilbara Transmission Project.

Table 2: Location and authorised extent of physical and operational elements

<b>Element</b>	<b>Location</b>	<b>Authorised extent</b>
<b>Physical elements</b>		
165 MW power station	Figure 2	No additional clearing is required for the development of the PEG power station.
<b>Operational elements</b>		
Power generation		14 gas-fired reciprocating engines with an installed capacity of up to 165 MW

Table 3: Abbreviations and definitions

<b>Acronym or abbreviation</b>	<b>Definition or term</b>
<b>Authorised Offsets</b>	Units representing <b>GHG Emissions</b> issued under one of the following schemes and cancelled or retired in accordance with any rules applicable at the relevant time governing the cancellation or retiring of units of that kind: <ul style="list-style-type: none"> <li>(a) Australian Carbon Credit Units issued under the Carbon Credits (Carbon Farming Initiative) Act 2011 (Cth);</li> <li>(b) Verified Emission Reductions issued under the Gold Standard program;</li> <li>(c) Verified Carbon Units issued under the Verified Carbon Standard program; or</li> <li>(d) other offset units that the CEO has notified the proponent in writing meet integrity principles and are based on clear, enforceable and accountable methods.</li> </ul>
<b>CEO</b>	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
<b>Commencement Date</b>	The date on which a licence under Part V of the EP Act is granted for the operation of the power station that is the subject of this proposal.
<b>Emissions Intensity</b>	<b>Proposal GHG Emissions</b> per MWh of electricity produced.
<b>EP Act</b>	Environmental Protection Act 1986
<b>First Emissions Limit</b>	The limit on <b>Net GHG Emissions</b> for the period between the <b>Commencement Date</b> and 30 June 2025 calculated as follows:

Acronym or abbreviation	Definition or term
	<p>670,666 divided by 365 multiplied by the number of days in the 2020/2021 financial year that are on or after the <b>Commencement Date</b>;</p> <p>plus</p> <p>657,253 divided by 365 multiplied by the number of days in the 2021/2022 financial year that are on or after the <b>Commencement Date</b>.</p> <p>plus</p> <p>644,108 divided by 365 multiplied by the number of days in the 2022/2023 financial year that are on or after the <b>Commencement Date</b>.</p> <p>plus</p> <p>631,225 divided by 365 multiplied by the number of days in the 2023/2024 financial year that are on or after the <b>Commencement Date</b>.</p> <p>plus</p> <p>618,601 divided by 365 multiplied by the number of days in the 2024/2025 financial year that are on or after the <b>Commencement Date</b>.</p>
<b>GHG Emissions</b>	Greenhouse gas emissions expressed in tonnes of carbon dioxide equivalent (CO <sub>2</sub> -e) as calculated in accordance with the definition of 'carbon dioxide equivalence' in section 7 of the National Greenhouse and Energy Reporting Act 2007 (Cth), or, if that definition is amended or repealed, the meaning set out in an Act, regulation or instrument concerning greenhouse gases as specified by the CEO.
<b>Greenhouse gas or GHG</b>	Has the meaning given by section 7A of the National Greenhouse and Energy Reporting Act 2007 (Cth) or, if that definition is amended or repealed, the meaning set out in an Act, regulation or instrument concerning greenhouse gases as specified by the CEO.
<b>Greenhouse Gas Management Plan</b>	Greenhouse Gas Management Plan – PEG Power Station, revision 6 dated July 2020 and any subsequent version of the plan that the CEO has confirmed in writing meets the requirements of condition 6-7.
<b>Net GHG Emissions</b>	<p><b>Proposal GHG Emissions</b> for a period less any reduction in <b>GHG Emissions</b> represented by the cancellation or retirement of <b>Authorised Offsets</b> which:</p> <ul style="list-style-type: none"> <li>(a) were cancelled or retired between the first day of the period until 1 March in the year after the period has ended;</li> <li>(b) have been identified in the report for that period as required by condition 6-3(1)(b)(iii);</li> <li>(c) have not been identified as cancelled or retired in the report for that period as required by condition 6-3(1)(b)(iii);</li> </ul>

Acronym or abbreviation	Definition or term
	(d) have not been used to offset <b>GHG Emissions</b> other than <b>Proposal GHG Emissions</b> ; and (e) were not generated by avoiding <b>Proposal GHG Emissions</b> .
<b>Proposal GHG Emissions</b>	<b>GHG Emissions</b> released to the atmosphere as a direct result of an activity or series of activities that comprise/s or form/s part of the proposal.

**Figures (attached)**

- Figure 1 Regional location
- Figure 2 Indicative footprint



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Unique Record ID:

**Figure 1: Regional location**



**Figure 2: Indicative footprint**

## **Schedule 2**

Coordinates defining the boundaries shown in Figures 1 and 2, are held by the Department of Water and Environmental Regulation, Reference Number DWERDT305958.