Economic Regulation Authority

Electricity Generation Licence

Zenith Energy (EGP JV) Pty Ltd

EGL39, Version 1, 28 October 2026

Licence history

Version No.	Version date	Details
1	28 October 2026	Grant of licence

Electricity Industry Act 2004

Licensee Name:	Zenith Energy (EGP JV) Pty Ltd
	ABN 22 688 496 317
Licence Area:	The area set out in the plan referred to in clause 2.5.
Licence Number:	EGL39
Commencement Date:	28 October 2026
Version Number:	1
Version Date:	28 October 2026
Expiry Date:	27 October 2056

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1. DEFINITIONS AND INTERPRETATIONS

1.1 Definitions

1.1.1 In this *licence*, the following definitions apply unless the context otherwise requires:

Act means the *Electricity Industry Act 2004* (WA).

applicable legislation means:

(a) the *Act*; and

(b) the Regulations and the *Codes.*

asset management system means the measures that are to be taken by the *licensee* for the proper maintenance, expansion or reduction of the *generating works*.

business day means a day which is not a Saturday, Sunday or a Public Holiday in Western Australia.

Code means:

(a) Not Used

(b) Not Used

(c) the *Electricity Industry (Metering) Code 2012*;

(d) Not Used

commencement date means the date the *licence* was first granted by the *ERA* being the date specified in clause 2.2.

electricity has the meaning given to that term in section 3 of the *Act*.

electronic means means:

(a) the internet;

(b) email, being:

(i) in relation to the *ERA*, the *ERA's* email address as notified to the *licensee*; and

(ii) in relation to the *licensee*, the email address specified in the *licence* application or other such email address as notified in writing to the *ERA*; or

(iii) any other similar means,

but does not include facsimile or telephone.

ERA means the Economic Regulation Authority.

expiry date means the date specified in clause 2.3**.**

generating works has the meaning given to that term in section 3 of the *Act.*

individual performance standards mean any standards prescribed by the *ERA* for an individual *licensee* pursuant to clause 5.2 of the *licence*.

licence means:

(a) this document (excluding the title page and the second page of this document);

(b) any Schedules to this document; and

(c) any individual *performance standards* approved by the *ERA* pursuant to clause 5.2.

licence area is the area stated in clause 2.5 of this licence**.**

licensee means Zenith Energy (EGP JV) Pty Ltd .

licensee's assets means the *licensee's distribution system*, *transmission system* or *generating works* (as the case may be).

notice means a written notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to, or in connection with, this *licence*.

operate has the meaning given to that term in section 3 of the *Act*.

performance audit means an audit of the effectiveness of measures taken by the *licensee* to meet the *performance criteria* in this *licence*.

performance criteria means:

(a) the terms and conditions of the *licence*; and

(b) any other relevant matter in connection with the *applicable legislation* that the *ERA* determines should form part of the *performance audit*.

publish in relation to a report or information means either:

(a) posting the report or information on the *licensee's* website; or

(b) sending the report or information to the *ERA* to be published on the *ERA's* website.

Regulations means:

(a) *Economic Regulation Authority (Licensing Funding) Regulations 2014*;

(b) Not Used

(c) Not Used

(d) *Electricity Industry (Licence Conditions) Regulations 2005*;

(e) Not Used

(f) Not Used

related body corporate has the meaning given to that term in section 50 of the *Corporations Act 2001 (Cwth)*.

reviewable decision means a decision by the *ERA* pursuant to:

(a) clause 3.8.3;

(b) clause 5.1.5;

(c) clause 5.1.7;

(d) clause 5.2.2;

(e) clause 5.3.2; or

(f) clause 5.3.4,

of this *licence*.

version date means the date on which the licence was last amended pursuant to clause 3.1 or clause 3.2.

1.2 Interpretation

1.2.1 A reference in this *licence* to any *applicable legislation* includes, unless the context otherwise requires, any statutory modification, amendment, replacement or re-enactment of that *applicable legislation*.

2. LICENCE AUTHORISATION

2.1 Activities authorised under this licence

2.1.1 The *licensee* is granted a *licence* for the *licence area* to construct and *operate generating works* or operate existing *generating works* in accordance with the terms and conditions of this *licence*.

2.2 Commencement date

2.2.1 28 October 2026

2.3 Expiry date

2.3.1 27 October 2056

2.4 Term
[Section 15 of the Act]

2.4.1 *This licence* commences on the *commencement date* and continues until the earlier of:

(a) the cancellation of the *licence* pursuant to clause 3.5 of this *licence*;

(b) the surrender of the *licence* pursuant to clause 3.6 of this *licence*; or

(c) the *expiry date*.

2.5 Licence area

2.5.1 The *licence* area is set out in plan(s):

ERA-EL-168

2.5.2 The *licence area* plan(s) is provided in Schedule 2.

3. LICENCE ADMINISTRATION

3.1 Amendment of licence by the licensee [Section 21 of the Act]

3.1.1 The *licensee* may apply to the *ERA* to amend the *licence* in accordance with the *Act.*

3.2 Amendment of licence by the ERA [Section 22 of the Act]

3.2.1 Subject to any *applicable legislation*, the *ERA* may amend the *licence* at any time in accordance with this clause.

3.2.2 Before amending the *licence* under clause 3.2.1, the *ERA* must:

(a) provide the *licensee* with written *notice* of the proposed amendments under consideration by the *ERA*;

(b) allow 15 *business days* for the *licensee* to make submissions on the proposed amendments; and

(c) take into consideration those submissions.

3.2.3 This clause also applies to the substitution of the existing *licence*.

3.2.4 For avoidance of doubt, the *licensee* will not have to pay a fee for amendments under clause 3.2.1.

3.3 Transfer of licence [Section 18 of the Act]

3.3.1 This *licence* may be transferred only in accordance with the *Act*.

3.4 Renewal of licence [Section 16 of the Act]

3.4.1 This *licence* may be renewed only in accordance with the *Act*.

3.5 Cancellation of licence [Section 35 of the Act]

3.5.1 This *licence* may be cancelled only in accordance with the *Act*.

3.6 Surrender of licence [Schedule 1 of the Act]

3.6.1 The *licensee* may only surrender the *licence* pursuant to this clause 3.6.

3.6.2 If the *licensee* intends to surrender the *licence* the *licensee* must, by *notice* in writing to the *ERA*:

(a) set out the date that the *licensee* wishes the surrender of the *licence* to be effective; and

(b) set out the reasons why the *licensee* wishes to surrender the *licence*, including the reasons why it would not be contrary to the public interest for the surrender of the *licence* to be effective on the date set out in the *notice*.

3.6.3 Upon receipt of the *notice* from the *licensee* pursuant to clause 3.6.2, the *ERA* will publish the *notice*.

3.6.4 Notwithstanding clause 3.6.2, the surrender of the *licence* will only take effect on the later of the day that:

(a) the *ERA* publishes a *notice* of the surrender in the Western Australian Government Gazette, such date to be at the discretion of the *ERA*; and

(b) the *licensee* hands back the *licence* to the *ERA*.

3.6.5 The *licensee* will not be entitled to a refund of any fees by the *ERA*.

3.7 Notices

3.7.1 Unless otherwise specified, all *notices* must be in writing.

3.7.2 A *notice* will be regarded as having been sent and received:

(a) when delivered in person to the addressee; or

(b) three *business days* after the date of posting if the *notice* is posted in Western Australia; or

(c) five *business days* after the date of posting if the *notice* is posted outside Western Australia; or

(d) if sent by facsimile when, according to the sender's transmission report, the *notice* has been successfully received by the addressee; or

(e) if sent by *electronic means* when, according to the sender's electronic record, the *notice* has been successfully sent to the addressee.

3.8 Publishing information

3.8.1 The *ERA* may direct the *licensee* to *publish*, within a specified timeframe, any information it considers relevant in connection with the *licensee* or the performance by the *licensee* of its obligations under this *licence*.

3.8.2 Subject to clause 3.8.3, the *licensee* must *publish* the information referred to in clause 3.8.1.

3.8.3 If the *licensee* considers that the information is confidential it must:

(a) immediately notify the *ERA*; and

(b) seek a review of the *ERA's* decision in accordance with clause 3.9.

3.8.4 Once it has reviewed the decision, the *ERA* will direct the *licensee* in accordance with the review to:

(a) *publish* the information;

(b) *publish* the information with the confidential information removed or modified; or

(c) not *publish* the information.

3.9 Review of the ERA's decisions

3.9.1 The *licensee* may seek a review of a *reviewable decision* by the *ERA* pursuant to this *licence* in accordance with the following procedure:

(a) the *licensee* shall make a submission on the subject of the *reviewable decision* within 10 *business days* (or other period as approved by the *ERA*) of the decision; and

(b) the *ERA* will consider the submission and provide the *licensee* with a written response within 20 *business days*.

3.9.2 For avoidance of doubt, this clause does not apply to a decision of the *ERA* pursuant to the *Act*, nor does it restrict the *licensee's* right to have a decision of the *ERA* reviewed in accordance with the *Act*.

4. GENERAL LICENCE OBLIGATIONS

4.1 Compliance with applicable legislation

4.1.1 Subject to any modifications or exemptions granted pursuant to the *Act*, the *licensee* must comply with any *applicable legislation*.

4.2 Fees

4.2.1 The *licensee* must pay the applicable fees and charges in accordance with the *Regulations*.

4.3 Accounting records [Schedule 1 of the Act]

4.3.1 The *licensee* and any *related body corporate* must maintain accounting records that comply with standards issued by the Australian Accounting Standards Board or equivalent International Accounting Standards.

4.4 Reporting a change in circumstances

4.4.1 The *licensee* must report to the *ERA*:

(a) if the *licensee* is under external administration as defined by the *Corporations Act 2001 (Cwth)* within 2 *business days* of such external administration occurring; or

(b) if the *licensee*:

(i) experiences a change in the *licensee's* corporate, financial or technical circumstances upon which this *licence* was granted; and

(ii) the change may materially affect the *licensee's* ability to perform its obligations under this *licence*,

within 10 *business days* of the change occurring; or

(c) if the:

(i) *licensee's* name;

(ii) *licensee's* ABN; or

(iii) *licensee's* address,

changes, within 10 *business days* of the change occurring.

4.5 Provision of information [Schedule 1 of the Act]

4.5.1 The *licensee* must provide to the *ERA, in the manner and form described by the ERA, specified* information on any matter relevant to the operation or enforcement of the *licence*, the operation of the licensing scheme provided for in Part 2 of the *Act*, or the performance of the *ERA's* functions under that Part.

5. AUDITS AND PERFORMANCE REPORTING OBLIGATIONS

5.1 Asset management system [Section 14 of the Act]

5.1.1 The *licensee* must provide for an *asset management system* in respect of the *licensee's assets*.

5.1.2 The *licensee* must notify the *ERA* of the details of the *asset management system* within five *business days* from the later of:

(a) the commencement date; and

(b) the completion of construction of the *licensee's assets*.

5.1.3 The *licensee* must notify the *ERA* of any substantial change to the *asset management system* within ten *business days* of such change.

5.1.4 The *licensee* must provide the *ERA* with a report by an independent expert, acceptable to the *ERA*, as to the effectiveness of the *asset management system* not less than once in every period of 24 months calculated from the *commencement date (*or any longer period that the *ERA* allows by *notice* in writing).

5.1.5 The *licensee* must comply, and must require the *licensee's* expert to comply, with the *ERA's* standard audit guidelines.

5.1.6 The *licensee* may seek a review of any of the requirements of the *ERA*'s standard audit guidelines dealing with the *asset management system* in accordance with clause 3.9.

5.1.7 The review of the *asset management system* must be conducted by an independent expert approved by the *ERA*. If the *licensee* fails to nominate an independent expert within one month of the date that the review of the *asset management system* was due, or the independent expert nominated by the *licensee* is rejected on two successive occasions by the *ERA*, the *ERA* may choose an independent expert to conduct the review of the *asset management system*.

5.2 Individual performance standards

5.2.1 Performance standards are contained in *applicable legislation*.

5.2.2 The *ERA* may prescribe *individual performance standards* applying to the *licensee* in respect of the *licensee's* obligations under this *licence* or the *applicable legislation*.

5.2.3 Before approving any *individual performance standards* under this clause, the *ERA* will:

(a) provide the *licensee* with a copy of the proposed *individual performance standards*;

(b) allow 15 *business days* for the *licensee* to make submissions on the proposed *individual performance standards*; and

(c) take into consideration those submissions.

5.2.4 Once approved by the *ERA*, the *individual performance standards* are included as additional *terms and conditions* to this *licence*.

5.3 Performance audit [Section 13 of the Act]

5.3.1 The *licensee* must, unless otherwise notified in writing by the *ERA*, provide the *ERA* with a *performance audit* within 24 months after the *commencement date*, and every 24 months thereafter.

5.3.2 The *licensee* must comply, and must require the *licensee's* auditor to comply, with the *ERA's* standard audit guidelines.

5.3.3 The *licensee* may seek a review of any of the requirements of the *ERA*'s standard audit guidelines in accordance with clause 3.9.

5.3.4 The *performance audit* must be conducted by an independent auditor approved by the *ERA*. If the *licensee* fails to nominate an auditor within one month of the date that the *performance audit* was due, or the auditor nominated by the *licensee* is rejected on two successive occasions by the *ERA*, the *ERA* may choose an independent auditor to conduct the *performance audit*.

Schedule 1 – Additional Licence Clauses

(Not used)

Schedule 2 – Licence Area Plans