

# Electricity generation licence application form

## Purpose of this form

This form must be completed by persons applying to the Essential Services Commission (the commission) for a licence to authorise electricity generation in Victoria. Electricity generation includes battery energy storage systems.

## Basis for this form

Section 18 of the *Electricity Industry Act 2000* (the Industry Act) provides that a licence application must be made in a form approved by the commission. This is the form approved by the commission.

## Use of this form and the applicant's responsibilities

A licence application may be made by any legal person including, without limitation, individuals, incorporated associations, unit and other forms of trusts and corporations. Entities that are not a legal person (for example, an unincorporated joint venture or a partnership) cannot apply for a licence.

For the purpose of this application form, reference to the term "Officer" includes the applicant's directors and secretary, and other persons who make or participate in making decisions that affect a substantial part of the business (for example, Chief Executive Officer, Chief Financial Officer or General Manager).

The applicant should list the information requested in the spaces provided in this form and enclose additional information when required.

The applicant must take all reasonable steps to ensure the information provided in the application form is complete, true and correct.

An officer of the applicant is required to make a declaration to this effect in the application form. Failure to disclose information or misrepresent any matter relevant to such information may result in a licence not being issued or in the revocation of a licence later.

It is a criminal offence under section 61A of the *Essential Services Commission Act 2001* to provide the commission with false or misleading information or documentation.

The applicant is responsible for providing the commission with current, accurate and relevant documentation. It is the applicant's responsibility to make all reasonable inquiries to obtain the information requested by this form.

Providing accurate and relevant information and a complete application (answering all questions and providing all information) will assist in timely processing of an application. All applications are assessed on a case-by-case basis. If insufficient information is provided with an application, we will contact the applicant about the requirement for additional information to be submitted before the application is considered further.

## **Prior reading**

It is expected that the applicant has read our [Guideline: Applications for electricity and gas industry licences](#) before completing this form.

It is the applicant's responsibility to ensure its compliance with legal obligations when applying for a licence.

## **Licence conditions**

Section 20 of the Industry Act authorises the commission to issue licences subject to conditions as decided by the commission. Licences are published on our [website](#). We recommend the applicant familiarise itself with the relevant standard conditions and be confident that it can comply with those conditions prior to applying for a licence.

## **Further information**

The applicant should note that we may ask for further information, or to clarify the information that the applicant has already provided with the application.

## **Consultation and confidentiality**

We will consult with relevant government, industry and consumer groups on the licence application through a public consultation process. Applications and/or supporting information that is not confidential will be made available on our website.

If the applicant believes that any information provided as part of its application is confidential or commercially sensitive, it is the applicant's responsibility to clearly identify this information on those documents. The applicant should also provide a 'non-confidential' version of the application form and documents for publication on our website.

## How to lodge an application

The applicant may send the completed application form electronically (preferred) or in hard copy to:

Electronically: [licences@esc.vic.gov.au](mailto:licences@esc.vic.gov.au)

Hard copy: Market Operations, Energy Division  
Essential Services Commission  
Level 8, 570 Bourke Street  
Melbourne VIC 3000

### Large files

Applicants generally need to send us large files which is often not suitable via email. Please contact us at [licences@esc.vic.gov.au](mailto:licences@esc.vic.gov.au) to discuss alternative options to provide an application to the commission.

## Application fees and annual licence fees

The commission has the authority to set a licence application fee. Currently, there is no application fee.

Holding a licence incurs annual licence fees. Refer to the commission's [Guideline: Applications for electricity and gas industry licences](#) for more information regarding annual licence fees.

# 1. General Information – The Applicant

*The applicant must answer all questions in this section.*

## 1.1 Legal name of applicant

State the full legal name of the applicant. The applicant is the person who will be generating electricity and/or selling (wholesale) electricity that will be the subject of the licence.

---

**Name:** **Goorambat East Solar Farm Pty Ltd as The Trustee for the Goorambat East Solar Farm Trust (GESF)**

---

## 1.2 Legal identity of applicant

Provide the applicant's ABN and ACN (where relevant) and information about the applicant (for example, whether the applicant is a private limited company, trust, or joint venture).

---

**ABN:** **60 585 057 338 – The Trustee for the Goorambat East Solar Farm Trust**      **ACN:** **652 230 521 – Goorambat East Solar Farm Pty Ltd**

---

**Type of entity:** Fixed Unit Trust / Australian Proprietary Company – Limited by Shares

---

**Attachment reference:**

**Attachment 1A** – ASIC GESF Current Company Extract 2 December 2024

**Attachment 1B** – ABNLookup Trustee for GESF Historical Details 2 December 2024

## 1.3 Contact details and address of the applicant

The applicant	
<b>Business address:</b> Level 23, Freshwater Place, 2 Southbank Boulevard	
State: <b>Victoria</b>	Postcode: <b>3006</b>
<b>Postal address (if different):</b>	
State:	Postcode:
<b>Full name of contact person:</b>	[REDACTED]
Position title: <b>Compliance &amp; Sustainability Manager / Regulatory Advisor</b>	
Telephone:	Mobile: [REDACTED]
Email:	[REDACTED]

## 1.4 Diagram of corporate and organisational structure

Attach a diagram illustrating the corporate structure, including details of any related companies within the meaning of the *Corporations Act 2001* and the organisational chart. Provide a diagram of the:

a) corporate structure (including any parent and related companies within the meaning of the *Corporations Act 2001*), and

**Attachment reference:**

**Attachment 1C – ENGIE ANZ Corporate Structure Diagram (CONFIDENTIAL)**

**Attachment 1D – GESF Corporate Structure Diagram (CONFIDENTIAL)**

b) organisational chart (including composition of the board, management, and other key personnel responsible for the key functions).

**Attachment reference:**

**Attachment 1E – ENGIE ANZ Organisational Chart (CONFIDENTIAL)**

## 1.5 The licence

***The applicant must answer all questions in this section.***

If the applicant is seeking for a licence to be issued by a certain date, identify this date. **Note: we do not undertake to issue the licence by this date.** The applicant should usually allow a minimum of eight to 10 weeks **once we consider the application to be complete.** An application is considered complete once we have all the information needed for the commission to make a decision. In other words, when we have no need to request further information from the applicant. This includes a public consultation period of four weeks (generally) as part of our consideration of licence applications.

### Provide details on the following:

Date from which licence is sought: 31 March 2025

Type of generation: Solar

Expected name plate capacity: 250MW

Location of generation facility: Goorambat-Chesney Road, Goorambat, Victoria, 3725

Details of how the generator will be connected to the network:

The connection of the solar farm generation assets to the Victorian Transmission Network will be at the to be constructed 220kV Goorambat East Terminal Station (**GETS**). Refer to **Attachment 1F – GESF PCCD (Redacted) (CONFIDENTIAL)** Schedule 3 for the connection interface detail.

AEMO will ultimately provide shared transmission services to GESF.

**Attachment reference:**

**Attachment 1F** – GESF PCCD (Redacted) (**CONFIDENTIAL**)

**Attachment 1G** – GESF PCCD Side Deed (Redacted) (**CONFIDENTIAL**)

**Attachment 1H** – GESF UoSA (Redacted) (**CONFIDENTIAL**)

## 2. Technical capacity

*The applicant must answer all questions in this section.*

### 2.1 Experience and knowledge of the industry

Provide information about the human resources available to the applicant. This includes:

- a) The experience and qualifications of those employees outlined in the organisational chart (see 1.4b);
- b) If the applicant will employ contractors or agents to assist with the licensed activities, the name of those contractors or agents, details about the experience of the contractors or agents in such operations and details of the processes in place to ensure the contractors or agents comply with the licence conditions, including relevant regulatory obligations

In respect of 2.1a, the experience and qualifications of the key employees outlined in the organisational chart referenced at 1.4b are set out in **Attachment 2A** – ENGIE ANZ Key Individual Biographies. These employees are members of the broader ENGIE ANZ Group in Australia and not of the Applicant. The Applicant does not have any employees.

In respect of 2.1b, the Applicant has or will engage the following parties to assist it with its licensed activities:

- (1) AusNet Infrastructure No. 2 Pty Ltd as trustee for the AusNet Infrastructure No. 2 Trust (**AusNet Infrastructure**) will design, construct and commission the GETS. AusNet Transmission Group Pty Ltd (**AusNet Services**) will design, construct and commission the interface of the solar farm generation assets to the Victorian Transmission Network. The contractual arrangements supporting the above connection to the Network are set out in the attachments listed below. AusNet Infrastructure and AusNet Services are obliged to comply with all relevant regulatory obligations under their contracts with the Applicant. **Attachment reference: Attachment 1F** – GESF PCCD (Redacted) (**CONFIDENTIAL**); **Attachment 1G** – GESF PCCD Side Deed (Redacted) (**CONFIDENTIAL**).
- (2) AEMO: **Attachment reference: Attachment 1H** – GESF UoSA (Redacted) (**CONFIDENTIAL**).
- (3) Bouygues Construction Australia Pty Ltd and Equans Solar & Storage Australia Pty Ltd (together **Bouygues**): Bouygues is a global player in the field of construction

and is an experienced solar constructor and operator within the NEM. In Australia, Bouygues has completed construction of eight solar farms totalling 648MW. Seven of these farms are now in operation with Bouygues performing O&M services. Bouygues are also currently constructing the 440MW Culcairn Solar Farm in addition to the Goorambat East Solar Farm. The Applicant has engaged Bouygues to design, construct, and undertake operation and maintenance of the Goorambat East Solar Farm from the commercial operation date. Bouygues is obligated to comply with all relevant regulatory obligations under its O&M contract with the Applicant. **Attachment reference: Attachment 2B – GESF O&M Agreement (Redacted) (CONFIDENTIAL); Attachment 2C – Solar & Bess Project References (CONFIDENTIAL).**

- (4) International Power (Australia) Pty Ltd (**IPA**), a related entity of GESF: under an Asset Management Agreement (**AMA**), IPA provides services that the GESF requires because Goorambat does not have its own employees. To provide the AMA services, IPA subcontract/engages other entities within the ENGIE ANZ Group. IPA uses the resources of International Power (Australia) Holdings Pty Ltd (**IPAH**) and International Power Energy Pty Ltd (**IPE**) to deliver the AMA services. IPA is obligated under the AMA to provide GESF a range of services over the life of the project including general services, construction period services and operational period services. IPA is obligated to provide the services to GESF in accordance with all laws which includes licences. **Attachment reference: Attachment 2D – GESF Asset Management Agreement (Redacted) (CONFIDENTIAL).**
- (5) ENGIE Global Energy Management and Sales (**GEMS**): is a business unit of ENGIE specifically dedicated to providing energy supply solutions and risk management services to support its customers through their decarbonization journey, while optimizing ENGIE's assets and contributing to value creation. GEMS provides all market trading and risk management activities in energy markets in respect of GESF. In Australia, GEMS operates primarily through its local subsidiary, ENGIE Energy Marketing Australia Pty Ltd (**EEMA**). The Applicant is supported by GEMS via EEMA's contractual agreements with IPAH. Each of IPAH and EEMA are obligated to comply with their regulatory obligations under their respective contracts. **Attachment reference: Attachment 2E - Asset Optimisation and Risk Management Services Agreement (Redacted) (CONFIDENTIAL)**

Where the applicant is relying on a third party to provide staff and/or resources to meet the technical capacity requirements of the generation and wholesale licence, provide:

- c) the experience and qualifications of any relevant key employees who will manage those systems and processes;
- d) if the applicant will engage third parties to assist with the licensed activities, provide the following information in relation to each third party:

- (i) the name of that third party
- (ii) the scope of activities undertaken by the third party
- (iii) details and copies of any agreements for the provision of services
- (iv) details about the experience of the third party in relation to the activities that it will be undertaking, including any accreditations
- (v) details of the processes in place to ensure the third party complies with the licensee's regulatory obligations.

In respect of 2.1c and 2.1d:

### ***Bouygues***

A summary of the key positions within the Bouygues O&M team for GESF is presented in Schedule 10 of the O&M Agreement. **Attachment reference: Attachment 2B – GESF O&M Agreement (Redacted) (CONFIDENTIAL)**. While specific employees for the GESF operations and maintenance activities are yet to be determined the following people have been identified by the O&M contractor. **Attachment reference: Attachment 2F – Bouygues Key Individual Operations Biographies (CONFIDENTIAL)**.

### ***Ausnet***

AusNet operates more than \$12 billion of electricity and gas network assets within Australia. AusNet owns and operates the Victorian Transmission Network and will own the Goorambat East Terminal Station into which the GESF will connect. AusNet is a declared transmission system operator and is registered under Chapter 2 of the National Electricity Rules as a Transmission Network Service Provider. AEMO, under the Project Construction and Co-ordination Deed, has engaged AusNet to design, construct and commission the terminal station works. Once the terminal station works are commissioned, AusNet will provide transmission services to AEMO under the Network Services Agreement (**NSA**), which is a network agreement required under section 50D of the National Electricity Law (**NEL**).

AusNet's experience ensures that the development of the GESF will continue to be in the long-term interests of the consumer.

### ***GEMS***

ENGIE has a 24/7 trading team based in Melbourne. This team of over 20 people is a highly skilled and experienced team that has managed trading and bidding to the NEM for many years. Today this team operates within the GEMS group and provides trading services to IPA via IPAH through the Asset Optimisation and Risk Management Agreement.

These trading operations in Melbourne are supported by an experienced risk management team, accounting and finance team, and an in-house legal department. The trading operations delivered by GEMS currently, which will be delivered during the operation of the GESF, is supported by



these support operations. As part of this structure, risk management is undertaken, regular reviews are undertaken, and professional training is scheduled and delivered.

IPA is responsible to GESF and its board of directors. The board has implemented detailed reporting arrangements pursuant to which IPA must report periodically, which is normally done monthly.

**Attachment reference:**

**Attachment 2B** – GESF O&M Agreement (Redacted) **(CONFIDENTIAL)**.

**Attachment 2F** – Bouygues Key Individual Operations Biographies **(CONFIDENTIAL)**.

## **2.2 Risk management**

- a) Provide confirmation and evidence that the applicant has identified the risks associated with electricity generation and wholesale operations. Additionally, provide evidence that the applicant has established, utilised and relied upon risk management systems and processes which are adequate, accurate and current to address those risks.
- b) Provide a copy of the applicant's risk management strategy. A statement should also be provided (or supporting document must make it clear) whether the strategy has been developed in line with any Australian or International Standard (for example, ISO 31000:2018).
- c) Provide a copy of a risk register that identifies risks, controls and mitigations.

ENGIE ANZ has robust and comprehensive enterprise, operational and financial / market risk programs supported by both well-resourced local expertise in addition to the resources of a global organisation. Its programs are documented in the various attachments including:

- ENGIE ANZ Risk Management Policy
- IPAH Market Risk Management Policy
- IPAH Counterparty Risk Management Policy
- ENGIE ANZ Risk Management Framework
- ENGIE INCOME Framework
- ENGIE Operational Excellence
- Enterprise Risk Management for GESF

The Applicant, as a member of the ENGIE ANZ Group, will be subject to and bound by, the risk management policies and frameworks in place to identify and address risks across multiple facets of electricity generation and wholesale operations. Attachments 2G1, 2G2 and 2G3 **(CONFIDENTIAL)**, 2H **(CONFIDENTIAL)**, and 2I **(CONFIDENTIAL)**, contain confidential documents relating to the Applicant's approach to risks associated with its electricity generation

and wholesale operations, including industrial and process safety management, market and credit risk, and cyber security.

**Attachment reference:**

**Attachment 2G1** – ENGIE ANZ Risk Management Policy (**CONFIDENTIAL**)

**Attachment 2G2** – IPAH Market RM Policy (**CONFIDENTIAL**)

**Attachment 2G3** – IPAH Counterparty RM Policy (**CONFIDENTIAL**)

**Attachment 2H** – ENGIE ANZ Risk Management Framework (**CONFIDENTIAL**)

**Attachment 2I** – INCOME Handbook (**CONFIDENTIAL**)

**Attachment 2J** – Operational Excellence - Process Safety Framework Guide (**CONFIDENTIAL**)

**Attachment 2K** – GESF Operational Excellence Matrix (**CONFIDENTIAL**)

**Attachment 2L** – ERM GESF (**CONFIDENTIAL**)

### **2.3 Registration with the Australian Energy Market Operator and generator performance standards**

Advise if the applicant will apply to register with the Australian Energy Market Operator (AEMO). If so, provide evidence of registration or exemption, or intending registration or exemption (for example, correspondence between the applicant and AEMO). If the applicant is not registering with AEMO, describe why that is the case.

Provide confirmation from AEMO that proposed negotiated generator performance standards will meet requirements for power system security and reliability under the National Electricity Rules.

The Applicant will apply to register with AEMO as a Market Participant in the capacity of Semi-Scheduled Generator. While the AEMO application process will run concurrently with this ESCV licence application process (in parts), registration with AEMO will not take place until the ESCV grants the Applicant its licence. This is a pre-requisite for registration with AEMO.

**Attachment reference: Attachment 2M** - re Feasibility of simultaneous ESC and AEMO applications (**CONFIDENTIAL**)

AEMO has confirmed that the proposed negotiated generator performance standards will meet requirements for power system security and reliability under the NER.

**Attachment reference: Attachment 2B** – GESF O&M Agreement (Redacted) (**CONFIDENTIAL**)  
(Schedule 7 – Attachment A)

**Attachment 2N** – 5.3.4A Letter (**CONFIDENTIAL**)

**Attachment 2O** – 5.3.10 Letter (**CONFIDENTIAL**)

## 2.4 Licences held in other jurisdictions

If the applicant holds, or has previously held, electricity and/or gas licences or authorisations in other jurisdictions provide details. If a licence or authorisation previously held has been suspended or cancelled, provide details.

The Applicant does not hold, nor has it previously held, any electricity or gas licence or authorisation in any other Australian jurisdiction.

## 2.5 Previous unsuccessful licence applications in other jurisdictions

Confirm whether the applicant has applied for an electricity or gas licence in another jurisdiction and not been issued with a licence or authorisation, provide details.

The Applicant has not previously applied for an electricity or gas licence or authorisation in any other Australian jurisdiction.

## 2.6 Licences held by associates of the applicant

If an associate (within the meaning of the *Corporations Act 2001*) holds an electricity or gas licence in Victoria or in other Australian jurisdiction, provide details.

**Attachment reference: Attachment 2P – Associate Licences/Authorisations December 2024 (CONFIDENTIAL)**

## 2.7 Compliance management

- a) Provide evidence of compliance management which demonstrates how the compliance systems the applicant has (or will have) in place will ensure compliance with all the relevant regulatory obligations required by an electricity generation licence.
- b) Provide a copy of the applicant’s compliance management strategy. A statement should also be provided (or supporting document must make it clear) whether the strategy has been developed in line with any Australian or International Standard (for example, AS ISO 19600:2015).

.....

.....

.....

.....

.....

.....

.....

**Attachment reference: Attachment 2Q - Compliance Management (CONFIDENTIAL); Attachment 2R - Group Risks Matrix and Consequences & Likelihood Table (CONFIDENTIAL);**

**Attachment 2S** - Compliance Statement (ISSUED) (**CONFIDENTIAL**) and **Attachment 2T** - Compliance Policy (**DRAFT AND CONFIDENTIAL**); **Attachment 2U** - GESF Compliance Register (**CONFIDENTIAL**)

## 2.8 Material agreements

Provide copies of agreements entered into, or intended to be entered into, by the applicant that are material to the undertaking of the electricity generation activity. Agreements that are material to the undertaking of the electricity generation activity may include:

- a) Connection agreements, such as a Generator Connection Agreement and Generator Project Agreement with a generation facility.
- b) Any contract concerning the construction and delivery of the project (sometimes commonly referred to as a Project Construction and Coordination Deed (PCCD) or Engineering, Procurement and Construction Agreement).
- c) Any Network Services Agreements.
- d) Any contracts concerning the managerial aspects of the activity (sometimes commonly referred to as a Management Services Agreement or Asset Management Agreement).
- e) Any contract concerning the ongoing operations and maintenance of the transmission assets (sometimes commonly referred to as an Operations and Maintenance Agreement).
- f) Any contract concerning the sale of electricity from the generator under a Power Purchase Agreement.

**Attachment reference:** **Attachment 1F** – GESF PCCD (Redacted) (**CONFIDENTIAL**); **Attachment 1G** – GESF PCCD Side Deed (Redacted) (**CONFIDENTIAL**); **Attachment 1H** – GESF UoSA (Redacted) (**CONFIDENTIAL**); **Attachment 2V** - GESF EPC Agreement (Redacted) (**CONFIDENTIAL**); **Attachment 2D** – GESF Asset Management Agreement (Redacted) (**CONFIDENTIAL**); **Attachment 2B** - GESF O&M Agreement (Redacted) (**CONFIDENTIAL**); **Attachment 2W** - GESF Power Purchase Agreement (Redacted) (**CONFIDENTIAL**).

## 2.9 Engagement with Energy Safe Victoria

Provide details about the applicant's engagement with Energy Safe Victoria and any copies of correspondence regarding the proposed electricity generation facility.

The Applicant first engaged with Energy Safe Victoria (**ESV**) in relation to the GESF via email on 11 November 2024. Subsequent email correspondence led to an online meeting between GESF and ESV on 26 November 2024 to introduce the project. Following this correspondence, the ESV issued a letter to the Applicant regarding general duties of owners and operators of solar farms during the bushfire season.

**Attachment reference:** **Attachment 2X** - Goorambat East Solar Farm ESV correspondence (**CONFIDENTIAL**); **Attachment 2Y** - Goorambat East Solar Farm - Letter (**CONFIDENTIAL**)

**2.10 Additional information**

Provide any additional information the applicant considers relevant to the commission’s assessment of the applicant’s technical capacity.

A related entity to the Applicant currently operates the Hazelwood Battery Energy System (**HBESS**) in Victoria as part of its portfolio of generation and wholesale assets.

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

### 3. Financial viability

#### 3.1 Financial resources

The applicant must provide a statement that will be made available to the public during the consultation period that the applicant has the financial resources to commence and sustainably perform the relevant licensable activities.

Provide a statement to confirm that:

- a) the applicant is financially viable and has the financial resources to sustainably operate the electricity generation facilities, and
- b) the applicant will be a registered market participant with the Australian Energy Market Operator for its electricity generation activities, therefore subject to the prudential requirements under the National Electricity Rules.

The commission reserves the right to conduct a financial viability assessment and require the applicant to produce information and documents it considers appropriate to complete such an assessment.

The Applicant is financially viable and has the financial resources to commence and sustainably operate the electricity generation facilities. The Applicant will be a registered market participant with the Australian Energy Market Operator for its electricity generation activities, and will be subject to the prudential requirements under the National Electricity Rules.

### 4. Fit and proper person

***The applicant must answer all questions in this section.***

In deciding whether to grant or refuse a licence application, the commission will consider whether the applicant is a fit and proper person to hold a licence in Victoria.

The concept of a 'fit and proper person' is established by common law and takes its meaning from its context, from the activities in which the person is or will be engaged, and the ends to be served by those activities.

In considering whether an applicant is a fit and proper person, we will have regard to the applicant's honesty, integrity and reputation. These are relevant factors as they can inform an assessment of the likelihood of future conduct.

We will also consider the conduct of directors, office holders or any person with significant managerial duties or influence. We will also consider the conduct of related bodies corporate or entities that can exert control over the applicant.

The answers below are given to the best of our knowledge and belief, having undertaken appropriate due diligence enquiries, and are confined to a consideration of the conduct of relevant persons of the ENGIE Group operating in Australia over the past seven years (2017 - 2024). This is relevant as GESF will be operated by the ENGIE Group in Australia.

- a) Have any directors of the applicant, directors of any entity that can exert control over the applicant, or any person with significant managerial responsibility or influence on the applicant:
- (i) been declared bankrupt,
  - (ii) had their affairs placed under administration,
  - (iii) been disqualified from managing a company,
  - (iv) been subject to debt judgements, or
  - (v) insolvency proceedings (including any administration, liquidation or receivership in connection with the affairs of a company)?

If yes, provide details:

No.

- b) Has the applicant, any directors of the applicant, directors of any entity that can exert control over the applicant or any person with significant managerial responsibility or influence on the applicant been prosecuted for any offences or had any enforcement action taken under any state, territory, Commonwealth or foreign legislation (including, but not limited to, the *Competition and Consumer Act 2010*, *Corporations Act 2001*, or the *Australian Securities and Investments Commission Act 2001*)?

If yes, provide details:

No.

- c) Has the applicant, any directors of the applicant, any related body corporate, or any person with significant managerial responsibility or influence on the applicant been involved in any material breaches of obligations regulated by the commission or any other regulator?

If yes, provide details:

Yes. See **Attachment reference: Attachment 4A – Material Regulatory Breaches (CONFIDENTIAL)**.

d) Has the applicant, any directors of the applicant, any related body corporate, or any person with significant managerial responsibility been under investigation in relation to its regulatory obligations or is currently bound by an enforceable undertaking?

If yes, provide details:

Yes. See **Attachment reference: Attachment 4A – Material Regulatory Breaches (CONFIDENTIAL)**.

e) Has the applicant, any related body corporate or any person with significant managerial responsibility or influence on the applicant, been refused a licence or authorisation, or had restricted, suspended or revoked any such licence or authorisation (in any jurisdiction)?

If yes, provide details:

No, with the exception of the voluntary surrender/revocation of the electricity generation licence of the Hazelwood Power Partnership in respect of the Hazelwood Power Station following ENGIE's decision to cease generating electricity and to decommission the station and mine site.

f) Provide any other information the applicant considers relevant to the commission's fit and proper person assessment.

**Attachment reference: Attachment 4B – Fit and Proper Person (CONFIDENTIAL)**

### **Additional information**

Answer the following questions and, where the answer to any question is "no" (except for question b)), provide further detail.

a) Is the applicant a resident of, or does it have permanent establishment in, Australia?

Yes.

b) Is the applicant under external administration (as defined in the *Corporations Act 2001*) or under a similar form of administration under any laws applicable to it in any jurisdiction?

No.

c) Is the applicant immune from suit in respect of the obligations under the *Electricity Industry Act 2000*?

No.

d) Is the applicant capable of being sued in its own name in a court of Australia?

Yes.



## 5. Commission objectives

***The applicant must answer all questions in this section.***

In deciding whether to grant or refuse an electricity generation licence application, the commission must consider its objectives under the *Electricity Industry Act 2000* and the *Essential Services Commission Act 2001* (ESC Act).

Our primary objective under the ESC Act, when performing our functions and exercising our powers, is to promote the long-term interests of Victorian consumers. In seeking to achieve this objective, we must have regard to the price, quality, and reliability of essential services and the matters set out in section 8A to the extent they are relevant.

In seeking to achieve the objectives specified in section 8, the commission must have regard to the matters to the extent that they are relevant in any particular case.

Provide any information the applicant considers relevant to the commission's consideration of its objectives outlined in:

- Section 8 of the ESC Act (also see section 8A of the ESC Act); and
- Section 10 of the *Electricity Industry Act 2000*.

The applicant has considered the objectives of section 8 and 8A of the *Essential Services Commission Act 2001* (VIC) and section 10 of the *Electricity Industry Act 2000* (VIC). The applicant confirms the GESF directly contributes to the long term interests of Victorian consumers by:

- providing affordable and reliable, clean energy for Victorian homes and businesses with enough to power up to 105,000 average Victorian homes; and
- directly contributing to Victoria's Climate Change Strategy emissions reduction targets by displacing co<sub>2</sub> emissions by up to 558,000 tonnes each year.

## 6. Statutory declaration

All the information provided in this application and attached documents for an electricity generation licence must be true and correct and must be verified by a statutory declaration. This statutory declaration must be made by the applicant (where the applicant is an individual) or a director of the applicant (where the applicant is a corporation) and must be made in accordance with the requirements of the *Oaths and Affirmations Act 2018*.

An example statutory declaration form can be found [here](#). Information for authorised witnesses can be found [here](#).

The statutory declaration must address the following:

- a) identification of the declarant's position and/or role with the applicant
- b) that the declarant believes the information provided in the application to be true and correct
- c) that the declarant believes the applicant has the financial resources to commence and operate the activities the subject of the licence.

I [name].....

of [address].....

make the following statutory declaration under the *Oaths and Affirmations Act 2018* (Victoria):

- a) That I am the director of **[insert company name and details]**
- b) The information provided in this application (including any attachments) to the Essential Services Commission for an electricity generation licence is true and correct

and I make this declaration conscientiously believing these matters to be true and knowing that making a statutory declaration that I know to be untrue is an offence.

I make it knowing that making a statutory declaration that I know to be untrue is an offence.

Date: .....

Signature: .....

(signature of person making this statutory declaration in the presence of the authorised statutory declaration witness)

Declared at: ..... on .....

**Witness**

I am an authorised statutory declaration witness and I sign this document in the presence of the person making the declaration:

.....

[signature of authorised statutory declaration witness]

on [date]

[full name and personal or professional address of authorised statutory declaration witness in legible writing, typing or stamp]

[qualification as an authorised statutory declaration witness]

A person authorised under section 30(2) of the ***Oaths and Affirmations Act 2018*** to witness the signing of a statutory declaration.