



**ELECTRICITY INDUSTRY ACT 2000
APPLICATION FOR ELECTRICITY GENERATION AND SALE LICENCE**

**Hawkesdale Asset Pty Ltd as trustee for Hawkesdale Asset
Trust
ACN 643 793 711**

RECORD OF DECISION

10 January 2024

SUMMARY

Pursuant to the provisions of section 19(1) of the Electricity Industry Act 2000 (Vic) (Industry Act) the Essential Services Commission (the commission) has granted Hawkesdale Asset Pty Ltd as trustee for Hawkesdale Asset Trust (ACN 643 793 711) (Hawkesdale) a licence to generate electricity for supply or sale at the wind farm located in Hawkesdale, Victoria, with a capacity of 96.6MW.

BACKGROUND

Section 16(1) of the Industry Act provides that a person must not engage in the generation of electricity for supply or sale or the transmission, distribution, supply or sale of electricity unless the person:

- (a) is the holder of a licence authorising the relevant activity;
- (b) is exempted from the requirement to obtain a licence in respect of the relevant activity; or
- (c) is the holder of a trial waiver in respect of the relevant activity.

Section 18(1) of the Industry Act provides that a person may apply to the commission for a licence authorising the person to generate electricity for supply or sale (under subsection (1)(a)).

On 28 June 2023, Hawkesdale applied to the commission for a licence authorising it to generate electricity for supply or sale to the wholesale electricity market.

Consistent with the requirements of the commission's electricity generation licence application form and the commission's 'Guideline: Applications for electricity and gas industry licences', Hawkesdale provided the commission with necessary documentation supporting the application.

On 25 October 2023, the commission published a copy of the application, and invited interested parties to make submissions in respect of the application. The commission did not receive any submissions regarding the application.

CONSIDERATION OF THE APPLICATION

Section 19(1) of the Industry Act provides that the commission may grant or refuse the application for any reason it considers appropriate, having regard to the objectives of the commission under the provisions of the Industry Act and the Essential Services Commission Act 2001 (Vic) (Commission Act).

DECISION

The commission is satisfied that:

- Hawkesdale has the technical capacity to comply with the conditions of the licence to be granted; and
- Hawkesdale is a fit and proper person to hold a licence to generate electricity for supply or sale in Victoria.

In accordance with Section 19(1) of the Industry Act, and having regard to its objectives under the Commission Act and the Industry Act, the delegate of the commission has decided to grant Hawkesdale a licence to generate electricity for supply or sale. The authorisation granted by the licence is limited to the generation of electricity at the wind farm located at Hawkesdale, Victoria, and the sale of electricity generated by this facility through the wholesale electricity market.

THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the commission
on 15 January 2024

A handwritten signature in blue ink, appearing to read "Kate Symons".

Kate Symons
Chairperson