



Electricity Generation Licence Application

Wunghnu Solar Farm
May 2023

Sunspot 3 Pty Ltd

Information about the Applicant and proposed activities

Legal name, identity and contact details of the applicant

The Applicant	
Entity Name	SUN SPOT 3 PTY LTD
Entity ABN	28 618 128 733
Entity ACN	618 128 733
Entity Type	Australian Private Company
Registered Address	CBW' Level 19, 181 William Street, Melbourne VIC 3000
Postal/Business Address	L29, 420 George St, Sydney NSW 2000
Full Name of Contact Person	Adam Pegg
Position	Director of Sun Spot 3 Pty Ltd Country Manager, Australia & New Zealand
Telephone	
Mobile	
Email	

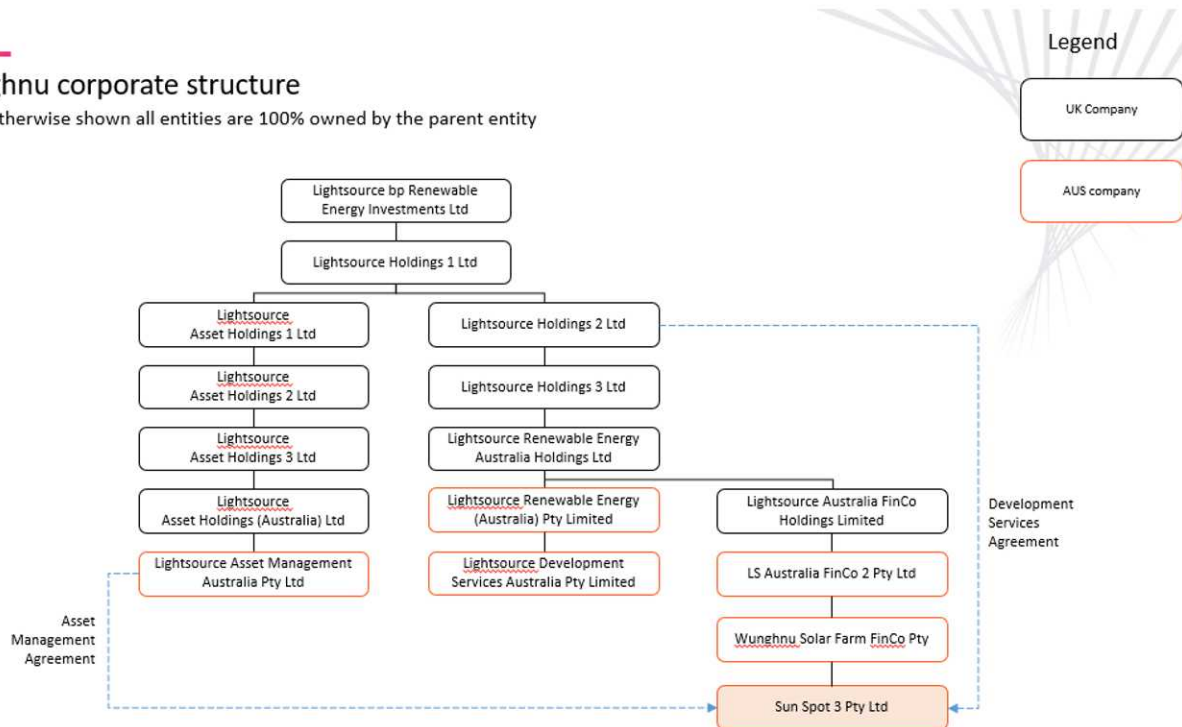
Diagram of corporate and organizational structure

The Sun Spot 3 Pty is a wholly owned subsidiary of the ultimate parent co. Lightsource bp Renewable Energy Investments Ltd (Lightsource bp), a UK registered company.

The corporate structures consist of a group Finance Co and a dedicated Finance Co. Wunghnu Solar Farm FinCo Pty Ltd is the borrower for the purpose of project financing. Sun Spot 3 Pty Ltd is the owner of all licenses, contracts, agreements and generally the project assets.

Wunghnu corporate structure

Unless otherwise shown all entities are 100% owned by the parent entity



Attachment 01: Certificate of Registration for Sun Spot 3 Pty Ltd.

Attachment 02: Certificate of Registration for Wunghnu Solar Farm FinCo Pty Ltd.

Attachment 03: Certificate of Registration for LS Australia FinCo 2 Pty Ltd.

Attachment 04: Certificate of Registration for Lightsource bp Renewable Energy Investment Ltd.

Reference 1: [Board of Directors for Lightsource bp Renewable Energy Investments Ltd.](#)

The License

The Applicant	
Date from Which the Licence is sought	1-August-2023
Type of Generation:	Solar PV
Expected Nameplate Capacity	Nameplate/Inverter Capacity: 93.5 MW AC Point of Connection Capacity: 75 MW AC

Location of Generation Facility	Reilly's Pit Rd, Wunghnu VIC 3635 36°09'47.4"S 145°24'12.2"E
Details on how the Generator will be connected to the network	The Generator will connect to the Powercor network via a cut-in to the 66kV SHTS-NKA line which runs along site. A new 66kV switching station and 33/66kV substation will be installed onsite. Ancillary works include a communications pole, control terminal, the installation of relays and both SHTS terminal and NKA terminal and the installation of a runback scheme on the SHTS-NSF line

Technical capacity

Experience and Knowledge of the industry

Sunspot 3 Pty Ltd is a subsidiary and Lightsource Development Services Australia Pty Ltd are subsidiaries of Lightsource bp Renewable Energy Investments Ltd (Lightsource bp). Lightsource bp Australia is the largest Solar Developer in Australia¹ and globally has the largest development pipeline across industry peers². Lightsource bp Australia has over 1GW of Solar PV projects in operation and construction.

The individuals delivering the Wunghnu Solar Farm have extensive experience in the Australian utility solar PV market. A summary of these key members experience is provided in Attachment 06.

Lightsource bp has engaged directly with Gransolar Construction Australia Pty Ltd (ACN 640 607 209) (“GRS”) and Powercor Australia Ltd (CAN 064 651 109) to deliver this project to operation, the key contracts are stated below.

Key Contracts	
Head EPC	<p>Gransolar Construction Australia Pty Ltd (ACN 640 607 209) (“GRS”)</p> <p>Level 4, 307 Queen Street</p> <p>Brisbane QLD 4000 Australia</p> <p>GRS is a company, specialised in the development, construction, operation and maintenance of solar PV plants and connection to the grid with international experience. Founded in 2005, with more than a 15 years of experience, GRS group is delivering projects across 17 countries with over 1GW+ in Australia under construction and operation</p>
Substation Construction Contractor	<p>Yurika Pty Ltd (ACN 100 214 131)</p> <p>Yurika is part of Energy Queensland – the largest, wholly government-owned electricity company in Australia.</p> <p>Yurika is engaged through GRS</p>
Network Connection Contractor	<p>Powercor Australia Ltd (CAN 064 651 109)</p> <p>Powercor is part of the Victoria Power Networks group of companies the local Distribution Network Service Provider in the NEM for the Wunghnu region. They service over 1.2 million Victorian customers</p>
Operations and Maintenance Contractor (Year 1 & 2)	<p>Gransolar Construction Australia Pty Ltd (can 640 607 209)</p> <p>Level 4, 307 Queen Street</p> <p>Brisbane QLD 4000 Australia</p>
Long term Operations and Maintenance Contractor	TBC.

	Prior to the completion of the first O+M contract, SS3 will tender the long term O&M contract
Asset Manager	Lightsource Asset Management Australia Pty Ltd (ACN 636 874 621)

Attachment 05: Lightsource BP Key Personnel

Attachment 06: EPC contract for construction of Wunghnu Solar Farm (redacted) dated 4 August 2022

Attachment 07: Executed Negotiated Connection Contract between SS3 and Powercor

Attachment 08: O&M contract for Wunghnu Solar Farm dated 4 August 2022

Reference 2: <https://reneweconomy.com.au/lightsource-bp-steams-ahead-on-big-solar-build-out-backed-by-orica-and-mars/>

Reference 3: <https://www.pv-tech.org/top-global-10-solar-developers-have-125gw-of-pv-projects-latam-accounting-for-nearly-40-of-capacity/>

Risk management

Lightsource bp Health & Safety Management System and our Environmental Management System are both certified to ISO14001 and ISO45001.

Lightsource bp has a clear HSE Policy which highlights our commitment to providing a safe workplace. This includes systematically managing our operations activities to eliminate, reduce and mitigate our risks under an integrated HSSE Management.

Attachment 10: LSbp HSE Policy.

Attachment 11: LSbp HSE Risk Register.

Attachment 12: Lightsource bp ISO 14001 accreditation

Attachment 13: Lightsource bp ISO 14005 accreditation

Registration with the Australian Energy Market Operator and general performance standards

AEMO approved the negotiated generator performance standards and notified Powercor of their acceptance on the 30th of July 2021. This act signifies a 5.3.4a approval with the NER. See attachment 10 for details on the negotiated generator performance standards.

Attachment 14: Wunghnu Solar Farm – 5.3.4a and 5.3.4b letter

Licenses held in other jurisdictions

The Applicant does not hold any, and has not applied for an electricity generation license in any other jurisdiction.

Previous unsuccessful license applications in other jurisdictions

Sunspot 3 Pty Ltd has not been previously denied an electricity or gas license.

Licenses held by associates of the applicants

A related company of the Applicant holds a generator license for the Woolooga Solar Farm (QLD).

Compliance management

The compliance management framework is detailed in Attachment 15, and outlines obligations during construction, operations and decommissioning of the project. The allocation of responsibilities for the compliance actions is included in relevant EPC schedules. The Applicant's general compliance framework with respect to how it conducts business and complies with laws and regulations can be seen in Attachment 16 (please refer to pages 12 – 17).

Under the Asset Management Agreement (attachment 17), Sun Spot 3 Pty Ltd has access to the required resources to undertake all necessary compliance and regulatory activities. Under the Operations and Management Contract, Sun Spot 3 Pty Ltd has access to the required onsite resources to adequately manage the project through operations.

Attachment 08: O&M contract for Wunghnu Solar Farm dated 4 August 2022

Attachment 15: Wunghnu Planning Permit Compliance Table

Attachment 16: Lightsource bp Code of Business Conduct & Ethics

Attachment 17: Asset Management Agreement - Wunghnu

Material Agreements

See the following documents attached:

Attachment 06: EPC contract for construction of Wunghnu Solar Farm (redacted) dated 4 August 2022

Attachment 07: Executed Negotiated Connection Contract between SS3 and Powercor

Attachment 08: O&M contract for Wunghnu Solar Farm dated 4 August 2022

Attachment 17: Asset Management Agreement - Wunghnu

Attachment 18 Wunghnu Solar Farm Generator Deed (Network Service Agreement)

Engagement with Energy Safe Victoria

Sunspot 3 Pty Ltd has engaged with Energy Safe Victoria seeking general advice on the safe design, construction and operation of solar projects in Victoria.

Attachment 19: Engagement with Energy Safe Victoria

Financial Viability

Sun Spot 3 Pty Ltd confirms that it is financially viable and has the financial resources to sustainably operate the electricity generation facilities, and will be registered market participant with the Australian Energy Market Operator for its electricity generation activities, therefore subject to the prudential requirements under the NER.

Sunspot 3 Pty Ltd is a subsidiary of Lightsource bp Renewable Energy Investments Ltd (Lightsource bp). Lightsource bp, a global leader in the development and management of solar energy projects, has successfully closed on the 8th of December 2022, a A\$540 million portfolio green financing package and will begin full construction activities on its Wellington North and Wunghnu solar projects located in New South Wales and Victoria. Financing for the projects was secured from ANZ, ING, Mizuho, NORD/LB, and Westpac.

SunSpot 3 Pty Ltd is registered as a market participant with the Australian Energy Market Operator for its electricity generation activities, therefore subject to the prudential requirements under the National Electricity Rules.

Attachment 20: Sun Spot 3 Pty Ltd Share Registry

Attachment 21: Management Accounts as of 31 Jan 2023 – Wunghnu Solar Farm FinCo Pty Ltd

Attachment 22: Management Accounts as of 31 Jan 2023 – Sun Spot 3 Pty Ltd

Attachment 23: Wunghnu Solar Farm FinCo Pty Ltd Bank statement (230131)

Reference 4: <https://lightsourcebp.com/au/news/a-540m-secured-on-wellington-north-and-wunghnu/>

Fit and proper person

Sunspot 3 Pty Ltd confirms that it does not 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 who have:

- a) been declared bankrupt,
- b) had their affairs placed under administration,
- c) been disqualified from managing a company,
- d) been subject to debt judgements, or
- e) been involved in insolvency proceedings (including any administration, liquidation, or receivership in connection with the affairs of a company)?

Sunspot 3 Pty Ltd confirms that the company, individual directors or any person with significant managerial responsibility or influence have/has not 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).

Sunspot 3 Pty Ltd confirms that the company, individual directors or any person with significant managerial responsibility or influence have/has not been involved in any material breaches of obligations regulated by the commission or any other regulator.

Sunspot 3 Pty Ltd confirms that the company, individual directors or any person with significant managerial responsibility or influence have/has not been under investigation in relation to its regulatory obligations or is currently bound by an enforceable undertaking.

Sunspot 3 Pty Ltd confirms that the company, individual directors or any person with significant managerial responsibility or influence have/has not been refused a licence or authorisation, or had restricted, suspended or revoked any such licence or authorisation (in any jurisdiction).

Additional information

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

Yes. Sunspot 3 Pty Ltd has a regional office at L29, 420 George St. Sydney, 2000.

2. 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. The Applicant is not and has not been under external administration.

3. Is the applicant immune from suit in respect of the obligations under the Electricity Industry Act 2000?

No. The Applicant is not immune from suit in respect of the obligations under the Electricity Industry Act 2000.

4. Is the applicant capable of being sued in its own name in a court of Australia?

Yes. The Applicant can be sued in its own name in a court of Australia.

The Commissions Objectives

Sun Spot 3 Pty Ltd is conducting the project in a manner which complies with the Essential Services Commission (ESC) Act 2001. The Commission's objectives under the ESC Act is outlined in section 8 of the ESC Act:

- (1) In performing its functions and exercising its powers, the objective of the Commission is to promote the long term interests of Victorian consumers.
- (2) Without derogating from subsection (1), in performing its functions and exercising its powers in relation to essential services, the Commission must in seeking to achieve the objective specified in subsection (1) have regard to the price, quality and reliability of essential services.

The Wunghnu Solar Farm will deliver cheap and reliable renewable energy to the residents of Victoria for a period of 40 years and support the Victorian Governments net zero targets and transition to a low carbon future. The Applicant is confident that the Wunghnu Solar Farm promotes the long-term interests of Victorian consumers.

Statutory declaration

I ADAM PEGG

of Level 29, 420 George Street, Sydney NSW 2000 make the following statutory declaration under the Oaths and Affirmations Act 2018 (Victoria):

- a) That I am the director of Sun Spot 3 Pty Ltd;
- 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
- c) 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: **06/07/23**

Signature: 

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

Declared at: **Sydney NSW 2000** on **7 June 2023**

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

Signature: 

on **7 June 2023**

[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