

Integrated Regional Licence (Retail) Exemption Application

An application for exemption from the requirements of section 7(4) of the *Electricity Industry Act 2004* (WA)

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1 Introduction

1.1 Applicant Details

Item	Details
Legal Name	Jinbi Project Pty Ltd ACN 681 974 407 as trustee for the Jinbi Project Trust ABN 86 178 202 409
Sole Shareholder	Yindjibarndi Energy Corporation Pty Ltd ACN 667 821 865
ABN	ABN 23 667 821 865
Registered Postal Address	Unit 2, Level 13, 1 Spring Street, Perth, WA, 6000
Contact Person	<p>Name Tamara Brooker</p> <p>Position General Manager Development</p> <p>Email tamara.brooker@yec.au</p>

1.2 Sole shareholder of the applicant

Yindjibarndi Energy Corporation Pty Ltd (**YEC**) is one of the largest indigenous-led renewable energy initiatives in Australia. YEC seeks to develop, construct and operate renewable energy and storage projects on Yindjibarndi Ngurra (country) in Western Australia's Pilbara region.

YEC intends to develop a number of electricity projects in the Pilbara, Western Australia, with various solar, wind and battery projects in the planning stage that are forecasted to have a combined generation capacity of 3GW. YEC intends to use Jinbi Project Pty Ltd ACN 681 974 407 as trustee for the Jinbi Project Trust ABN 86 178 202 409 (**the Applicant**) to develop Project Jinbi.

YEC is structured such that the Yindjibarndi people are equity owners through Yiyangu Pty Ltd (100% owned by the Yindjibarndi Wealth Trust operating under the Yindjibarndi Aboriginal Corporation). Through this equity structure, YEC's projects will generate long-term revenue streams for the Yindjibarndi people and facilitate meaningful indigenous participation in its supply chain.

1.3 Project Jinbi

YEC's first project is Project Jinbi, a solar farm connecting into the North West Interconnected System (**NWIS**) via existing transmission infrastructure owned and operated by the project's sole offtaker, Hamersley Iron Pty. Limited, or its related body corporate.

Project Jinbi is located on Yindjibarndi Country, west of the Millstream-Chichester National Park, approximately 55km south of Karratha, as shown in the directional map attached to this document as Schedule 1 (for reference, a site map is attached to this document as Schedule 2).

Project Jinbi will be developed in 2 stages. Stage 1 comprises the following:

Stage 1

Installed Capacity	75 MW solar capacity (approx.) (and less than 100MW ¹ in any event)
Connection	Distribution from the generating works to a substation connecting to a transmission system (both substation and transmission system owned and operated by offtaker or its related body corporate ²)
Offtaker	Single offtaker
Commercial operation date (target)	July 2028

Stage 2 comprises the following:

Stage 2	
Installed Capacity	A further 75 MW solar capacity (approx.) (stage 1 and stage 2 having a combined installed capacity of 150MW ³ (approx.))
Connection	Distribution from the generating works to a substation connecting to a transmission system (both substation and transmission system owned and operated by offtaker or its related body corporate ⁴)
Offtaker	Single offtaker
Commercial operation date (target)	Not yet scheduled, dependent on off-taker

Stage 1 will be constructed and operational in advance of stage 2.

2 Request for exemption

2.1 Requirement for licence

Section 7(4) of the *Electricity Industry Act 2004* (WA) (**the Act**) prohibits a person from selling electricity to customers except under the authority of a retail licence or an integrated regional licence. Given that Project Jinbi is located outside of the parameters of the South West Interconnected System, the Applicant considers that, in the absence of an exemption, it must hold an Integrated Regional Licence permitting the sale of electricity to customers under section 4(1)(e) of the Act.

The Act defines 'customer' in section 3 as a person to whom electricity is sold for the purpose of consumption. The requirement to hold a licence is not limited to a threshold of consumption of the relevant customer. We do not consider that the Applicant falls under any of the exemptions from holding a licence available under the Act or the *Electricity Exemption Order 2005* (WA) (**Exemption Order**).

¹ YEC will generate less than 100MW in total project capacity for Stage 1. So, for Stage 1, the Applicant is exempt from the requirement to hold an integrated regional licence with respect to generation. Refer to clause 3 of the *Electricity Exemption Order 2005* (WA) for this exemption.

² Robe River Mining Co. Pty Ltd (ABN 71 008 694 246), a related body corporate of Hamersley Iron Pty. Limited (ABN 49 004 558 276), owns and operates the substation and transmission infrastructure under the *Iron Ore (Robe River) Agreement Act 1964* (WA) (so is exempt from holding an integrated regional licence under section 7(2) of the *Electricity Industry Act 2004* (WA) per section 10(3), (1) of the *Electricity Exemption Order 2005* (WA)).

³ The Applicant will hold an integrated regional licence with respect to generation to authorise it to carry out the generation activities for Stage 2. As the total project capacity will exceed 100MW the exemption the Applicant will use for Stage 1 is not applicable to Stage 2.

⁴ Hamersley Iron Pty. Limited (ABN 49 004 558 276) owns and operates the substation and transmission infrastructure under the *Iron Ore (Hamersley Range) Agreement Act 1963* (WA) (so is exempt from holding an integrated regional licence under section 7(2) of the *Electricity Industry Act 2004* (WA) per section 10(3), (1) of the *Electricity Exemption Order 2005* (WA)).

2.2 Exemption request

Under section 8(1) of the Act, the Governor may exempt any person from the requirements of section 7(4) of the Act. The Governor must be satisfied that the exemption would not be contrary to the public interest considerations set out in section 8(5) of the Act, as discussed in section 3 below. Additionally, we consider there to be legitimate commercial justifications for the proposed exemption.

The Applicant's only offtaker for each stage of Project Jinbi is a single entity whose electricity consumption will exceed that of a 'small use customer' (as defined in the Act). It is clear that the compliance and reporting obligations imposed on retail licensees are far more applicable to licensees that have a larger number of customers, and even more so where those customers are small use customers.

The obligations imposed on retail licensees (including mandatory third-party performance audits and compliance reporting) do not appear necessary in the context of Project Jinbi. These obligations would only increase the administrative burden of both the Applicant and the Economic Regulation Authority without achieving any meaningful benefit. For each stage, the Applicant will sell the electricity to its offtaker pursuant to a negotiated Power Purchase Agreement, and its offtaker is highly experienced in operating within the energy and resources sector.

Accordingly, the Applicant requests that the Governor exempts it from the requirements of section 7(4) of the Act (**Exemption**).

3 Public Interest Assessment

3.1 Environmental considerations

The Applicant does not consider that granting the Exemption will have any environmental impact. The Exemption will not change the relevant environmental approvals which are required to be held in order to develop Project Jinbi.

Project Jinbi will provide a green energy source in the Pilbara region and intends to make use of common-use transmission infrastructure, reducing the need for duplication of infrastructure and resulting environmental disturbance.

3.2 Social welfare and equity considerations, including community service obligations

The Applicant does not consider that granting the Exemption will have any social welfare or equity considerations. The Applicant does not propose to sell electricity generated from Project Jinbi to individuals or small businesses. For each stage, its sole customer will exceed the consumption thresholds of a small use customer under the Act.

As set out above, the structure of the Applicant is such that it provides revenue streams and opportunities for meaningful supply chain contribution for the Yindjibarndi people.

3.3 Economic and regional development, including employment and investment growth

Project Jinbi provides substantial economic, development and employment opportunities to the Pilbara region. Further, Project Jinbi aims to support the region's clean energy future and electrification of existing mining and industrial operations.

Project Jinbi represents a significant investment in the development of renewable energy sources in the Pilbara region. As at April 2025, the following amounts were spent with indigenous and local businesses in the development of Project Jinbi:

- (a) 19% of project development costs spent with indigenous businesses⁵;
- (b) 30% of project development costs spent with Pilbara region businesses;
- (c) 19% of project development costs spent with WA businesses; and
- (d) 14% of project development costs spent with Yindjibarndi Enterprises.

3.4 Interests of customers generally or a class of customers

Given that for each stage, the Applicant only proposes to sell electricity generated from Project Jinbi to a single sophisticated customer, it does not consider that granting the Exemption will have any adverse impact on customers. For each stage, the proposed offtaker is highly experienced in the energy and resources industry and would not benefit from any of the obligations placed on the Applicant as a licensee.

3.5 Interests of other licensees or applicants in the Pilbara region

The Applicant does not consider that granting the Exemption will have any adverse impact on any other licensee or applicant for a licence in the Pilbara region.

There are several examples of electricity generation facilities in the region that exclusively supply a single offtaker. Often the generation and supply activities are undertaken on the same site and on that basis would fall under the on-supply exemption available under the Act. In the instance of Project Jinbi, the broad arrangement of having a generation facility supply a single offtaker per stage remains the same and the only difference is that the generation facility and the end user are not located on the same site.

3.6 Importance of competition in electricity industry markets

The Applicant does not consider that granting the Exemption will have any adverse impact on competition in the electricity markets. The Exemption will not affect the competition or price transparency of the supply of electricity to small use customers, given the proposed offtake arrangements set out above.

Project Jinbi will only increase the competition in electricity markets as YEC, in this case through the Applicant, builds its project portfolio.

3.7 Policy objectives

Section 119(2) of the Act sets out the Pilbara electricity objective as being:

'to promote efficient investment in, and efficient operation and use of, services of Pilbara networks for the long-term interests of consumers of electricity in the Pilbara region in relation to:

- (a) *price, quality, safety, reliability and security of supply of electricity; and*
- (b) *the reliability, safety and security of any interconnected Pilbara system.'*

Section 119(4) of the Act goes on to clarify that when determining whether a function meets the Pilbara electricity objective, consideration may be given to factors including:

- (a) the contribution of the Pilbara resources industry to the State's economy;
- (b) the nature and scale of investment in the Pilbara resources industry; and
- (c) the importance to the Pilbara resources industry of a secure and reliable electricity supply.

⁵ Not all indigenous businesses are located in the Pilbara.

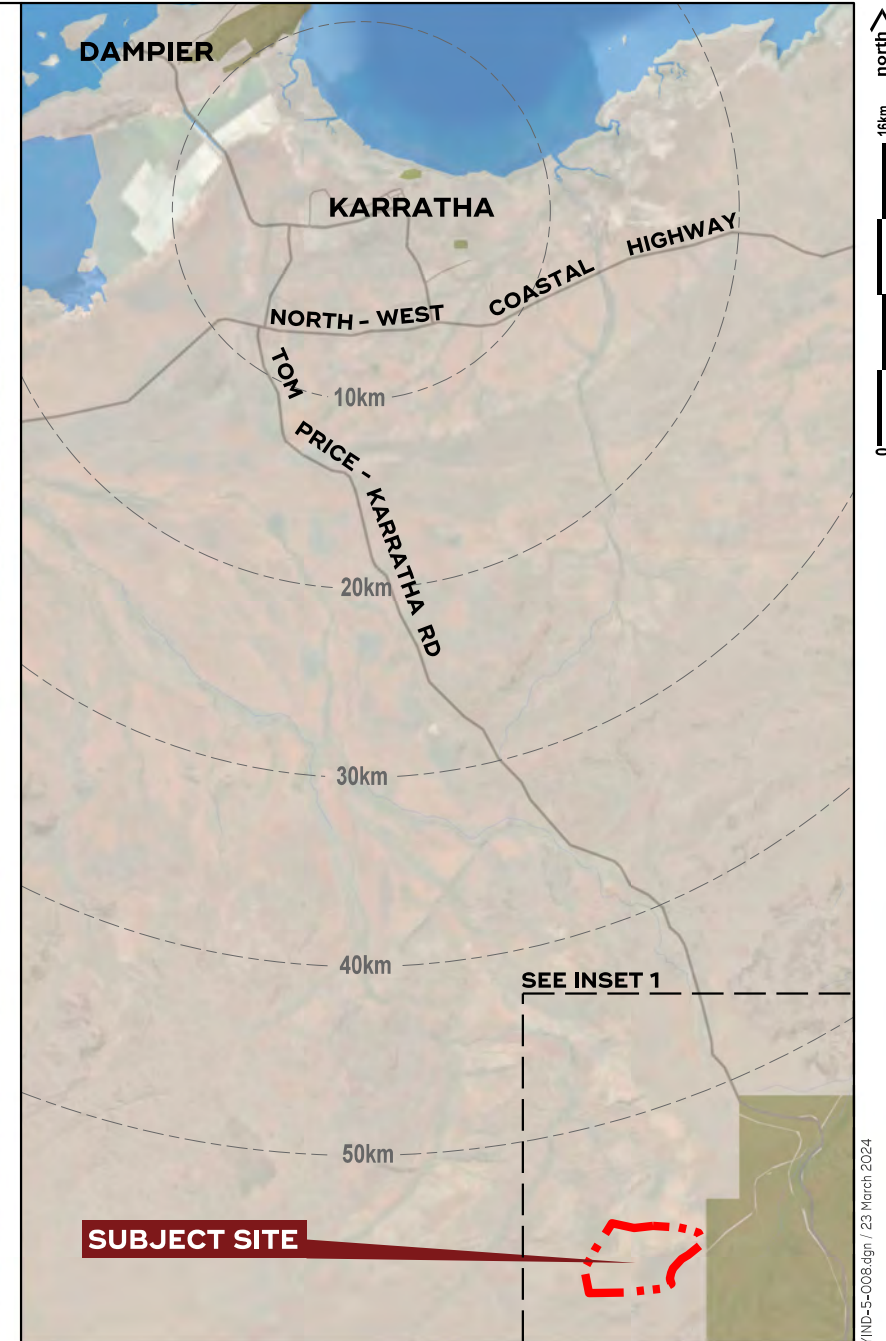
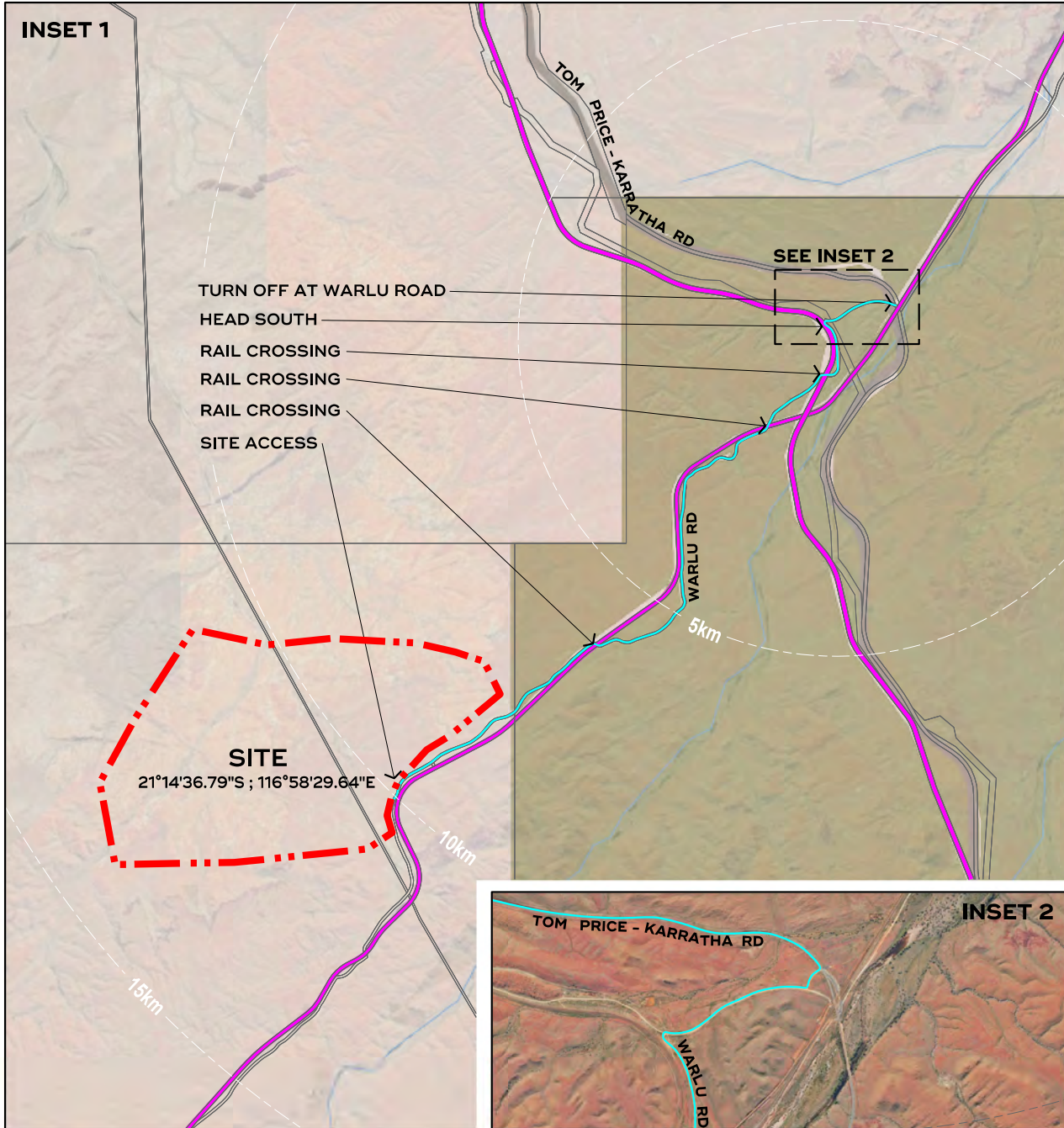
The Applicant does not consider that granting the Exemption is at all contrary to the Pilbara electricity objective. Project Jinbi provides a significant scale of investment in renewable energy in the Pilbara region, allowing its offtaker to power resources operations in the Pilbara using renewable energy. The Exemption will not have any impact on Project Jinbi continuing to meet these objectives.

4 Conclusion

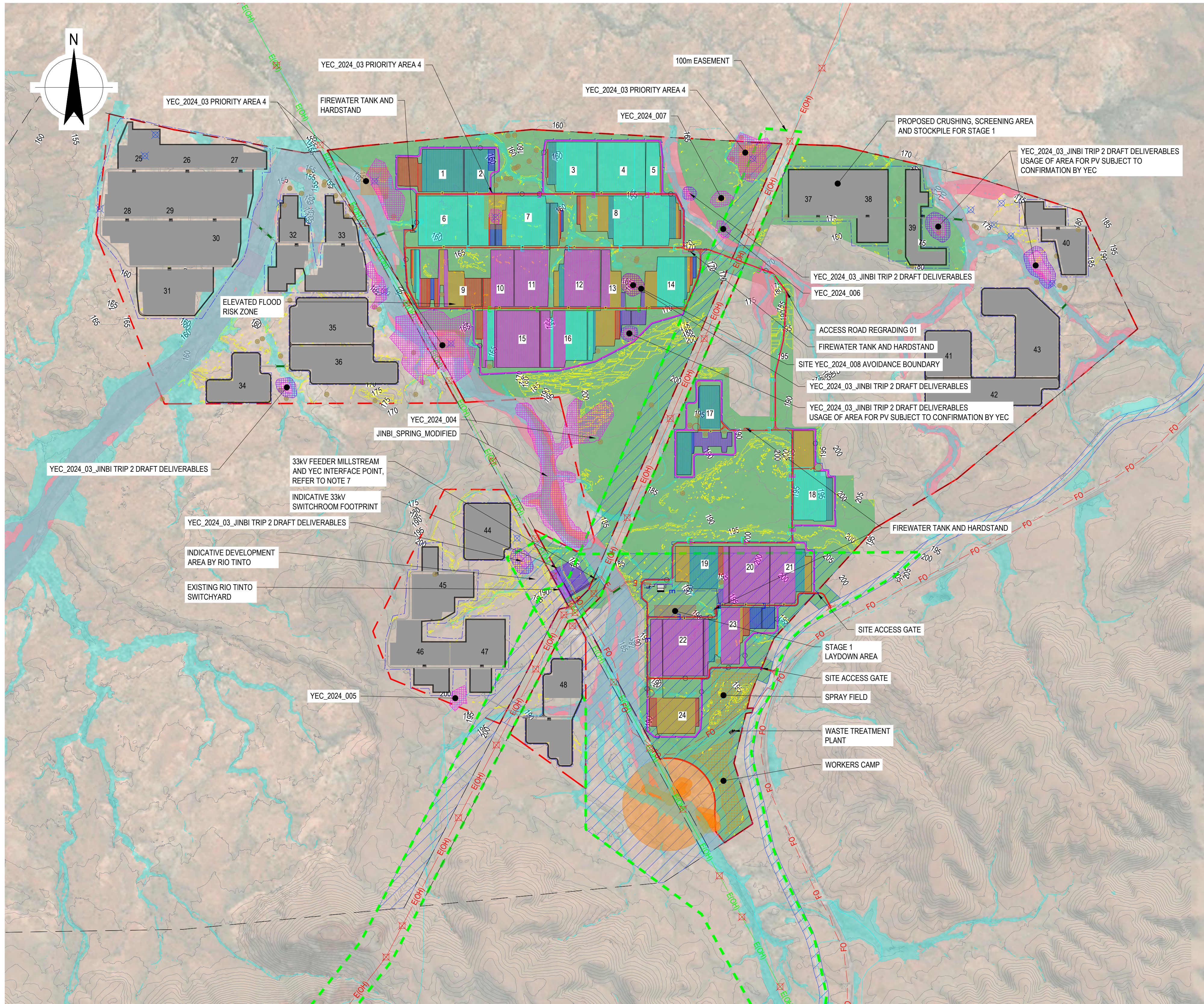
The Applicant makes this application for the Governor to grant an exemption from the requirements of section 7(4) of the Act in respect of Project Jinbi, a 75 – 150MW solar project in the Pilbara which is intended to supply green electricity to Pilbara mining operations. The Applicant applies for this exemption on the basis set out in this application, including both the public interest considerations as well as the commercial justifications set out above.

The Applicant welcomes the opportunity to discuss this matter further with the relevant regulatory stakeholders.

1 Schedule 1 – Directional Map



2 Schedule 2 – Site Map



SITE PLAN
SCALE 1:10,000m

NOTES:

- SOLAR PANEL ARRANGEMENT AND LAYOUT IS PRELIMINARY ONLY AND NOT INTENDED FOR CONSTRUCTION. EQUIPMENT LAYOUT TO BE REFINED SUBJECT TO FURTHER DESIGN AND DISCUSSION.
- SOLAR PANEL ARRANGEMENT AND LAYOUT IS BASED ON LIMITED GEOTECHNICAL INFORMATION PROVIDED AT THE TIME OF DESIGN DEVELOPMENT. ARRANGEMENT TO BE REFINED BASED ON GEOTECHNICAL REPORT COMMISSIONED AND UNDERWAY AT THE TIME OF THIS DESIGN DEVELOPMENT.
- THE FOOTPRINT FOR PREFABRICATED CONTROL ROOM AND OPERATIONAL FACILITIES SHALL BE DETERMINED AT THE FINAL DESIGN STAGE.
- FIRE WATER TANKS FINAL LOCATIONS TO BE >10 METRES AWAY FROM SOLAR PANELS AND PCU SKID.
- ALL STAGE 2 WORKS ARE SUBJECT TO CHANGE PENDING STAGE 2 REQUIREMENTS AND FURTHER ENGINEERING ASSESSMENT.
- ROAD/FENCE PROXIMITY TO 1% AEP FLOOD IN AREAS AND SUBJECT TO FURTHER DESIGN DEVELOPMENT.
- JINBI SOLAR FARM / MILLSTREAM SUBSTATION INTERFACE POINT IS AT THE 33kV CABLE CONDUITS CAPPED OFF, NORTH OF THE MILLSTREAM SUBSTATION. MILLSTREAM TEAM WILL DESIGN CABLE CONTAINMENT AND ROUTE UP TO THE INTERFACE POINT AND NOMINATE THE INTERFACE COORDINATES.
- LOCATION FOR SPRAY FIELD, WASTE TREATMENT PLANT AND WORKERS CAMP ARE INDICATIVE ONLY.
- SOLAR LAYOUT WILL BE FURTHER OPTIMISED IN DETAILED DESIGN PHASE TO AVOID THE ADDITIONAL FLOOD AREAS DUE TO CLIMATE CHANGE.

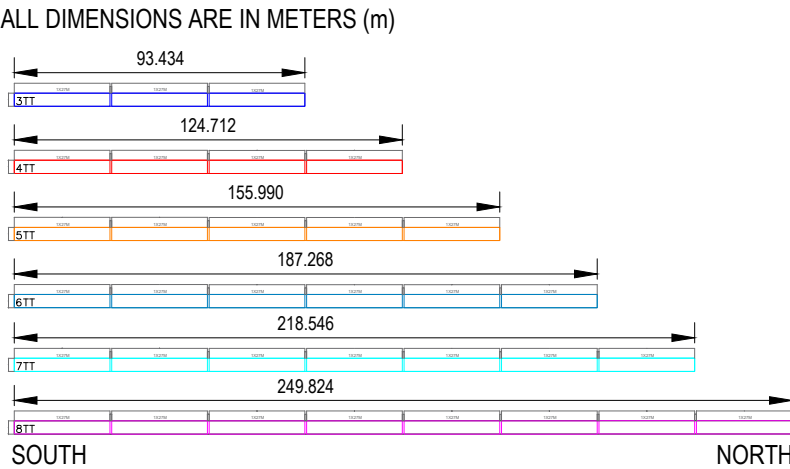
LEGEND

- SITE BOUNDARY
- YIYANGU BOUNDARY
- TOPOGRAPHICAL CONSTRAINTS (>15% SLOPES)
- ENVIRONMENTAL AVOIDANCE AREA
- PROPOSED DEVELOPMENT AREA
- ACCESS AGREEMENTS
- HERITAGE AVOIDANCE
- HERITAGE SITES WITH BUFFER
- HYDROLOGY CONSTRAINTS (DEPTH > 0.5m, 1 IN 500 - YEAR AEP, BASED ON CLIMATE CHANGE ASSESSMENT)
- 1.8m HIGH SITE FENCING - STAGE 1
- SITE GATE
- ACCESS ROAD (4m WIDTH, FOR HEAVY RIGID VEHICLES)
- ACCESS TRACK (4m WIDTH, FOR MEDIUM RIGID VEHICLES)
- ACCESS ROAD (4m WIDTH) - FUTURE
- ACCESS TRACK (4m WIDTH) - FUTURE
- 01 INVERTER BLOCKS (INDICATIVE ONLY)
- SOLAR TRACKER (STAGE 1 WORKS)
- SOLAR TRACKER (FUTURE WORKS)
- FIREWATER TANK AND HARDSTAND
- 33kV RIO CONNECTION
- 33kV SOLAR FEEDER 1
- 33kV SOLAR FEEDER 2
- 33kV SOLAR FEEDER 3
- 33kV SOLAR FEEDER 4
- CULVERT CROSSING
- PCU SKID
- FIELD SITES (YEC_2024-03)
- LOW LEVEL ROCK CROSSING
- PEBBLE MOUSE MOUNDS

EXISTING:

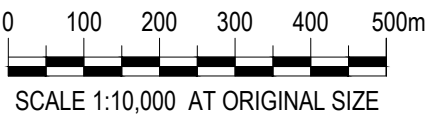
- CONTOUR
- 132kV POWERLINE
- 220kV POWERLINE
- FIBRE OPTIC CABLE
- TRACKS
- ON-GOING LAND TENURE DISCUSSIONS
- TRANSMISSION TOWERS

SOLAR TRACKERS:



THIS DRAWING INCLUDES COLOURED INFORMATION COPIES OF THIS DRAWING MUST BE PRODUCED IN COLOUR

P05	FEED DESIGN RESUBMISSION	BE	RR	30.05.25
P04	FEED DESIGN SUBMISSION	BE	RR	09.05.25
P03	ISSUED FOR CLIENT COMMENT	BE	RR	31.10.24
P02	DRAFT WORK IN PROGRESS	JS	RR	30.08.24
P01	DRAFT WORK IN PROGRESS	JS	RR	16.08.24
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Project No.
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Client YINDJIBARNDI ENERGY CORPORATION Pty Ltd
Project YINDJIBARNDI RENEWABLE ENERGY HUB - JINBI PROJECT FEED PACKAGE
Status PRELIMINARY

Drawing Title
JINBI SOLAR FARM
SITE PLAN
SOLAR LAYOUT

Drawing No.
12643033-GHD-01-00-DRG-GN-00005

Size
A1
Rev
P05

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