



**Licence number** L5897/1993/11

**Licence holder** BAE Systems Australia Limited  
**ACN** 008 423 005

**Registered business address** Level 2 80 Flinders Street  
ADELAIDE SA 5000

**DWER file number** 2012/008857-2

**Duration** 09/02/2015 to 08/02/2030

**Date of issue** 22/01/2015  
**Date of transfer** 16/11/2023

**Premises details** BAE Systems Australia

Legal description -

Lot 1 on Diagram 75186, Lot 2953 on Plan 188910,  
Part Lot 804 on Plan 38196 and Part Lot 4552 on  
Plan 220690 Quill Way HENDERSON WA 6166

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i> )	Assessed production capacity
Category 49: Boat building and maintenance	Not Applicable
Category 81: Metal coating	More than 1,000 litres per annual period

This licence is granted to the licence holder, subject to the attached conditions, on 16 November 2023, by:

**Amine Fisher**  
**A/Manager Process Industries**  
**REGULATORY SERVICES**

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)



## Licence history

Date	Reference number	Summary of changes
22/01/2015	L5897/1993/11	Licence reissue
29/04/2016	L5897/1993/11	Expiry date amended to 08/02/2030.
16/11/2023	L5897/1993/11	Transfer to BAE Systems Australia Limited

## Interpretation

In this licence:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this licence:
  - (i) if dated, refers to that particular version; and
  - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

**NOTE:** This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.



## Licence conditions

### 1 General

#### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

**'Act'** means the *Environmental Protection Act 1986*;

**'annual period'** means the inclusive period from 1 January until 31 December in that year;

**'CEO'** means CEO of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under section 20 of the Act;

**'CEO'** for the purpose of correspondence means;

Manager Licensing  
Department of Environment Regulation  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Telephone: (08) 9333 7510  
Facsimile: (08) 9333 7550  
Email: [grswanbooragoon@der.wa.gov.au](mailto:grswanbooragoon@der.wa.gov.au);

**'code of practice for the storage and handling of dangerous goods'** means the document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

**'dangerous goods'** has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

**'environmentally hazardous material'** means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

**'fugitive emissions'** means all emissions not arising from point sources identified in sections 2.2, 2.3, 2.4 and 2.5;

**'Licence'** means this Licence numbered L5897/1993/11 and issued under the Act;

**'Licensee'** means the person or organisation named as Licensee on page 1 of the Licence;



**‘NATA’** means the National Association of Testing Authorities, Australia;

**‘NATA accredited’** means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

**‘Premises’** means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

**‘quarterly’** means the 4 inclusive periods from 1 January to 31 March, 1 April to 30 June, 1 July to 30 September and 1 October to 31 December;

**‘six monthly’** means the 2 inclusive periods from 1 January to 30 June and 1 July to 31 December;

**‘Schedule 1’** means Schedule 1 of this Licence unless otherwise stated;

**‘Schedule 2’** means Schedule 2 of this Licence unless otherwise stated; and

**‘waste’** has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009), published by the CEO and as amended from time to time.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

## **1.2 General conditions**

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer’s specification or any relevant and effective internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises.



### **1.3 Premises operation**

- 1.3.1 The Licensee shall record the vessels greater than 25 metres in length, which were maintained at the Premises. These records shall contain data collected from the annual period each year and should include but not be limited to the following information:
- (i) the name of the vessel;
  - (ii) the dates the vessel was undergoing maintenance work; and
  - (iii) a brief description of the work that was conducted on the vessel.
- 1.3.2 The Licensee shall record any vessels where organotin antifouling paint was used or removed.
- 1.3.3 The Licensee shall undertake all abrasive blasting and metal coating of structures treated with Tributyltin on a sealed surface.
- (i)
- 1.3.4 The Licensee shall ensure that no waste containing Tributyltin or potentially containing Tributyltin is discharged to the environment.



## **2 Emissions**

### **2.1 General**

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of Section 2 of this Licence.

### **2.2-2.4 Point source emissions to air, surface water and groundwater**

There are no specified conditions relating to point source emissions to air, surface water or groundwater in this section.

### **2.5 Emissions to land**

There are no specified conditions relating to emissions to land in this section.

### **2.6 Fugitive emissions**

- 2.6.1 The Licensee shall use all reasonable and practical measures to prevent and where that is not practicable to minimise dust emissions from the Premises.
- 2.6.2 The Licensee shall ensure that no visible dust generated by the activities on the Premises crosses the boundary of the Premises.

### **2.7 Odour**

- 2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

### **2.7 Noise**

There are no specified conditions relating to noise in this section.



## 3 Monitoring

### 3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
- (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured.

3.1.2 The Licensee shall ensure that quarterly monitoring is undertaken at least 45 days apart.

### 3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater

There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.

### 3.5 Monitoring of emissions to land

There are no specified conditions relating to monitoring of emissions to land in this section.

### 3.6-3.7 Monitoring of inputs and outputs and process monitoring

There are no specified conditions relating to monitoring of inputs and outputs and process monitoring in this section.

### 3.8 Ambient environmental quality monitoring

3.8.1 The Licensee shall undertake the monitoring in Table 3.8.1 according to the specifications in that table and record results.

**Table 3.8.1: Monitoring of ambient groundwater quality**

Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
MB01; MB02; MW04; MW05; MW06; MW108; MW110; and MW111. Locations as shown on map in Schedule 1	Tributyltin	mg/L	Spot sample	Quarterly
	Nickel			
	Zinc			
	Lead			
	Copper			
	Cadmium			
	Diuron			
	Biologically available Copper			



### **3.9 Meteorological monitoring**

There are no specified conditions relating to meteorological monitoring in this section.

## **4 Improvements**

There are no specified improvement conditions in this section.





## 5 Information

### 5.1 Records

5.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
  - (i) off-site environmental effects; or
  - (ii) matters which affect the condition of the land or waters.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

### 5.2 Reporting

5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 60 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.



**Table 5.2.1: Annual Environmental Report**

Condition or table (if relevant)	Parameter	Format or form
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
1.3.1 and 1.3.2	Recording of vessel details	None specified
3.8.1	Ambient groundwater quality	None specified
3.8.1	A historical trending report of groundwater monitoring over the period of the licence	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets

### 5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

**Table 5.3.1: Notification requirements**

Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
2.1.1	Breach of any limit specified in the Licence	Schedule 2 Form N1 Part A: As soon as practicable but no later than 5pm of the next usual working day.	N1
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Schedule 2 Form N1 Part B: As soon as practicable	

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

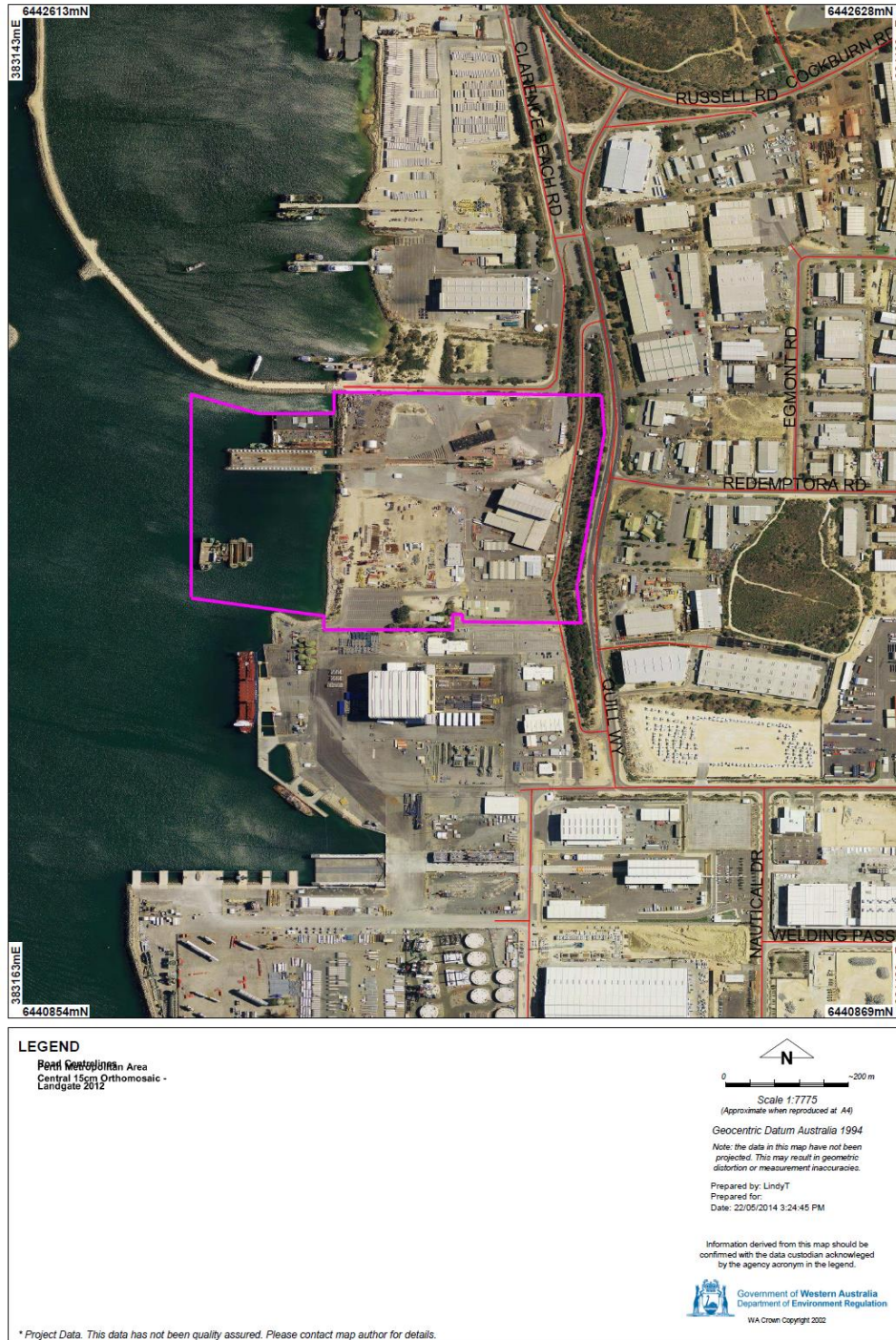
Note 2: Forms are in Schedule 2



## Schedule 1: Maps

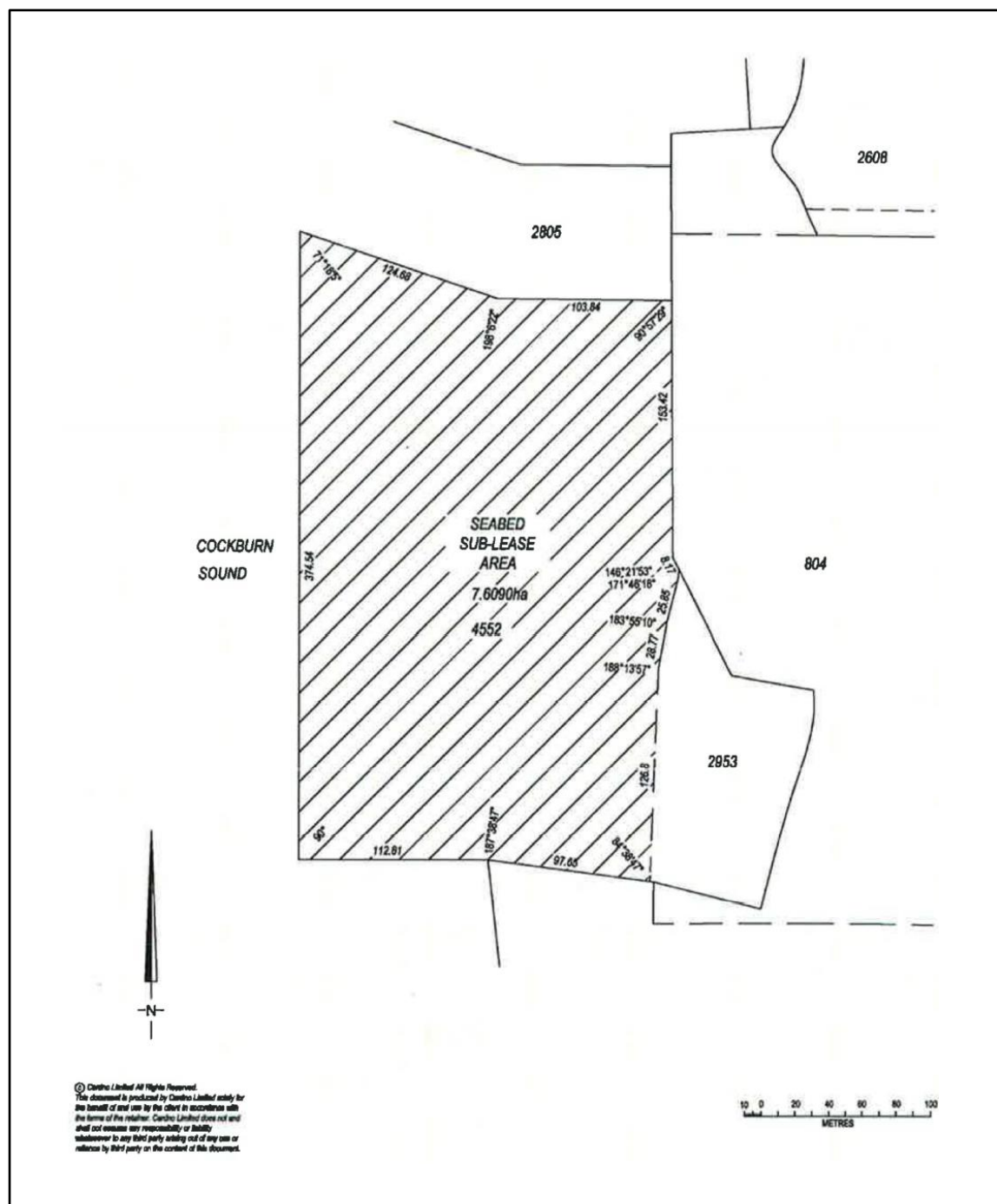
### Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.



## Map of seabed sublease area

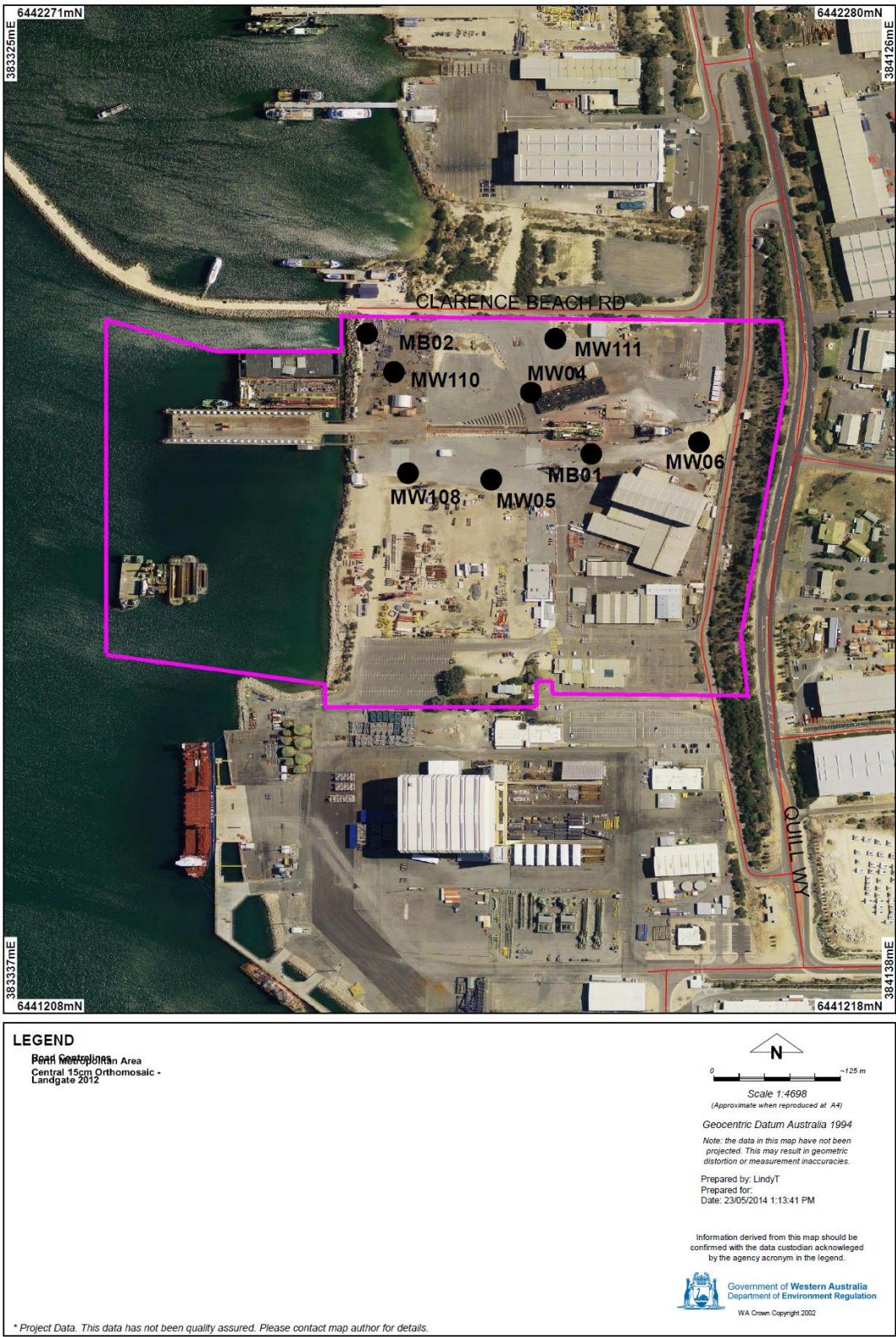
The location of the seabed sublease area of the premises boundary is shown below.





Map of monitoring locations

The locations of the monitoring points defined in Table 3.8.1 are shown below.



## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

Licence: L5897/1993/11  
Form: N1

Licensee: BAE Systems Australia Limited  
Date of breach:

### **Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.**

These pages outline the information that the operator must provide.  
Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

#### Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

<b>Notification requirements for the breach of a limit</b>	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

<b>Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution</b>	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	

## Department of Water and Environmental Regulation

Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	

### Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of BAE Systems Australia Limited	
Date	