



Licence number	L8707/2012/1	
Licence holder	Tesla Kemerton Pty Ltd	
ACN	146 754 305	
Registered business address	Level 15, 2 The Esplanade Perth WA 6000	
DWER file number	2012/007372-1	
Duration	21/01/2013 to	30/09/2033
Date of issue	18/01/2013	
Date of amendment	18/03/2025	
Premises details	Tesla Kemerton Peak Lopping Facility Marriott Road, Wellesley Western Australia Legal description – Portion of Lot 254 on Deposited Plan 416516 As defined by the coordinates in Schedule 2	

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 52: Electric power generation: premises (other than premises within category 53 or an emergency or standby power generating plant) on which electrical power is generated using a fuel.	10 Mwe

This amended licence is granted to the licence holder, subject to the attached conditions, on 18 March 2025, by:

Manager Process Industries

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

Licence history

Date	Reference number	Summary of changes
21/11/2011	W5047/2011/1	Works approval for construction of the premises issued
18/01/2013	L8707/2012/1	Licence issued.
30/08/2013	L8707/2012/1	Amendment to align the licence expiry date and reporting period to 30 September.
29/04/2016	L8707/2012/1	Notice of amendment – Department initiated amendment to extend duration of licence to 30 September 2033.
16/05/2022	L8707/2012/1	Notice of amendment – change of licence reporting requirements in accordance with section 59(2), section 59(1)(a) and 59(1)(b) of the EP Act.
18/03/2025	L8707/2012/1	Amendment to change premises boundary coordinates. The CEO has additionally initiated an amendment to the type and style of licence and incorporate amendment notices, where relevant.

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

Definitions

In these licence conditions, unless inconsistent with the text or subject matter:

“**ACN**” means Australian Company Number

“**Annual Audit Compliance Report (AACR)**” means a report submitted in a format approved by the CEO (relevant guidelines and templates are available on the department’s website);

“**annual period**” means the inclusive period from 1 October until 30 September in the following year;

“**AS 4323.1**” means the Australian Standard AS4323.1 *Stationary Source Emissions Method 1: Selection of sampling positions*;

“**CEMS**” means continuous emissions monitoring system;

“**CEMS Code**” means the current version of the Continuous Emission Monitoring System (CEMS) Code for Stationary Source Air Emissions, Department of Environment & Conservation, Government of Western Australia;

“**Code of Practice for the Storage and handling of dangerous goods**” means the current version of the Storage and handling of dangerous goods, Code of Practice, Dept. of Mines and Petroleum, Government of Western Australia;

“**CEO**” means Chief Executive Officer of the Department.

“submit to / notify the CEO” (or similar), means either:

Director General

Department administering the *Environmental Protection Act 1986*

Locked Bag 10

Joondalup DC WA 6919

or:

info@dwer.wa.gov.au

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

“**department; DWER**” means the department established under section 35 of the Public Sector Management Act 1994 (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3;

“**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;

“**EP Act**” means *Environmental Protection Act 1986*;

“**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 L8707/2012/1 and issued under the *Environmental Protection Act 1986*;

“**Licence Holder**” means the person or organisation named as Licence Holder on page 1 of the Licence;

“**MWe**” means power output (electricity generated) in megawatts;

“**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;

“**normal operating conditions**” means any operation of a particular process excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

“**PM₁₀**” means particles with an aerodynamic diameter of less or equal to 10µm;

“**PM_{2.5}**” means particles with an aerodynamic diameter of less or equal to 2.5µm;

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

“**Schedule 1**” means Schedule 1 of this Licence unless otherwise stated;

“**Schedule 2**” means Schedule 2 of this Licence unless otherwise stated;

“**shut-down**” means the period when plant or equipment is brought from normal operating conditions to inactivity;

“**STP dry**” means standard temperature and pressure (0° Celsius and 101.325 kilopascals respectively), dry;

“**USEPA**” means United States (of America) Environmental Protection Agency; and

“**usual working day**” means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia.

General conditions

1. The Licence Holder shall maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
2. The Licence Holder except where storage is prescribed elsewhere in the licence, shall ensure that environmentally hazardous materials are stored in accordance with the Code of Practice for the Storage of dangerous goods.
3. The Licence Holder shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

Premises operation

4. The Licence Holder shall ensure that the power generation equipment is not operated for more than 200 hours per year.
5. The Licence Holder shall ensure that fuel used in the power generation equipment has a sulphur content of less than 10 mg/kg.
6. The Licence Holder shall ensure that unloading of fuel tankers is undertaken on a hardstand with a low permeability (10^{-9} m/s or less).
7. The Licence Holder shall ensure that the hardstand described in condition 6 will:
 - (a) be graded and include a sump designed to allow the recovery of liquid; and
 - (b) include valves, pumps and meters associated with unloading operations wherever practical. Otherwise, the equipment shall be adequately protected (e.g. bollards) and contained in an area designed to permit recovery of spilled fuel.

Emissions and discharges

8. The Licence Holder shall record and investigate the exceedance of any descriptive or numerical limit, and/or target in this Licence.

Point source emissions to air

9. The Licence Holder is permitted, subject to conditions in the Licence, to emit waste to the atmosphere from the emissions points listed in Table 1 and identified in Schedule 1, Figure 2.

Table 1: Point source emissions to air

Emission point reference	Emission point and source	Emission point height (m)	Source, including any abatement
A1	Stack 1 – multi-flued stack	12.5	Five generator units (2 Mwe each)

Monitoring

10. The Licence Holder shall record production or throughput data and any other process parameters relevant to any non-continuous or CEMS monitoring undertaken.
11. The Licence Holder shall have all monitoring equipment referred to in any condition of the Licence calibrated in accordance with the manufacturer's specifications, the requirements of the Licence and any relevant Australian standard.
12. The Licence Holder shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring

these issues to the attention of the Director accompanied with a report comprising details of any modifications to the methods.

Monitoring of point source emissions to air

13. The Licence Holder shall undertake the monitoring in Table 2 according to the specifications in that table.

Table 2: Monitoring of point source emissions to air

Emission point reference	Parameter	Units ^{1,3}	Frequency	Method
A1	Volatile Organic Compounds	mg/m ³ g/s	Every 500 hours of operation	USEPA Method 18
A1	Sulfur dioxide	mg/m ³ g/s	Every 500 hours of operation	USEPA Method 6 or 6C
A1	Nitrogen oxides	mg/m ³ g/s	Every 500 hours of operation	USEPA Method 7E or 7D
A1	Carbon monoxide	mg/m ³ g/s	Every 500 hours of operation	USEPA Method 10
A1	PM ₁₀	mg/m ³ g/s	Every 500 hours of operation	USEPA Method 5 or USEPA Method 17
A1	PM _{2.5}	mg/m ³ g/s	Every 500 hours of operation	USEPA Method 5 or USEPA Method 17

Note 1: All units are referenced to STP dry.

Note 2: Monitoring shall be undertaken to reflect normal operating conditions, on all five units operating at 90% load, and any limits or conditions on inputs or production.

Note 3: All units are referenced to 3% O₂.

14. The Licence Holder shall ensure that sampling required under Condition 13 of the Licence is undertaken at sampling locations in compliance with the AS4323.1 or relevant part of the CEMS Code.
15. The Licence Holder shall ensure that all non-continuous sampling and analysis undertaken pursuant to condition 13 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.

Records and reporting

16. All information and records required by the Licence shall:
- be legible;
 - if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - except for records listed in condition 16(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
 - for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - off-site environmental effects; or

(ii) matters which affect the condition of the land or waters.

17. The Licence Holder shall by 28 October and annually thereafter, provide to the CEO an Annual Audit Compliance Report in the form found on DWER's website, signed and indicating the extent to which the Licence Holder has complied with the conditions of this licence and any previous licence issued under Part V of the EP Act for the premises for the previous annual period.
18. The Licence Holder 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.
19. The Licence Holder shall provide to the CEO an Annual Environmental Report containing the information listed in Table 3 in the format or form specified in that table. This report shall be submitted to the CEO no later than 28 October 2023 and biennially thereafter (every second year).

Table 3: Annual Environmental Report

Condition or table (if relevant)	Parameter	Format or form
Condition 4	Operational hours	None specified
Condition 13, Table 2	Stack emissions monitoring	
Condition 18	Compliance	AACR
Condition 19	Complaints summary	None specified

20. The Annual Environmental Report shall also contain:
 - (a) any relevant process, production or operational data recorded under condition 10;
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and
 - (c) any original monitoring reports submitted to the Licensee from third parties.
21. The Licence Holder shall submit the information in Table 4 to the CEO according to the specifications in that table.

Table 4: Non-annual reporting requirements

Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of annual period)	Format or form
Condition 13, Table 2	Volatile Organic Compounds, Sulphur dioxide, Nitrogen oxides, Carbon monoxide, PM ₁₀ and PM _{2.5}	Every 500 hours of operation	28 calendar days	AR1

22. Parameters listed in Table 5 shall be notified to the CEO and in accordance with the notification requirements of the table.

Table 5: Notification requirements

Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form
Condition 12	Calibration report	As soon as practicable	None specified
Condition 8	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day Part B: As soon as practicable	N1
	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution		

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

END OF CONDITIONS

Schedule 1: Maps

Premises map

The boundary of the prescribed premises is shown in pink in the map below (Figure 1).

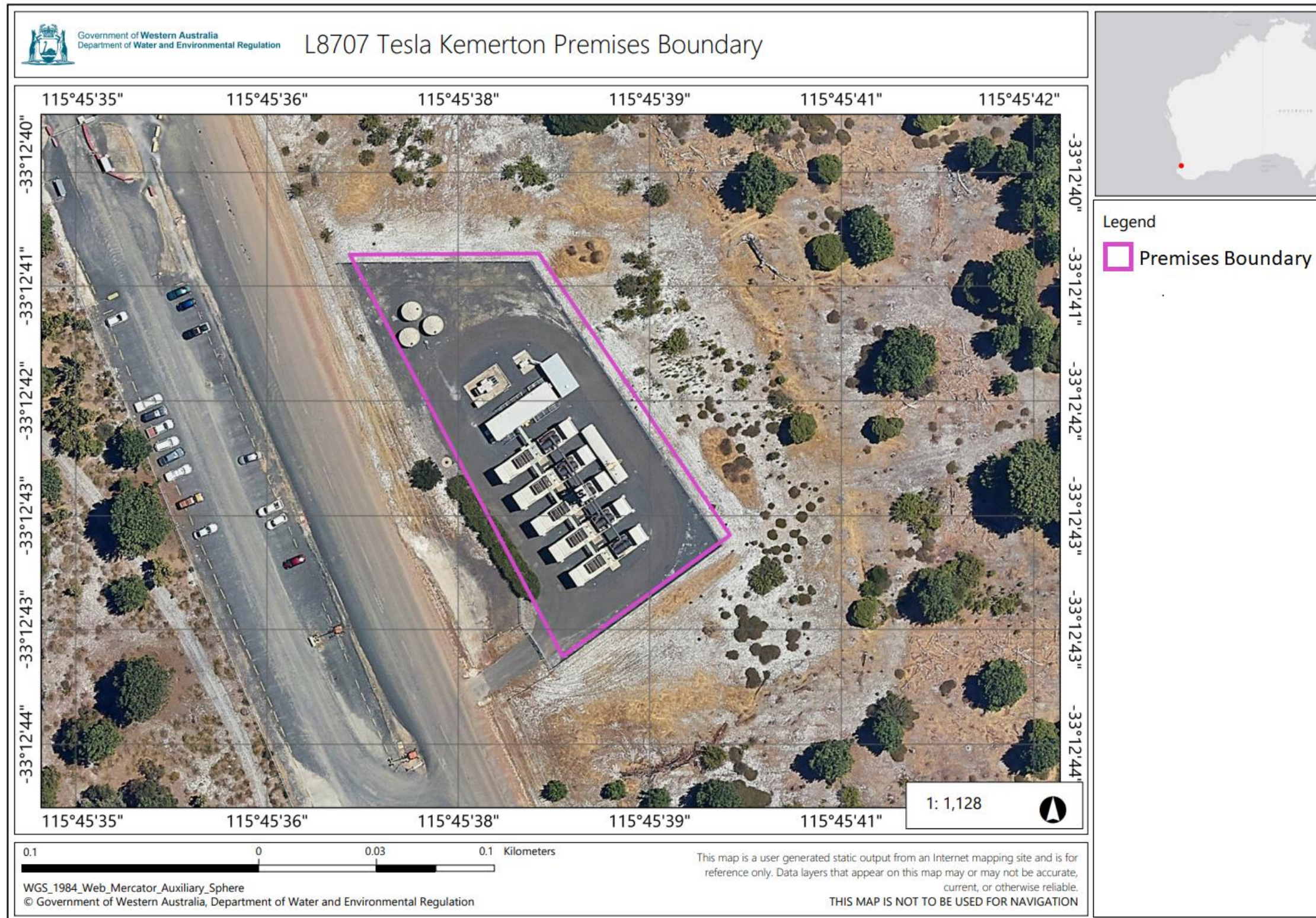


Figure 1: Map of the boundary of the prescribed premises

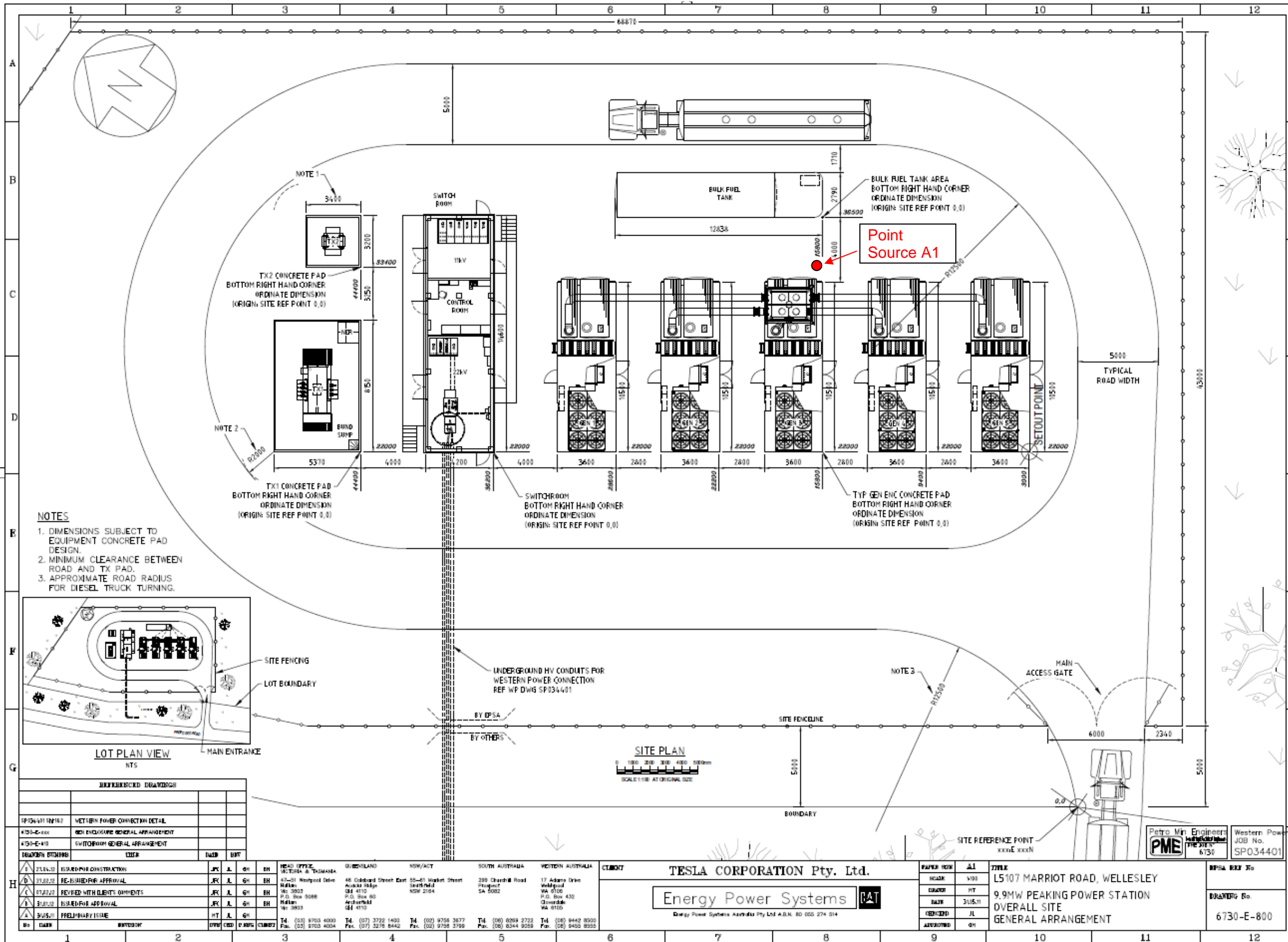


Figure 2: Map of emissions points

Schedule 2: Premises boundary

The corners of the premises boundary are the coordinates listed in Table 6.

Table 6: Premises boundary coordinates (GDA2020)

	Easting	Northing	Zone	Latitude	Longitude
1.	384532.09562	6324536.39545	50	-33.211910	115.761005
2.	384492.65142	6324592.70373	50	-33.211398	115.760589
3.	384454.34835	6324592.02797	50	-33.211400	115.760178
4.	384498.45962	6324511.60115	50	-33.212130	115.760641

Schedule 3: Reporting and notification forms

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

Licence: **L8707/2012/1** Licence Holder: **Tesla Kemerton Pty Ltd**
 Form: AR1 Period:
 Name: Monitoring of point source emissions to air

Form AR1: Monitoring of point source emissions to air						
Emission point	Parameter	Result^{1,2} (mg/m³)	Result^{1,2} (g/s)	Averaging period	Method	Sample date & times
A1	Volatile Organic Compounds	mg/m ³	g/s		USEPA Method 18	
A1	Sulfur dioxide	mg/m ³	g/s		USEPA Method 6	
A1	Nitrogen oxides	mg/m ³	g/s		USEPA Method 7E or 7D	
A1	Carbon monoxide	mg/m ³	g/s		USEPA Method 10	
A1	PM ₁₀	mg/m ³	g/s		USEPA Method 5 or USEPA Method 17	
A1	PM _{2.5}	mg/m ³	g/s		USEPA Method 5 or USEPA Method 17	

Note 1: All units are referenced to STP dry

Note 2: All units are referenced to 3% O₂

Signed on behalf of **Tesla Kemerton Pty Ltd**: Date:

Department of Water and Environmental Regulation

Licence: **L8707/2012/1**
 Form: N1

Licensee: **Tesla Kemerton Pty Ltd**
 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	

Notification requirements for the breach of a limit	
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	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
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	
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 Tesla Kemerton Pty Ltd	
Date	