



Australian Government



Australian  
Space Agency

# Launch Facility Licence

## Application Guidelines

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#### Disclaimer

These guidelines explain the application and assessment process for a launch facility licence.  
The guidelines should be read in conjunction with the *Space (Launches and Returns) Act 2018* (the Act) and the *Space (Launches and Returns) (General) Rules 2019* (the General Rules). Guidelines do not exclude, limit or replace the requirements of the Act or General Rules. If there is any ambiguity or inconsistency, the Act and/or General Rules have precedence over guidelines.

This publication is not legal or professional advice. Persons rely upon this publication entirely at their own risk and must take responsibility for assessing the relevance and accuracy of the information in relation to their particular circumstances.

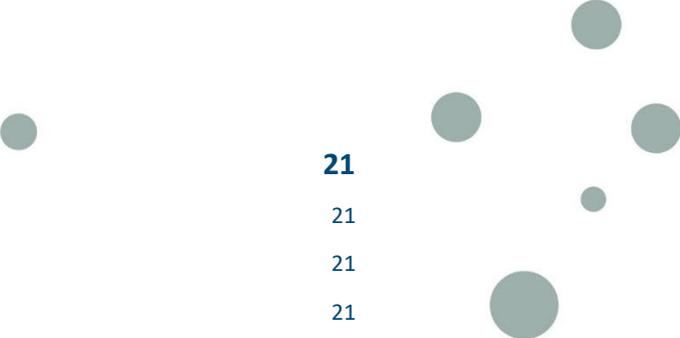
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# Contents

<b>1. Introduction</b>	<b>4</b>
1.1 <i>Space (Launches and Returns) Act 2018</i>	5
1.2 About these guidelines	5
1.3 Role of the applicant	5
1.4 Role of the Australian Space Agency	5
1.5 Role of the Minister	5
<b>2. Launch facility licence overview</b>	<b>6</b>
2.1 Who should apply?	6
2.2 What is the purpose of a launch facility licence?	6
2.3 What does a launch facility licence authorise?	6
2.4 Criteria for granting a launch facility licence	6
2.5 Licence conditions	6
2.6 Offences and civil penalties	7
<b>3. Application and assessment process</b>	<b>8</b>
3.1 Preparing an application	8
3.2 Application fees	9
3.3 Submitting an application	9
3.4 Timing for assessment	10
3.5 Keeping us informed	10
3.6 Launch facility licence variations	10
3.7 Transferring a launch facility licence	10
<b>4. Application requirements</b>	<b>11</b>
4.1 Information about the applicant	11
4.2 Organisational structure and personnel	11
4.3 Information about the launch facility	12
4.4 Facility management plan	13
4.5 Financial standing	14
4.6 Design and engineering plans and specifications	15
4.7 Emergency plan	16
4.8 Environmental plan	17
4.9 Technology security plan	19
4.10 Outstanding approvals	20
4.11 Matters to be verified	20
4.12 Additional information	20



<b>5. How we use your information</b>	<b>21</b>
5.1 Confidential information	21
5.2 Personal information	21
5.3 Freedom of information	21
<b>6. Contacting us</b>	<b>23</b>
<b>7. Glossary</b>	<b>24</b>

# 1. Introduction

## 1.1 *Space (Launches and Returns) Act 2018*

The [Space \(Launches and Returns\) Act 2018](#) (the Act) sets out a regime for the regulation of civil space-related activities carried out either from or to Australia or by Australian nationals overseas. The objects of the Act include seeking to ensure a reasonable balance is achieved between:

- the removal of barriers to participation in space activities and the encouragement of innovation and entrepreneurship in the space industry; and
- the safety of space activities, and the risk of damage to persons or property as a result of space activities

The Act also implements certain obligations under the United Nations space treaties.

Under the Act, you need a launch facility licence to operate a launch facility in Australia. A launch facility is defined in the Act as a fixed or mobile facility or place specifically designed or constructed for the launch of space objects. A launch facility includes all other facilities at the facility or place needed to conduct a launch.

There are additional requirements for a launch facility licence in the [Space \(Launches and Returns\) \(General\) Rules 2019](#) (the General Rules), which provide further detail about licences, permits and authorisations under the Act, including material to be submitted in an application.

## 1.2 About these guidelines

These guidelines explain the application and assessment process for a launch facility licence.

These guidelines should be read in conjunction with the Act and the General Rules. Guidelines do not exclude, limit or replace the requirements of the Act and General Rules. If there is any ambiguity or inconsistency, the Act and/or General Rules have precedence over guidelines.

## 1.3 Role of the applicant

An applicant (you/your) is responsible for applying for a launch facility licence where required, and meeting all legislative obligations as required by the Act and General Rules, as well as any conditions placed on the licence.

## 1.4 Role of the Australian Space Agency

The Australian Space Agency (we/us/the Agency) is a division of the Department of Industry, Science and Resources (the Department). The Department, through the Agency and its Office of the Space Regulator, is responsible for administering the Act and associated Rules, and publishes information to assist applicants navigate application and assessment processes for their activities.

## 1.5 Role of the Minister

The Minister (or their delegate) makes the decision whether to grant a launch facility licence, taking into account advice from the Agency and only if they are satisfied that an application meets the criteria in the Act and General Rules (See [2.4 Criteria for granting a launch facility licence](#)).

## 2. Launch facility licence overview

### 2.1 Who should apply?

You will need a launch facility licence if you intend to operate a launch facility in Australia.

If you have any questions as to whether you need a launch facility licence, you can contact us (see 6. [Contacting us](#)).

### 2.2 What is the purpose of a launch facility licence?

A launch facility licence ensures that an Australian launch facility is constructed and operated in a manner such that the probability of causing substantial harm to public health, public safety or substantial damage to property is as low as reasonably practicable, as well as adequate considerations are made for the environment and Australia's security and international relations.

### 2.3 What does a launch facility licence authorise?

A launch facility licence authorises the use of a specifically designed and constructed facility to launch space objects.

You can be authorised to operate a facility at a fixed location, or a mobile facility across more than one site.

### 2.4 Criteria for granting a launch facility licence

In granting a launch facility licence, the Minister or their delegate must be satisfied that:<sup>1</sup>

- you are competent to operate the launch facility
- you have obtained all necessary environmental approvals under Australian law, and you have an adequate environmental plan for constructing and operating the facility
- you have sufficient funding to construct and operate the facility
- the probability that the construction and operation of the launch facility will cause substantial harm to public health or safety, or cause substantial damage to property is as low as reasonably practicable
- the design and construction of the launch facility is as effective and safe as reasonably practicable, having regard to the proposed use of the facility
- there are no reasons relating to Australia's security, defence or international relations why the launch facility licence should not be granted

### 2.5 Licence conditions

Your launch facility licence will typically include the following standard conditions, which require you to:<sup>2</sup>

- give the Minister any information that the Minister asks for about the licence
- not allow unauthorised launches from the facility (launches without an Australian launch permit, an Australian high power rocket permit, or an authorisation certificate)
- act consistently with any requirements of an Australian launch permit, Australian high power rocket permit, or authorisation certificate for a launch being conducted from your facility
- if consent is given by an Australian launch permit holder or a person authorised by the permit holder, give a Launch Safety Officer access to the launch facility in order to inspect the facility and space object if it is at the facility, and to inspect and test any other equipment at the facility

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<sup>1</sup> See section 18 of the Act and section 5 of the General Rules.

<sup>2</sup> See section 20 of the Act and part 2, division 2 of the General Rules.

- give a Launch Safety Officer any information or assistance they reasonably request to assist in the proper performance of their functions, in accordance with their powers under the Act
- provide copies of any amendments to facility management, environmental, design and engineering, emergency, or technology security plans
- ensure the launch facility is operated, and constructed (if the licence is granted before construction is complete), according to the current version of each of the plans above
- keep launch facility operational records for seven years after any recorded event at the facility, or the licence ceasing to be in force (whichever occurs first)
- notify the Minister of any changes to organisational structure, and/or the identity, duties or functions of individuals who have responsibilities and roles described in your licence application
- provide required information about any individual who assumes a responsibility or role described in the organisational structure and personnel section of your licence application
- maintain a personnel record for each individual who has a responsibility or role described in the organisational structure and personnel section of your licence application
- keep the above personnel records for seven years after the individual ceases to have the responsibility or role described, or when your licence ceases to be in force, whichever occurs first

Additional conditions may be applied relevant to your circumstances.

## **2.6 Offences and civil penalties**

If you operate a launch facility, or do anything directly connected with operating a launch facility in Australia, without a licence you are liable to a civil penalty of 1,000 penalty units. This does not apply where:

- you are a related party of the licence holder, for any launches conducted from the facility
- you are acting as an employee, contractor, or agent of the licence holder
- any person holds an authorisation certificate covering the operation of the facility, or the things connected with the operation

These matters are outlined in section 11 of the Act.

If you hold a launch facility licence and you contravene a condition of the licence you are liable to a civil penalty of 1,000 penalty units as outlined in section 21 of the Act.

## 3. Application and assessment process

### 3.1 Application process

There are 4 steps in the application process:

Steps in the application process:	
1. Expression of interest	<p>You submit an expression of interest.</p> <p>We review your expression of interest against each of the requirements in the Act and the General Rules for a launch facility licence application (see <a href="#">4. Application requirements</a>).</p> <p>We then book an application plan workshop with you.</p>
2. Application plan workshop	<p>During this workshop we:</p> <ul style="list-style-type: none"><li>• establish the status of your application</li><li>• develop a shared understanding of application requirements that need to be met</li><li>• set and agree application and assessment timeframes</li><li>• clarify roles and responsibilities</li><li>• establish principles for how we engage throughout the application and assessment process</li></ul> <p>After the workshop we will provide you with a copy of a customised Launch Facility Licence – Application Modules form and an application plan which will help guide you through the remaining stages of the application process.</p>
3. Application assessment	<p>You provide completed modules in line with your application plan.</p> <p>We commence assessment upon receipt of your completed application module. We hold scheduled meetings with you to clarify information submitted and provide feedback on progress.</p> <p>During the assessment process we will consult more widely within government to see if there is any reason, including relating to Australian security, defence or international relations, why a launch facility licence should not be granted.</p> <p>We then make recommendations to the Minister (or their delegate).</p>
4. Ministerial decision	<p>The Minister (or delegate) decides whether to grant the launch facility licence, taking into consideration advice from the Agency.</p> <p>You should note that section 60 of the Act provides the Minister discretion to seek further information from applicants and launch facility licence holders.</p>

### 3.2 Preparing an application

Before applying you should read and understand these guidelines.

You should then complete and submit an expression of interest form providing supporting materials demonstrating your progress against the application requirements.

We use the information you provide in your expression of interest to inform an application plan workshop.

The purpose of the application plan workshop is to:

- establish the status of your application
- develop a shared understanding of application requirements that need to be met
- set and agree application and assessment timeframes
- clarify roles and responsibilities
- establish principles for how we engage throughout the application and assessment process

Outcomes from this workshop will be documented in an application plan. The application plan will contain:

- details of milestone dates for your proposed launch facility
- an agreed timeline for delivery of information by you and important feedback events
- comments/notes on information gaps, details on what a complete application may look like and agreed application requirements
- administrative requirements such as document storage, communication channels and points of contact within the Office of the Space Regulator
- useful links to guidance material and legislation

You then complete and submit application modules within the timeframes agreed in your application plan. Timeframes may be reviewed and adjusted during the process if needed.

Your expression of interest, application modules and all subsequent documents must be in writing and in English. If a required document is not in English, you must also include an English language translation.

Documents can undergo multiple revisions before being finalised. Good document management (including version control, consistency across documents and updates to parent documents) is important during the application process and will help to facilitate a smooth and efficient assessment process.

If you are submitting more than one application (for example, for a launch facility licence and Australian launch permit) each application needs to stand on its own to address relevant requirements.

Our assessment is evidence-based. You should include materials to support your claims. Supporting materials should be robust, sufficiently detailed and appropriate for the scope and complexity of your proposed activity. We generally do not consider to be sufficient self-declared statements of compliance against the requirements in the Act and General Rules.

We provide guidance on the information and documents you must submit. It remains, however, your responsibility to obtain the evidence required in your application, including other government approvals. We will not prepare material for these approvals.

Provision of information as set out in these guidelines, and provision of guidance by the Agency in relation to the preparation of your application, does not guarantee that the Minister will decide to grant a licence.

**NOTE:** There are other approvals you may need in order to receive a launch facility licence. We recommend you initiate discussion with the appropriate authorities early to understand the requirements and timeframes so as not to delay the assessment process.

### 3.3 Application fees

There are no application fees for a launch facility licence under the Act.

### 3.4 Submitting an application

You submit your expression of interest for a launch facility licence to the Office of the Space Regulator by email to [regulation@space.gov.au](mailto:regulation@space.gov.au). If you have any issues submitting your expression of interest by email, contact us for guidance (see 6. [Contacting us](#)).

An expression of interest form can be found on our [website](#).

### **3.5 Timing for assessment**

We estimate it will take approximately 6 months to assess your application, however assessment timeframes will be discussed and agreed as part of your application plan workshop.

Following the workshop we provide an assessment plan that will clearly outline these timeframes to help guide you through the application and assessment process.

If we find key information missing or inaccurate, or not at an appropriate level of detail we will discuss with you and agree timeframes to submit additional information. This may impact overall assessment timeframes.

We may also request additional information relating to your application.

### **3.6 Keeping us informed**

You may contact us during the assessment period if you need to make amendments to your application, for example if information becomes outdated or incorrect, or you need to change plans for operating the facility. This ensures the Minister's consideration is based on current and accurate information.

### **3.7 Varying, revoking, transferring or suspending an existing launch facility licence**

You may apply for a variation to conditions on an existing launch facility licence, for example the types of launch vehicles authorised for the site.

When applying to vary the conditions of your licence you should include a description and reason for the variation, and any supporting material you believe will assist the Minister in making a decision. This may include amendments to the facility management, design and engineering, emergency, environmental and technology security plans of the facility in support of your proposed variation.

The Minister may also vary, revoke, or transfer a launch facility licence on their own initiative, including varying the duration of a licence. If the Minister believes there are grounds to do this, they must:

- give you written notice of their opinion specifying the reasons for that opinion, and
- invite you to make a written submission about the matter within a reasonable period specified in the notice

In deciding whether to vary, revoke or transfer the licence, the Minister must consider your written submission, provided you respond within the reasonable time period specified in the notice.

The Minister may suspend your licence:

- if you have contravened a licence condition
- if for reasons relevant to the security, defence or international relations of Australia, the licence should be suspended

### **3.8 Transferring a launch facility licence**

Your launch facility licence may be transferred on application by the transferee, who must provide a statement from you with the transfer application explaining why the transfer is being sought.

The transfer application must include all material required for a launch facility licence application. This may include any information or materials from your original application if that information or material is still correct.

## 4. Application requirements

We ask you for information about:

- you and your organisation including capability, structure and key personnel
- your proposed launch facility and your plans to manage the facility
- your financial capacity to undertake the construction, maintenance and management of a launch facility
- your design and engineering plans, emergency plans and procedures, environmental considerations and your technology security plan

### 4.1 Information about the applicant

#### **General Rules, section 13**

You must provide the following information:

- applicant name
- name, position and contact details of an individual who will act as the primary contact for the application
- Australian Business Number (ABN), if any
- Australian Company Number (ACN), if you are applying as a company registered under the *Corporations Act 2001*
- information about which persons or entities have ownership, control, or direction of the applicant, including the nationality of those persons or entities

### 4.2 Organisational structure and personnel

#### **General Rules, section 18**

You must provide the following information about your organisation:

- a description of organisational structure, including chain of command
- duties and responsibilities of each position in the chain of command

and for each of the following individuals:

- each individual with responsibility for the overall management of the applicant (such as directors or members of the board or governing committee)
- your chief executive officer or equivalent
- those having or who would have authority to direct operation of the launch facility, or part of the launch facility
- those who would have authority or oversight in relation to operating or maintaining the ground systems of the launch facility
- those who would have a role in conducting launches at the facility, including integration of payloads
- those who had authority or oversight in relation to preparing the technology security plan included in the application
- those who would have a role in implementing or monitoring the technology security plan

you must provide the following information:

- name, date of birth and place of birth
- address of usual place of residence
- relevant qualifications and experience
- how long the individual has occupied their current position

## **We suggest you provide the following details about your organisational structure and personnel:**

The description you provide of the duties and responsibilities of each position in the chain of command should be sufficient to understand the person's role, how it relates to other roles in the chain of command and who is responsible or has authority for key decisions.

Consider including an organisational flow chart (graphic), followed by a detailed description of the positions in the chain of command.

You should also include sufficient detail regarding the qualifications and experience of individuals in your organisation to demonstrate their competence and suitability to hold that position.

### **4.3 Information about the launch facility**

#### **General Rules, section 14**

You must provide the following information about the launch facility:

- for a fixed launch facility
  - its location (or proposed location) and site plan
- for a mobile facility
  - its proposed locations and site plans for each location
- how you intend to use the launch facility, including the frequency of launches and possible kinds of launch vehicles
- when you propose to begin operating the launch facility
- if not yet constructed, when you propose to construct the facility

**Note:** You may nominate more than one proposed location for a mobile launch facility. You may only operate a mobile facility from the locations specified in your licence.

#### **We suggest you provide the following details about your launch facility:**

Launch facility details:

- longitude/latitude co-ordinates for the launch facility (including key infrastructure of the launch facility such as buildings, launch pads, communications sites, service nodes)
- details for site access
- a proposed schedule of construction of the facility, if it is not yet constructed

Site plan:

- a site plan drawn to appropriate scale, with the scale provided to readily determine distances between infrastructure
- detail of the entire launch facility and surrounding areas of interest (stay out zones, borders of site, communities, national parks, oceans etc.)
- site access and physical security locations
- a legend to detail critical supporting infrastructure shown in the site plan
- figures should be appropriately sized and easy to read (including titles and labels)

In addition to providing information about when the launch facility operation is proposed to commence, you may also wish to disclose information regarding any upcoming planned launches.

If your application is for a facility to support a specific launch campaign, information about the launch vehicles including:

- size of each proposed kind of launch vehicle
- the relative launch frequency of each kind of launch vehicle
- potential payloads
- direction of launch (azimuth), launch apogee and key downrange considerations

## 4.4 Facility management plan

### **General Rules, section 15**

You must provide a facility management plan that includes:

- strategies for operating your facility, including the intended use of your facility for launches (such as frequency of launches, kinds of launch vehicles, and possible flight paths)
- practices and procedures to control operation of your facility, including any protective security measures to be put in place
- reporting arrangements to relevant authorities regarding facility operation
- a description or copy of the quality assurance plan covering facility operations and facility construction, if your facility is not yet built
- the system you will use for making and keeping records and maintaining documentation (such as manuals and procedures) relating to facility operation
- arrangements for maintaining your launch facility, including the system for recording scheduled and unscheduled maintenance, and procedures for reporting defects, failures, or malfunctions.

**NOTE:** Your facility management plan will assist the Minister or their delegate to be satisfied that you meet the criteria under section 18 of the Act. In particular, it should demonstrate that the probability of your launch facility causing substantial harm to public health or public safety, or causing substantial damage to property, is as low as reasonably practicable.

### **We suggest you provide the following details in your facility management plan:**

Possible flight paths

- your strategies and considerations for downrange areas of interest that fall within the flight path (which may include, but is not limited to, national parks and reserves, marine parks and communities)
- strategies for downrange monitoring and safety if applicable

Practices and procedures that cover the full operation of the facility including:

- nominal operating procedures (including timeline of setup/site readiness, countdown checklists and stakeholder communication plans)
- hazardous operating procedures (such as the transport and storage of hazardous chemicals and handling of fuelled rockets)
- security procedures (e.g. site and downrange access controls, and physical security of infrastructure and equipment)

Any approvals required to operate the launch facility and arrangements for reporting on operation of your facility to relevant authorities. Examples of relevant authorities may include:

- Australian Space Agency
- Australian Maritime Safety Authority
- Civil Aviation Safety Authority
- Commonwealth Minister for Industry and Science
- federal and/or state environmental bodies, including marine parks
- state or territory planning authority
- the work health and safety regulator for your state or territory
- state or territory ambulance, fire, police and/or emergency services

Examples of arrangements for reporting include the circumstances and timeliness of reporting, and what information the report will contain under the different potential circumstances.

Quality assurance plan or plans:

- quality requirements including non-conformance reporting and adjudication, regulatory compliance, and reporting
- you may wish to consider the implementation of ISO 9001 (Quality Management System)

Records management:

- identifying what records are kept, how they are recorded (process/tools), how they are maintained, and for how long they will be kept (you may wish to consider AS ISO 15489 – Record Management Standards for guidance)
- control of documentation including version control, naming conventions, key document review procedures, updates and approvals, registration, and publishing

Maintenance:

- procedures for maintaining and inspecting relevant systems at the launch facility, and for recording that maintenance or results of test and inspection
- Consider including procedures for both nominal operations and during extraordinary circumstances (such as power outages or severe weather events)
- procedures for reporting failures (discovered as part of operation, test, inspection, or maintenance) including actions to be taken if failures, malfunctions, or defects have any impact on launch facilities, critical infrastructure, safety, or communications equipment

## 4.5 Financial standing

### ***General Rules, section 16***

You must provide details about your financial standing and financial capacity to operate the launch facility, and to construct the facility if it is not yet constructed. You must also include details of your system and methods to ensure sound financial management.

Your application must include an auditor's report (the cost of which you cover) that confirms:

- your financial capacity to operate the facility, and construct the facility (if not already constructed), and
- the adequacy of your financial management system

You should provide details of your arrangements to fund your proposed facility and ensure its ongoing operation.

The description of your financial management system must demonstrate that it is sound and robust.

**We suggest you provide the following details as evidence of your financial standing:**

Depending on the complexity of your proposed operations, a business plan that includes:

- breakdown of major capital expenditures
- breakdown of existing funding lines and assets
- projected cash flows for the first years of operation, including details of revenues and expenses
- details of the major assumptions and the basis upon which the cash flows have been made (for example, number of launches and cost of the launches)
- details of the timing and amount of capital injections into the business
- details of any existing contracts or agreements entered into for the launch of satellites in the first years of operation
- a marketing plan with details of the target market (e.g. geostationary or low-Earth orbit)

Financial capacity:

- a brief overview of the financial experience of the board (if a company), or the people responsible for managing the organisation
- details of your financial controller and any senior management who will assist in the financial functions, and setting out their relevant experience
- brief details on the accounting system you will use and your record keeping procedures

Financial management:

- financial management software used
- financial review meetings
- system for cash-flow forecasting (both expenditure and income)
- system for how potential cash-flow shortages are managed

Your auditor's report must explicitly address your financial capacity to operate (and construct, if not yet built) the proposed facility. This must reflect the most current designs for the facility, operating strategies and financial position. The report must also explicitly address the adequacy of your financial management system.

## 4.6 Design and engineering plans and specifications

### ***General Rules, section 19***

For each part of your launch facility, you must provide a copy of the design and engineering plans and specifications. If there is a technical recognition instrument for a part of the launch facility, you may include a statement identifying that instrument instead.

**NOTE:** a technical recognition instrument is an instrument in which Australia recognises another country's licensing or certification of a launch facility or part of a launch facility.

### **We suggest you provide the following details in your design and engineering plans and specifications:**

Comprehensive descriptions of your planned facility, including:

- engineering drawings or schematics
- engineering and design methodologies, which may include supporting information about factors of safety, validation/proof testing, and other relevant information that demonstrates safety of the facility
- industry standards or specifications used

Information that demonstrates how your design:

- addresses key risks
- links to plans such as the environmental plan, facility management plan, emergency management plan and technology security plan
- addresses key static and dynamic loads, thermal loads on relevant infrastructure including design safety margins and/or proof testing, if required
- conforms to the appropriate Australian or international code or standard (for buildings, site layout and operation)
- addresses relevant explosive and HAZCHEM safety distances for storage, transport and during operation of your facility

Information and procedures regarding:

- range physical security
- security systems for key infrastructure, systems, launch vehicle and payloads

- range monitoring
- airspace and (where applicable) maritime safety arrangements and monitoring
- command, control, and communications (wired and wireless) systems (internal and external)
- key system redundancy
- safe storage of HAZCHEM, explosives, and other dangerous substances
- power supply and distribution
- fire fighting
- lighting
- weather monitoring
- transport systems, site access, and thoroughfares

## 4.7 Emergency plan

### **General Rules, section 20**

You must provide an emergency plan setting out your arrangements for responding to an accident, incident or any other kind of emergency at or near the facility.

‘Accident’ and ‘incident’ are defined in sections 85 and 86 of the Act.

The emergency plan must include:

- the actions to be taken by those responsible for responding to an accident, incident or other emergency
- a list of those authorities/people you will notify about an accident, incident or other emergency
- how you will coordinate any action to be taken in relation to the accident, incident or other emergency with those authorities/people
- evacuation procedures for an accident, incident or other emergency
- details of exercises to test the plan at least annually, and arrangements for reporting the results of those exercises to the Agency
- how you will review the effectiveness of responses in emergencies and exercises, and report these results to the Agency
- after an accident, how you will locate the launch vehicle/wreckage, and with any necessary permission of the Minister or investigator, recover and remove the launch vehicle/wreckage
- equipment and facilities necessary for responding to an accident, incident or other emergency
- how you will ensure you meet your obligations under any Commonwealth, State or Territory law in the event of an accident, incident or other emergency or when conducting exercises to test the plan.

If any of the arrangements or procedures in your plan require approvals under any Commonwealth, State or Territory law, you must provide information about the approvals and evidence as to whether you have obtained them.

You should discuss your requirements, as well as the capacity of local emergency response services to meet your needs, with the relevant State, Territory, or local government emergency management bodies.

### **We suggest you provide the following details in your emergency plan:**

Accidents/incidents:

- information on multiple possible types of accidents/incidents with a severity rating and responses triggered for each

- plans for medical/emergency response, marshalling, communications, equipment & tools available, etc.

#### Emergency situations:

- due consideration to all foreseeable emergency situations that may arise at the facility and appropriate responses to each
- consideration of local hospital capacity and the need for on-site stationing of emergency service personnel during operations

#### Roles and responsibilities:

- which persons are responsible for which actions in each accident, incident, or other emergency situation
- how those persons are appropriately trained to perform the required actions

#### Notification:

- authorities to be notified for the purposes of responding to incidents, investigating incidents, and remediating incidents

#### Evacuation procedures:

- events or conditions that will trigger a partial or full evacuation
- if there are intermediate stages of alertness preceding an evacuation
- evacuation routes
- how personnel, and potentially visitors/spectators will be accounted for post evacuation

#### Exercises and rehearsals:

- frequency of exercises and rehearsals (at least every 12 months)
- details of the exercises to be performed
- how and when the results of the exercises are communicated to the Agency

#### Arrangements for reviewing effectiveness of your plan:

- when reviews will occur (either time or event based triggers)
- what reviews will entail
- how results will be recorded, actions brought forward into applicable plans, and results reported to the Agency

#### Wreckage location and recovery procedures:

- non-nominal flights or incidents where there are multiple wreckage sites
- any environmental or cultural heritage requirements or limitations

#### Equipment:

- where the equipment is located
- how personnel will be trained in its use
- how equipment will be tested and maintained

A single emergency plan can be used for both accidents and incidents involving a space object or high powered rocket, and other kinds of emergencies at or near the launch facility provided sufficient detail is given for all emergencies. You should consider the need for your emergency plan to be reviewed by local authorities.

## 4.8 Environmental approvals and plan

### ***General Rules, section 21***

You must provide information about, and include evidence of, any Commonwealth, State or Territory environmental approvals required to construct and operate your facility.

You must include an environmental plan for the operation of your facility, and construction if the facility is not already constructed. If you need an environmental plan under another Commonwealth, State or Territory law you can meet this requirement by providing a copy of that plan.

If you have not developed an environmental plan under another law, you must prepare an environmental plan that includes:

- how you will ensure the construction and operation of your facility meets applicable requirements under Commonwealth, State or Territory environmental protection laws
- an assessment of the likely environmental impact of construction and operation of the launch facility
- how you will monitor and mitigate any adverse environmental effects from your facility's construction and operation
- how you will report on the implementation of those procedures and review your plan
- a written assessment of the adequacy of the plan by a suitably qualified expert that is not a related party to you

**NOTE:** We recommend you contact the Department of Climate Change, Energy, the Environment and Water as well as any relevant State or Territory environmental regulators first to determine your obligations. Legislation which you may need to comply with includes the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act).

**We suggest you provide the following details in your environmental plan and when addressing environmental approvals:**

Relevant Commonwealth, state and territory laws:

- details of state or territory laws or approvals relating to environment protections and development, land use, water, pollution control and air quality matters
- a description of how you comply with relevant state or territory laws
- details of development approval or major development approval (if relevant)
- consideration of relevant permits required to operate the launch facility, which may include, but are not limited to:
  - I. sea dumping permits
  - II. parks and reserves permits
  - III. authorisation to conduct an activity in an Australian marine park
- consideration of producing an environmental impact statement (EIS), which may be required in obtaining development approvals in conjunction with the relevant state/federal environmental bodies

If required permits or approvals have not yet been granted, you should detail the process you intend to take to gain these permits and the expected timeframe for approval.

Your environmental plan should consider:

- impact of construction/operation on local fauna and flora
- impact on heritage-listed and Indigenous sites
- impact on national parks, reserves, marine parks and wildlife
- impact on local and surrounding communities
- bushfire risk
- noise, air and water pollution
- waste management
- any other environmental considerations

Arrangements for monitoring and mitigating adverse effects on the environment should be appropriately reflected in the design of your facility and in your facility management plan.

When detailing reporting mechanisms, you should consider:

- which agency requires reporting for which procedures and implementations
- how often reporting is required
- the contents of the report(s)

A written assessment by an independent environmental expert must explicitly address the adequacy of your environmental plan, including whether it has appropriately addressed all relevant legislation.

## 4.9 Technology security plan

### **General Rules, section 22**

You must provide a technology security plan for your launch facility, which must include:

- how you will safeguard the technology to be used in operating the launch facility, including how you will prevent unauthorised people from accessing the technology, and your cybersecurity strategy
- a written assessment of the adequacy of your cybersecurity strategy by an independent person with suitable qualifications and experience
- if an agreement of any kind between Australia and another country relating to safeguarding all or part of the technology is in force—how your plan ensures Australia meets its obligations under the agreement

**NOTE:** An independent, expert assessment of your strategy is important given the potential for malicious actors to gain access to, and potential control of, your launch facility's network, and the potential difficulty of identifying such a breach.

### **We suggest you provide the following details in your technology security plan:**

Considerations for preventing unauthorised people from having access to the technology including but not limited to:

- physical security of the launch facility, which may include perimeter fencing, security checkpoints, security cameras, alarm systems, roaming security patrols, contracted security, locks/keys on critical infrastructure and/or secure storage of critical systems
- detail on how critical systems/infrastructure will be protected from unauthorised access, including IT and networking equipment and digital storage devices

Considerations for cybersecurity including but not limited to:

- an overview of systems and networks used in the operation of the launch facility
- detail on how mission-critical systems and networks are protected from physical or cyber threats
- detail on how security incidents and cyber threats on mission critical systems and networks are detected or identified
- consideration of the Australian Signals Directorate (ASD) and Australian Cyber Security Centre (ACSC) strategies to mitigate cyber security incidents (such as detail on how the essential strategies listed are implemented)
- consideration of the Australian Government Information Security Manual (ISM)
- a risk assessment detailing various stages of a launch campaign, including information on the cyber risk, how the risk is mitigated, and who is responsible for managing the risk. This may include consideration of ISO 31000:2018 (Risk management) / ISO 27005:2018 (information technology - Security)

- the development of cybersecurity policies and training for staff involved in the operations of the launch facility
- developing an asset register of all equipment, firmware versions, software versions and operating systems used in the operation of the launch facility to conduct a vulnerability assessment of items listed in the asset register

A written assessment by an independent cybersecurity expert must explicitly address the adequacy of your cybersecurity strategy detailed within the technology security plan.

If there are aspects of your technology security plan that require further consideration, the independent assessment should address these issues and provide guidance or recommendations for you to implement to ensure adequacy in your cybersecurity strategy.

You will be expected to address these recommendations and provide evidence of their consideration and implementation (as necessary) as part of your application.

#### **4.10 Outstanding approvals**

##### ***General Rules, section 24***

You must provide details relating to outstanding approvals. You must include a list of all activities in relation to the construction and operation of the launch facility for which you need an approval under any other law of the Commonwealth, State, or Territory, but have not yet received one.

You must provide information on the arrangements (including the timeframe) for obtaining the required approval. As a guide, outstanding approvals could include:

- planning and building permits
- transportation and storage of hazardous goods
- native title assessments
- land use approvals
- heritage approvals
- infrastructure (electricity, water and sewerage) approvals
- certificate of building occupancy, or similar
- Civil Aviation Safety Authority (CASA) requirements (including site selection)
- radiocommunications licensing
- maritime clearances
- workplace health and safety plans and arrangements

#### **4.11 Matters to be verified**

##### ***General Rules, section 25***

You must provide a list of any items in the facility management plan or technology security plan needing to be verified or validated, how you will obtain the verification/validation, and in what timeframe/s.

#### **4.12 Additional information**

##### ***General Rules, section 26***

You may include any other information relevant to demonstrating whether the criteria in the Act for granting a launch facility licence are met.

## 5. How we use your information

### 5.1 Confidential information

We collect information:

- to assess applications to conduct space activities
- to monitor a permit, licence or certificate holder's compliance with their obligations under the Act, the relevant rules and the conditions of their permit, licence or certificate
- to facilitate the registration of space objects

We will treat the information you give us as confidential if it meets all of the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential at the time you provide the information
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential

Unless the information you provide to us is identified as confidential information, we may share your information with other government agencies or third parties for a relevant Commonwealth purpose such as:

- the administration and assessment of your application
- to ascertain if there is any reason why a licence or permit should not be granted
- to third parties for the purposes of conducting a technical review of your application, under a deed of confidentiality

We may disclose confidential information:

- to our Commonwealth employees and contractors, to help us to assess your application
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister
- the Prime Minister
- to a House or a Committee of the Australian Parliament

We may also disclose confidential information if:

- we are required or authorised by law to disclose it
- you agree to the information being disclosed, or
- someone other than us has made the confidential information public

### 5.2 Personal information

We must treat your personal information according to the [Australian Privacy Principles](#) (APPs) and the [Privacy Act 1988](#) (Cth). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information

You can read the [Privacy Policy](#) on the Department's website for more information on:

- what is personal information
- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information

### 5.3 Freedom of information

All documents in the possession of the Australian Government are subject to the [Freedom of Information Act 1982](#) (Cth) (FOI Act). The purpose of the FOI Act is to give members of the public

rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

## 6. Contacting us

We encourage you to contact us early in planning for any space activity that requires authorisation under the Act. Early engagement may help to resolve questions specific to your activity.

Email [regulation@space.gov.au](mailto:regulation@space.gov.au)  
Phone 1800 487 182 (within Australia)  
+61 2 6276 1166 (outside Australia)  
Head office: Lot 14, McEwin Building, North Terrace, Adelaide, SA 5000  
Post: Office of the Space Regulator  
Australian Space Agency  
GPO Box 2013  
Canberra ACT 2601

## 7. Glossary

The following are terms used in these Guidelines with a particular meaning, generally defined in the Act or the General Rules.

Term	Definition
Act	The <a href="#">Space (Launches and Returns) Act 2018</a>
Australian national	Any of the following: <ul style="list-style-type: none"> <li>• an Australian citizen</li> <li>• an Australian resident</li> <li>• a body incorporated by or under a law of the Commonwealth, of a State or of a Territory</li> <li>• the Commonwealth, a State or a Territory</li> </ul>
Australian resident	An individual who resides in Australia and is the holder (within the meaning of the <a href="#">Migration Act 1958</a> ) of a permanent visa (within the meaning of that Act)
Australian Space Agency	A division of the Department. The Agency, through the Office of the Space Regulator, is responsible for administering the Act, Rules and related framework.
Authorisation certificate	A certificate issued by the Minister to cover conduct that would otherwise be prohibited by the Act. We would consider an authorisation certificate where there isn't an existing approval process.
Department	The Department of Industry, Science and Resources.
General Rules	The <a href="#">Space (Launches and Returns) (General) Rules 2019</a>
Launch facility	A fixed or mobile facility or place specifically designed or constructed for the launch of space objects. A launch facility includes all other facilities at the facility or place needed to conduct a launch.
Minister	The Commonwealth Minister for Industry and Science
Penalty unit	A standard amount of money used to compute penalties for breaches of law. For offences committed from 1 July 2020, the Commonwealth penalty unit is \$222. Penalty units are automatically indexed on 1 July every three years in line with the All Groups Consumer Price Index (CPI).
Personal information	Has the same meaning as in the <i>Privacy Act 1988</i> (Cth) which is: <p>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ol style="list-style-type: none"> <li>a. whether the information or opinion is true or not; and</li> <li>b. whether the information or opinion is recorded in a material form or not.</li> </ol>
Space object	<ul style="list-style-type: none"> <li>• an object the whole or a part of which is to go into or come back from an area beyond the distance of 100km above mean sea level</li> </ul>

Term	Definition
	<ul style="list-style-type: none"><li>any part of such an object, even if the part is to go only some of the way towards or back from an area beyond the distance of 100km above mean sea level</li></ul>