

WESTERN AUSTRALIA
DEPARTMENT OF ENVIRONMENT REGULATION

Environmental Protection Act 1986

LICENCE

LICENCE NUMBER: L6228/1987/10

FILE NUMBER: 2011/007848

NAME AND ADDRESS OF OCCUPIER:

Austral Bricks (WA) Pty Ltd
Locked Bag 100
MIDLAND WA 6936
ACN: 079 711 603

NAME AND LOCATION OF PREMISES:

Austral Bricks - Waterloo
Lot 50 on Plan 62046
WATERLOO WA 6228

Environmental Protection Regulations 1987

CLASSIFICATION(S) OF PREMISES:

Category 41: Clay bricks or ceramic products manufacturing

COMMENCEMENT DATE OF LICENCE: Tuesday, 3 December 2013

EXPIRY DATE OF LICENCE: Sunday, 2 December 2018

CONDITIONS OF LICENCE:

As described and attached:

DEFINITION(S) 11
GENERAL CONDITION(S) 2
AIR POLLUTION CONTROL CONDITION(S) 4
WATER POLLUTION CONTROL CONDITION(S) 2
ATTACHMENT(S) 2

Officer delegated under Section 20
of the *Environmental Protection Act 1986*

Date of Issue: Thursday, 21 November 2013

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PREAMBLE

Applicability

This licence is issued to Austral Bricks (WA) Pty Ltd for the brick making operation located on Lot 50 on Plan 62046, Waterloo Road, Waterloo (as depicted in Attachment 2), and includes the following operations:

- Clay brick manufacture

This facility is prescribed within Schedule 1 of the *Environmental Protection Regulations 1987* as outlined in Table 1;

Table 1: Categories under which Austral Bricks, Waterloo is prescribed.

<i>Category number</i>	<i>Category name</i>	<i>Description</i>
41	Clay brick or ceramic products	Premises on which refractory products, tiles, pipes or pottery are manufactured.

NOMINAL RATED THROUGHPUT

The nominal rated throughput of the premises covered by this licence is in accordance with the following:

- Tonnage of bricks produced: maximum of 20 000 tonnes per annum.

CONDITIONS OF LICENCE

DEFINITIONS

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

"APHA-AWWA-WEF" means American Public Health Association- American Water Works Association- Water Environment Federation;

"AS/NZS" means Australian Standard/New Zealand Standard;

"dark smoke" means that, if compared with a chart known as the Australian Miniature Smoke Chart (AS 3543 1989), the smoke would appear darker than shade 1 on that chart;

"Director" means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*;

"Director" or "Department of Environment Regulation" for the purpose of correspondence means-

Department of Environment Regulation
South West Regional Office
PO Box 1693
BUNBURY WA 6231
Email: SWIRAdmin@der.wa.gov.au

Telephone: 9725 4300
Facsimile: 9725 4351

"Inspector" means a person appointed as an Inspector authorised under Section 88 of the *Environmental Protection Act 1986*;

"licensed" means licensed under the *Environmental Protection Act 1986*;

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"licensee" means Austral Bricks (WA) Pty Ltd

"mg/L" means milligrams per litre;

"NATA" means National Association of Testing Authorities, Australia; and

"premises" means part Lot 50 on Plan 62046, Waterloo Road, Waterloo (as depicted in Attachment 2).

GENERAL CONDITIONS

ANNUAL REPORT

- G1** The licensee shall provide to the Director, by **1 February each year**, one copy of an annual monitoring report containing data collected over the **previous calendar year**. The report shall contain:
- (i) data required to be included in the annual report by any other condition of licence;
 - (ii) details of the number and type of environmental complaints received, including the complainant's name (if known), address or location, nature of complaint (where appropriate cross-referenced with prevailing wind direction and operating conditions) and action taken in response to the complaint; and
 - (iii) details of any changes to site boundaries, processes, surface drainage channels and on-site or off-site impacts or pollution.
- G2** The licensee shall, by 1 February in each year, provide to the Director an annual audit compliance report in the form in Attachment 1 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the Licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the Premises, during the period beginning 1 July the previous year and ending on 30 June in that year.

AIR POLLUTION CONTROL CONDITIONS

STACK - DARK SMOKE CONTROL

- A1(a)** The licensee shall ensure that:
- (i) the emission of dark smoke from any firing kiln shall not continue for greater than a period of 4 minutes in aggregate in any one hour period;
 - (ii) the emission of dark smoke from the entire licensed premises shall not continue for greater than a period of 20 minutes in aggregate in any 24 hour period; and
 - (iii) assessments of smoke darkness using the Australian Miniature Smoke Chart are made every two hours during kiln firing and during daylight, and records are kept of these assessments and made available to an Inspector upon request.

DUST CONTROL

- A2(a)** The licensee shall take all reasonable and practicable measures to prevent or minimise the generation of dust from all materials handling operations, stockpiles, open areas and transport activities, so as to prevent visible dust crossing the Premises boundary.

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- A2(b) The licensee shall ensure that dust from the char stockpile is controlled by the use of water sprinkler/s located on the stockpile during periods when dust generation appears likely. The sprinkler/s shall be operated for a minimum of 10 minutes in the hour during those periods.

TRAFFICKED AREAS - DUST GENERATION CONTROL

- A3 The licensee shall ensure that all trafficked areas are paved, sealed, or otherwise treated, and maintained in a manner which minimises airborne dust generation. In particular, spillages shall be swept or hosed clean so as to prevent visible dust crossing the Premises boundary.

GENERAL PLANT - DUST EMISSIONS CONTROL

- A4 The licensee shall ensure that any plant components likely to influence the level of dust emissions, including flexible connections, drum seals, fan casings and gas ductworks, shall be maintained in good order so as to prevent visible dust crossing the Premises boundary.

WATER POLLUTION CONTROL CONDITIONS

LIQUID CHEMICAL STORAGE

- W1(a) The licensee shall store environmentally hazardous chemicals including fuel, oil or other hydrocarbons (where the total volume of each substance stored on the Premises exceeds 250 litres) within low permeability (10^{-9} metres per second or less) compound(s) designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of substances stored in the compound.

- W1(b) The compound(s) described in W1(a) to this condition shall:
- (i) be graded or include a sump to allow recovery of liquid;
 - (ii) be chemically resistant to the substances stored;
 - (iii) include valves, pumps and meters associated with transfer operations wherever practical. Otherwise the equipment shall be adequately protected (eg. bollards) and contained in an area designed to permit recovery of spilled chemicals;
 - (iv) be designed such that jetting from any storage vessel or fitting will be captured within the bunded area [see for example Australian Standard 1940-1993 Section 5.9.3 (g)];
 - (v) be designed such that chemicals which may react dangerously if they come into contact are in separate bunds in the same compounds or in different compounds; and
 - (vi) be controlled such that the capacity of the bund is properly maintained (eg. regular inspection and pumping of trapped uncontaminated rain water)

- W1(c) The licensee shall immediately recover, or remove and dispose of, liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).

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MONITORING PROGRAMME

- W2(a)** The licensee shall, at the frequencies stated in table 2, take representative water samples from the monitoring sites as depicted in Attachment 2:

Table 2: Monitoring locations

Monitor Sites	Sampling Frequency	Parameters to be measured
Monitoring site 3, 4 and 5	At least once during each pump driven discharge through site 5	pH Total Suspended Solids. Total Dissolved Solids. Total Petroleum Hydrocarbons.

With the exception of pH all measurements are to be reported in mg/L.

- W2(b)** All water samples shall be collected in accordance with AS/NZS 5667.1:1998.
- W2(c)** All water samples shall be submitted to a laboratory with current NATA accreditation for the analysis specified, and analysed in accordance with the current "Standard Methods for Examination of Water and Wastewater-APHA-AWWA-WEF".
- W2(d)** The licensee shall record the following information for each pump driven site discharge through monitoring site 5;
- (i) the date of discharge; and
 - (ii) the volume discharged (a calculation based on pump rate and duration is acceptable).
- W2(e)** The licensee shall submit the data required to be collected in conditions W2(a) and W2(d) to the Director in the annual report required by G1.

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER: L6228/1987/10

FILE NUMBER: 2011/007848

SECTION A

LICENCE DETAILS

Licence Number: L6228/1987/10	Licence File Number: 2011/007848
Company Name: Austral Bricks (WA) Pty Ltd	ABN:
Trading as: Austral Bricks Waterloo	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

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SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with?	
b) Date(s) when the non compliance occurred, if applicable?	
c) Was this non compliance reported to DER?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of non compliance, and what was the environmental impact?	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram)	
g) Cause of non compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non compliance	
i) Action taken or that will be taken to prevent recurrence of the non compliance	

Each page must be initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 1 – ANNUAL AUDIT COMPLIANCE REPORT

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SECTION C - SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report may only be signed by a person(s) with legal authority to sign it. The ways in which the Annual Audit Compliance Report must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this Annual Audit Compliance Report is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
an individual	<input type="checkbox"/>	by the individual licence holder, or
	<input type="checkbox"/>	by a person approved in writing by the Chief Executive Officer of the Department of Environment and Conservation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/>	by the principal executive officer of the licensee; or
	<input type="checkbox"/>	by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment and Conservation.
A corporation	<input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; or
	<input type="checkbox"/>	by two directors of the licensee; or
	<input type="checkbox"/>	by a director and a company secretary of the licensee, or
	<input type="checkbox"/>	If the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or
	<input type="checkbox"/>	by the principal executive officer of the licensee; or
	<input type="checkbox"/>	by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment and Conservation.
A public authority (other than a local government)	<input type="checkbox"/>	by the principal executive officer of the licensee; or
	<input type="checkbox"/>	by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment and Conservation.
a local government	<input type="checkbox"/>	by the chief executive officer of the licensee; or
	<input type="checkbox"/>	by affixing the seal of the local government.

It is an offence under section 112 of the Environmental Protection Act 1986 for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE:

NAME:(printed)

POSITION:

DATE: ____/____/____

SEAL (if signing under seal)

SIGNATURE:

NAME:(printed)

POSITION:

DATE: ____/____/____

ATTACHMENT 2 - Plan of Premises

LICENCE NUMBER: L6228/1987/10

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