



Licence number	L4511/1967/14
Licence holder	Midland Brick Pty Ltd
ACN	635 664 710
Registered business address	Level 6, 18 Mount Street PERTH WA 6000
DWER file number	2012/002146-1
Duration	01/05/2022 to 30/04/2032
Date of amendment	02/08/2022
Premises details	Midland Brick Brickyard 321 Great Northern Highway MIDDLE SWAN WA 6056 Legal description – Part of Lot 103 on Plan 54208, Part Lot 87 on Plan 5036, Part Lot 72 on Plan 408605 As defined by the coordinates in Schedule 2

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 41: Clay bricks or ceramic products manufacturing: premises on which refractory products, tiles pipes or pottery are manufactured.	1,000,000 tonnes per year
Category 77: Concrete batching or cement products manufacturing: premises on which cement products or concrete are manufactured for use at places or premises other than those premises.	200,000 tonnes per year

This amended licence is granted to the licence holder, subject to the attached conditions, on 02/08/2022, by:

**MANAGER, PROCESS INDUSTRIES
REGULATORY SERVICES**

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

Licence history

Date	Ref number	Summary of changes
27/09/2012	L4511/1967/12	Licence reissue
27/03/2014	L4511/1967/12	Licence amendment to new format
17/12/2015	L4511/1967/13	Licence reissue
29/06/2020	L4511/1967/13	CEO initiated amendment to extend the expiry date of the licence by one year.
12/10/2020	L4511/1967/13	Transfer of licence holder
30/08/2021	L4511/1967/13	Boundary amendment and removal of authorised emission point
08/04/2022	L4511/1967/14	Licence reissue
02/08/2022	L4511/1967/14	Licence amendment to amend the premises boundary

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

The licence holder must ensure that the following conditions are complied with:

Infrastructure and equipment

- The licence holder must ensure that the site infrastructure and equipment listed in Table 1 and located at the corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in that table.

Table 1: Infrastructure and equipment requirements

Site infrastructure and equipment	Operational requirement	Infrastructure location
3 x tunnel kilns	Emissions from tunnel kilns must be directed to DIFF scrubbers	Premises map in Schedule 1
3 x DIFF scrubber and baghouse units	To be maintained to the manufacturer's specifications	A2 – A4 on premises map in Schedule 1
3 x Stacks	To be used only while DIFF scrubbers are in operation.	

Emissions and discharges

Point source emissions to air

- The licence holder shall ensure that where waste is emitted to air from the emission points identified in Table 2 and on the premises map in Schedule 1, it is done so in accordance with the conditions of this licence.

Table 2: Authorised emission points

Emission point ref	Emission point	Emission point height (m)	Source, including any abatement
A2	Stack 9	40	Kiln 9 via lime scrubber and bag filter
A3	Stack 10	40	Kiln 10 via lime scrubber and bag filter
A4	Stack 11	40	Kiln 11 via lime scrubber and bag filter

- The licence holder shall not cause or allow point source emissions to air greater than the limits listed in Table 3.

Table 3: Emission limits

Emission point ref	Parameter	Limit (incl. units)	Averaging period
A2	Total oxides of sulphur (as SO ₂)	200 mg/m ³	Stack test (60-minute average)
A3	Hydrogen chloride	100 mg/m ³	
A4	Hydrogen fluoride	20 mg/m ³	

Note 1: The reference conditions of substances in releases to air from the emission points are: Temperature 273.15 K (0°C), pressure 101.3 kPa (1 atmosphere), 18% oxygen, measured dry

Monitoring

General monitoring

- The licence holder shall record the following information during any non-continuous monitoring:
 - the specific brick product being manufactured at the time;

- (ii) the throughput of bricks through the kiln in tonnes per hour, and
 - (iii) the fuel consumption rate for the kiln.
5. The licence holder shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer’s specifications.

Monitoring of point source emissions to air

6. The licence holder shall undertake the monitoring in Table 4 according to the specifications in that table.

Table 4: Monitoring of emissions to air

Emission point ref	Parameter	Units ^{1,2}	Frequency	Method	Averaging period
A2 – A4	Total particulates	mg/m ³ g/s	Quarterly	USEPA Method 5 or 17	Stack test (60 min. average)
	Total oxides of sulfur (as SO ₂)			USEPA Method 8	
	Total oxides of nitrogen (as NO _x)			USEPA Method 7D or 7E	Stack test (30 min. average)
	HCl, HF			USEPA Method 16 or 26A	Stack test (60 min. average)
	CO			USEPA Method 10	Stack test (30 min. average)

Note 1: The reference conditions of substances in releases to air from the emission points are: temperature 273.15 K (0°C), pressure 101.3 kPa (1 atmosphere), measured dry

Note 2: Concentration measurements corrected to 18% Oxygen

7. The licence holder shall ensure that sampling required under condition 6 of the Licence is undertaken at sampling locations in accordance with the AS4323.1.
8. The licence holder shall ensure that all non-continuous sampling and analysis undertaken pursuant to condition 6 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.

Ambient environmental quality monitoring

9. The licence holder shall undertake the monitoring in Table 5 according to the specifications in that table.

Table 5: Monitoring of Ambient Air Quality

Monitoring point ref	Parameter ¹	Units	Averaging period	Frequency	Method
AQ1 – AQ2	Hydrogen fluoride	µg/m ³	7 days	Continuous	AS 3580.13.2

Note 1: Samples can be submitted to a laboratory without current NATA accreditation for the parameter to be measured.

10. The licence holder shall ensure that, where practicable, the sampling required under condition 9 of the Licence is undertaken at sampling locations in accordance with AS 3580.1.1.

Records and reporting

11. The licence holder must record the following information in relation to complaints received by the licence holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
 - (a) the name and contact details of the complainant, (if provided);
 - (b) the time and date of the complaint;
 - (c) the complete details of the complaint and any other concerns or other issues raised; and
 - (d) the complete details and dates of any action taken by the licence holder to investigate or respond to any complaint.
12. The licence holder must:
 - (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
 - (b) prepare and submit to the CEO by no later than 28 days after the end of that annual period an Annual Audit Compliance Report in the approved form.
13. The licence holder must maintain accurate and auditable books including the following records, information, reports, and data required by this licence:
 - (a) the calculation of fees payable in respect of this licence;
 - (b) any maintenance of infrastructure that is performed in the course of complying with condition 1 of this licence;
 - (c) monitoring programmes undertaken in accordance with conditions 6 and 9 of this licence; and
 - (d) complaints received under condition 11 of this licence.
14. The books specified under condition 13 must:
 - (a) be legible;
 - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
 - (c) be retained by the licence holder for the duration of the licence; and
 - (d) be available to be produced to an inspector or the CEO as required.
15. The licence holder must submit to the CEO by no later than 28 days after the end of each annual period, an Annual Environmental Report for that annual period for the conditions listed in Table 6, and which provides information in accordance with the corresponding requirement set out in Table 6.

Table 6: Annual environmental report

Condition	Requirement
1	All abatement plant by-pass events including the date, duration, and reason for the by-pass
4	<ul style="list-style-type: none"> • Monitoring data • An assessment of monitoring data results against previous monitoring results and licence limits.
6	
9	
11	Complaints summary

- 16.** The licence holder must, within 7 days of becoming aware of any non-compliance with condition 3 of this licence, notify the CEO in writing of that non-compliance and include in that notification the following information:
- (a) the time and date when the non-compliance occurred;
 - (b) if any environmental impact occurred as a result of the non-compliance and if so what that impact is and where the impact occurred;
 - (c) the details and result of any investigation undertaken into the cause of the non-compliance;
 - (d) what action has been taken and the date on which it was taken to prevent the non-compliance occurring again; and
 - (e) what action will be taken and the date by which it will be taken to prevent the non-compliance occurring again.

Definitions

In this licence, the terms in Table 7 have the meanings defined.

Table 7: Definitions

Term	Definition
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website).
annual period	a 12 month period commencing from 1 July until 30 June of the immediately following year.
AS3580.1.1	means the Australian Standard AS 3580.1.1 <i>Methods for sampling and analysis of ambient air – Guide to siting air monitoring equipment</i>
AS3580.13.2	means the Australian Standard AS3580.13.2 <i>Determination of fluorides - Gaseous and acid-soluble particulate fluorides - Manual, double filter paper sampling</i>
AS4323.1	means the Australian Standard AS4323.1 <i>Stationary Source Emissions Method 1: Selection of sampling positions</i>
averaging period	means the time over which a limit or target is measured or a monitoring result is obtained
CEO	means Chief Executive Officer of the Department. "submit to / notify the CEO" (or similar), means either: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994 (WA)</i> and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
DIFF	Direct Injection Fabric Filter
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
licence	refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.
licence holder	refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.
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 (including abatement equipment) excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;
NOx	means oxides of nitrogen, calculated as the sum of nitric oxide and nitrogen dioxide and expressed as nitrogen dioxide
premises	refers to the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map Figure 1 in Schedule 1 to this licence.
quarterly	means the four inclusive periods from 1 July to 30 September, 1 October to 31 December and 1 January to 31 March 1, April to 30 June in the following year
usual working day	means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

END OF CONDITIONS

Schedule 1: Maps

Premises map

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

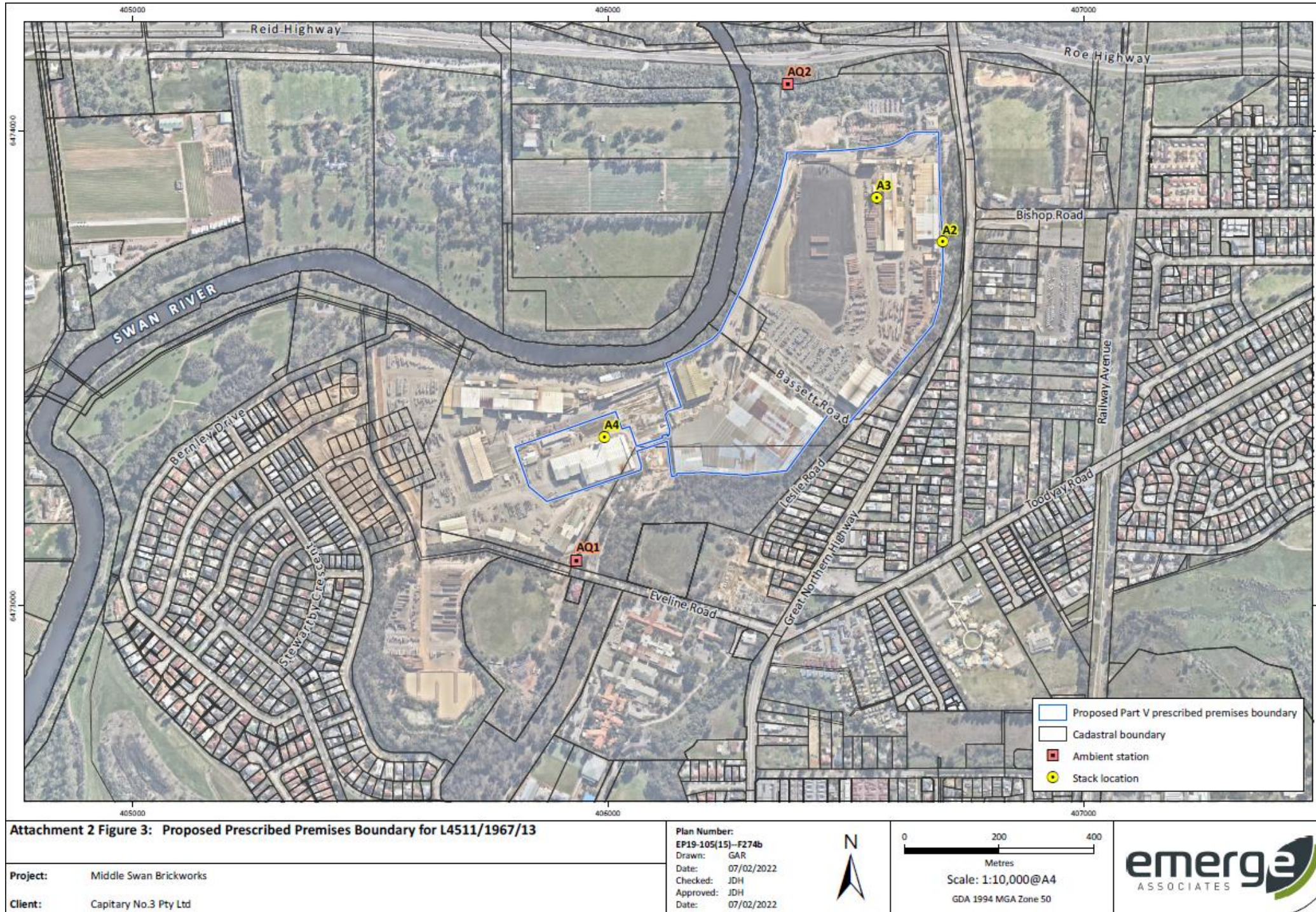


Figure 1: Map of the boundary of the prescribed premises

Schedule 2: Premises boundary

The premises boundary is defined by the coordinates in Table 8.

Table 8: Premises boundary coordinates (GDA94, Zone 50)

Easting	Northing	Easting	Northing	Easting	Northing
406695.2527	6473998.424	406695.904	6473915.165	406593.9307	6473971.295
406704.5029	6473721.027	406697.5576	6473640.328	406608.9044	6473977.099
406682.7409	6473591.05	406595.4282	6473485.084	406622.4678	6473985.697
406514.4864	6473393.672	406510.4262	6473389.196	406634.4722	6473993.545
406508.8553	6473387.465	406467.2374	6473409.281	406646.9451	6473996.857
406463.9862	6473404.861	406454.5342	6473392.013	406659.8318	6473997.549
406375.559	6473284.662	406289.437	6473275.137	406677.2239	6473996.909
406201.7274	6473281.09	406198.5648	6473280.961	406695.2527	6473998.424
406143.3867	6473278.708	406144.3634	6473274.265	406601.5593	6473973.831
406133.2328	6473273.163	406123.952	6473346.507	406615.896	6473981.067
406060.7465	6473325.691	406070.0564	6473295.206	406628.557	6473990.946
406069.1914	6473286.33	405945.162	6473244.927	406640.6233	6473995.523
405940.9715	6473243.528	405900.0971	6473229.883	406653.3706	6473997.535
405874.5591	6473221.358	405871.1381	6473220.216	406666.2602	6473996.899
405833.0071	6473252.014	405829.4248	6473262.354	406688.1676	6473997.571
405804.3903	6473334.618	406016.0528	6473409.18		
406029.1305	6473372.699	406029.2548	6473372.352		
406045.6485	6473378.124	406059.2755	6473336.123		
406114.4788	6473354.304	406113.2279	6473358.102		
406123.6728	6473361.542	406124.9237	6473357.744		
406127.1867	6473358.489	406129.8781	6473368.458		
406119.4399	6473402.027	406124.9286	6473409.185		
406145.3963	6473416.18	406153.9247	6473419.095		
406121.6506	6473511.418	406124.1293	6473512.407		
406178.8267	6473536.858	406197.794	6473549.288		
406204.5843	6473552.145	406220.9936	6473563.208		
406223.4025	6473565.686	406228.5478	6473570.978		
406230.1134	6473573.03	406234.968	6473576.356		
406235.0619	6473576.558	406235.0645	6473576.556		
406235.0715	6473576.571	406240.7882	6473588.395		
406267.9096	6473644.49	406285.3758	6473680.514		
406321.9496	6473776.393	406351.5829	6473854.181		
406362.1663	6473885.402	406367.9871	6473919.269		
406375.3955	6473943.081	406374.1108	6473947.899		
406376.144	6473955.227	406406.2376	6473955.196		
406436.324	6473955.857	406466.3872	6473957.209		
406496.4115	6473959.252	406526.3807	6473961.985		
406556.2793	6473965.407	406586.0913	6473969.514		