



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	26/06/2023		
Premises details	Midland Brick Brickyard 321 Great Northern Highway MIDDLE SWAN WA 6056		
	Legal description – Part Lot 72 on Plan 408605 (72 Eveline Road, Middle Swan) Lot 9007 on Plan 422796 (321 Great Northern Highway, Middle Swan) Lot 111 on Plan 422796 (6 Bassett Road, Middle Swan)		
	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.	500,000 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 26/06/2023, by:

**A/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
26/06/2023	L4511/1967/14	Licence amendment to amend the premises boundary, remove kiln 11 and one ambient air quality monitoring station, and reduce the assessed production capacity in line with the reduced number of kilns operating on the premises.

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
2 x tunnel kilns	Emissions from tunnel kilns must be directed to DIFF scrubbers	Premises map in Schedule 1
2x DIFF scrubber and baghouse units	To be maintained to the manufacturer's specifications	A2 – A3 on premises map in Schedule 1
2 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

- 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 A3	Total oxides of sulphur (as SO ₂)	200 mg/m ³	Stack test (60-minute average)
	Hydrogen chloride	100 mg/m ³	
	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;
 - 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 – A3	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
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

- 17.** 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</i> (WA) 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</i> (WA)
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).

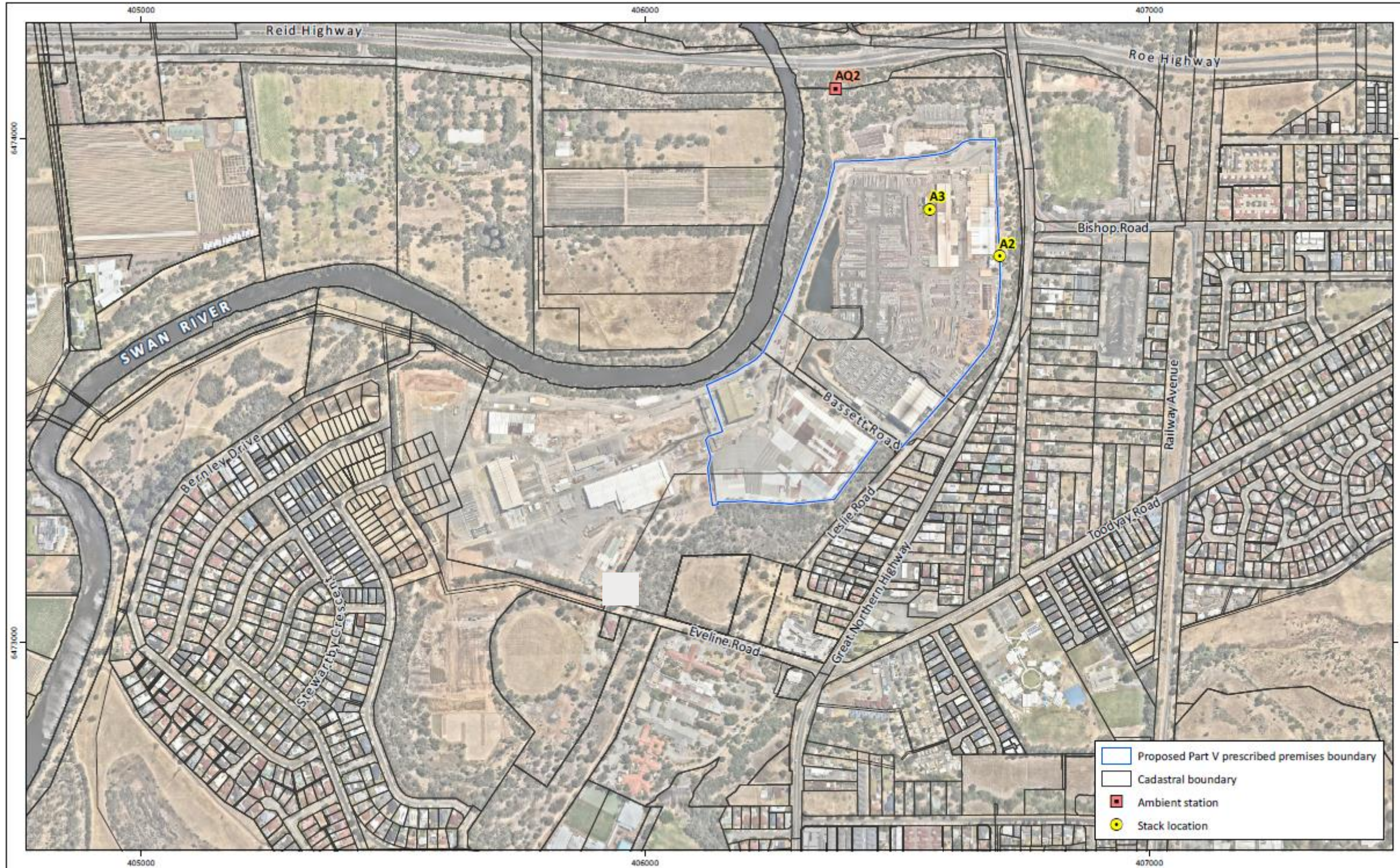


Figure 1: Map of the boundary of the prescribed premises

Schedule 2: Premises boundary

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

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

Point	Easting	Northing
1	406376.1	6473955
2	406695.3	6473998
3	406682.7	6473591
4	406508.9	6473387
5	406467.2	6473409
6	406375.6	6473285
7	406133.2	6473273
8	406119.4	6473402
9	406153.9	6473419
10	406121.7	6473511
11	406235.0	6473576