

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
Department of Planning, Lands and Heritage – Indigenous Affairs		<p>Thank you for your email dated 19 May 2020 seeking comment from Department of Planning, Land and Heritage (DPLH) regarding proposed factory expansion and ancillary development within a portion of Lots 7, 10, 12, 30, 50, 53 and 101 Kiln Road and Lot 802 South Western Highway, Cardup.</p> <p>It is understood the works will consist of expanding the current factory footprint, including the clearing of a small area of vegetation, internal road upgrades and the widening of creek crossings. A review of the Register of Places and Objects, the DPLH Aboriginal Heritage Database and plans provided by yourself concludes that the works are not within the boundary of any known Aboriginal Sites or Places. Therefore based on the information held by DPLH no approvals under the <i>Aboriginal Heritage Act 1972</i> (AHA) are required.</p> <p>DPLH encourages proponents to refer to the State's Aboriginal Heritage Due Diligence Guidelines (Guidelines) which can be found on the DPLH website at the following link:</p> <p>http://www.dplh.wa.gov.au/heritage/land-use/</p> <p>The Guidelines allow proponents to undertake their own risk assessment regarding any proposal's potential to impact Aboriginal heritage.</p> <p>If you have any questions regarding the above, please contact Ms Katrina Bott on email katrina.bott@dplh.wa.gov.au</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>	
The Department of Biodiversity Conservation and Attractions - Swan Region Office		<p>The Department of Biodiversity Conservation and Attractions - Swan Region Office has no comments on the application. It is noted that the proposal will be subject to approval by the Department of Water and Environmental Regulation in relation to works and emissions, and any clearing of native vegetation.</p>	Noted.	

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DWER Contaminated Sites –		<p>The Department of Water and Environmental Regulation (the department) has reviewed the referred Shire of Serpentine Jarrahdale Development Application for Lots 7, 10, 12, 30, 50, 53 and 101 Kiln Road, and Lot 802 South Western Highway, Byford known as Austral Bricks' Cardup Brickworks. The referral for advice was received on 15 May 2020.</p> <p>As per the requirement under section 58(6)(b) of the Contaminated Sites Act 2003 (CS Act), advice is required as to the suitability of the land for the proposed development.</p> <p>It is understood that the site is currently used as a brick manufacturing plant and the application seeks approval for the upgrade and expansion of the existing brickworks facility along with other ancillary development and improvements. These include expanding the current factory footprint, an upgraded baghouse scrubber, a new hopper and conveyor, internal road upgrades, a new primary crusher, rearrangement of storage areas and a new clay storage area.</p> <p>The site was originally reported to the department as a suspected contaminated site under the CS Act in 2007 as a result of suspected diesel fuel leakages from a pipe line and an underground storage tank.</p> <p>Land at Lots 12, 50, 53 Kiln Road and Subject B on Deposited Plan 404710 (part of Lot 30 Kiln Road) [depicted in Attachment 1] was subsequently classified under the CS Act as possibly contaminated – investigation required in July 2007. Following the submission and review of additional technical information, the reasons for classification were updated in February 2011 and March 2020.</p> <p>The classification was based soil investigations, carried out in 2008 and 2014, which found that hydrocarbons (such as from diesel) were present in soils at multiple locations within the former manufacturing plant and storage facilities. A groundwater investigation, carried out in 2014, found that</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>	

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		<p>hydrocarbons (such as from diesel) were present in groundwater in the vicinity of a former diesel aboveground storage tank.</p> <p>The hydrocarbon impacts identified are contained within the site boundaries and continue to be managed under the CS Act.</p> <p>Based on available information, and given that the proposal will not require a change to a more sensitive land use (e.g. residential, public open space, primary school), the department has no objection to the proposed development at the Cardup Brickworks site from a contaminated sites perspective and recommends that the approval should not include a contamination condition.</p> <p>However, given the risks associated with the potential disturbance of hydrocarbon impacted soils, the department recommends that the approval include the following advice note:</p> <p>Advice Due to the presence of hydrocarbons (such as from diesel) in soil beneath the site, a site-specific health and safety plan is recommended to address the risks to the health of any workers undertaking intrusive works until further notice.</p>	<p>Noted.</p> <p>Noted.</p>	
DWER – Advice on Noise Assessment Report		<p>1 - Introduction</p> <p>This advice has been prepared for the Shire of Serpentine Jarrahdale in response to a request for comment made to the Department of Water and Environmental Regulation (DWER) dated 15 May 2020 on the proposed factory expansion and ancillary development at Lot 31, 104 Kiln Road, Cardup.</p> <p>2 - Documentation</p> <p>In support of this request, the Shire of Serpentine Jarrahdale made the following documents available which form the basis of this technical expert advice. The Shire did not request any specific advice.</p>	<p>Noted.</p> <p>Noted.</p>	

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		Material / document name	Author	Date		
		Development Application: Factory Expansion & Ancillary Development – prepared for Bristile Holdings Pty Ltd	Lan Insights	10/2020		
		Environmental Noise Assessment (Ref: 20015323-01A): No. 69 Kiln Road Cardup - prepared for Austral Bricks	Lloyd George Acoustics	18/3/2020		
		Noise Impact Assessment (Ref: 1701038601): Cardup Brickworks - prepared for Brickworks Building Products	EcoAcoustics Pty Ltd	6/9/2017		
		3 - Advice DWER's Environmental Noise Branch (ENB) has reviewed the development application document, as well as the two noise assessment reports prepared by Lloyd George Acoustics (LGA) and EcoAcoustics in 2020 and 2017, respectively. Both the LGA and EcoAcoustics reports predicted that noise from the existing brickworks operation complied with the Environmental Protection (Noise) Regulations 1997 (Noise Regulations) at all times, including night time. LGA also predicted that noise from the brickworks with the proposed expansion would be able to be managed to comply with the Noise Regulations at the closest noise sensitive premises at night. ENB's technical comments are below: 1. The methodology of LGA's noise modelling seems correct. Most of the input data and assumptions adopted for the noise modelling seem reasonable;				
			Noted.			

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		<p>2. The modelled noise emission levels for eight operation scenarios (both existing and future) also seem reasonable. However, it is noted that LGA's assessment was based on the noise monitoring data collected by EcoAcoustics in 2017. ENB is not able to comment on the reliability of the noise data collected by EcoAcoustics in 2017, due to the lack of detailed information in EcoAcoustics' report.</p> <p>3. LGA's report stated that <i>'tonality would not be present in the noise emissions'</i>, which is possibly true for such an operation. However, ENB note that tonality was not actually investigated and assessed. As indicated by LGA that <i>'Should tonality be present, this would result in an exceedance and the source of noise would need to be addressed to remove the tonality or reduce in level'</i>. Hence there is still a risk that noise emissions from the operation may not comply, if the noise is actually found tonal at the receiving location; and</p> <p>4. The modelled results indicate that night-time L_{A10} assigned noise levels are only marginally achieved for the existing operation, and marginally achieved or exceeded for the future operation at two closest residences (redacted). Although the measures recommended by LGA may be able to ensure night-time noise compliance, there is still a risk of noise noncompliance at night, due to the small margin.</p> <p>Notwithstanding the above comments, ENB considers that noise from the proposed expansion operation should be able to be managed to comply with the Noise Regulations at the neighbouring noise sensitive receivers at night. This is because most of the major equipment and plant will be operated</p>	<p>Noted.</p> <p>Noted, this can be further assessed as a condition of approval.</p> <p>Noted. There are recommendations in the LGA report which can be implemented by Austral Bricks to achieve compliance.</p> <p>Noted.</p>	

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		<p>inside sheds or buildings, which can provide a variety of effective options of further reducing the noise emissions, when required.</p> <p>4 - Limitations</p> <p>Technical expert advice in any field is subject to various limitations. Important limitations to the advice include:</p> <ul style="list-style-type: none"> No attempt was made to verify the noise monitoring data collected by EcoAcoustics in 2017. <p>No computer modelling was undertaken to verify LGA's modelled noise contours.</p>	<p>Noted.</p> <p>Noted.</p>	
DWER		<p>Thank you for providing the development application for the Proposed Factory Expansion and Ancillary Development – Lot 31 Kiln Road, Cardup for the Department of Water and Environmental Regulation (the Department) to consider.</p> <p>The Department has identified that the development proposal has the potential to impact on environment and water resource values and/or management. While the Department does not object to the proposal key issues and recommendations are provided below, and these matters should be addressed.</p> <p>Issue: Industry Regulation Recommendation</p> <p>While the Department is yet to receive a Part V of the <i>Environmental Protection Act 1986</i> (EP Act) application for the brickworks expansion proposal, it is currently assessing a works approval application for a batch dryer. The Austral application for the batch dryer includes copies of a Shire of Serpentine-Jarrahdale's development application approval from February 2019.</p>	<p>Noted.</p> <p>Noted.</p>	

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		<p>The site is currently a prescribed premises and operating under licence L9025/2017/1</p> <p>Part V assessment will consider land to the west of the premises, which is already zoned for residential homes (confirmed by Shire of Serpentine-Jarrahdale), as 'sensitive receptor'.</p> <p>Issue: Native Vegetation</p> <p>Recommendation</p> <p>Under section 51C of the EP Act, clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> (the Clearing Regulations).</p> <p>Based on the information provided it is likely that the proposed clearing for the factory expansion is exempt from the requirement for a clearing permit under Regulation 5, Item 1 of the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> (the Clearing Regulations).</p> <p>The proposed clearing to upgrade the eastern Cardup Creek crossing (eastern crossing) is likely to be exempt under Regulation 5, Item 12 of the Clearing Regulations. However, the proposed clearing to upgrade the western Cardup Creek crossing is unlikely to be exempt as it occurs within an Environmentally Sensitive Area (ESA) (Bush Forever site 271), and the Regulation 5, Item 12 exemption doesn't apply within an ESA .</p> <p>It is the applicant's responsibility to determine compliance with these exemptions and therefore whether a clearing permit is required.</p> <p>The above exemptions are described in the Departments 'A Guide to the Exemptions and Regulations for Clearing Native Vegetation' It is the</p>	<p>The site is located within 'Clearing Regulations – Environmentally Sensitive Areas' as mapped by the Department.</p> <p>Noted.</p> <p>Noted.</p> <p>A Clearing Permit application will be</p>	

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		<p>applicant's responsibility to determine compliance with these exemptions and therefore whether a clearing permit is required.</p> <p>The Department has not received a clearing permit application relating to this proposal. Application forms are available from https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms .</p> <p>Additional information on how to apply for a clearing permit is available here: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Fact_sheets/Fact_Sheet_-_how_to_apply.pdf</p> <p>If further clarification is required please contact DWER's Native Vegetation Regulation section by email (admin.nvp@dwer.wa.gov.au) or by telephone (6364 7098).</p> <p>Issue: Contaminated Sites Recommendation Please see attached correspondence from the Department's Contaminated Sites Branch dated 25 May 2020 and map for further advice and information.</p> <p>Issue: Acoustic Report Recommendation The technical adequacy of the acoustic assessment provided by Lloyd George Acoustics (LGA) for this proposal is reliant upon an earlier acoustic study completed by a different acoustic consultant - EcoAcoustics.</p> <p>The Lloyd George Acoustics report and its outcomes are based on noise modelling of sources operational at the time of the EcoAcoustics surveys, DWER's interpretation of the survey and estimated source noise levels for some plant. As such, the actual noise levels from these sources may be different. Should the Shire require technical advice regarding the adequacy of the Lloyd George Acoustics acoustic report, please provide the original EcoAcoustics document, upon which assumptions are based, to the Department.</p>	<p>submitted once the DA is finalised.</p> <p>Noted.</p> <p>Noted. The acoustic results will be assessed with the Works Approval application.</p>	


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		<p>Issue: Proposed River Crossing Upgrades Recommendation</p> <p>The proponent may require a Permit to Interfere with the Bed or Banks of a Watercourse, under the <i>Rights in Water Irrigation Act 1914</i>. The proponent is advised to contact the Kwinana-Peel Regions Licencing Program on 9550 4222 to determine if a permit is required.</p> <p>Issue: Stormwater Management Recommendation</p> <p>The Department recommends the Stormwater Management Plan (July 2016) for the site be updated to reflect the current and proposed changes to the site's drainage management with the intent to minimise the potential for pollutants and sediment discharging into water courses. The overall stormwater management plan is to incorporate all proposed updates to infrastructure and practices. The plan is to be in accordance with relevant guidelines published in the <i>Stormwater management manual for Western Australia, Water quality protection note 15: Basic raw materials extraction</i> (DWER, 2019) and <i>Water quality protection note 52: Stormwater management at industrial sites</i> (DWER, 2010).</p> <p>In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>	<p>Noted. This application will be submitted once the DA is finalised.</p> <p>Noted. As has been already discussed with the Shire Administration, Austral Bricks can prepare a Stormwater Management Plan for the site as a condition of approval.</p> <p>Noted. It is unlikely the revised SMP will result in modifications to the proposal.</p>	

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		<p style="text-align: center;">DMO2016 - Lots 12, 50, 53 and Subject B on DP 404710, Byford</p> 		

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		All for it. It will create jobs for the area.	Noted.	
		<p>We are strongly against this application for expansion.</p> <p>Byford does not need such a factory and already has too many trucks passing South Western Highway.</p>	<p>The brickworks is existing. The need for it is not a planning issue.</p> <p>Traffic is addressed in the 'Traffic Impact Statement' (Shawmac, 2019). South West Highway is an existing freight route and the truck movements as a result of this operations are negligible.</p>	
		<p>Having been a member of the Austral Bricks Stakeholder Group since its inception some eight years ago, together with local residents, council officers and representatives of Austral Bricks, has provided me with a complete insight into the potential environmental and health hazardous aspects of this operation within an area in which the buffer zones have been dramatically reduced, allegedly due to the previously uncertain future of the plant at this site.</p>	<p>Buffer zones have not been reduced due to an uncertain future. Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be maintained. The buffer reduction related to the clay extraction pit, and the factory buffer remained in place.</p>	

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		<p>My involvement began some eight years ago when the brickworks began carting materiel from their site via their northern boundary gate and west along Nettleton Road. The dust issues thus generated by this operation raised the ire of local residents on Nettleton Road to the level whereby the brickworks were required to desist and transfer the operation to Kiln Road where the operation of cartage has continued to the present.</p> <p>The problems of dust emanating from the area of operations and cartage of materiel have persisted and have been raised at nearly every meeting of the Stakeholder Group since that time. The generation of Particulate Matter by</p>	<p>Austral Bricks has shared information with the Stakeholder Group regarding their operations (which are carried out in accordance with all relevant approvals).</p> <p>This issue related to the previous use of the northern area of the site for clay extraction and is not related to the use of the factory on the site. Clay extraction ceased in 2013 and access via Nettleton Road was no longer used. There was no requirement for the brickworks to cease operation because of dust on Nettleton Road. Dust issues on Kiln Road have since been addressed by installing asphalt and a cattle grid at the site entrance.</p> <p>There is no evidence that particulate matter is</p>	

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		<p>both the operation of brick making and cartage of shale and other materials represents an unacceptable hazard to the health of residents down wind of the operation. It is particularly threatening to those living on Byford On The Scarp and Cardup due to a significant reduction of the buffer zone brought about by the previous perception that the brickworks operation was closing down. The spread of toxic particulate and crystalline silica possibly existing in dust is exacerbated by strong katabatic winds from the north east that are prevalent in summer when the plant has been in operation.</p>	<p>generated by the brickworks. Austral Bricks have only received a few complaints about dust since the brickworks commenced operation in 2017 and all related to dust on Kiln Road and not to standard operations on site. Dust issues on Kiln Road have since been addressed by installing asphalt and a cattle grid at the site entrance.</p> <p>The buffer was not reduced due to perception that the brickworks was closing. The buffer to the quarry was reduced, however the buffer to the factory has been maintained in order to allow for it to keep operating.</p> <p>The prevailing wind is from the south-west, not the east and it should be noted that no complaints are received from residents to the east or north-east of the site. It</p>	

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		Initially the kiln operated without a scrubber, however due possibly to the significant factor of buffer reduction it now seems a requirement to provide an Upgraded Baghouse Scrubber as is stated in the submission. However, we have been unable to determine the effectiveness of this type of scrubber, other than it will remove most of the hazardous emissions. We note however that some noxious materials may not be removed.	<p>should also be noted that residential construction activities are located in closer proximity directly to the east of the Byford residential area.</p> <p>The requirement for the scrubber was as a result of the DWER Works Approval issued in 2016 and Licence issued in 2019. The hazard assessment associated with the factory operations are assessed as part of the DWER licence process. To date the DWER has approved the licence, and the current application proposes to install a new and improved scrubber, further improving air quality.</p> <p>It should be noted that this DA proposed to install a baghouse scrubber which will remove HF and larger quantities of HCL, SOX, NOX and PM, resulting in</p>	

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		<p>Questions directed to the meetings of the Stakeholder Group relating to air monitoring have not been dealt with and insinuated as not necessary as the effect of toxicity will first be manifest on the degrading effect on the local vegetation.</p> <p>It should be a requirement for this type of operation to provide continual air monitoring stations at several locations and that their operation and assessment be delegated to an autonomous body.</p> <p>It should be noted that should operation of this plant be linked to respiratory diseases emanating from the brickworks, it can lead to a Common Law Complaint For Damages, certainly something of which the management should be aware and thus should be in favour of air monitoring to determine such hazards are effectively dealt with.</p>	<p>improved environmental outcomes.</p> <p>The new baghouse scrubber is not being proposed as a result of a reduced buffer, as the buffer to the factory has not been reduced. The scrubber is improved technology and will be assessed by DWER as part of the licence application.</p> <p>Air quality is addressed in the DWER Licence application and will be assessed by when determining the Works Approval. An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values)</p>	

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		<p>Another area that has caused concern to local residents is the contamination of groundwater caused by both operations and flow off from the site. Although coffer dams have ostensibly been placed to prevent the migration of particulate matter into the local waterways we believe it is only window dressing and will never be able to cope with a significant weather event.</p> <p>Note also that Lot 50 has been declared as a potentially contaminated site. Ref: https://www.der.wa.gov.au</p>	<p>at all receptors for all averaging periods.'</p> <p>A detailed Stormwater Management Plan already exists for the factory (as approved by DWER) and an updated Plan can be prepared as a condition of approval. The stormwater management considerations need to relate to the proposed development only, as is usual planning practice. All development associated with the DA will be above-ground and there will be no structures underground.</p> <p>Noted. The site continues to be managed in accordance with the CS Act. The DWER Contaminated Sites Branch does not object to the proposal and did not</p>	

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		<p>In conclusion I believe that the proposed expansion of the Brickworks on the present site is not only unwarranted but due to the close proximity to residential housing utterly unacceptable. Whilst the Brickworks may have operated on this site for one hundred years or so, the fact is, like so many similar industries, the urban sprawl that has occurred, either intentionally, or by oversight, has now relegated the facility to an unacceptable hazardous operation located within a residential area.</p> <p>These types of manufacturing activities should be relegated to dedicated industrial sites and distanced from residential areas, schools and shopping centres.</p> <p>In considering all of the above it is proposed that a Full Scale Public Enquiry and Environmental Impact Assessment be conducted in which the detriment and imposition on the local community be the paramount objective.</p>	<p>recommend any conditions be placed on the approval. They have confirmed that hydrocarbons are contained within the site boundary.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application.</p> <p>Noted. DWER will, as part of the Works Approval assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p>	

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		All for it. It will create jobs.	Noted.	
		<p><u>1st Submitter.</u></p> <p>I'm concerned that the expansion will create more noise and take away the peacefulness of the natural landscape and bushlands.</p> <p>Move it further from residential housing if Austral want to expand.</p>	<p>An 'Environmental Noise Assessment' was prepared by Lloyd George Acoustics in 2020 which concluded that 'the predicted noise levels are not expected to exceed assigned noise levels, as long as the recommendations...are adhered to'.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application.</p>	
		<p><u>2nd Submitter</u></p> <p>We are already losing too much vegetation due to all the housing development going on.</p> <p>With this, what is the company going to be doing for the residents of Byford?</p>	<p>Minimal vegetation clearing will be required and the development has been designed to minimise clearing as much as possible.</p> <p>The Brickworks provides employment for the</p>	

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		We should be focusing on more family / children resources than expanding something that is not supplying more jobs.	community. Locally, Austral Bricks contribute annually to the local Carols by Candlelight and also sponsored the Opera at the Mill in 2019. Construction of the factory will provide work for approximately 60-80 people. During operations there will be a dedicated team of approximately 35 people with additional staff as required.	
		This development should have happened at Waterloo Brickworks but Bunbury Shire put so many conditions and restrictions on the proposal Austral withdrew their application. I think the development should go ahead for the job opportunities.	Noted.	
		It is with great concern that we have received a copy of the application to expand and develop the factory on Kiln Road & South Western Highway. It is clear that the need to request feedback from residents in close proximity indicates there will clearly be an impact on the Scarp residents, especially where we are located.	This is not correct, residents within a certain distance from a development site are notified as normal Council procedure.	

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		<p>I have already noticed a chemical tint to the air on certain days when I walk my dog along Coulterhand Circle. Surely further expansion is going to impact air quality further.</p> <p>Our Shire is the only authority we have to represent our needs for healthy air and fresh water. This is a family estate and children in particular can be seriously affected by what is approved nearby and I strongly request you take these real issues into account. Thank you</p>	<p>Refer to air quality report and complaints records. It is unclear when the 'chemical tint' is noticed, bearing in mind the existing factory has not been operational for some time. Nevertheless, the proposed upgraded scrubber will further assist in improving air quality. This is subject to assessment by DWER as part of the licence application.</p> <p>This is incorrect as the State Government agencies also have authority in this regard. DWER will assess the Works Approval which will consider air, dust, noise and other potential impacts in detail.</p>	
		<p>My Wife and I are extremely disappointed by this proposal. We have lived at Byford on the Scarp for 12 years and I am a third-generation member of this shire. When we purchased our block, we were informed that the nearby Cardup Brickworks would be closing in a couple of years. Since moving into our new home we have been putting up with constant contaminated dust at</p>	<p>There were no plans to close the factory. The brickworks has valid approvals and can continue operation in accordance with these.</p>	

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		<p>an alarming rate particularly when the east winds are blowing. My wife suffers from Asthma made worst by this situation. We are very much opposed to this development which is a complete turnaround on what we were told 13 years ago.</p> <p>We ask that the shire puts the health of its citizens as an absolute priority over big business when considering such industries on the doorstep of residential housing. The owners of Card up Brickworks are Brickworks Limited with its headquartered in Horsley Park NSW. It is extremely hard to</p>	<p>The complaints records does not indicate that there is a constant dust problem, nor an issue with dust in the air. The prevailing wind is from the south-west, not the east and it should be noted that no complaints are received from residents to the east or north-east of the site. It should also be noted that residential construction activities are located in closer proximity directly to the east of the Byford residential area.</p> <p>The brickworks operates in accordance with an approved 'Dust Management Plan' which will be updated for the redevelopment.</p> <p>The brickworks is also regulated by the state Department of Water and Environmental Regulation who issues a Licence for the</p>	

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		<p>imagine they would have any concern about the health of people in a far-off picturesque shire in Western Australia.</p> <p>Attached is the Australian Government Department of environment and Energy 2018/2019 Emissions report for AUSTRAL BRICKS (WA) PTY LTD, Austral Bricks - Card up - Byford, WA.</p> <p>I can see nothing on this report that can be good for anybody living nearby. With a history of large companies putting money over people's health, I can only see the worst of outcomes for our community and health if this goes ahead. Big business's have a record of promising the world in controlling Emissions until they get approval and that is where it ends.</p>	<p>operation. The current factory operates in accordance with a current Licence issued by DWER under the EP Act. There have been no violations of the conditions of this Licence. Austral Bricks are required to provide Annual Compliance Reports on air quality in accordance with this Licence.</p> <p>Austal Bricks are committed to managing its operations in a manner that does not impact the community or the environment.</p> <p>The proposed development will undergo a detailed assessment by both the Shire, the DAP and DWER. The potential impacts are not dismissed and not considered lightly.</p>	

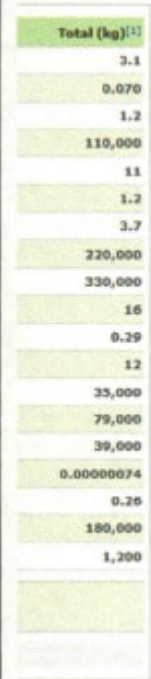
NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation																																																																																
		<p>We will feel totally let down by our shire if this goes ahead. The shire is constantly using promotional catch phrases like "Country living", "Close to nature", "Growing together". "Heritage country", "Set in the picturesque backdrop of the Darling Scarp". Does the developing and expanding of Heavy Industry alongside residential housing actually fit these visions???</p> <p>2018/2019 report for AUSTRAL BRICKS (WA) PTY LTD, Austral Bricks - Cardup - Byford, WA</p> <p>A list of Substances for an individual report.</p> <table><thead><tr><th>Substance</th><th>Air Total (kg)^{[1][2]}</th><th>Air Fugitive (kg)^[1]</th><th>Air Point (kg)^[1]</th></tr></thead><tbody><tr><td>Arsenic & compounds ¹</td><td>3.1</td><td>0.72</td><td>2.4</td></tr><tr><td>Beryllium & compounds ¹</td><td>0.070</td><td>0.038</td><td>0.032</td></tr><tr><td>Cadmium & compounds ¹</td><td>1.2</td><td>0.046</td><td>1.2</td></tr><tr><td>Carbon monoxide ¹</td><td>110,000</td><td>3,300</td><td>110,000</td></tr><tr><td>Chromium (III) compounds ¹</td><td>11</td><td>8.5</td><td>2.8</td></tr><tr><td>Chromium (VI) compounds ¹</td><td>1.2</td><td></td><td>1.2</td></tr><tr><td>Copper & compounds ¹</td><td>3.7</td><td>3.6</td><td>0.13</td></tr><tr><td>Fluoride compounds ¹</td><td>220,000</td><td>25</td><td>220,000</td></tr><tr><td>Hydrochloric acid ¹</td><td>330,000</td><td></td><td>330,000</td></tr><tr><td>Lead & compounds ¹</td><td>16</td><td>4.2</td><td>12</td></tr><tr><td>Mercury & compounds ¹</td><td>0.29</td><td>0.0099</td><td>0.28</td></tr><tr><td>Nickel & compounds ¹</td><td>12</td><td>6.0</td><td>5.5</td></tr><tr><td>Oxides of Nitrogen ¹</td><td>35,000</td><td>7,800</td><td>28,000</td></tr><tr><td>Particulate Matter 10.0 um ¹</td><td>79,000</td><td>40,000</td><td>39,000</td></tr><tr><td>Particulate Matter 2.5 um ¹</td><td>39,000</td><td>400</td><td>39,000</td></tr><tr><td>Polychlorinated dioxins and furans (TEQ) ¹</td><td>0.00000074</td><td></td><td>0.00000074</td></tr><tr><td>Polycyclic aromatic hydrocarbons (B[a]Peq) ¹</td><td>0.26</td><td>0.16</td><td>0.096</td></tr><tr><td>Sulfur dioxide ¹</td><td>180,000</td><td>5.1</td><td>180,000</td></tr><tr><td>Total Volatile Organic Compounds ¹</td><td>1,200</td><td>430</td><td>820</td></tr></tbody></table> <p>^[1] All emission/transfer quantities are displayed to two significant figures. Displayed emission totals may not exactly equal the sum of their individual emissions. ^[2] Air Total = Air Point + Air Fugitive</p> <p>Export to: CSV</p>	Substance	Air Total (kg) ^{[1][2]}	Air Fugitive (kg) ^[1]	Air Point (kg) ^[1]	Arsenic & compounds ¹	3.1	0.72	2.4	Beryllium & compounds ¹	0.070	0.038	0.032	Cadmium & compounds ¹	1.2	0.046	1.2	Carbon monoxide ¹	110,000	3,300	110,000	Chromium (III) compounds ¹	11	8.5	2.8	Chromium (VI) compounds ¹	1.2		1.2	Copper & compounds ¹	3.7	3.6	0.13	Fluoride compounds ¹	220,000	25	220,000	Hydrochloric acid ¹	330,000		330,000	Lead & compounds ¹	16	4.2	12	Mercury & compounds ¹	0.29	0.0099	0.28	Nickel & compounds ¹	12	6.0	5.5	Oxides of Nitrogen ¹	35,000	7,800	28,000	Particulate Matter 10.0 um ¹	79,000	40,000	39,000	Particulate Matter 2.5 um ¹	39,000	400	39,000	Polychlorinated dioxins and furans (TEQ) ¹	0.00000074		0.00000074	Polycyclic aromatic hydrocarbons (B[a]Peq) ¹	0.26	0.16	0.096	Sulfur dioxide ¹	180,000	5.1	180,000	Total Volatile Organic Compounds ¹	1,200	430	820	<p>This does not mean that industry does not have a place, nor that it should not exist in the Shire.</p>	
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NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
				
		<p>To provide some background, the Scarp Residents Association (SRA) has had a member on the Austral Bricks Stakeholder Group since its inception. Whilst the SCA is only one of many residents associations within the Shire of Serpentine Jarrahdale (Shire), it represents the interests of around 1,800 residents within the 463 homes currently constructed within the estate. Apart from the Cardup residents, and as can be seen from the satellite image on</p>	Noted.	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		<p>page 5, its residents are the most adversely affected group given that the estate borders the Austral Brickworks site directly to the east.</p> <p>In addition to the 463 mostly young families that currently live in the area, the estate allows for another 200 plus blocks to be built adjacent to the brickwork's boundary on land, that was until just recently, set aside as a buffer zone to keep families a reasonable distance from the potentially lethal health effects caused by the pollutants that emanate from the brick manufacturing process.</p> <p>As can be seen from the examples on pages 3 and 4, the SRA has been providing the residents of the estate with information that it has received from reliable sources in an attempt to keep them informed. This has allowed</p>	<p>The brickworks is approximately 250 metres from the land owned by Cedar Woods, it is not 'adjacent' to the brickworks. The buffer to the quarry was reduced to allow for the residential subdivision, however the buffer to the brickworks has been maintained. There is no current approval to build 200 blocks within the brickworks buffer. The buffer to the brickworks is managed under the Town Planning Scheme and is still in place. Austral Bricks also maintains substantial landholdings surrounding the operations and a Bush Forever Site to ensure the internal buffer is always retained.</p> <p>It is unclear who the 'reliable sources' are, however all information</p>	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		<p>people to make informed decisions as to whether the estate is the appropriate place to raise their children. This flow of information and the ongoing canvassing of the opinions of the residents has resulted in a clear understanding of the high level of concern and anxiety among families.</p> <p>Whilst most people want companies to provide jobs within the Shire, they do not want it to be to the detriment of their health or that of their children.</p> <p>The majority of those surveyed by the SRA believe the company should relocate their manufacturing plant to a more suitable location within the West Mundijong Industrial Hub. This would result in a win-win for all parties, albeit a more costly outcome for the company. Not only would the manufacturing jobs still be there, more jobs would be created during the construction phase of the new plant. It would also give a considerable boost to the economic growth we need as Western Australia emerges from the COVID19 pandemic.</p>	<p>relating to emissions is publicly available. With regards to air quality, this is addressed in the DWER Licence application. An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values) at all receptors for all averaging periods.'</p> <p>Noted.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application. Austral Bricks have existing approvals to operate the factory. Jobs will be created during the construction</p>	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		<p>Unfortunately, as we have seen so many times before, the health of our citizens are so often overridden by the commercial considerations of the company involved. In this case, the Austral Bricks' head office where all the major fiscal decisions are made, is probably located on the top floor of some office tower in Martin Place in Sydney, NSW. A very long way away from us so there is little or no regard given for the wellbeing of the residents most affected by any pollution emanating from the company's operations. It seems we are just too far away for them to care and besides, the return to shareholders and executive bonuses are far more important.</p> <p>In 2008, in addition to the pollutants, there was a continual problem with dust containing a very high silica content being blown from the Austral Brickworks site when the katabatic easterly winds blew across the scarp. The problem with this dust was that it was so fine it seeped through any crack or small gap in a building. If these fine silica particles had entered the lungs they could have caused an ongoing irritant which ultimately could have caused cancer and other ailments.</p>	<p>phase of the redevelopment of the existing plant.</p> <p>Emissions are thoroughly assessed by the state Department of Water and Environmental Regulation. Austral Bricks are required to provide Compliance Reports on air emissions annually. Austral Bricks complies with all planning and environmental approvals.</p> <p>Extractive industries have ceased at the quarry north of the brickworks since 2013. Austral Bricks have only received a few complaints about dust since the brickworks commenced operation in 2017 and all related to dust on Kiln Road and not to standard operations on site. The prevailing wind is from the south-west, not the east and it should</p>	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

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		<p>It was around this time that the company told residents that their brick manufacturing plant and quarry had a limited life and would be closed in a few years. That was the reason the Shire allowed the Byford on the Scarp developer to dramatically reduce the buffer zones.</p>	<p>be noted that no complaints are received from residents to the east or north-east of the site. It should also be noted that residential construction activities are located in closer proximity directly to the east of the Byford residential area.</p> <p>The brickworks operates in accordance with an approved 'Dust Management Plan' which will be updated for the redevelopment.</p> <p>The buffer zone to the quarry/extraction site was reduced, however the buffer to the factory has remained.</p> <p>Correspondence provided to the Shire, DWER and Cedar Woods at the time noted that extraction operations were to cease, and that while the plant (factory) was currently in a care and maintenance mode, it could be restarted at</p>	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

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		<p>The company has previously shown a blatant disregard for any form of control measures acceptable to the SRA. Any reasonable person could be forgiven for being sceptical that the company would operate on other than a 'business as usual' basis if the plant was reopening and doubled in size.</p> <p>Most working families have busy lives and do not have the time to constantly write letters of complaint to the Shire or government authorities. That is why organisations like the SRA are formed and it is clear that, through the SRA, the residents of Byford on the Scarp support the SRA in the seeking of a thorough Public Environmental Review into the proposed re-opening and expansion of the Austral Bricks manufacturing plant at their Kiln Road, Cardup site.</p>	<p>any time once market conditions improved. This was made clear to all parties.</p> <p>Austral Bricks operates and complies within their existing environmental and planning approvals.</p> <p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p> <p>Unfortunately, the information provided in the two notices by the SRA are factually incorrect and unnecessarily alarming.</p>	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
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WARNING

AIR POLLUTION FROM BRICKWORKS

If you are a resident of an estate in Sydenham and in particular Sydenham on the Scarp you should be concerned about the continued effects of pollution on your family's health from the proposed expansion of the Cermap brickworks, Austral Bricks, who in national news office in Sydney, have a proposal before the Senedd, Jarmalade Shire and the State Government to potentially more than double the volume of its existing manufacturing operations. Many of us would have received an assurance when we purchased our home that the brickworks was to be permanently closed as it would no longer be a danger to our health or property values.

The Scarp Residents Association is working closely with the Rate Payers Association who also have grave concerns regarding the proposed volume and make up of the emissions that will now increase significantly from Austral Bricks' site. The pollutants highlighted below are some of those that have been carried across large distances to our homes in the past by the winds that blow over the plant from the east and south east.

These pollutants can cause many unpleasant health ailments such as eye irritations, respiratory complications and even cancer. Some of the emissions attack surfaces such as the paintwork on your car creating a 'powdery' appearance. At maximum production the volume of dangerous pollutants listed below that will be emitted into the air each year will increase considerably if the Austral Bricks' expansion goes ahead. If you find your asthma getting worse or you suddenly start coughing up phlegm, consider what you are breathing in!

CARBON MONOXIDE - up to 296 tonnes per year
Carbon monoxide, or CO, is an odourless, colourless gas that can cause serious illness.

TOXIC PARTICLES - up to 82 tonnes per year
These pollutants range in size from microns, which can embed themselves in lung tissue, through to much larger particles.

HYDROCHLORIC ACID - up to 16 tonnes per year
This gas emission is highly corrosive and will not only damage your lungs but will eat into metal, aluminium and limestone surfaces.

OTHER EMISSIONS - variety of quantities per year
Arsenic, Beryllium, Cadmium, Chromium III & VI, Copper, Fluoride, Mercury, Nickel, Oxides of Nitrogen, Particulate matter, Polychlorinated dioxins and furans (PCDFs), Polycyclic aromatic hydrocarbons (PAHs), Sulfur dioxide and Sulphuric Acid.

Follow this link for a full report on the volumes of the harmful emissions you will be exposed to:
http://www.rpa.gov.au/topics/air/airshed/technical_facility_data/forhse/australia/year2010/airshed-technical/WA2110

Neither the Scarp Residents Association or Rate Payers Association are anti business. We need local jobs but industry needs to be mindful of the safety of the local residents and conduct their businesses in a manner that does not harm us. If you are concerned about your family's health and well-being as well as the value of your property please show your support before the end of March for us to seek a full public inquiry and environmental and health impact assessment of the proposed expansion by emailing or contacting the people listed below.

Alysa Maydon M.A., your local member of parliament alysa.maydon@spire.wa.gov.au / 0428 808 000

Alan Maydon, Chairman, RPA, alan.maydon@spire.wa.gov.au / 0428 808 011

Paul Martin, CMC, Shire of Serpentine Jarrahdale CMA paul.martin@serpentine.wa.gov.au / 0489 038 476


Andrew Tress, Director of DSE, Shire of Serpentine Jarrahdale andrew.tress@spire.wa.gov.au / 0489 038 476

Michelle Rich, President, Shire of Serpentine Jarrahdale michelle.rich@spire.wa.gov.au / 0428 252 300

Lauren Shogren, Councillor, Shire of Serpentine Jarrahdale lauren.shogren@spire.wa.gov.au / 0427 801 830


NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		<div data-bbox="566 371 1068 1088" style="border: 1px solid black; padding: 10px; text-align: center;">  <p>Dust and Noise Nuisance</p> <p><u>Attention residents, families and interested parties.</u></p> <p>You are invited to attend a public meeting hosted and chaired by The Byford Scarp Residents Association at 5.00 pm on Sunday 27 March at the Sales Office, Clondyke Drive, Byford on the Scarp.</p> <p>The meeting will cover resident's concerns regarding the proposed expansion of the brickwork's quarry directly behind your homes at Byford on the Scarp.</p> <p>It is extremely important that action is taken to protect people's home values, health and wellbeing from any proposed increase in the industrial removal of shale and clay from the brickwork's pit.</p> <p>We have all been subjected to undue dust and noise from heavy machinery working around the clock at the quarry site over a long period of time with no apparent steps being taken by Austral Holdings to prevent this intrusion into our lives.</p> <p>The Byford Scarp Residents Association will be lodging its own submission to the Shire Council against the APPLICATION FOR EXTRACTIVE INDUSTRIES IN BYFORD AND CARDUP - AUSTRAL HOLDINGS, however, we encourage you to present your own personal SUBMISSION WHICH MAY ADD WEIGHT TO OUR OTHER OBJECTIONS.</p> <p>Thank you, Sandra Hawkins, President.</p> <p><small>17 MAR 2019</small></p> </div>		

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		 <p>Received 18 June 2020</p> <p>:- Note on the submission form the date was 11th June which has been extended until the 2nd July.</p> <p>Please see attached Letter to resident and the attached submission form provided to residents and houseowners of Byford on the Scarp Estate</p>		

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		<p>currently being distributed. The subscription is one of many received and still coming.</p> <p>Basically residents were told that Austral Bricks were closing down - some either by their real estate agent, developer at the time or the Serpentine Jarrahdale Shire and with this understanding buyers purchased. On page 4's attachment of the Letter to Residents shows that Scarp residents were made aware and fought this back in March 2011 with a meeting.</p> <p>Residents and Homeowners are not happy with the fact that Austral Bricks has been allowed to restart/continue to expand and double their expansion and emissions so close to residents with young families.</p> <p>The buffer was decreased with this impending proposed closing down of Austral Bricks and developing further stages was approved by the shire and developers commenced by the estate developers building closer to Austral bricks and Byford on the Scarp Estate.</p>	<p>Note that this information was not relayed by Austral Bricks themselves who have maintained through correspondence with the developers and the Shire that the buffer to the factory should be maintained should operations recommence.</p> <p>The current/existing operation is in accordance with relevant planning and environmental approvals and in accordance with the land uses zoning.</p> <p>Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be</p>	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		<p>What are the chances of the proposed school establishing - on the land set aside to go ahead now in the area? Surely there is a safe distance set aside between industrial companies and schools. I assume the school will not go ahead if Austral bricks will double in expansion.</p> <p>Please reconsider allowing the expansion of the Austral Bricks. If this is allowed we will have double the emissions - which will need to be independently monitored and the company needs to be kept accountable for these emissions. Air, water and ground require monitoring independently. We have young families right next to this Company. Yes they were there first but the shire allowed developers to build next to this company and you also need to be kept accountable for looking after your ratepayers and their health. Yes we want jobs locally but not to the expense of our families health and to find out in years to come it was due to allowing them to double their expansion hence double their emissions. Their must be another alternative for us to all coexist.</p> <p>But perhaps it is time they move their expanding business further away from urban growth.</p>	<p>maintained. The buffer to the extractive industry operation was reduced but the buffer to the factory was maintained.</p> <p>It is understood that the proposed primary school is approximately 2km from the brickworks (note that the generic separation distance recommended in GS3 is 300-1000m).</p> <p>Emissions will be assessed by DWER as part of the Works Approval application. Austral Bricks is already required to monitor emissions and report to the Department annually.</p> <p>Relocation of the Brickworks is not a consideration of this</p>	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
			Development Application.	
		<p>Extra traffic.</p> <p>Extra noise</p> <p>Extra air pollution (asthmatic)</p>	<p>Traffic is addressed in the Traffic Impact Statement (Shawmac, 2019).</p> <p>An 'Environmental Noise Assessment' was prepared by Lloyd George Acoustics in 2020 which concluded that 'the predicted noise levels are not expected to exceed assigned noise levels, as long as the recommendations...are adhered to'.</p> <p>Air quality is addressed in the DWER Licence application. An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values)</p>	

NEW SUMMARY OF SUBMISSIONS

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Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
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		<p>De-valuation of property.</p> <p>We are going to want a reduction of rates.</p>	<p>at all receptors for all averaging periods.'</p> <p>Property values and rates are not planning matters.</p>	
		<p>We were told the brick yard would be shut and all operations moved to Armadale approximately 10 years ago.</p> <p>The clay dust fallout is really bad and is not good for the lungs.</p>	<p>This comment is not related to a planning matter. Correspondence from Austral Bricks to the Shire clearly indicated that it was the extractive industry site that was to cease, not the plant.</p> <p>The site operates within a 'Dust Management Plan' (dated 2017). This will be updated for the new development. A complaints system is in place to address dust complaints, all of which have been recorded, investigated and rectified by Austral Bricks when they were made.</p>	

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		<p>When the yard closed we didn't have anymore power blackouts</p> <p>They also dammed off Cardup Brook and we worry about water pollution as we rely on ground water for all our needs.</p>	<p>Austral Bricks are not aware of any power blackouts since operation recommenced in 2017. There is no evidence that blackouts are caused by the brickworks. In any event, this is a responsibility of Western Power.</p> <p>Cardup Brook has not been dammed by Austral Bricks. Austral Bricks undertakes regular surface water monitoring of Cardup Brook. The site also operates in accordance with an approved Stormwater Management Plan prepared in 2016 for the DWER Works Approval. It is expected that an updated Stormwater Management Plan can be prepared as a condition of approval.</p>	
		While we have no comment as a part of this consultation process we would like to note that 2 copies of the same letter were received by Baptistcare in	Noted.	

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		<p>relation this matter. One was addressed correctly to Baptistcare and sent to our street address, the other was erroneously addressed to WA Baptist Hospital & Homes Trust (our previous entity name not used since 2011) and sent to our mailing address.</p> <p>Could the Shire please update our details and only have Baptistcare WA Ltd on file, and direct all physical mail correspondences to the mailing address (PO Box 263).</p>		
		No Comment	Noted.	
		<p>I have resided at my present address on Nettleton Road for over twenty years during which time the Austral Bricks plant was in operation and during which my property was subjected to noise and dust emissions emanating from the precincts of the northern pit on which my property overlooks. At that time we were subjected to severe dust emissions emanating from the plant and due to the carting of material from their property's northern gate onto Nettleton Road. Complaints by locals on the dust issues finally caused the cessation of that activity which was then confined to Kiln Road.</p> <p>It is believed that dust issues are still a problem for residents in the area of Kiln road especially those residing further up the scarp. As the proposal is to increase the size of this plant it is obvious the dust issues will once again increase to unacceptable levels previously generated by fugitive particles and spillage from loading causing migration of this unsatisfactory situation to be generating an increased nuisance and health hazard.</p>	<p>Noted.</p> <p>The access to Nettleton Road ceased once the quarry was closed in 2013. Access to the brickworks is from Kiln Road.</p> <p>Austral Bricks have only received a few complaints about dust since the brickworks commenced operation in 2017 and all related to dust on Kiln Road and not to standard operations on site. Significant improvements have been made to the Kiln Road access such as</p>	

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Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
			<p>asphalting the raw materials exit and the installation of cattle grids at the entrance. Dustex is also used on the haul roads within the site.</p> <p>The prevailing wind is from the south-west, not the east and it should be noted that no complaints are received from residents to the east or north-east of the site. It should also be noted that residential construction activities are located in closer proximity directly to the east of the Byford residential area.</p> <p>Dust is managed in accordance with the 'Dust Management Plan' for the site in accordance with DWER Guidelines. An updated Plan will be prepared for the redevelopment. A complaints system is in place to address dust complaints, all of which have been recorded,</p>	

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		<p>The increase in truck traffic generated by the proposed plant expansion will generate an increase in problems not only along Kiln Road but also emanating from the junction of Kiln Road and the South Western Highway where egress requires a turning point being conducted into a 110 KPH traffic stream. The increasing traffic thus generated by the proposed output from this plant then is required to pass through the Byford CBD which is already suffering from excessive traffic streams.</p> <p>Regarding air monitoring, it is noted that an increase in the height of the emission stack is intended which will in effect increase the distance in which particulate matter and noxious gasses travel downwind. It is also noted that independent air monitoring is not intended to take place, other than that as prescribed in the current licence which undertakes to gauge emissions via a direct measurement within the stack. This is not satisfactory as toxic emissions of gases and particulate matter should be gauged via air monitoring at several sites at varying distances from the point of the emissions. This should also be undertaken by an approved independent authority at the expense of Austral Bricks. This is an obvious resolution in protecting the local residential community from respiratory illness as well as a measure of protection of the proponent from a Common Law Complaint</p>	<p>investigated and rectified by Austral Bricks when they were made.</p> <p>Traffic is addressed in the 'Traffic Impact Statement' (Shawmac, 2019). It should also be noted that the speed limit on the highway has been reviewed by Main Roads (at the request of Austral Bricks) which they have deemed to be appropriate.</p> <p>Air quality is addressed in the DWER Licence application and will be assessed by the Department. An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all</p>	

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		<p>For Damages should the effects on health be traced back to the emission point, as well as a show of goodwill by the Company.</p> <p>I understand also that Lot 50 of the site is a potentially contaminated area.</p> <p>The reduction in buffer zones has insidiously occurred due to what appears to be some confusion on the previous conclusion that the Brickworks was ceasing production, thus reducing the buffer to an unacceptable distance of some 420 metres. There is also reference in documentation that the distance to Byford Township further removes residents from any possible source of pollutants while completely overlooking residents in Byford On The Scarp and Cardup.</p>	<p>pollutants are below the relevant AGVs (air quality guideline values) at all receptors for all averaging periods.'</p> <p>Noted. The site continues to be managed in accordance with the CS Act. The DWER Contaminated Sites Branch does not object to the proposal and did not recommend any conditions be placed on the approval. They have confirmed that hydrocarbons are contained within the site boundary.</p> <p>There was no confusion. Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be</p>	

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		<p>In conclusion, the proposal for this expansion should be rejected as being totally unsuitable because of its location adjacent to a population density as represented by Byford On The Scarp and Cardup, as well as my own very close location to the site. The fact is that over the past twenty years Urban Expansion has rendered its expansion or continuing operation extremely undesirable and certainly not in the best interests of local inhabitants.</p> <p>Therefore what is warranted is a Full Scale Public Environmental Review in which to gauge the true acceptability of this proposal.</p>	<p>maintained. There is no reference in the DA report (Land Insights, 2019) to the Byford Township.</p> <p>The proposed redevelopment will result in improvements to the factory overall.</p> <p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p>	
		<p>We are very concerned Cardup residents.</p> <p>We have lived in this area for a long time and were under the impression that the brickworks would be phased out in the near future. Instead we are faced with a \$5 million dollar upgrade / extension.</p> <p>We are in our declining years, but our children, grandchildren and subsequent generations have to contend with an ugly factory in the middle</p>	<p>Noted.</p> <p>The factory is not located in the middle of a residential area.</p>	

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		<p>of a residential area. The thought of our Scarp being defaced by a 29 foot chimney stack is horrendous.</p> <p>We are solely on ground and rainwater and neither of these will be safe to use.</p> <p>The very strong easterly winds coming off the scarp in summer already fills our home with dust particles. The is made worse by the trucks using Kils Road.</p>	<p>Chimney stacks already exist on the site, including one which is heritage listed by the Shire.</p> <p>There is no scientific information to back-up this statement.</p> <p>The site operates within a 'Dust Management Plan' which is prepared in accordance with DWER Guidelines. An updated Plan will be prepared for the redevelopment. Austral Bricks maintains a complaints record which does not indicate that complaints of this nature have been received. Austral Bricks have only received a few complaints about dust since the brickworks commenced operation in 2017 and all related to dust on Kiln Road and not to standard operations on</p>	

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		<p>We strongly believe this factory should be built in an industrial area, not close to schools, shopping centres and homes.</p> <p>We are also outraged by the continual reduction of buffer zones. It seems that progress at any cost as long as it makes money for shareholders is the Governments' mantra.</p>	<p>site. The prevailing wind is from the south-west, not the east and it should be noted that no complaints are received from residents to the east or north-east of the site. It should also be noted that residential construction activities are located in closer proximity directly to the east of the Byford residential area.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application.</p> <p>The factory has been in this location for over 100 years. The brickworks is appropriately zoned for the land use.</p> <p>Austral Bricks does not support the further reduction of buffer zones.</p>	

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		In view of all of the above we advocate a Full Scale Public Environmental Review be conducted with the welfare of the community, now and in the future front and foremost.	Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.	
		<p>Austral Brickworks submission 2020</p> <p>As a resident of Kiln Road, Karrakup I wish to register my concern with the proposed development and request the Shire seek a full public environmental enquiry and impact assessment</p> <p>The development is massive in scale and complexity-</p> <ul style="list-style-type: none"> • increasing the plant building footprint from 0.653ha to 1.548ha • a significant increase in throughput and the potential for requests for further increase in throughput to justify the large capital expenditure • increasing the kiln stack height from 15.9m to 29.5m • additional clay storage area • a hopper, primary crusher and conveyor (the old equipment on site was decommissioned some time ago) 	<p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p> <p>Noted. The proposed redevelopment will result in improvements to the factory overall.</p>	

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		<ul style="list-style-type: none"> • a new Storm water basin with access road and equipment • new technology to try and further address some of the emissions from brick making which are a worldwide concern. <p>The development intends to coexist within the existing surrounding land use and planning scheme while increasing the scale of its operations and resulting environmental impacts and traffic. To achieve this buffers are required to deal with water, noise, dust and noxious emissions. The Review would provide guidance on what buffers and onsite management are required for an operation of this scale.</p> <p>I have particular concern with the following-i,</p> <p>Traffic management.</p> <p>I am a resident of Kiln Road and it is the only access to my home. The Traffic management report seems to be flawed in failing to disclose the traffic on Kin Road from the extractive industry to the south of Kiln Road operated by the applicant and stating the only other traffic generators are approx. 10 rural residential properties.</p> <p>My understanding is the traffic flow changed for the southern pit when the then closed brick works were upgraded, refurbished and reopened We now have clay trucks that come to the brick works with clay from other locations, empty trucks then exit the plant and enter Kiln Road heading east, crossing the Road to head South into the extractive pit area. Trucks exit from the pit area heading West on Kiln Road and either turn north off Kiln Road to enter the Plant or continue on to Southwest highway to take material to other plants.</p> <p>It is not clear if the Traffic Management Plan refers to traffic from both the Plant and the Pitt but it certainly does not deal with the management of increased traffic movement within Kiln Road Clay carting seems to take place in Campaigns during the specified months. The plan does not seem to deal with the intensive road usage during these campaigns but relies on misleading averages.</p>	<p>The development already exists, and part of the proposal is to improve environmental outcomes on an historic site.</p> <p>The Traffic Impact Assessment can be updated to reflect this.</p>	

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		<p>Dust Management</p> <p>The three year old dust management plan does not refer to any increase in dust as a result of this proposed expansion.. There seems to be no measurements of any kind and while it has provided a rating of" nuisance to local residents" in its risk assessment matrix for 3 of the 4 dust risks there are no facts provided for this rating. In particular no facts are provided on what elements are in the dust nor the possible health effects from dust. It is treated as though it is inert and only a nuisance.</p> <p>The potential for silica, heavy metals and other particulates should be reviewed. Expert advice and analysis should be provided showing there are no health risks from dust emanating from operations including that transferred onto Public roads.</p> <p>Expert advice should be provided on the likely distribution of dust produced given local weather conditions.</p> <p>Dust management has been a particular concern for me for many years and I have made a number of complaints about dust and mud on Kiln Road. I understand that for many years prior, this was an ongoing problem for residents on Nettleton Road but this was resolved for them when the traffic (and dust on roads) was shifted onto Kiln Road.</p>	<p>An updated Dust Management Plan can be prepared as a condition of approval for the redevelopment.</p> <p>Austral Bricks have only received a few complaints about dust since the brickworks commenced operation in 2017 and all related to dust on Kiln Road and not to standard operations on site. Significant improvements have been made to the Kiln Road access such as asphaltting the raw materials exit and the installation of cattle grids at the entrance. Dustex is also used on the haul roads within the site.</p> <p>The prevailing wind is from the south-west, not the east and it should be noted that no complaints are received from residents to the east or north-east of the site. It should also be noted that</p>	

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		<p>I have come to understand the Companies approach to complaints is to actively address a complaint but not the root problem. They knowingly create dust problems and wait to deal with any complaints.</p> <p>The Dust management plan does not indicate what best practice approaches it uses to minimise the dust problem. Instead the Plan seems to deal in vagaries and generalities. Road sweeping once a week never has and never will be effective during carting campaigns.</p>	<p>residential construction activities are located in closer proximity directly to the east of the Byford residential area.</p> <p>The proposed site activities will not impact dust generation – sealing of access roads will decrease dust.</p> <p>The Dust Management Plan states that complaints are addressed by investigating the cause of the problem and undertaking actions to rectify the issue. Complaints made about dust and mud on Kiln Road have been investigated and rectified as soon as possible.</p> <p>Dust minimisation is already addressed in the</p>	

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Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		<p>A full public environmental enquiry and impact assessment will provide planning guidance and requirements for dust management.</p> <p>Planning and buffers The application advises the development is to occur on land zoned Rural and Urban Deferred. It currently operates within a Special Use zone in the Shires Town Planning Scheme N02. Further it notes that the zoning in the Draft Local Planning Scheme N03 identifies the site as Rural and the development is not appropriate for this zoning.</p> <p>At this point it is worth noting the application infers two points - that there is some heritage benefit to have the development and also there is some entitlement to the development as there has been brick manufacture on the site since the 1900's. These both seemed to be flawed.</p> <p>The application refers to approvals to demolish existing plant and upgrade other decommissioned equipment. Other than the non-rehabilitated shale pits there seems to be little heritage value retained.</p>	<p>Dust Management Plan (see 'Control Measures').</p> <p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p> <p>These are the zones under the MRS and the existing/proposed local scheme. Provides planning context.</p> <p>Austral Bricks have no entitlement to development, hence why an application has been submitted.</p> <p>The old brick kilns and dryer located within the eastern-most shed are listed on the Shire's heritage list, however</p>	

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		<p>It makes no sense to suggest that as the site has been used as a brick plant in the past this entitles the landowner to unlimited scale of operations on the site in the future. (is every corner shop entitled to build a Westfield style shopping development?).</p> <p>The application refers to The State Industrial Buffer Policy but does not describe the currently Secured Offsite Buffers. It goes on to say a further incursion of 20 metres of buffer is required but has not indicated how this will be secured. It is noted the proposed crusher and conveyor to the East would also need buffer consideration as would the storm water basin.</p>	<p>these are not included in the application. No other features are heritage listed.</p> <p>Obviously, the fact that a brickworks has existed on this site for many years, with the most recent approvals for the site being only a couple of years old, is useful context to the Development. Austral Bricks recognise that a Development Application is required. The proposal is hardly unlimited scale. The Austral Bricks landholdings are 121ha in this locality, and the planned expansion is 0.89ha (or approximately 0.74% of the site).</p> <p>The applicant is applying for Development Approval and a DWER Works Approval for the upgrade. Note also that</p>	

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		<p>Reference is made to EPA guidelines (300 - 1000 metres). It fails to mention the guidelines are different for Screening and also Clay extraction or processing (minimum 500 metres). No indication is given of where the applicant thinks suitable buffers for noise, dust and emissions should fall and from where they should be measured. They are not using the property boundary.</p>	<p>the redevelopment will result in better environmental outcomes through the use of upgraded equipment etc. The report does not say a further 20m of buffer is required, but that the proposal will be 20m closer to the nearest residential area.</p> <p>The DA report (Land Insights, 2019) explains that the buffers will be assessed by DWER as part of the Licence application. There is no need for a buffer to the stormwater basin.</p> <p>There is no screening existing or proposed on the site. The DA report (Land Insights, 2019) explains that the buffers will be assessed by DWER as part of the</p>	

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		<p>The only measurement provided is from one corner on the proposed new building and not the site of the new clay storage, crusher, conveyor or the new storm water basin. Nor is it measured from internal cartage roads which will have a significant increase in activity.</p>	<p>Works Approval application.</p> <p>It is not a requirement to measure from the property boundary. The measurement is from the site activity to the sensitive land use. There is no clay extraction proposed in this application. The relevant land use considered is the factory, not an internal access track, nor a stormwater basin.</p> <p>As is stated in the DA report, separation distances/buffers will be determined by DWER as part of the Works Approval application.</p> <p>Buffers are not required to be determined from the property boundary but from the activity or source.</p> <p>Detailed information regarding noise is</p>	

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		<p>Only a full public environmental enquiry and impact assessment would give essential planning guidance.</p> <p>I also have concerns with-</p> <ul style="list-style-type: none"> • Emissions from the brick making process • Ground water • Outstanding rehabilitation of the Extractive Industry operations on the site which were ceased over 5 years ago. 	<p>provided in the 'Environmental Noise Assessment' (Lloyd George Acoustics, 2020). Noise is determined from the whole redevelopment to sensitive land uses surrounding the site in all directions.</p> <p>Noted. DWER will, as part of the Works Approval assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p>	
		<p>It is noted that the new crusher is not shown on any plans and photographs. This is potentially the source of noticeable noise which will adversely impinge on the amenity of (redacted).</p>	<p>The crusher is shown in the Proposal Plans in Appendix A of the application report. It has been assessed as part of the acoustic assessment.</p>	
		<u>Water</u>		

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		<p>Several years ago I worked at the brickyards, they use to have several bore holes around their site. It was for the ground water testing, I but believe that there was a major fuel spill on this site and the EPA oversaw the clean-up and sometime since then these bores have been decommissioned and today deny ever having them.</p> <p>Ground water at the Brickworks site needs to be monitored for toxins, also the local community relies on both rain and bore water as there is no scheme water.</p> <p>The metro water supply will be relying on the aquifers in this area, for the future generation.</p>	<p>Austral Bricks do not deny having groundwater bores. Groundwater investigations have been undertaken in 2008, 2010 and 2014. The site continues to be managed in accordance with the CS Act. The DWER Contaminated Sites Branch does not object to the proposal and did not recommend any conditions be placed on the approval. They have confirmed that hydrocarbons are contained within the site boundary.</p> <p>The site is not located within a Public Drinking Water Source Area. It is unclear what future water supply the respondent is referring to, but if they mean the Proclaimed Groundwater Area it should be noted that this includes much of the Swan Coastal Plain,</p>	

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		<p>During their years of operation EPA have tested high levels of contamination in the local Cardup Brook. Ultimately running into the Serpentine Catchment Area. Since they have closed down further examination has shown approximately four hundred percent reduction in contamination of the brook</p> <p><u>Chimney Stack Exhaust</u></p> <p>Airborne pollutants from the chimney stack of the brickyards with prevailing winds being directly up wind to our location. The PH. of our rain water has changed from 5.8 when they were operating, to currently, the last reading taken 5 June 2020 after current rains showing PH 6.7.</p> <p>At the Stake Holder group Meeting with the brickyards, they have stated that the scrubber is only there to remove hydrogen fluoride and when asked about sulphur They said that their lime bag scrubber didn't remove the</p>	<p>including the industrial areas in the Shire.</p> <p>There have been no tests by the EPA within the Cardup Brook on site. Austral Bricks undertake surface water monitoring of the Cardup Brook. The respondent does not provide a source/reference for this information and it is not clear what the 'contamination' is. There seems to be no basis for this comment.</p> <p>The prevailing winds are from the south-west. There is no evidence to demonstrate that the Brickworks have contributed.</p> <p>The DA proposes to install a baghouse</p>	

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		<p>sulphur Wouldn't this be the time if they are going to stay here, that all effort be made to take as many contaminants as possible. from the exhaust stack.</p> <p><u>Dust.</u></p> <p>Complaints have been on going over several years about dust build up on the roadway near the Brickworks, sometimes over several inches deep when dry, creating traffic hazard and visibility nil. When wet, clay dust makes the road very slippery. Also Byford by the Scarp with all new houses, and the Cardup Town site get covered with a fine dust penetrating their houses and covering their cars daily.</p>	<p>scrubber. Baghouse scrubbers have improved capability due to a bag system and enable removal of small amounts of HCl, Nox and Sox. Baghouse scrubbers are considered best available technology in the world for brick manufacturing.</p> <p>The redevelopment of the site in accordance with this DA will provide improve environmental outcomes.</p> <p>There have been only seven complaints about dust on Kiln Road over the last 3 years. When Austral Bricks receives a complaint the road is cleaned. Significant improvements have been made to the Kiln Road site access such as asphaltting the raw materials exit and the installation of cattle grids.</p>	

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		<p>Even houses over a kilometres down wind. noticing extra dust. The Brickworks are refusing to tell us what mineral elements are in the ground that they are crushing or in the chimney exhaust.</p> <p>We have asked what raw materials are in the ground they crush for bricks but been refused this information.</p>	<p>There have been no complaints received about dust within the Byford estate.</p> <p>All clay trucks are covered with envirotarps and dust is controlled in accordance with the Dust Management Plan for the site.</p> <p>It should be noted that the prevailing wind direction is south-west. It should also be noted that residential construction activities are located in closer proximity directly to the east of the Byford residential area.</p> <p>The information on air emissions from the chimney is publicly available and Austral Bricks have never refused to provide this information.</p>	

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		<p><u>Health.</u></p> <p>In the town of Cardup there are several people that have breathing problems and have been diagnosed with medical issues concerning the lungs since living here, and at least two have passed away.</p> <p><u>Relocation</u></p> <p>We consider that if the Brickyards are going to spend over \$50,000,000.00 to rebuilding on the old site with the old problems still going to exist, that they should relocate to an appropriate place that, would not be over a designated future water supply.</p> <p>I understand the developer for Byford by the Scarp, was of the understanding the Brickyards had closed down and was given the go ahead to develop the land. Now the Brickyards reduced buffer zone still takes in some of the houses in Byford by the Scarp.</p>	<p>This comment is unsubstantiated as there is no evidence that this is linked in any way to the brick manufacturing plant.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application.</p> <p>Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be maintained. The buffer to the brickworks still exists and has not been</p>	

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		<p><u>Misleading Information</u></p> <p>When The Cardup Brickworks applied for the new license they mislead with wrong wind direction information.</p> <ol style="list-style-type: none"> 1. The winds come from the North easterly to south Easterly, taking any chemicals over housing developments of Byford by the Scarp and Cardup Town sites. Therefore they would not get much fall out to the South East. where they intend to monitor for flora damage. 2. Their buffer zone goes into several houses in Byford by the Scarp 3. In the past the brickyards exhaust monitoring samples have been taken from their Caversham plant not the Cardup plant. Giving a false reading. <p>I would like to think that as human beings you would consider the abundant water supply in this area for the future generations.</p>	<p>reduced. The fact that houses have been built within an existing buffer is an issue for the developer and the Shire.</p> <p>It is unclear what report they are referring to, but this information is not in the DA application report. If the previous air modelling report is being referred to (for the previous Licence application) this is not the correct model for this DA application.</p> <p>The prevailing wind is from the south-west.</p> <p>Note that the current distance to the nearest residence at Byford by the Scarp is 450m – the separation distance recommended by GS3 is 300-1000m, therefore the brickworks meets this distance. Austral Bricks does not support a reduction of the buffer</p>	

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			<p>zone for residential development.</p> <p>This information is incorrect, the results from the Caversham plant have never been used for a report relating to this brickworks.</p>	
		<p>Upon purchase of our block in 2008 we believed the Austral Brickworks was to close.</p> <p>We have been unaware of the reduction of the buffer zone and support a public health review.</p>	<p>Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be maintained. The buffer zone was reduced to the extraction site only. The buffer to the brickworks has been maintained and has not been reduced.</p> <p>Austral Bricks has an existing Licence from DWER to operate the factory and has no obligation to stop operation.</p>	

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			Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.	
		<p>I would like to inform you that I am extremely against this proposal of expansion of Austral Bricks.</p> <p>Firstly due to health reasons (for myself) and secondly all other residents including my son who also lives in the vicinity.</p> <p>I have lived in Byford for 30 years and over many years I have noticed that the Shire of Serpentine Jarrahdale town planning do not listen to the residents.</p> <p>I think it is about time that the Shire starts to listen and truly take on board what people / residents have to say.</p>	<p>Noted.</p> <p>Noise, dust and air emissions will be part of a detailed assessment by DWER as part of the Works Approval application.</p>	
		<p>As a resident in the Scarp Estate of some 9 years standing I wish to tender my objection to any application resulting in any expansion of the existing Austral Bricks Quarry/Factory operation in its current location.</p> <p>The following is a summary of reasons for this stated position.</p> <ul style="list-style-type: none"> When considering purchasing my home in the Scarp Estate , I was given to understand that the Austral operation was nearing its intended operating life and would be wound down. 	<p>Noted.</p> <p>Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the</p>	

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		<ul style="list-style-type: none"> My home in the Scarp is due west of the Austral operation and to this day suffers daily dust pollution especially in the dry summer when the hot dry prevailing Easterly wind carries pollutants directly through the Scarp Estate. This dust pollution comprises black , grey and red dust which requires a daily sweep and dusting externally .Windows and doors at the East side of the house need to be kept closed to minimise dust entry. I am led to believe , this dust has in the past contained a cocktail of pollutants including Silica. I remain amazed that developer Cedar Woods and Serpentine/Jarrahdale Shire , continue to expand new residential blocks closer to the Austral operation boundary with the newest blocks completed this month appearing to be only two to three hundred meters from the rim of the Austral Quarry ! There is in my view an issue here in that" are potential buyers advised of the existing pollution problem and indeed the current Austral application to expand its operation and therefore worsen the existing problem. "I suggest that Cedar woods , SJ Shire and probably the relevant State Govt. dept. have a legal and moral responsibility in this regard! 	<p>buffer to the factory to be maintained. Austral Bricks has an existing Licence from DWER to operate the factory and has no obligation to stop operation. It is unclear who advised that the factory would be closing.</p> <p>There have been no complaints made in the past three years of dust from residents in the Byford estate (i.e. since the factory recommenced operation).</p> <p>This application does not relate to the quarry. The buffer zone to the quarry was reduced in 2014, however the buffer to the brickworks (which is subject to this application) has been maintained and not been reduced.</p>	

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		<ul style="list-style-type: none"> In summary , it is inappropriate that this relationship (residences verse Quarry/Plant) was ever allowed to develop and now inconceivable that any consideration to its continued existence let alone EXPANSION! be considered. <p>As a result , I am totally against any further development or expansion of the Austral operation and indeed expect our various Authorities to revisit the existing problems and ongoing issues with the objective of minimising or removing them.</p>	<p>Noted. The application will be assessed on its merits. The buffer to the brickworks has been maintained and has not been reduced. There are no proposals to reduce the buffer as part of this application.</p> <p>Noted.</p>	
		<p>We have just returned for a holiday to receive your letter regarding Austral Bricks proposal.</p> <p>I assume that we are too late to add our submission against this proposal. Suffice to say that I am fully against this proposal so close to a residential area in particular since Austral Bricks made a statement to the developer,(can't call it a commitment) to close the facility in " a couple of years" . Now they want to expand.</p>	<p>Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be maintained. The buffer to the quarry was reduced, however the buffer to the brickworks has been maintained. The</p>	

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		<p>In my experience with a property at Narngulu the emissions from that mineral sands plant destroyed the roof of my building within 5years of it being constructed. That company had made a commitment to install scrubbers to clean their emissions but I was told by an operator of the plant the to Off-lay the cost of running the scrubbers they were turned off at night. I can see this happening with this company.</p> <p>I may be too late but I wish you all the luck in the world in getting this resolved. And hopefully moved to a more appropriate location</p>	<p>applicant does not propose to reduce the buffer.</p> <p>This comment is unsubstantiated and untrue. Austral Bricks operates within the planning and environmental approvals. They are also required to report emissions to DWER as part of the Licence conditions.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application.</p>	
		<p>We built in Byford on the Scarp in 2020, unaware of Austral Bricks expansion intentions.</p> <p>At great cost to prepare for our retirement, to be closer to our daughter and grandchildren (they built in 2020 in this estate). And for psychological and health benefits of living in a more rural setting.</p> <p>I have a genetic condition that renders me vulnerable to irritants – impacting on my mucous membranes including nose and lungs etc. and excessive blood loss.</p>	<p>This application was submitted in 2019 and the Shire would have advised that an application had been received. Austral Bricks maintains open communication with the Stakeholder Group, the purpose of which is to</p>	

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		<p>We would not have opted to build here if we'd known of Austral Bricks expansion proposal and we strongly oppose it.</p> <p>Their operations should be relocated to a more suitable industrial location to avoid any potential harm and disruption to nearby residents.</p>	<p>keep residents informed on the activities and plans of the company. Austral Bricks has an existing Licence from DWER to operate the factory and has no obligation to stop operation.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application.</p>	
		<p>My family and I are not supporting this project due to the high amount of air pollution as well as all the noise and dust that would effect our area.</p>	<p>Noise, dust and air emissions will be subject to a detailed assessment by the DWER for the Licence application.</p> <p>There have been no complaints made in the past three years of dust from residents in the Byford estate (i.e. since the factory recommenced operation).</p>	

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		Air pollution will lead to stroke, lung cancer and heart diseases and it can be dangerous for our respiratory system.	This is an unsubstantiated comment and there is no evidence to support this claim.	
		We are against the proposal for the expansion of the brickworks quarry behind homes at Byford on the Scarp for the reasons of dust, noise and the pollutants in the air (especially with our easterly winds) which would cause health problems.	Noise, dust and air emissions will be subject to a detailed assessment by the DWER for the Licence application. There have been no complaints made in the past three years of dust from residents in the Byford estate.	
		When I purchased the property twelve years ago in 2008, I did so on the understanding that the operations at the brick works would be slowly scaled down and the site closed in a few years. It is therefore not a situation of someone moving to a nuisance and then complaining. The SJ Shire accordingly reduced the buffer zone for the Scarp developer on this understanding. I would not have considered buying the property had I known the brickworks would not be scaled down and closed but instead be expanded.	Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be maintained. The buffer to the quarry was reduced, however the buffer to the brickworks has been maintained. The applicant does not	

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		<p>Many families with young children reside on the Scarp estate and there is even a proposed primary school planned for future development close to the brickworks boundary. Prevailing winds coming from the south-east carry discharges from the brickwork operations across the Scarp development area and certainly across the proposed school site. The south-east corner of the estate has yet to be built on and these new subdivisions will be nearest the discharges.</p>	<p>propose to reduce the buffer.</p> <p>Austral Bricks has an existing Licence from DWER to operate the factory and has no obligation to stop operation.</p> <p>An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values) at all receptors for all averaging periods.'</p> <p>It is understood that the proposed primary school is approximately 2km from the brickworks (note that the generic separation distance recommended in GS3 is 300-1000m).</p>	

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		<p>My property is (redacted) quite close to the brickwork operations. Since being in the house, the following have been very apparent:</p> <ul style="list-style-type: none"> • Large volumes of dust containing silica land on my block and seep into the house. The result is that the PV solar panels and the solar hot water panels on the roof of my house need constant cleaning (at least every eight weeks) in order to preserve the efficient operation of the two systems. Dust is always evident in the house on floors, furniture, curtains and fittings. From this, I can conclude that my family is breathing in this dust every day. • I have had to paint the gutters and eaves of my house twice in the last twelve years, whereas with normal weathering it should be once every ten years, according to the painter who did the job and the specification of the good quality paint which was used. The Colourbond roof is fading quite quickly and will need repainting in the near future. According to the manufacturer, the colour on these roof panels should last much longer, so the fading is attributable to the acidic chemical discharges from the brickworks. • The metal on any outside patio furniture corrodes and needs repainting and I have replaced such items twice in the time I have lived in (redacted). This is further evidence that the acidic discharges from the brickworks, significantly affects my property. • My Ute which is always parked in the driveway is showing significant signs of early body rusting again attributable to the acidic chemical discharges from the brickworks. Note that I do not drive this vehicle 	<p>Prevailing winds are from the south-west.</p> <p>It should be noted that (redacted) is over 500m from the current factory.</p> <p>There have been no complaints made in the past three years of dust from residents in the Byford estate (i.e. since the factory recommenced operation in 2017).</p> <p>There is no scientific evidence that there is any link between the operation of the brickworks and the paint, colourbond colour, metal and cars.</p> <p>It should be noted that the factory closed in 2012 and reopened in 2017.</p>	

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		<p>on beaches or on mine sites which might also contribute to the body rusting.</p> <p>Known effects of the discharges</p> <p>Silica dust in large quantities causes the industrial disease known as silicosis. Smaller amounts being absorbed over a period of time is known to cause breathing problems such as emphysema, asthma, and some lung cancers. Older people and young children are particularly at risk.</p> <p>The acid emissions such as hydrochloric acid, sulphuric acid, oxides of nitrogen and sulphur dioxide cause lung irritation, wheezing and emphysema in the long term.</p> <p>All the emissions also cause eye irritation and some skin problems, again particularly in children or the aged.</p> <p>Carbon monoxide is a dangerous colourless, odourless gas which bonds to the haemoglobin in the blood thereby preventing it carrying essential oxygen around human body. Once bonded, the links cannot be broken and the only way is for the contaminated blood to be removed and recycled by the liver and new haemoglobin to be made by the bone marrow. True, the gas does oxidise to carbon dioxide fairly rapidly in the air but as it is heavier than air it can be blown on the wind the short distance to Scarp estate.</p> <p>For all these reasons which directly affect the health and well-being of Scarp residents, I strongly urge the SJ Shire to conduct a public environmental review into the possible expansion of the Cardup Brickworks.</p> <p>My qualifications: I hold a B.Sc. in chemistry and zoology, and a D.Sc. in environmental science. I am now retired but acted as an environmental investigator for the World Wildlife Fund for the Exxon Valdez oil spill and the Chernobyl Nuclear Power station contamination.</p>	<p>There have been no complaints made in the past three years of dust from residents in the Byford estate.</p> <p>The emissions from the brickworks will be subject to a detailed assessment by DWER for the Works Approval application.</p> <p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p>	

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		<p>I support the proposal for a public environmental review put forward by the Scarp Residents Association.</p> <p>I don't want the health of my family put at risk.</p>	<p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p>	
		<p>Our home is located very close to the Austral Brickworks site.</p> <p>I have a chronic living condition (), only diagnosed last year and therefore air quality in my home is very important to my health.</p> <p>I also hear the brickworks at various times during the night, I can't imagine if it gets closer.</p>	<p>Noted.</p> <p>Noted.</p> <p>There have been only two noise complaints in relation to the brickworks from the past three years, all of which were found to be related to the commissioning of the new scrubber in 2017. An 'Environmental Noise Assessment' (Lloyd George Acoustics, 2020) has been prepared for the proposed development. The report includes</p>	

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		<p>To provide some background, I was an environmental advisor and project engineer in the oil industry for 15 years. I am aware of the legal requirements where the public may be impacted by adverse emissions from uncontrolled sources and am seeking a public environmental review.</p> <p>In addition, I have great personal interest in the future emissions from the site. I have lived here for 5 years. I started with a persistent cough approximately 3 years ago. I was diagnosed with a chronic lung condition last year - bronchiectasis. There is no history of lung illness in my family. The doctor was surprised at my diagnosis as it is consistent with someone who has had pneumonia or recurring lung infections, which I have not had.</p> <p>Therefore I am very concerned and personally interested in the emissions control measures currently in place, and the proposed expansion as this <u>MAY</u> have contributed to my existing lung condition.</p>	<p>recommendations to reduce noise.</p> <p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p> <p>Noted. Austral Bricks operates within an existing Dust Management Plan which was prepared in accordance with the DWER Guidelines. There have been no complaints about dust from residents within the Byford estate over the last 3 years.</p>	
		<u>To whom it may concern</u>	Noted.	

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		<p>I wish to submit my comments on the proposed Application for Extractive Industries in Byford and Cardup - Austral Holdings</p> <p>I feel that the proposed expansion of the Austral Bricks manufacturing plant on Kiln Rd in Byford is undesirable on many levels.</p> <p>In 2008, in addition to the pollutants, there was a continual problem with dust containing a very high silica content being blown from the Austral Brickworks site when the katabatic easterly winds blew across the escarpment. (There has been much publicity in recent times about the effects of silica dust on carpenters who cut stone benchtops and have subsequently developed incurable lung disease).</p> <p>It was about this time that the company told residents that their brick manufacturing plant and quarry had a limited life and would be closed within a few years. That was the reason that the Shire allowed the Byford on the Scarp developer to dramatically reduce buffer zones.</p> <p>Many residents built their houses relying on the truth of the above declaration.</p>	<p>Noted.</p> <p>Austral Bricks operates within an existing Dust Management Plan which was prepared in accordance with the DWER Guidelines. An updated Dust Management Plan can be prepared as a condition of approval. There have been no complaints about dust from residents within the Byford estate over the last 3 years.</p> <p>Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be maintained. The buffer to the quarry was reduced, however the buffer to the</p>	

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		<p>There have apparently been many issues with dust in the past, including concerns about the building of a Primary School. It was feared that the dust levels were too high and could present a health risk for students.</p> <p>Should the proposed expansion go ahead, these dust levels and associated toxic emissions would increase dramatically.</p> <p>The plant has apparently been in a non-production state for some time, with the facility being used only for storage, because it was supposedly due to be closed.</p> <p>It now appears that the Austral Holdings wants to resume manufacturing to the detriment of all the surrounding residential properties.</p> <p>The currently disused pit behind the facility is proposed as a clay storage area. I can only imagine the dust that will emanate from there.</p>	<p>brickworks has been maintained. The applicant does not propose to reduce the buffer.</p> <p>It is understood that the proposed primary school is approximately 2km from the brickworks (note that the generic separation distance recommended in GS3 is 300-1000m).</p> <p>Air emissions, dust, buffers etc. will be assessed by DWER as part of the Works Approval application.</p> <p>It was put in care and maintenance due to market conditions.</p> <p>The disused pit has been used as a clay storage</p>	

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		<p>Also, there are the toxic emissions to be considered. This is a young person's estate with a great number of vulnerable children. Emissions such as those listed below should be of great concern.</p> <p>Carbon Monoxide – up to 398 tonnes per year Hydrochloric acid - up to 35 tonnes per year Toxic Particles - up to 92 tonnes per year Other emissions - variety of quantities per year. (Theses include Arsenic, Beryllium, Cadmium, Chromium 111 and VI, Copper, Fluoride, Mercury, Nickel, Oxides of Nitrogen, Particulate matter, Polychlorinated Dioxins and furans (TEQ), Polycyclic aromatic hydrocarbons (B{a}P_{eq}), Sulphur dioxide and Sulphuric acid.</p> <p>The Council is allowing the expansion of the residential estate with many new dwellings under construction. Such a mixture of high density residential development and a heavy extractive industry (for that is what it will be), is surely a recipe for disaster. The Council should perhaps consider that it is leaving itself open to a possible class action in the future, and, win or lose, this will prove to be a very costly exercise.</p>	<p>area since the reopening of the plant in 2017.</p> <p>Air emissions, dust, buffers etc. will be assessed by DWER as part of the Works Approval application.</p> <p>Extractive industry is not proposed in this application. The previous extractive industry licence and DA for extractive industry has expired. This application is for redevelopment of the brickworks, a use which is currently permitted within the zone. It should also be noted that the current brickworks has appropriate planning and</p>	

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		<p>I feel that not enough has been done in the way of Environmental reviews and impact studies to ensure that any introduction of such a manufacturing industry to an essentially high density residential area would not adversely affect the health of residents.</p> <p>The katabatic winds on the escarpment are strong and the dust and toxic emissions will certainly be widespread if the proposal goes ahead.</p> <p>I would urge the Council to reject the proposal for the expansion of Austral Holdings manufacturing plant on the grounds that there is insufficient evidence that the health of the residents will not be adversely affected.</p>	<p>environmental approvals to continue operation.</p> <p>DWER will thoroughly assess the Works Approval application. It should also be noted that Austral Bricks is required to provide Compliance reports annually and to report on the air emissions from the factory.</p> <p>An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values) at all receptors for all averaging periods.'</p>	
		<p><u>To whom it may concern</u></p> <p>I wish to submit my comments on the proposed Application for Extractive Industries in Byford and Cardup - Austral Holdings</p>	Noted.	

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		<p>There have apparently been many issues with dust in the past, including concerns about the building of a Primary School. It was feared that the dust levels were too high and could present a health risk for students.</p> <p>Should the proposed expansion go ahead, these dust levels and associated toxic emissions would increase dramatically.</p> <p>The plant has apparently been in a non-production state for some time, with the facility being used only for storage, because it was supposedly due to be closed.</p> <p>It now appears that the Austral Holdings wants to resume manufacturing to the detriment of all the surrounding residential properties.</p> <p>The currently disused pit behind the facility is proposed as a clay storage area. I can only imagine the dust that will emanate from there.</p>	<p>applicant does not propose to reduce the buffer.</p> <p>It is understood that the proposed primary school is approximately 2km from the brickworks (note that the generic separation distance recommended in GS3 is 300-1000m).</p> <p>Air emissions, dust, buffers etc. will be assessed by DWER as part of the Works Approval application.</p> <p>It was put in care and maintenance due to market conditions.</p> <p>The disused pit has been used as a clay storage area since the reopening of the plant in 2017.</p>	

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		<p>Also, there are the toxic emissions to be considered. This is a young person's estate with a great number of vulnerable children. Emissions such as those listed below should be of great concern.</p> <p>Carbon Monoxide – up to 398 tonnes per year Hydrochloric acid - up to 35 tonnes per year Toxic Particles - up to 92 tonnes per year Other emissions - variety of quantities per year. (Theses include Arsenic, Beryllium, Cadmium, Chromium 111 and VI, Copper, Fluoride, Mercury, Nickel, Oxides of Nitrogen, Particulate matter, Polychlorinated Dioxins and furans (TEQ), Polycyclic aromatic hydrocarbons (B{a}P_{eq}), Sulphur dioxide and Sulphuric acid.</p> <p>The Council is allowing the expansion of the residential estate with many new dwellings under construction. Such a mixture of high density residential development and a heavy extractive industry (for that is what it will be), is surely a recipe for disaster. The Council should perhaps consider that it is leaving itself open to a possible class action in the future, and, win or lose, this will prove to be a very costly exercise.</p>	<p>Air emissions, dust, buffers etc. will be assessed by DWER as part of the Works Approval application.</p> <p>Extractive industry is not proposed in this application. The previous extractive industry licence and DA for extractive industry has expired. This application is for redevelopment of the brickworks, a use which is currently permitted within the zone. It should also be noted that the current brickworks has appropriate planning and environmental approvals to continue operation.</p>	

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		<p>I feel that not enough has been done in the way of Environmental reviews and impact studies to ensure that any introduction of such a manufacturing industry to an essentially high density residential area would not adversely affect the health of residents.</p> <p>The katabatic winds on the escarpment are strong and the dust and toxic emissions will certainly be widespread if the proposal goes ahead.</p> <p>I would urge the Council to reject the proposal for the expansion of Austral Holdings manufacturing plant on the grounds that there is insufficient evidence that the health of the residents will not be adversely affected.</p>	<p>DWER will thoroughly assess the Works Approval application. It should also be noted that Austral Bricks is required to provide Compliance reports annually and to report on the air emissions from the factory.</p> <p>An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values) at all receptors for all averaging periods.'</p>	
		<p>Shire of Serpentine Jarrahdale Town Planning Scheme No. 2</p> <p>The shire has committed to the significant expansion of the suburb of Byford with new schools, new shopping centres (current and proposed) and increased housing in the past few years. The proposed development will</p>	<p>Air emissions, dust, buffers etc. will be assessed by DWER as part of the Works Approval application.</p>	

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		<p>have a significant environmental and health issue impact on the entire suburb.</p> <p>Any proposed expansion application should be opposed.</p> <p>Submission</p> <p>Health:</p> <ul style="list-style-type: none"> • Already we experience dust issues associated with tile bricks factory all year round, especially with strong winds (which is frequent in the hills region). An expansion to the proposed factory will mean an increase in health issues due to increase in dust issues. <p>Pollution :</p> <ul style="list-style-type: none"> • Any factory expansion must create an increase in pollution to our region. What measures will be taken to ensure this will not occur? 	<p>Austral Bricks operates within an existing Dust Management Plan which was prepared in accordance with the DWER Guidelines. An updated Dust Management Plan can be prepared as a condition of approval. There have been no complaints about dust from residents within the Byford estate over the last 3 years.</p> <p>An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values)</p>	

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PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

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		<p>Environmental:</p> <p>A small area of vegetation to facilitate the development</p> <ul style="list-style-type: none"> • What is "small"? • What guarantee are we given that the upgrade to the current brickworks including new tunnel dryers. scrubber etc. will not increase the noise level as well? <p>As previously stated, the State Government and Shire has committed to a large future population increase in Byford. This includes the future Metronet development as well as other proposals. As ratepayers not only do we oppose The Proposed Factory Expansion and Ancillary Development and urge council to consider future reduction or relocation of the current Austral Bricks factory as the suburb grows very rapidly to avoid more issues in tile future .</p>	<p>at all receptors for all averaging periods.'</p> <p>Less than one hectare.</p> <p>An 'Environmental Noise Assessment' was prepared by Lloyd George Acoustics in 2020 which concluded that 'the predicted noise levels are not expected to exceed assigned noise levels, as long as the recommendations...are adhered to'.</p> <p>Noted.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application.</p>	

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		<p>I wish to record my objection to the plans to upgrade and increase the capacity of the Austral Brickworks in Kiln Road Cardup. I also seek a full Public Enquiry and Environmental Review.</p> <p>I have been member of the Serpentine Jarrahdale Ratepayers Association for over 23 years and President for much of that time. I have also been a member of Stakeholder Groups covering landfill, quarries and industry. This includes membership of the Austral Brickworks Stakeholder Group for over eight years. During this time I have never seen a business more than Austral Brickworks change its plans so many times over a eight year period.</p> <p>I have raised a number of times over the years the company meeting the requirement to rehabilitate the site as part of its mine closure plan. This rehabilitation remains outstanding.</p> <p>During my time I have struggled to get details of the environmental and human health issues from the brick works operations. In particular-</p> <p>Dust-</p> <p>Dust from the operations has been obvious visually above the plant and has been a constant problem and caused numerous complaints on Kiln Road where large clouds of dust come up from the road. Simply I have been trying</p>	<p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p> <p>This is not a planning issue.</p> <p>Rehabilitation has occurred in some areas of the quarry. The Extractive Industry Licence and DA for the quarry has now expired.</p> <p>Austral Bricks operates within an existing Dust Management Plan which was prepared in accordance with the</p>	

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		<p>to establish if this dust is a hazard to human health either from the fine particles and or it chemical makeup and to understand if the volume of dust is measured and its likely distribution given climatic conditions unique to the site. As best I can understand the volume of dust emitted from the site nor its distribution is measured. I have not been able to get an analysis of the likely health affects of the dust and have been refused details of the chemical makeup of raw materials as it is considered commercial in confidence.</p> <p>I have noted the Dust Management Report provided with the Application does not deal with any of my concerns but rates the dust as a likely nuisance. There is not a single measurement or professional assessment backing ratings adopted in the risk matrix provided. Also it is interesting to note the Plan provided is dated May 2017 contains a recommendation that it be reviewed every 3 years. While clearly there is plenty of room for improvement the reviewed document is not provided.</p> <p>The Company has been impossibly slow dealing with complaints about dust. Initially complaints about dust on Nettleton Road were resolved by moving the problem to Kiln Road. Then it has taken years for other incremental</p>	<p>DWER Guidelines. An updated Dust Management Plan can be prepared as a condition of approval. There have been no complaints about dust from residents within the Byford estate over the last 3 years. There have been only seven complaints about dust on Kiln Road over the last 3 years. When Austral Bricks receives a complaint the road is cleaned.</p> <p>Dust management is identified as a medium risk on the site without management, and a low risk with management. A Dust Management Plan can be modified, if required, as a condition of approval.</p> <p>Significant improvements have been made to the Kiln Road site access</p>	

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		<p>improvements. These issues are well known to the Company but they insist on doing the least possible to deal with the main cause.</p> <p>Stack Emissions</p> <p>We are now faced with a third plant for brick manufacture on this site in the last 12 years. The first kiln did not have any pollution measurements and referred to readings from a proxy plant. It seems the Regulator had the view that this was not a concern as it was in the outer metropolitan area. On 6 March 2009 the Minister for the Environment appeal determination dealt with inadequacies with the Cardup Brickworks licence and required ongoing monitoring and reporting on stack emissions. This plant was closed down. The current plant was expanded, modernised and upgraded with technology and a much higher stack to provide acceptable pollution outputs as measured at the stack.(Works Approval 1.2.2016). Now in 2020 we are looking at a huge upgrade to the footprint of this plant</p> <p>Future plans are not disclosed but this development could only be justified with much higher outputs in the future.</p> <p>I remain concerned with the pollution emissions from the main kiln as well as the drying kilns. This will be more significant with higher outputs and the proximity of increasing nearby residential development.</p>	<p>such as asphaltting the raw materials exit and installing a cattle grid.</p> <p>Complaints received by Austral Bricks have been recorded and response times were prompt, with a reply sent to the complainant within 24 hours and the issue rectified.</p> <p>We would dispute the comment that this is a huge upgrade to the footprint as most of the redevelopment will take place inside the existing buildings, and with the factory expansion comprising around 0.74% of the total site area.</p> <p>Further information on emissions will be provided in the Works Approval application to DWER.</p>	

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		<p>Residential Planning and Buffer Zones</p> <p>The land owned by the Company is zoned Rural and Urban deferred with a special use Zone. It is not clear from the application which titles are covered by the Special Use Zone. It strangely seems to assume that all land owned by the Company has the Special Use Zone.</p> <p>The proposed construction of a storm water pond is on a separate title not used for brick making or storage. No mention is made of the pumping and maintenance arrangements for this pond nor its impact on buffer requirements.</p> <p>A portion of the plant facilities and conveyors will be build on land currently zoned Urban deferred.</p> <p>The Draft Local Planning Scheme has the land zoned as Rural which would not support this Application or future expansions.</p>	<p>It is clearly shown on page 10 of the application report that the portion being applied for is zoned 'Special Use' in the Scheme. The Rural and Urban Deferred zoning is from the MRS, not the Scheme.</p> <p>This lot is still in the 'Special Use' zone. Further detail will be provided in a Stormwater Management Plan which can be prepared as a condition of approval.</p> <p>This is the zoning in the MRS, not the Scheme.</p> <p>Further discussions are being held with the WAPC with regards to the draft Scheme.</p>	

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		<p>Buffers are a significant problem for this development. While the site has been used for brick making for a long time its incremental growth in output has meant it has reached a point where it is in major conflict with surrounding land use. Certainly no further expansions should be envisaged.</p> <p>Ministerial Statement 000499 issued 8.3.1999 provided for land to be rezoned to the North of the brick works from Rural to Residential, commercial ,public open space and community purpose. I understood Austral Brickworks opposed this change due to its proximity to their operations. Their Application now states it will move 20 metre closer to the nearest residence in this rezoned area but does not justify its change of mind.</p> <p>It goes on to state there will be no impact to the Bush forever and Parks and Recreation portion of the site without referring to the rationale for this conclusion.</p> <p>The Application has much of the new development occurring on land currently used for brick storage. There is no detail provided as to where bricks will be stored. This is essential to understand impacts on surrounding land use and appropriate buffers.</p>	<p>The current buffers and emissions will be assessed by DWER as part of the Works Approval application. Buffers can be between 300-1000m, and is currently 420m.</p> <p>There has been no change of mind, Austral Bricks will maintain the buffer of the brickworks to the nearby residential area. The proposed development does not result in a buffer of less than 300m (as recommended by GS3).</p> <p>The rationale is that this area will not be developed on.</p> <p>They will be stored elsewhere within the existing yard. If development and use is</p>	

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		<p>There has been a lot of discussion at the Stakeholder meetings about buffers for the existing works. I remain concerned with the need for appropriate buffers for this expanded operation.</p> <p>Ground and Surface Water</p> <p>I believe there has been a history of heavy impacts on both surface and ground water systems from past operations on this site. There is particular concern from Cardup residents that this impacts on the ground water they drink from their bores.</p> <p>I have been seeking the installation of suitable upstream and downstream bores that can regularly be measured to ensure ground water remains unaffected by the brick making operations.</p> <p>Surface water quality would impact most the nearby bush forever location. It is hoped the proposals will ensure high quality water flows.</p>	<p>going to occur it has been already shown on the plans.</p> <p>The current buffers and emissions will be assessed by DWER as part of the Works Approval application.</p> <p>Groundwater investigations were undertaken in 2014. The site continues to be managed in accordance with the CS Act. The DWER Contaminated Sites Branch does not object to the proposal and did not recommend any conditions be placed on the approval. They have confirmed that hydrocarbons are contained within the site boundary.</p>	

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		<p>Traffic Management</p> <p>Traffic on Kiln Road is already problematic. Any increase in output will only provide unacceptable traffic between the highway, the plant and the shale pit on the South of Kiln Road. It is not clear to me how the Applicant has measured traffic bringing raw materials to the site from sources other than Kiln Road. It does not seem to contemplate the traffic problems within Kiln Road. That is traffic between the shale pit to the South of Kiln Road and the Plant on the North of Kiln Road added to movements from the shale pit carrying material direct to other Plants and raw material being brought to the Kiln road plant from other sites.</p> <p>In conclusion I make two points-</p> <p>The applicant states "the site" (9 titles) has been used for clay extraction and brick manufacture for over 100 years. In fact the scale of brick manufacture has increased significantly over the years with minimalist buffers. It has reached the stage where any further increase in scale is inconsistent with the Planning for the area and the resulting current and proposed large scale urban development in the surrounds. The Application to increase the plant building 136% plus other installations is massive. Health issues are already a concern, any increase let alone an increase of this scale would be totally unacceptable.</p> <p>I understand that the Government wants a strong economy so its people can enjoy a high standard of living. However the location of this plant is already too close to residences and an area that is planned for massive residential development. The Governments economic desire needs to be balanced against the potential for future health problems.</p>	<p>A Traffic Impact Statement was prepared by Shawmac (2019).</p> <p>Further increase is not inconsistent with the planning for the site. The site is zoned appropriately for the brickworks. The existing brickworks operates within the current DWER Licence. A Works Approval will be applied for.</p> <p>Austral Bricks supports the retention of the existing buffer to the residential area.</p>	

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		<p>After discussions with many residents of the Scarp and research I myself have done. To maintain a salubrious air for my young family of three children it is best to move the plant to Mundijong Industrial Hub. This will be best in the long run as it will eliminate any likely possibility of lawsuits being taken out against Austral Brickworks as a result of people falling ill.</p> <p>I'm sure this would not be a good image for the company if nearby residents become ill as a direct result of them failing to comply with environmental and emissions standards. The strong winds that blow along the scarp would make it hard to control this from going into the residential area given that the zone has also decreased.</p> <p>There is also the factor of property value being hindered, which will in turn affect the economy of Byford as people will more than likely move away, taking their money with them.</p>	<p>Relocation of the Brickworks is not a consideration of this Development Application.</p> <p>Austral Bricks supports the retention of the existing buffer to the residential area and meet all standards imposed by the DWER on air emissions.</p> <p>Property values are not a planning matter.</p>	
		<p>We are long term Cardup residents and have received a submission in relation to the very expansive extensions for the Australs Brickyards in Cardup, we are gravely concerned for the Health and wellbeing for our Community and extremely concerned about the impacts to the Environment and the 286 pg online Application has not allayed those worries, The reduction in the Buffer zone is of great concern as the Brick Plant was perceived to be closing down and in that time Housing Development has expanded, Cardup is Due West from the Brick Plant and a Housing Development with a estimated 4,653 population has just been approved by the Minister MRS Amendment 1353/57 - Lot 33 Hopkinson road Cardup, we are also aware that in the not to distant future LWP Property Group will be</p>	<p>Noted. The proposal is not expansive. The factory expansion will take approximately 0.74% of the site area.</p> <p>Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was</p>	

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		<p>Developing Housing along Soldiers road up to the Cardup Brook which is just N West of the Brick Plant.</p> <p><u>Air Emissions</u> we are also the recipients of Easterly Katabatic winds that are extremely strong throughout the Summer months our greatest concern is what toxins are not captured effectively by the upgraded Scrubber which is noted in the Application.</p> <p><u>Dust</u> that we experience now is of great concern as we have no idea as to what is carried in this and with an expansion and the recommencing of production in which we have no idea at how much tonnage is the realistic amount that will be produced.</p>	<p>certain in order for the buffer to the factory to be maintained. The buffer to the quarry was reduced, however the buffer to the brickworks has been maintained. The applicant does not propose to reduce the buffer.</p> <p>An air quality assessment has been prepared by Stragen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values) at all receptors for all averaging periods.'</p> <p>Austral Bricks operates within an existing Dust Management Plan which was prepared in accordance with the DWER Guidelines. An updated Dust</p>	

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		<p>Ground Water contamination would be a catastrophe for the existing Dwellings of Cardup as most are reliant on ground water, and for future Housing Development that could possibly use Ground Water bores to maintain Public open spaces as well as households.</p> <p>Those of us that have Rain Water Tanks are very concerned as to what Emissions and Dust contaminates could be flushed down from our roofs into our drinking & bathing water and if fitted filters are of any use.</p> <p>Employment due to the Automation of this Facility and noted in the Application it will only average around the 30 persons that are there currently, therefore into the long term of Operations it will not generate the Employment for the area significantly.</p> <p><u>In Summary</u></p> <p>This type of Production would be suited to an Industrial Land use which in the Shire of Serpentine Jarrahdale is the West Mundijong Industrial Zone, it has no place hovering over the ever increasing allowed populous with the uncertain risks to everyone's Health and wellbeing and if illnesses are</p>	<p>Management Plan can be prepared as a condition of approval. There have been no complaints about dust from residents within the Byford estate over the last 3 years.</p> <p>Groundwater investigations were undertaken in 2014. The site continues to be managed in accordance with the CS Act. The DWER Contaminated Sites Branch does not object to the proposal and did not recommend any conditions be placed on the approval. They have confirmed that hydrocarbons are contained within the site boundary.</p> <p>The site is appropriately located within a Special Use' zone. Brickmaking is set out as one of the</p>	

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		<p>ultimately linked to this type of Industry it will definitely lead to Common Law Complaints for Damages.</p> <p>We believe that it is incumbent on the Government and it's Departments to allow our Communities to be granted a –</p> <p><u>Public Environmental Review</u></p> <p><u>Diligent Monitoring in the Interest of Public Safety</u></p> <p><u>Health Impacts</u></p> <p><u>Environmental Impacts</u></p> <p><u>Ground Water Impacts</u></p>	appropriate uses for this zone.	
		<p>Please protect the air quality and noise concerns of this family, residential estate you approved of developing, despite its close proximity to a quarry and brickworks.it is therefore unthinkable that you would now approve its expansion.</p> <p>Clearly relocation now has to be proposed.</p>	<p>Air quality and noise are addressed in the 'Air Emissions Assessment' (Strategen, 2020) and the 'Environmental Noise Assessment' (Lloyd George Acoustics, 2020).</p> <p>Relocation of the Brickworks is not a consideration of this Development Application.</p>	
		Currently, a 500m separation distance applies between residential development and the Brickworks which coincides with the extent of approval of subdivision for Stage 9 at Cedar Woods' Byford on the Scarp Estate, with	Austral Bricks does not support the reduction of	

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		<p>the final stage (Stage 10, comprising approx. 52 lots and Public Open Space) currently under consideration for lodgement. The intent of the Scheme is for the 'buffer' to be reduced overtime to enable subdivision and residential development of the remaining 52 lots in the Estate, in accordance with the residential zoning of the land.</p> <p>On review of the application to expand the Brickworks and having regard to the residential zoning of adjacent land and the intent to progressively subdivide and develop the land for residential purposes, we raise concerns in regard to the following:</p> <ul style="list-style-type: none"> • The scale of the expansion of the use and development in proximity to residential zoned land; • The Brickworks expansion in the direction of residential zoned land when other options are available for expansion within the landholding; 	<p>the buffer from the brickworks.</p> <p>This is not the intent of the Scheme.</p> <p>Further subdivision of land within the buffer of an existing land use should not be supported.</p> <p>The scale of the expansion comprises around 0.74% of the site – it is not of a large scale.</p> <p>Austral Bricks supports the retention of existing buffers to the factory.</p> <p>Other options have been considered. The option as shown on the plan will result in less environmental impact</p>	

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		<p>The lack of certainty that development, if approved, could be implemented given the absence of a Clearing Permit, noting a Clearing permit has not even been lodged;</p> <p>• Proximity of the development to a watercourse and the absence of a foreshore reserve, consistent with the foreshore reserve ceded as part of the Byford on the Scarp residential estate subdivision; and</p>	<p>while meeting site operational requirements (i.e. does not expand into the direction of the Cardup Brook or the Bush Forever site).</p> <p>A DA will need to be obtained before a Clearing Permit is issued by DWER. DWER has advised that some clearing works will be exempt. A detailed flora assessment and tree hollow survey has been prepared and the application is pending finalisation of the DA.</p> <p>There is no planning requirement to cede land for a foreshore reserve as part of the DA. It is uncertain whether the Shire would be willing to accept additional land to manage as a foreshore reserve. The factory does not extend closer to the Brook and separation</p>	

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		<p>• Lack of meaningful engagement and suitable consultation with adjoining landowners.</p> <p>Please consider this as a 'holding submission' pending further discussions with Austral regarding the proposal which are planned for next week. Accordingly, we reserve the right to lodge a further submission following discussions with Austral and prior to the finalisation of the RAR. In particular, we seek an assurance from Austral that the improved technologies to be employed in the development will result in a reduction to the 500m separation distance, enabling Stage 10 of Byford on the Scarp to proceed as planned within 325m-500m of the Brickworks.</p>	<p>distances will be maintained. No subdivision is proposed, which is usually the trigger for the ceding of a foreshore reserve.</p> <p>Austral Bricks maintains community engagement through the regular meetings with the Stakeholder Group. The application was also advertised widely, with the advertising period extended with Austral Brick agreement.</p> <p>Submissions on the DA are now closed. Austral has already agreed to extend the submission period. Austral Bricks does not support the reduction of the buffer from the brickworks.</p>	

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		<p>As per the attached submission (3 pages). Absolutely agree with this submission and it is time the SJ Shire paid some respect to the residents of the Scarp and Cardup, especially after the plastic factory.</p> <p>To provide some background, the Scarp Residents Association (SRA) has had a member on the Austral Bricks Stakeholder Group since its inception. Whilst the SCA is only one of many residents associations within the Shire of Serpentine Jarrahdale (Shire), it represents the interests of around 1,800 residents within the 463 homes currently constructed within the estate. Apart from the Cardup residents, and as can be seen from the satellite image on page 5, its residents are the most adversely affected group given that the estate borders the Austral Brickworks site directly to the east.</p> <p>In addition to the 463 mostly young families that currently live in the area, the estate allows for another 200 plus blocks to be built adjacent to the brickwork's boundary on land, that was until just recently, set aside as a buffer zone to keep families a reasonable distance from the potentially lethal health effects caused by the pollutants that emanate from the brick manufacturing process.</p> <p>As can be seen from the examples on pages 3 and 4, the SRA has been providing the residents of the estate with information that it has received from reliable sources in an attempt to keep them informed. This has allowed</p>	<p>Noted.</p> <p>Noted.</p> <p>The brickworks is approximately 250 metres from the land owned by Cedar Woods, it is not 'adjacent' to the brickworks. In addition, the buffer to the quarry was reduced to allow for the residential subdivision. The buffer to the brickworks has been maintained and it is proposed to be maintained in this application.</p> <p>It is unclear who the 'reliable sources' are, however all information</p>	

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		<p>people to make informed decisions as to whether the estate is the appropriate place to raise their children. This flow of information and the ongoing canvassing of the opinions of the residents has resulted in a clear understanding of the high level of concern and anxiety among families.</p> <p>Whilst most people want companies to provide jobs within the Shire, they do not want it to be to the detriment of their health or that of their children.</p> <p>The majority of those surveyed by the SRA believe the company should relocate their manufacturing plant to a more suitable location within the West Mundijong Industrial Hub. This would result in a win-win for all parties, albeit a more costly outcome for the company. Not only would the manufacturing jobs still be there, more jobs would be created during the construction phase of the new plant. It would also give a considerable boost to the economic growth we need as Western Australia emerges from the COVID19 pandemic.</p>	<p>relating to emissions is publicly available. With regards to air quality, this is addressed in the DWER Works Approval application. An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which concluded that 'all pollutants are below the relevant AGVs (air quality guideline values) at all receptors for all averaging periods.'</p> <p>Noted.</p> <p>Relocation of the Brickworks is not a consideration of this Development Application. Austral Bricks have existing approvals to operate the factory as it is.</p>	

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		<p>Unfortunately, as we have seen so many times before, the health of our citizens are so often overridden by the commercial considerations of the company involved. In this case, the Austral Bricks' head office where all the major fiscal decisions are made, is probably located on the top floor of some office tower in Martin Place in Sydney, NSW. A very long way away from us so there is little or no regard given for the wellbeing of the residents most affected by any pollution emanating from the company's operations. It seems we are just too far away for them to care and besides, the return to shareholders and executive bonuses are far more important.</p> <p>In 2008, in addition to the pollutants, there was a continual problem with dust containing a very high silica content being blown from the Austral Brickworks site when the katabatic easterly winds blew across the scarp. The problem with this dust was that it was so fine it seeped through any crack or small gap in a building. If these fine silica particles had entered the lungs they could have caused an ongoing irritant which ultimately could have caused cancer and other ailments. It was around this time that the company told residents that their brick manufacturing plant and quarry had a limited life and would be closed in a few years. That was the reason the Shire allowed the Byford on the Scarp developer to dramatically reduce the buffer zones.</p> <p>The company has previously shown a blatant disregard for any form of control measures acceptable to the SRA. Any reasonable person could be forgiven for being sceptical that the company would operate on other than a 'business as usual' basis if the plant was reopening and doubled in size.</p>	<p>Jobs will be created during the construction phase of the redevelopment of the existing plant.</p> <p>Emissions are thoroughly assessed by the state Department of Water and Environmental Regulation. Austral Bricks are required to provide Compliance Reports on air emissions annually.</p> <p>Extractive industries have ceased at the quarry north of the brickworks since 2013.</p> <p>The buffer zone to the quarry/extraction site was reduced, however the buffer to the factory has remained.</p>	

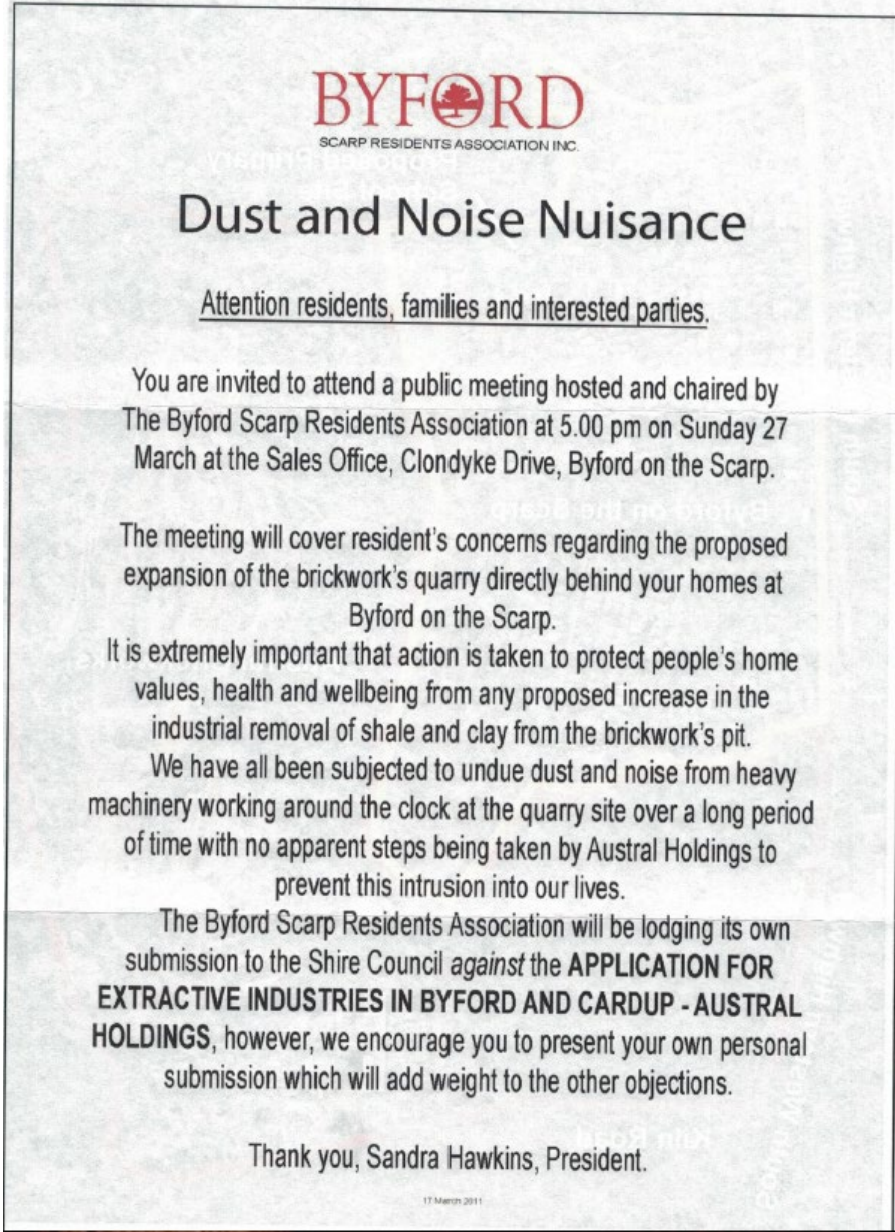
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		Most working families have busy lives and do not have the time to constantly write letters of complaint to the Shire or government authorities. That is why organisations like the SRA are formed and it is clear that, through the SRA, the residents of Byford on the Scarp support the SRA in the seeking of a thorough Public Environmental Review into the proposed re-opening and expansion of the Austral Bricks manufacturing plant at their Kiln Road, Cardup site.	Noted. DWER will, as part of the Works Approval assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.	

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Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
E20/5785		 <p>BYFORD SCARP RESIDENTS ASSOCIATION INC.</p> <h2>Dust and Noise Nuisance</h2> <p><u>Attention residents, families and interested parties.</u></p> <p>You are invited to attend a public meeting hosted and chaired by The Byford Scarp Residents Association at 5.00 pm on Sunday 27 March at the Sales Office, Clondyke Drive, Byford on the Scarp.</p> <p>The meeting will cover resident's concerns regarding the proposed expansion of the brickwork's quarry directly behind your homes at Byford on the Scarp.</p> <p>It is extremely important that action is taken to protect people's home values, health and wellbeing from any proposed increase in the industrial removal of shale and clay from the brickwork's pit.</p> <p>We have all been subjected to undue dust and noise from heavy machinery working around the clock at the quarry site over a long period of time with no apparent steps being taken by Austral Holdings to prevent this intrusion into our lives.</p> <p>The Byford Scarp Residents Association will be lodging its own submission to the Shire Council <i>against</i> the APPLICATION FOR EXTRACTIVE INDUSTRIES IN BYFORD AND CARDUP - AUSTRAL HOLDINGS, however, we encourage you to present your own personal submission which will add weight to the other objections.</p> <p>Thank you, Sandra Hawkins, President.</p> <p>17 March 2011</p>		

NEW SUMMARY OF SUBMISSIONS

PA19/1121 - Kiln Road, Cardup 104 (L31) 152500 - Group Rated - Factory Expansion / Ancillary Development

Submitter	No	Submitter Comments	Applicant's Response	Officer Recommendation
		Agree Entirely	Noted.	
		Agree Entirely	Noted.	
		<p>Sick of the dust on windows, doors and outdoor furniture.</p> <p>Cars are always dirty.</p> <p>Grandchildren have constant allergies.</p> <p>We can't invite people over until everything is cleaned as outdoor furniture is always dirty no matter how many times we clean.</p>	<p>There is no evidence that dust is from the brickworks. The only dust complaints received since the factory reopened in 2017 has been in relation to dust on Kiln Road. Austral Bricks operates within an existing Dust Management Plan.</p>	
		<p>Dear Councillor Lauren Strange,</p> <p>I am writing to seek assistance regarding the Austral Bricks Cardup license application, Department of Water and Environment Regulation Ref L9025/2017/1.</p> <p>In summary, I received a letter from the Scarp Residents Association (SRA) in June 2020 (attached). The Scarp is the housing estate in which I live in Byford, 6122. It highlights that Austral Bricks Cardup site, which is located directly to the south of the estate, has applied for a new license to conduct brick making at the site which was put into care and maintenance in May 2012, (DWER License and Report attached). A Works Approval (attached) was granted in January 2016 to construct a new limestone scrubber in kiln 3, upgrade existing infrastructure and commission new and existing infrastructure.</p>	<p>Operations at the factory recommenced in 2017 in accordance with a new Works Approval dated 2016.</p>	

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		<p>As far as I'm aware in 2008 the SJ Shire reduced the buffer zone for the Scarp Developer based on the understanding that the brickworks would be scaled down and closed in a few years.</p> <p>I believe the area in which the brickworks is located was rezoned by the council, and this land is now not meant to be used for industrial activities so close to a built up area. The SRA and Rate Payers Association have a representative on the Austral Bricks Stakeholder Group. The Scarp estate currently has 463 homes with additional vacant land which will be developed. The current application states the intention to operate for an additional 20 years.</p> <p>I have lived on the estate since May 2015 and I have never received any communication from Austral Brickworks or the Serpentine Jarrahdale Shire of the upgraded works proposal in 2016 or new license application, even though I live very close to the site. I did receive a letter from Austral Bricks approx. 5-7 days prior to the SJ Shire council meeting on the planning application to commence operation (attached). If I hadn't have received the letter from the SRA, I wouldn't have known about the proposed change. I live on (redacted), I am located 3-400m from the boundary fence and can</p>	<p>This is incorrect. Correspondence between Austral Bricks, the Shire and the residential developers made it clear that the future of the factory was certain in order for the buffer to the factory to be maintained. The buffer to the extractive industry operation was reduced but the buffer to the factory was maintained.</p> <p>This is incorrect, the brickworks is currently zoned 'Special Use'.</p> <p>Advertising of the DA in 2016 was undertaken by the Shire.</p>	

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		<p>see the stack from my front garden. The reason I have become so impassioned about this issue is that last year I was diagnosed with a chronic lung condition called Bronchiectasis. This started as a persistent cough three years ago, I went to the doctor and was misdiagnosed for a couple of years as having asthma. Only last year after changing doctors did I find out that I had this condition and also a heart murmur. I am only 46yrs old and have no history of pneumonia or repetitive chest infections. I am not insinuating that the brickworks caused it, as it would be impossible to prove, but it very much pricked my conscience when I started reading up the health impacts of human health impacts from silica and acid gas emissions which are emitted from the site. What I am concerned about is that the increased activity and dust and air emissions coming from the site may make my condition worse. I can't be the only person on the estate with a vulnerable health condition, and I know both of my neighbours also have immune compromised illness, asthma or a heart condition. A number of residents submitted concerns to the SJ Shire following the SRA letter, including the land developer, and many of these stated concerns over the continual dust on the home, in the garden, etc. Alan Crawford will be able to discuss further historical dust complaints, requests for environmental data from Austral Bricks, etc.</p> <p>I was previously an Environmental Advisor and Project Engineer in the Oil and Gas Industry for 15 years. I have reviewed the Application for License L9025/2017/1, and DWER License and have some concerns about a number of items; the low risk ranking of several of the emissions. For example, the DWER have given fugitive dust a Low Risk. Based on historical performance, comments to the council, and dust in my own garden, I believe this is insufficient, as are the control measures. In addition, the publicly available license application does not include the air emissions modelling data or show plume maps to show worst and best case scenarios. The DWER comments on page 25, 9.5.6 Key findings, "Health guidelines are not exceeded at sensitive receptors when proposed emission limits are met". I</p>	<p>The brickworks ceased operation in 2012 and reopened in 2017. The respondent has been living in the area since 2015, two years of which the factory was not operational. There is no evidence that there is a link between the factory and health problems.</p> <p>Emissions will be assessed by DWER as part of the Works Approval. Austral Bricks is required to monitor emissions and report back to the Department annually.</p> <p>Air quality is addressed in the DWER Licence application and will be assessed by when determining the Works Approval. An air quality assessment has been prepared by Strategen (2020) 'Air Emissions Assessment – Plant 3 Upgrade' which</p>	

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		<p>have worked on fabrication and construction sites and am fully aware that plant/equipment breakdown and there are periods where the scrubber may not be in use, therefore it's essential to know what the health impacts are going to be in these instances. There are no historical records or comments on previous license compliance to gauge Austral Bricks performance to date. Also the license only requires quarterly emissions monitoring. That is absolutely useless, how can any regulator gauge a business's compliance with such little records. There are no sensors in the stacks to monitor emissions of acid gases, and the emissions reduction is based on a kiln throughput calculation outside of start up.</p> <p>The License Application was reviewed by the SJ Shire two weeks ago, and I believe they unanimously voted that they did not approve the license. I do however believe that Austral Brickworks have stated this will go to a JDAP and this overrules the shire decision. We are unsure when the JDAP may occur, but believe time is of the essence. The main concern is that in light of COVID and the impacts on the economy, the JDAP will say yes to the application and not fully assess the impact on the local residents. Whilst I already have a health condition, there are potentially a future 200 homes due to be developed closer to the boundary line and more importantly closer to the brickworks emission points, and I believe that the few of us who are paying attention have to stand up and challenge economic prioritisation over public health.</p> <p>The Scarp Residents Association and the Rate Payers Association are requesting a Public Environmental Review, as do I. I am writing to you today to seek your assistance on this and to also determine if the Department of Health should be involved due to the potential health impacts of this activity and its close location to a housing estate and future primary school. I'd very much appreciate any assistance you can give in this matter and any influence you may have with government decision making. I have also written to Roger Cook, MLA; Tim Clifford, MLC, Matt Swinbourne, MLC and intend to speak to Lauren Strange, MLC next week.</p>	<p>concluded that 'all pollutants are below the relevant AGVs (air quality guideline values) at all receptors for all averaging periods.'</p> <p>A Licence was not reviewed by the Shire two weeks ago.</p> <p>Austral Bricks supports the maintenance of the buffer to the brickworks.</p> <p>Noted. DWER will, as part of the Licence assessment under Part V of the EP Act, consider if the application constitutes a 'significant proposal' and requires further assessment under Part IV of the Act.</p>	

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