

## SUMMARY OF SUBMISSIONS

## PA21/1125 – Lot 41, 17 Cardup Siding Road, Cardup - Amendment to Conditions of Existing Approval

Submitter	No	Submitter Comments	Applicant Comment	Officer Comments
A297700		<p>In February and March 2020. We complained to the Shire regarding trucks and forklifts working from about 6 a.m. weekdays. The Shire sent out paper forms to fill out, for the next six weeks</p> <p>Checked daily from 4.00 a.m. because this is when the plastics usually started. for the whole six weeks.</p> <p>The gate was opened either for plastics at 4.00 a.m. and for or both plastics and the workshop at 5 .00 a.m.</p> <p>Office staff would turn up at 5.45.a.m., and workshop crew from 5.50 to 6.00am. About 15 to 20 vehicles, by 5.50 to 6.10 a.m. forklifts would be loading trucks and they would leave the yard by 6.00.a.m. or so on one occasion while videoing a forklift at 6.10 am. A car stopped and a driver got out and asked if I wanted to talk to anyone. He wore a shirt with Smart Stream on it. While we talked, I put my phone in my pocket, not realizing it was still recording. He claimed to be allowed to work all hours as long as the doors was shut, and no forklifts were to operate till 7.00.a.m. At 6.15 a.m. I pointed to a forklift loading a truck and said what is that. All the information I recorded I gave to Sarah Ward. I told her of the phone recording, she said it could not be used.</p> <p>We don't know if the shire did any follow up on the matter.</p> <p><b>One week ago August 2022.</b></p> <p>Tuesday 30th. August 5.27 a.m.- Plastics working  Saturday 3rd September at 4.19. a.m. – Plastics working  Monday the 5<sup>th</sup> September at 4.27 am – Plastics working</p> <p>This company is non-compliant eg:-</p> <p>They have always started and finished outside of their authorized hours even when pulled into line they still keep going beyond their legal time. They</p>	<p>We admit that there has been a number of occasions, particularly since the Covid 19 pandemic, where we have had to increase our hours of operations to meet the unprecedented demand from the land development and housing sectors for us to supply critical infrastructure products, which contributed significantly to keeping the economy strong during the pandemic. As we are considered an 'essential service' industry it was imperative we kept up production so land could be developed and houses could be constructed within the time limits specified by both state and federal government for purchasers to be eligible for both levels of government's economic</p>	<p>The issues relating to the hours of operation have been discussed in the main report.</p> <p>The development was previously approved by Council. The land use is lawful to operate in accordance with its approval.</p> <p>The applicant has provided an updated Environmental Noise Assessment which has been discussed in the main report. Based on the revised Environmental Noise Assessment, Officers are satisfied that condition 11 has been satisfied.</p>

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		<p>don't care how much noise they make. They should have been further south in the business Park, not near residents</p> <p>To allow them an extra 2 hours a day will just mean more noise earlier and later. When they came into the Cardup area as a transport Depot, they knew that the town site of Cardup was already there.</p> <p>The Transport Depot has now turned into cement products as well as plastics. What other chemicals are going to be spilling into the air with pollutants.</p>	<p>stimulus grants. As it is, we have not been able to fully satisfy all our clients even with the increased hours of operation.</p> <p>It is disappointing to us to continually be criticised, in spite of the significant community benefits we provide by way of employment of locals and the additional economic contributions we make within the local community through our support of local businesses and community organisations.</p> <p>We are very aware that a very vocal and local minority never wanted the Cardup Business Park to be created here and we have borne the brunt of criticism ever since we moved here.</p> <p>We have not been able to verify the veracity of the statement re a conversation with any of</p>	

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			<p>our Smartstream Technology employees in the alleged incident mentioned by this respondent.</p> <p>We also totally reject the respondent's statement: 'They don't care how much noise they make' and we would request them to cease and desist from making such erroneous and potentially libellous comments.</p> <p>Moulding of cement based concrete products has been previously approved by the Shire and we are operating within the conditions of our planning approvals.</p>	
A227800		<p>We consider Wormall has not always adhered to numerous conditions imposed with the previous approvals. Indeed, on more than one occasion we have felt it necessary to wing Wormall to complain about noise levels coming from their workshop.</p> <p>This included excessive industrial banging which reverberated well beyond their site. Additional, regardless of official working hours we have noted excessive traffic going to and from the premises and are certain an official increase in operating hours would result in further out of hours loading.</p>	<p>Please refer to above responses.</p> <p>Additionally, we have had more up to date noise assessments undertaken by a Shire approved and independent Acoustics Consultant using the Shire's approved methodology which</p>	<p>Matters raised have been discussed in the main report. A condition of approval regarding hours of operation have been included in the recommendation.</p> <p>Based on the Noise assessment report</p>

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		<p>This company does not seem to have the welfare of local residents in their sights.</p> <p>For that matter, does the Council?</p> <p>When the council has just increased our rates exponentially to live in a 'rural' area we find it at odds with the reality of industrialisation next door.</p>	<p>confirms we are compliant with the relevant noise regulation requirements.</p> <p>All the acoustic surveys undertaken at the site have always confirmed compliance within the allowable noise limitations. The banging the respondent mentions here is for a limited period each day (2-3 hour) involving the demoulding of concrete products. Acoustic testing and reporting confirms this is also within prescribed limits.</p> <p>We also operate in a Shire approved Business Park which allows for our type of business to operate within it.</p> <p>Comment regarding rates increases is of no relevance to us.</p>	<p>and as discussed in the main report only as of right vehicles (19m or less in size) would be being permitted to arrive or depart before 7:00am.</p>
A304701		<p>We plead with you to please not allow Wormalls to extend their operating hours. As it is, we notice they do not adhere to their current operating hours or operating stipulations. There are many days where we have smelt the</p>	<p>As per above two responses.</p>	<p>As discussed in the main report the applicant has provided</p>

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		<p>strong odour of the plastics factory both during operating hours and outside of operating hours. I have footage of them working at night there outside of their stipulated operating hours Every time the wind is travelling west or southwest, we get the smell of melted plastic hanging heavy in the air. There are times that we can't have our windows open or eat dinner outside because the smell is so strong. And the smell actually makes us feel ill. If they are not abiding by their current regulations, why should they be given extended operating hours? They seem to be a law unto themselves, and that is not right! We were especially assured when they originally set up that we wouldn't be impacted by their operations. We certainly have, with frequent heavy vehicles turning in and out of Cardup Siding Road, yard noise, and the odour from the plastic factory. We understand that noise assessment is measured with the workshop roller doors down, however, the workshop doors are often up anyway.</p> <p>If they need more hours for operating, their business must be expanding. Their current location does not seem suitable for such operations, since it's located amongst residential homes. They have built in a residential area, surely they can realize and be considerate to local residents regarding operating times and potential noise this would cause. All homes and residential developments were in this area before Wormalls set up their business, so it only seems fair and right that those of us who are local and have lived here prior to them setting up, should be able to live without having them operating longer and affecting the peace of our area and quality of life. There is a lot of traffic from their trucks and heavy vehicles during the day as it is and at times reversing beeper noise. And at night the noise travels a lot further and clearer, so we would hear it more.</p> <p>Going by the nature of their business, especially the plastics factory, the Shire should recommend that they move their business to the Kargotich Road industrial precinct which is better suited for heavy industrial rather than so close to existing residential area. It would seem that they are better suited</p>	<p>It is also worth noting that there is a major industrial operation close to the eastern boundary of our site which may also have some influence on residents' amenity. We should not be singled out as the only possible contributing factor.</p> <p>Recent Odour and Air Quality assessments have recently been undertaken again at our considerable expense which are expected to confirm compliance with the relevant environmental regulations, as per all such previous testing undertaken at our site.</p> <p>The final report on this testing is expected to be available shortly.</p> <p>We are operating inside the Cardup Business Park and we comply with the relevant zoning and permitted land uses accordingly.</p>	<p>an updated Environmental and Noise Assessment. Based on the assessment Officers consider that the request to remove condition 11 which related to Noise can be removed.</p> <p>The development was previously approved by Council, and the land use is lawful to operate in accordance with its approval.</p> <p>Concerns raised in relation to odour are not specifically related to this development as discussed in the report</p> <p>the plastics production facility was granted approval under a separate development application, which Council resolved on 23 April 2018 to approve. Accordingly, the concerns associated with odour and the</p>

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		<p>to operate in an industrial area, not in suburbia with future subdivisions still to come around this area.</p> <p>We realize we have dealt with concerns regarding the plastics factory, and we understand this application is for the workshop, however we are still impacted by the noise and the way they operate with their current rules are not according to their current conditions anyway. Why give them more leniency if they do not adhere to current rules? How can we be assured that 'Extended hours of operation will not result in adverse amenity impact' as is written in the letter we received? We cannot believe this to be so since we have been severely impacted already.</p> <p>Another point where it impacts us is for any future ability to put a second dwelling on the front of our property, which is even closer to Wormalls operations. The noise and molten plastic smell which already impact us heavily at our existing residence, would impact another dwelling towards the front of our property even more.</p> <p>Please make sure this does not go ahead because we cannot go on like this.</p>	<p>Comment re future ability to put a second dwelling on this respondent's property is not relevant to our business.</p>	<p>plastics production facility are not associated with this application. These concerns will be investigated separately, consistent with Council's Compliance and Enforcement Policy.</p>
A304702		<p>The hours of operation should not be extended as they are already operating outside their approved hours of 07.00 – 19.00.</p>	<p>Please refer to above responses.</p>	<p>These matters have been discussed in the report.</p>
A298100		<p>I am writing in response to the proposed increase in operating hours that Wormalls has submitted for consideration. I understand your preference is to have the response typed, however I want you to recognise that there is a person behind the words and not just a uniform font of black and white.</p> <p>I sit here in my lounge room reflecting on the last 10 years that my mother and I have lived together at this residence after the tragic death of her husband. Buying this house was like finding a sanctuary after the huge upheaval my mother experienced.</p>	<p>We would request that the Shire responds directly to this respondent to explain the Shire's position and the adopted Local Structure Plan zoning and permitted land uses inside the Cardup Business Park.</p>	<p>The objection has been noted. The development was previously approved by Council, and the land use is lawful to operate in accordance with its approval.</p>

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		<p>Our home sits on just over half an acre surrounded by trees and gardens. It is private, being 1 of 3 other homes in our street and we love the life that surrounds us. The birds in the trees squabbling over the best locale for their nests. The bearded dragons sunning themselves in the garden to the rhythmic hum of the bees on the flowers. The motorbike frogs enjoying our ponds around the property including the pool for an evening.</p> <p>Every morning I wake to these noises but now is it disrupted by the sounds of industry. I attended the meeting that ensued with the original proposal of this property being transformed from rural to semi-rural light industrial. The promises of limited hours of operations to normal business hours to the promises of revegetation and beautification of the boundary to reduce the unsightly buildings and reduce noise. In fact the whole proposal was sold to us as a “business park”.</p> <p>When you envisage a business park there is a suggestion of many small businesses nestled in moderate garden surrounds with the idea of people liking the dream of starting a business community. We certainly did not picture what we have been delivered, one family, one business and the relentless sound of industry, not a transport depot / workshop.</p> <p>To say that this business has ruined the beauty and tranquil life we bought into is to say the least. They should never have been granted this locale; they should have been directed to the Forrestdale Business Park away from residential dwellings. A place where there is plenty of space for industry to operate without disturbing people trying to live their lives in their homes.</p> <p>We were here first and they knew and agreed to the limitation imposed to the development based on its location in the community. It stops now, this constant peppering of we want this, we want that. They have stolen enough of our peace and quiet and can have NO MORE!</p> <p>It is time for you the council representatives to represent the people of the community, not one businessman looking to improve his own wealth and make his commute to work more convenient.</p>	<p>We do not wish to enter into any discussion with residents re the Shire’s decision to create the Cardup Business Park, the adopted LSP, the relevant zoning and permitted land uses. We see this as an historical issue between the Shire and the residents without our involvement and prior to us moving our operations into the Cardup Business Park.</p> <p>We relocated our Wormal Civil business from Maddington and the Smartstream Technology business from Kewdale with strong encouragement from the Shire and the then sitting local state member, who advised us that our businesses would be welcomed into the Cardup Business Park and that our operations complied with the Local Structure Plan and zoning for the park.</p>	<p>The development application is seeking approval to amend operational conditions for an approved ‘Transport Depot’.</p> <p>The issues raised relation to noise have been discussed in the main report.</p>

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		<p>I am nursing my mother who is at the end of her life, I am nursing a dear beloved dog who is going to heaven today and I have no time to waste on this matter anymore.</p> <p>My definitive answer is NO to the increased hours of operation.</p>	<p>It also important to recognise that these five submissions represent a very small minority of residents and that the wider community certainly recognise the positive contribution both our businesses make to the community. Unfortunately, the other side of the story is often forgotten here. Our ability to expand our operations brings with it many additional benefits to the local community, but we also realise we must continue to comply with conditions imposed upon us. We commit to ensuring no breaches occur.</p> <p>We would also request the Shire's recognition of our contributions and combined with the scientific evidence by way of environmental reports being secured by us and presented as requested by the Shire,</p>	

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			we receive your staff's and elected official's support for what we are endeavouring to achieve at Cardup.	