

NEW SUMMARY OF SUBMISSIONS

Cardup Siding Road, Cardup 17 (L41) 227300/ State Administrative Tribunal (SAT) Matter DR 199 of 2022 - Wormal Civil v Shire/ SJ4050

Submitter	No	Submitter Comments	Applicant Comment	Officer Recommendation
1		<p>We are writing to the reference above and we presume that you are referring to the Wormalds, you did not give the name of the business.</p> <p>The other week, a man pulled up on the corner of Daisy and Soldiers Roads, it was marked with DWER environmental. On speaking to the driver, he said he was following up on complaints about dust from Wormalds. He made a note they must have seen him because they have put the sprinklers on.</p> <p>I also made mention that on occasions, I could smell plastics as far away as Soldiers Road and Cardup Siding Road. He said he could smell it now (corner of Cardup Siding and Daisy Roads) and I could not smell anything. I have not got a good sense of smell, but my wife has and picks things up a lot earlier than myself.</p> <p>When Craig Wormald was Manager, he offered to put up a brick wall as one of the suggestions, but the Shire [former Director] rejected it as it was still rural land. Now that it is zoned Industrial, maybe it is time to do something like this, some sort of barrier to reduce the effect from the property. Also use dead lead hammers would help and be useful. We are against the noise and smell mainly, because nothing has been done the whole time Wormalds have been there. Where is the buffer promised.</p> <p>Wormalds initially applied for and received ok for a transport depot from there and may have kept pushing for more. They are banging steel on steel early in the morning we are often woken very early activities in their yard. There is very little noise in this area so anything like the beepers or hammering is very prominent. As said before they DO NOT consider their neighbours.</p>	<p>Wormald Civil (WC) and Smartstream Technology (SST) are not aware of any complaints having been made directly or indirectly to our companies and we are also unaware of any actions undertaken by DWER so we are unable to make any comment here.</p> <p>This was never a firm undertaking or commitment by previous owner to the best of our knowledge.</p> <p>Transport Depot categorisation was a Shire decision made upon the best fit in accord with its Planning Land Use categories.</p> <p>Lloyd George Acoustic Assessment has been accepted by the Shire its Consultant Acoustic Expert and their Legal Counsel as complying</p>	<p>The development was previously approved by Council, and as the development approval operates <i>in rem</i> (with the land), the land use is lawful to operate in accordance with its approval.</p> <p>Concerns were raised in relation to odour concerns associated with the plastics production warehouse development on the subject land. This 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 plastics production facility are not</p>

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			with noise regulations in line with additional planned mitigation measures to be implemented upon formal approval for WC's increased operating hours at Shire meeting June 19.	associated with this application. These concerns will be investigated separately, consistent with Council's Compliance and Enforcement Policy.
2		<p>There is something very wrong going on here. A large company gets permission to set up a large work plant amongst residential area, they don't adhere to their current regulations, we have been busy with the odour issues for over 2 years with no results, and now because they receive a 'no' from the Shire regarding extended operating hours, they use their power and take it to the State Administrative Tribunal. This is simply a form of bullying by a large company over riding residents and the Shire just because they have money and so called power. This seems so wrong.</p> <p>If they want to build their company amongst residential area, surely they can have the decency to take residents into consideration. Their request for extended working hours will only cause noise and continued odour issues till later at night, and we are already heavily affected by this with the current operating conditions. The odour from the plastic plant causes adverse health effects for us, with headaches and feeling sick being prominent. The odour also filters into our house when we have our windows open. What value does their updated acoustic report and updated management plan have when we all know very well machinery noise travels easily in the evening hours, it is not going to do much to help for noise, and regardless of that, what assurance do we have that Wormal's will carry out this plan? They do as they please because they wield their money and power and take the Shire to the Tribunal when they don't get their way and hope the Shire will buckle.</p>	EAQ Consulting's Odour & Emissions Reports and Lloyd George Acoustic Assessments over the years confirm compliance with EPA Regulations. No further comment.	<p>Concerns raised in relation to odour are associated with the plastics production warehouse development on the subject land. Accordingly, the concerns associated with odour and the plastics production facility are not associated with this application.</p> <p>As discussed in the main report the information demonstrates that noise levels comply with the</p>

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		<p>For a start, as we have said before, they do not adhere to their operating times anyway, and we have footage of this, and the issue of the melted plastic odour is still not resolved.</p> <p>We ask that the Shire can continue to support us as nearby residents and not allow them to run over us all, which is not morally and ethically correct.</p> <p>Thank you very much</p>		<p><i>Environmental Protection (Noise) Regulations 1997</i> (Regulations) and that noise can be appropriately managed.</p>
3		<p>Have no issue with the proposal</p>	<p>Duly noted and appreciated. It is heartening to receive this comment as the Shire's largest employer and we are confident the majority of residents within the Shire appreciate the significant contribution we make to the community.</p>	<p>Noted</p>
4		<p>Here we are once again having our valuable time eroded by the continuous planning amendment applications by Wormall's.</p> <p>As a resident directly impacted by the noise and both air and water pollution of this development I strongly object to the application to increase the working hours of this site. I used to go to sleep at night listening to the sounds of Cows calling for their wayward calves and wake to the sounds of Horses greeting the morning sun.</p> <p>Nowadays, I wake to the sound of what one can only describe as some bastard banging a hammer in a large metal cavernous structure and go to bed at night listening to the constant drone of a forklift engine and the piercing shrill when that machine is put in to reverse.</p>	<p>As there are a multitude of incorrect and very emotive assertions made here by this respondent we would prefer not to address them specifically.</p> <p>However, we instead ask that our actions and our previously submitted</p>	<p>As discussed in the main report the information demonstrates that noise levels comply with the <i>Environmental Protection (Noise) Regulations 1997</i> (Regulations) and that noise can be</p>

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		<p>The original application for the development of this site was a Business Park not an Industrial site. The inference suggested lots of small business operating out of new buildings which you understand brings value to the area and diversity and the mindfulness of business hours being usually 9am to 5pm.</p> <p>This group made promises of beautification of the perimeter of the property including the planting of trees and shrubs to offer acoustics and screen the ugly black and grey concrete jungle that now sits upon a once beautiful property that was covered with native flower and fauna.</p> <p>All they have done is erect an ugly wire fence and wrapped a green tarp like product which lends to their idea of nature. This fence structure is not even securely erected around the whole perimeter, and I wait for the day to hear of a child or wayward adult hurting themselves on any one of the mislaid machinery or products laid strewn all over the property.</p> <p>I have lost countless hours of sleep and not to mention peace in the mornings since this group started its operations. They developed this property knowing that they bordered a residential zone and that there would be restrictions to their operating hours and the type of business that they conduct and all they do is put in application upon application to modify and amend and all the governing bodies do is rubber stamp the changes.</p> <p>I have had countless trees die on my property, the water quality from my bore has deteriorated considerably over the years to what was once drinkable water to dark and discoloured. The residue from the air pollutants produce by this company have made the rainwater we catch in winter for water usage undrinkable and I am having to buy water for drinking. God knows what awful cancers/diseases we will be consumed with in the years to come with using this water to wash ourselves and our clothes.</p> <p>The Cardup Siding Brook is awash with dead trees and clogged with debris of small native brush that has been poisoned by the run off from the mining machinery on this site and the by-products of their now plastic manufacturing processes which is hardly aligned to a Transport Depot.</p>	<p>reports and discussions and agreements made at SAT following proper process on agreed noise mitigation measures to be implemented going forward, to be our response here.</p>	<p>appropriately managed.</p>

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		<p>The once beautiful ride on my Horse is now marred with ugliness and sadness knowing our native bird species are losing their homes. On one of these rides I rescued a Pink and Grey fledgling that I can only assume lost its home in one of these felled trees. I say go back to the State Administrative Tribunal (the rubber stampers) who have no concept of the once semi-rural humble beginnings of this area and so NO!</p> <p>If this company wants to continue to avert the local government rules and planning legislation governing the area, then they should be told to move on. There is a perfectly located Business Park in Forestdale with plenty of both developed or undeveloped lots that lies in a well considered location in relation to boundaries to residential zones.</p> <p>This group should never have been granted the license to develop this site and now here we are trying to tack up a bolting Horse.</p> <p>Do we have anybody with integrity, with the passion of maintaining some of the heritage of this area and not let industry dictate the terms under which we have to live.</p> <p>Don't let this be another one of those stories of people being poisoned in their own homes all for the mighty \$ and riches for a small few.</p>		