

### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
Department of Biodiversity, Conservation and Attractions (DBCA)		<p>'DBCA supports the following recommendations that were provided by the Department of Planning Lands and Heritage's Policy Planning Manager, that,</p> <ul style="list-style-type: none"> <li>• No development, whether existing or proposed, is approved on that site where there is a risk of adverse impacts to bushland within Bush Forever area 361 and 350.</li> <li>• Drainage infrastructure to serve the existing, proposed, and future development of Lot 60 is to be located outside Bush Forever area 361 and 350 with no overflow or discharge to be directed into any Bush Forever area.</li> <li>• The existing drains and all drainage infrastructure that extends into the Bush Forever areas be decommissioned and remediated.</li> <li>• All rubbish, structures, building materials and any other deleterious matter be removed from Bush Forever area 361.</li> <li>• Remove and decommission the alternative/private access to Norman Road on the boundary of Lots 60 and 21 within the Bush Forever area and remediate the site.</li> <li>• Update the Dust Management Plan to ensure that the Bush Forever sites are protected from dust.</li> <li>• Provide fencing along the boundary of the development to restrict access into the Bush Forever area.' </li></ul>	Refer to applicant's response to summary of submissions section below.	DBCA comments are noted and should the application be supported then it is recommended that conditions of approval state that no buildings, works and vegetation removal are permitted within the Bush Forever area and an updated Stormwater Management Plan stating that there be no discharge of stormwater into the Bush Forever area.
Department of Fire and Emergency Services (DFES)		<p>An updated assessment against the current Guidelines has not been provided and there will continue to be lack of clarity over compliance if submissions are made against the former policy framework documents.</p> <p>It is critical the bushfire management measures within the BMP are refined to ensure they are accurate and can be implemented to reduce the vulnerability of the development to bushfire.</p>	Refer to applicant's response to summary of submissions section below.	The DFES comments are noted and should the application be supported then it is recommended that a condition of approval require an updated

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		<p>1. The development design has not demonstrated compliance to -</p> <ul style="list-style-type: none"> <li>• Element 1: Location,</li> <li>• Element 3: Vehicular Access and</li> <li>• Element 4: Water.</li> </ul>		<p>Bushfire Management Plan undertaken against version 1.4 of the Guidelines for Planning in Bushfire Prone Areas.</p>
Department of Health		<p>394 Robertson Road Cardup WA 6122 — Proposed Retrospective Concrete Manufactory Facility</p> <p>The DoH provides the following comment:</p> <p><b>Water Supply and Wastewater Disposal</b></p> <p>Potable water must be of the quality as specified under the <i>Australian Drinking Water Quality Guidelines 2011</i>.</p> <p>In relation to the management of wastewater on site, DoH is unable support the proposal as there appears to be no information on the wastewater treatment system, disposal area, or number of staff that use site amenities. Therefore, to support the proposal, the following needs to be provided:</p> <ol style="list-style-type: none"> <li>1. The number of staff on site.</li> <li>2. Details of the existing onsite wastewater treatment and disposal method.</li> <li>3. Evidence the above have been approved by the DoH.</li> </ol> <p>As the proposal is for a retrospective approval, and if any of the above cannot be provided, the following will also be required that may require an upgrade of the wastewater treatment system:</p> <p>A. A specific Site and Soil Evaluation (SSE) report undertaken by a qualified consultant that is conducted during the wettest seasonal time of the year (mid-July – mid Sept), that needs to demonstrate permeability rates as per AS/NZS1547:2012 requirements.</p>	<p>Refer to applicant's response to summary of submissions section below.</p>	<p>The DoH comments are noted and should the application be supported then it is recommended that a condition of approval require the submission and approval of an application for the treatment of sewage and the disposal of effluent and liquid wastes.</p>

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		<p>B. The location of the lot is now captured under the Government Sewerage Policy as an environmentally sensitive area that may require additional requirements along with meeting the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Wastes) Regulations 1974</i>. These include:</p> <p>I. to ensure minimum setbacks are met from natural water bodies such as creeks and streams or areas of high-water tables.</p> <p>II. a Secondary Treatment System (STS) may be required as approved by the DoH and/or</p> <p>III . the wastewater treatment system should be engineer Certified detailing the requirements as specified on the DoH website:  <a href="https://ww2.health.wa.gov.au/Articles/A_E/Application-process-for-approval-of-recycling-water-scheme">https://ww2.health.wa.gov.au/Articles/A_E/Application-process-for-approval-of-recycling-water-scheme</a></p> <p>C. There were no detailed plans relating to the location of the onsite wastewater treatment system and disposal area. Scaled plans detailing the proposed building envelopes, land application area/s and exclusion zones such as car parks, trafficable areas and winter creeks may be required for the proposal.</p> <p>D. There was reference to the recycling of wastewater. Treated wastewater intended to be recycled for beneficial purposes such as landscaping and garden bed irrigation requires a separate Recycled Water Quality Management Plan (RWQMP) that will need to be submitted to the DoH in accordance with the “Application Process for approval of a recycling water scheme”: <a href="https://ww2.health.wa.gov.au/Articles/A_E/Application-process-for-approval-of-recycling-water-scheme">https://ww2.health.wa.gov.au/Articles/A_E/Application-process-for-approval-of-recycling-water-scheme</a></p> <p>E. A formal application for the onsite wastewater treatment system/disposal area will be required to be submitted to the local government for assessment prior to them forwarding onto the department.</p>		
Department of Planning Lands and		The development is not supported as the drainage associated with the development is diverted to Bush Forever area 361 - Norman Road Bushland, Whitby/Cardup and Bush Forever area 350 - Byford to Serpentine	Refer to applicant's response to summary of	The DPLH comments are noted however no buildings and works

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Heritage (DPLH)- Bush Forever Team		<p>Rail/Road Reserve and Adjacent Bushland which is likely to be currently adversely impacting the bushland within the Bush Forever areas.</p> <p>Bush Forever area 361 is within Lot 60, south of the development and within Lot 21 east of the development. Bush Forever area 361 contains Forrestfield vegetation complex, which only 6 percent of the original extent on the Swan Coastal Plain Portion of the Perth Metropolitan Region (Bush Forever study area) is proposed for protection in Bush Forever (Bush Forever Audit 2021, WAPC). The site is also inferred to contain state listed (under the Biodiversity Conservation Act 2016) threatened ecological communities (TEC) 20b Eastern Banksia attenuate and/or Eucalyptus marginata woodlands and 3b Eucalyptus calophylla – Eucalyptus marginata woodlands on sandy clay soils and federally listed (under the Environment Protection and Biodiversity Conservation Act 1999) Banksia Woodlands of the Swan Coastal Plain TEC. Bush Forever 354 immediately south of Norman Road is known to contain the 20b and 3b TEC and declared rare flora (DRF).</p> <p>Bush Forever area 350 is west to the development, abutting Lot 60 within the Robertson Road reserve and in the railway reserve. This part of Bush Forever area 350 contains Guildford vegetation complex, which only 3 percent of the original extent on the Swan Coastal Plain Portion of the Perth Metropolitan Region is proposed for protection within Bush Forever (Bush Forever Audit 2021, WAPC). TEC 3b and DRF are mapped adjacent to Lot 60 within Bush Forever area 350.</p> <p>Other concerns:</p> <ul style="list-style-type: none"> <li>• The aerial photography shows rubbish, structures, or other deleterious matter in the Bush Forever area near the eastern side of Lot 60 and western side of Lot 21.</li> <li>• The alternative access to Norman Road as noted in the Bushfire Management Plan (Appendix G), and visible on aerial photography has cleared Bush Forever area 361 bushland inconsistent with SPP 2.8.</li> </ul>	submissions section below.	are proposed within the Bush Forever area. Regardless, should the application be supported then it is recommended that conditions of approval stating that no vegetation removal is permitted and require an updated Stormwater Management Plan with no stormwater runoff or drainage into the Bush Forever Site 361 and remediation of any informal drains in the Bush Forever Site 361.

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		<ul style="list-style-type: none"> <li>• The Dust Management Plan (Appendix D) does not consider dust impacts on the bushland or provide any dust management measures to protect bushland within the adjacent Bush Forever areas.</li> </ul> <p>As such the development is not supported and it is recommended that:</p> <ul style="list-style-type: none"> <li>• No development, whether existing or proposed, is approved on that site where there is a risk of adverse impacts to bushland within Bush Forever area 361 and 350.</li> <li>• Drainage infrastructure to serve the existing, proposed, and future development of Lot 60 is to be located outside Bush Forever area 361 and 350 with no overflow or discharge is to be directed into any Bush Forever area.</li> <li>• Decommission the existing drains and all drainage infrastructure that extends into the Bush Forever areas and do all things necessary to facilitate the return of that land to natural bushland.</li> <li>• Remove all rubbish, structures, building materials and any other deleterious matter from Bush Forever area 361.</li> <li>• Remove and decommission the alternative/private access to Norman Road on the boundary of Lots 60 and 21 within the Bush Forever area and return the land to natural bushland.</li> <li>• Update the Dust Management Plan to consider the surrounding Bush Forever areas as a sensitive receptor that must be protected from dust impacts, with no visible dust allowed to settle on vegetation within any Bush Forever area.</li> <li>• Provide fencing along the boundary of the development and Bush Forever area to restrict access and delineate between the approved industrial activities and Bush Forever areas.</li> <li>• Please note the Bush Forever boundary modification as part of MRS amendment 1380/57 was subject to negotiations with the landowners of Lot 60 and 21. These negotiations included an agreement for the removal</li> </ul>		

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		<p>of all drainage flows and infrastructure, rubbish, buildings and access out of Bush Forever, remediating the site to natural bushland and ceding the Bush Forever within Lots 60 and 21 to the Crown free of cost. Land Use Planning Policy considers this Development application to be inconsistent with that agreement.</p>		
<p>Department of Water and Environmental Regulation (DWER)</p>		<p>The Department has identified that the retrospective concrete manufacturing facility at Lot 60 Robertson Road in Cardup has the potential for impacts on environment and water resource values and management. In principle the Department does not object to the proposal, however key issues and recommendations are provided below and these matters should be addressed.</p> <p>Issue Industry Regulation Advice</p> <p>The Department regulates emissions and discharges from the construction and operation of prescribed premises through a works approval and licensing process, under Part V, Division 3 of the Environmental Protection Act 1986 (EP Act).</p> <p>The categories of prescribed premises are outlined in Schedule 1 of the Environmental Protection Regulations 1987.</p> <p>The EP Act requires a works approval to be obtained before constructing a prescribed premises and makes it an offence to cause an emission or discharge from an existing prescribed premises unless they are the holder of a works approval or licence (or registration) and the emission is in accordance with any conditions to which the licence or works approval is subject.</p> <p>The Environmental Protection Act 1986 requires a works approval to be obtained before constructing a prescribed premises and makes it an offence</p>	<p>Refer to applicant's response to summary of submissions section below.</p>	<p>It is agreed that there is an inconsistency with submitted documentation and that Swept path analysis drawings show significant encroachment into the opposite lane at the junction of South Western Highway and Norman Road. This is a significant safety concern, in a road environment of 100km/hr designated speed limit. Should the application be supported then it is recommended that a condition of approval require the upgrade of the intersection of South Western Highway and Norman Road to the</p>

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		<p>to cause an emission or discharge unless a licence or registration (for operation) is held for the premises.</p> <p>The Department has not received an application for a works approval or licence for the facility described in development approval application to date. As such, the Department recommends that the applicant lodge an application for a works approval with the Department. The applicant is advised to refer to the information and Guideline: Industry Regulation Guide to Licensing available at <a href="http://www.der.wa.gov.au/our-work/licences-and-works-approvals">http://www.der.wa.gov.au/our-work/licences-and-works-approvals</a> or if they have queries relating to works approvals and licences to contact the Department at <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a> or 6364 7000 for information on the application for a works approval.</p> <p>The application will also need to demonstrate compliance with the general provisions of the EP Act and all relevant regulations e.g. Environmental Protection (Noise) Regulations 1997 and Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998.</p> <p>Part of Lot 60 is a prescribed premises under Part V of the Environmental Protection Act 1986 (EP Act) under works approval W6658/2022/1 as a Category 77 Concrete Batching facility. The Works approval holder is Ransberg Pty Ltd trading as WA Premix. At the time the works approval was granted it was considered that the Permacast facility was not within the scope of the application and therefore was not assessed. The works approval is for the construction of a concrete batching facility only, once constructed the works approval holder is required to apply for Registration of the premises under Regulation 5B of the Environmental Protection Regulations 1987 (EP Regulations). At this time the Department has not received an Environmental Compliance Report required under condition 2 of the works approval confirming the concrete batching facility has been constructed in accordance with the works approval or a registration application from the works approval holder.</p> <p>Please note that this advice is provided based on information provided. Should this information change, the works approval and/or licensing</p>		<p>satisfaction of Main Roads.</p>

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		<p>requirements may also change. Applicants are encouraged to contact the Department at the above contact details to clarify requirements, should there be changes to information.</p> <p>Issue</p> <p>Environmental Acoustic Report</p> <p>Advice</p> <p>The Department's Environmental Noise Branch has reviewed the development application document, as well as the Environmental Noise Assessment report prepared by Lloyd George Acoustics. Please find the Department's Environmental Noise Branch report attached as a separate document.</p> <p>Issue</p> <p>Stormwater Management</p> <p>Advice</p> <p>The proponent should manage stormwater in accordance with the 'Decision process for stormwater management in WA (DoW 2016)' and the 'Stormwater Management Manual for Western Australia (DoW 2004–2007)'. Specifically,</p> <p>The first 15 mm of stormwater runoff from roads and carpark areas should be designed to undergo water quality treatment via biofiltration.</p> <p>The proposed open channel drains should be constructed as vegetated biofiltration swales. Vegetated biofiltration swales will increase at-source infiltration, potentially improve the quality of runoff, reduce erosion and potentially reduce the required size of drainage basins. Vegetated biofiltration areas should be lined with amended soil with a PRI of at least 10. The amended soil should have a minimum thickness of 300 mm.</p> <p>Other issues concerning the Stormwater Management Plan are,</p>		



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		<p>Section 3.5 - Drainage Basin, proposes an overflow outlet arrangement from the site's drainage basin however no details are presented.</p> <p>The Stormwater Management Plan provided uses the Perth Groundwater Atlas to determine the maximum groundwater level (MGL) The use of the Perth Groundwater Atlas to determine MGL for stormwater infrastructure design is not supported as those MGLs are based on levels for May when MGLs are lower. The Atlas is a resource to assist drillers, irrigators and householders and give them an indication of the locations and depth needed to drill and install groundwater bores. Therefore, this resource should not be used to determine maximum groundwater levels (MGLs).</p> <ul style="list-style-type: none"> <li>The Department prefers the use of historical MGL levels as it gives a higher degree of confidence in drainage basin design given the natural variations in yearly rainfall and likely increase in groundwater levels that occur through development. The Department's Lower Serpentine Region hydrological studies indicate a historical MGL in the west of the lot of approximately 48 metres AHD and 55 m AHD in the east of the lot and these levels should be used when determining inverts of drainage basins and biofiltration basins. Alternatively, the proponent may provide an on-site winter MGL and correlate this with a nearby Departmental long-term monitoring bores to determine an on-site MGL.</li> </ul> <p>Issue Groundwater Advice</p> <p>The subject lot is located within the Serpentine groundwater area (Byford 3 subarea) as proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer, is subject to licensing by the Department.</p>		

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		<p>The issuing of a groundwater licence is not guaranteed but if issued will contain a number of conditions that are binding upon the licensee. Please contact the water licensing section on 9550 4222 for further advice.</p> <p>It is important to note that the Serpentine groundwater area is currently fully allocated and therefore there is no water available for licensing from the deeper Leederville or Cattamarra Coal Measures aquifers in the area. An application for a licence to construct a bore to take water from these aquifers would likely be refused.</p> <p>There is also limited availability for licensing from the Superficial (shallower, water table Byford 3) aquifer. Owners considering using groundwater for irrigation purposes should contact the licensing section at the Department's Mandurah office on 9550 4222 for further advice.</p> <p>Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses and/or approvals.</p> <p>In the event that the applicant determines that a works approval or licence application is required under Part V of the Environmental Protection Act 1986 (EP Act), the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process.</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>Advice on Noise Assessment</p> <p>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 27 March 2023 on a retrospective</p>		

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		<p>development application for a concrete manufacturing facility at Lot 60 (No. 394) Robertson Road, Cardup.</p> <p>Advice</p> <p>The Department of Water and Environmental Regulation's Environmental Noise Branch (ENB) has reviewed the development application document, as well as the noise assessment report prepared by Lloyd George Acoustics (LGA). Based on LGA's report the concrete products manufacturing facility consists of two cranes, two trucks and two telehandlers, as well as four stressing beds (two existing and two proposed). LGA's noise modelling indicated that noise emissions from the concrete products manufacturing facility would be able to comply with the daytime assigned noise levels at the neighbouring residences when each individual stressing bed is running independently, or during certain scenarios where there will be more than one stressing bed running together.</p> <p>ENB has identified the following issues:</p> <ol style="list-style-type: none"> <li>1. Based on Section 4.6 of the Development Application, the concrete products manufacturing facility will commence production from 6:00am and will continue until 6:00pm. However, the operational hours quoted in LGA's report are stated as between 7:00am and 7:00pm. It should be noted that the time before 7:00am is classified as night-time by the Environmental Protection (Noise) Regulations 1997 (Noise Regulations). If the morning operational hour specified in the application document is correct, LGA's assessment of the noise compliance with the daytime assigned noise levels would be incorrect. Noise from the facility would need to also comply with the night-time assigned noise levels.</li> <li>2. Both the application document and LGA's report did not indicate if the concrete products manufacturing operation will occur on Monday-Saturday only (excluding Sunday and Public Holidays). Again, daytime noise assigned levels are different for Sunday and Public holidays, and LGA's assessment results do not apply to these days;</li> </ol>		

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		<p>3. It is noted that there are existing operations within the PERMAcast site, such as the batching plant(s). Noise from the concrete products manufacturing facility is likely cumulative with the noise generated by the existing operations. PERMAcast needs to demonstrate compliance of the cumulative noise emission levels from its site with the Noise Regulations, not only the noise from the concrete products manufacturing facility alone;</p> <p>4. Similarly, while the operations of the stressing beds and the vehicle operations were modelled separately, it is likely that they will be operating at the same time and hence the noise levels from those operations would also be cumulative. While the noise levels produced by the vehicle operations are much lower than those for the stressing bed operations, it is likely that more combinations of stressing beds operating would exceed the assigned levels when the cumulative noise is considered;</p> <p>5. It is noted in section 3.2.4 of the LGA report that, for modelling purposes, the ground absorption for the entire area was considered to be at 100% (e.g. consistent with a grass covered surface). As the ground, particularly near the noise sources, appears to be at the very least, made of hard-compacted material, this would result in an underestimation of the predicted noise levels at the receivers; and</p> <p>6. Noise from the concrete products manufacturing facility, particularly the stressing beds can be tonal, of which the adjustment for tonality may be required for the noise compliance assessment. It does not seem that LGA has conducted a tonality assessment in its report.</p> <p>Limitations Technical expert advice in any field is subject to various limitations. Important limitations to the advice include:</p>		

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		<ul style="list-style-type: none"> <li>• No attempt was made to verify the noise data collected by LGA between September and November 2022 to determine the sound power levels of the plant; and</li> <li>• No computer modelling was undertaken to verify LGA's modelled noise contours.</li> </ul> <p>Officer Comment: It is agreed that the submitted Environmental Noise Assessment does not demonstrate that noise emissions from the proposed concrete manufacturing facility will not have adverse impact on the amenity of residences on the western side of Soldiers Road. Should the application be supported however, it is recommended that conditions of approval require an updated site plan clearly stating that no buildings, works and vegetation removal are permitted within the Bush Forever area and an updated Stormwater Management Plan stating that no drainage or stormwater runoff is discharged into the Bush Forever area.</p> <p>It is noted in the DWER submission that a licence or registration (for operation) is required to be held for the premises, which does not currently exist.</p> <p>Main Roads Western Australia (MRWA)</p> <p>MRWA have advised as follows:</p> <p>In response to your correspondence received on 29 March 2023, Main Roads has reviewed the application and is unable to provide a recommendation at this point in time.</p> <p>Please provide the following items:</p> <ul style="list-style-type: none"> <li>• Revised development application and/or documentation that includes all land used for retrospective activities as well as proposed development being consistent.</li> </ul>		

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		<p>Reason for information</p> <p>Submitted documents do not include a consistent application area. The Transport Impact Assessment (TIA) includes both Lots 60 &amp; 21 whereas other documents include only Lot 60. Either the application is to be amended to include Lot 21 or alternatively, the TIA is to be amended to reference only Lot 60 and demonstrate how the site will operate independently of Lot 21.</p> <ul style="list-style-type: none"> <li>• Revised TIA that addresses the following comments. <ul style="list-style-type: none"> <li>○ The swept path analysis drawings must show road edge lines, road names and north arrow for better review of the drawings. From the submitted drawings it is not possible to understand the road edge lines / marking as the aerial image is either pixelated or the road surface is covered by trees / bushes.</li> <li>○ Additional swept path analysis drawings to be provided to show the trucks carrying concrete beams making a right turn from Norman Road to South Western Highway.</li> <li>○ Swept paths sheets 4 &amp; 5 - Shows that the vehicle is required to encroach to the opposite lane or on the road edge line. Swept paths to be updated to avoid such situations.</li> <li>○ Swept Paths Sheets 6 &amp; 7 - Both tracking shows that the vehicle is required to drive outside the asphalt line both on the Norman Road and the South Western Highway. Please clarify how this additional paved area is going to be achieved, on the South Western Highway?</li> <li>○ Swept Paths - Sheets 6 &amp; 7 - These swept path analysis drawings shows a significant encroachment of the left turn vehicle to the southbound traffic lane of the South Western Highway and the vehicle</li> </ul> </li> </ul>		

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		<p>continues to drive about 45m on the opposite lane before it drives on the allocated lane.</p> <ul style="list-style-type: none"> <li>• Firstly, a full encroachment to the opposite lane is not acceptable.</li> <li>• Secondly, it cannot be expected that the southbound vehicles on South Western Highway to give way approximately 45m in advance of the junction when these trucks are making a left turn.</li> </ul> <p>Please update the junction design to avoid such situations.</p> <ul style="list-style-type: none"> <li>○ Total HV% or volumes also to be shown in Figure 6-3 to Figure 6-7. It is difficult to verify the volumes used. The full movement summary tables should be included.</li> <li>○ Section 6.1.1 shows the South Western Highway / Norman Road junction with a 15m long left turn pocket lane / auxiliary lane on the Norman Road approach, however there is no pocket lane that currently exist. Please clarify.</li> </ul> <p>Reason for information To address technical matters and ensure the safe and efficient operation of the State Road Network.</p> <ul style="list-style-type: none"> <li>• An intersection treatment warrant analysis for the South Western Highway / Norman Road intersection. A warrants spreadsheet is available on Main Roads Western Australia's website:  <a href="https://www.mainroads.wa.gov.au/technical-commercial/technical-library/road-traffic-engineering/guide-to-road-design/mrwa-supplement-to-austroads-guide-to-road-design-part-4/#mctoc1ebke3nn5ukd">https://www.mainroads.wa.gov.au/technical-commercial/technical-library/road-traffic-engineering/guide-to-road-design/mrwa-supplement-to-austroads-guide-to-road-design-part-4/#mctoc1ebke3nn5ukd</a></li> </ul> <p>Reason for information</p>		

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		<p>The development seeking approval is serviced by heavy vehicle which may warrant changes to the intersection of South Western Highway/ Norman Road to ensure safe and efficient operation of the State Road network.</p> <p>Officer Comment: It is agreed that there is an inconsistency with submitted documentation and that Swept path analysis drawings show significant encroachment into the opposite lane at the junction of South Western Highway and Norman Road. This is a significant safety concern, in a road environment of 100km/hr designated speed limit. Should the application be supported then it is recommended that a condition of approval require the upgrade of the intersection of South Western Highway and Norman Road to the satisfaction of Main Roads.</p>		
Main Roads		<p>In response to your correspondence received on 29 March 2023, Main Roads has reviewed the application and is unable to provide a recommendation at this point in time.</p> <p>Please provide the following items:</p> <ul style="list-style-type: none"> <li>• Revised development application and/or documentation that includes all land used for retrospective activities as well as proposed development being consistent.</li> </ul> <p><u>Reason for information</u></p> <p>Submitted documents do not include a consistent application area. The Transport Impact Assessment (TIA) includes both Lots 60 &amp; 21 whereas other documents include only Lot 60. Either the application is to be amended to include Lot 21 or alternatively, the TIA is to be amended to reference only Lot 60 and demonstrate how the site will operate independently of Lot 21.</p> <ul style="list-style-type: none"> <li>• Revised TIA that addresses the following comments.</li> <li>• The swept path analysis drawings must show road edge lines, road names and north arrow for better review of the drawings. From the submitted drawings it is not possible to understand the road edge</li> </ul>		<p>It is agreed that the submitted application does not include a consistent application area with the TIA including both Lots 60 and 21 while other documents only include Lot 60.</p>



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		<p>lines / marking as the aerial image is either pixelated or the road surface is covered by trees / bushes.</p> <ul style="list-style-type: none"> <li>• Additional swept path analysis drawings to be provided to show the trucks carrying concrete beams making a right turn from Norman Road to South Western Highway.</li> <li>• Swept paths sheets 4 &amp; 5 - Shows that the vehicle is required to encroach to the opposite lane or on the road edge line. Swept paths to be updated to avoid such situations.</li> <li>• Swept Paths Sheets 6 &amp; 7 - Both tracking shows that the vehicle is required to drive outside the asphalt line both on the Norman Road and the South Western Highway. Please clarify how this additional paved area is going to be achieved, especially on the South Western Highway?</li> <li>• Swept Paths - Sheets 6 &amp; 7 - These swept path analysis drawings shows a significant encroachment of the left turn vehicle to the southbound traffic lane of the South Western Highway and the vehicle continues to drive about 45m on the opposite lane before it drives on the allocated lane.             <ul style="list-style-type: none"> <li>• Firstly, a full encroachment to the opposite lane is not acceptable.</li> <li>• Secondly, it cannot be expected that the southbound vehicles on South Western Highway to give way approximately 45m in advance of the junction when these trucks are making a left turn.</li> </ul> </li> </ul> <p>Please update the junction design to avoid such situations.</p> <ul style="list-style-type: none"> <li>• Total HV% or volumes also to be shown in Figure 6-3 to Figure 6-7. It is difficult to verify the volumes used. The full movement summary tables should be included.</li> <li>• Section 6.1.1 shows the South Western Highway / Norman Road junction with a 15m long left turn pocket lane / auxiliary lane on the</li> </ul>		

### SUMMARY OF SUBMISSIONS

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Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>Norman Road approach, however there is no pocket lane that currently exist. Please clarify.</p> <p><u>Reason for information</u></p> <p>To address technical matters and ensure the safe and efficient operation of the State Road Network.</p> <ul style="list-style-type: none"> <li>An intersection treatment warrant analysis for the South Western Highway / Norman Road intersection. A warrants spreadsheet is available on Main Roads Western Australia's website:</li> </ul> <p><a href="https://www.mainroads.wa.qov.au/technical-commercial/technical-library/road-trafficengineering/qguide-to-road-design/mrwa-supplement-to-austroads-guide-to-roaddesign-part-4/#mctoc-1-ebke3nn5ukd">https://www.mainroads.wa.qov.au/technical-commercial/technical-library/road-trafficengineering/qguide-to-road-design/mrwa-supplement-to-austroads-guide-to-roaddesign-part-4/#mctoc-1-ebke3nn5ukd</a></p> <p><u>Reason for information</u></p> <p>The development seeking approval is serviced by heavy vehicle which may warrant changes to the intersection of South Western Highway / Norman Road to ensure safe and efficient operation of the State Road network.</p> <p>Please provide the above information at your earliest convenience, noting that Main Roads will require 30 days to review this information once received.</p> <p>As stated above, Main Roads is not in a position to support the subject proposal until the above information has been received and reviewed.</p>		
A144401		<p>We would like to object to the proposal.</p> <p>I have the following concerns about this proposal:</p> <ul style="list-style-type: none"> <li>Noise pollution. We currently hear a lot of machinery noise, very loud banging, vehicles beeping and alarms. These noises are present very early in the morning (before 7am sometimes) and frequently on Saturdays.</li> </ul>	Refer to applicant's response to summary of submissions section below.	Refer to 'Planning Assessment' section of the Council Report.

## SUMMARY OF SUBMISSIONS

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Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<ul style="list-style-type: none"> <li>• Dust pollution. We have noted a significant increase in dust on our property since the concrete site was developed. This has impacted on our pool requiring the use of extra chemicals and increased cleaning. Our alfresco area is also always coated in dust reducing our ability to use it and the outside of our home is also coated with dust.</li> <li>• Hours of operation. This site is close to residential homes and should not be able to commence operation at 6am and close at the time of 6pm. Other trades and industry need to obey laws restricting the commencement of work until 7am.</li> </ul> <p>I realise it is extremely unlikely that our significant concerns will prevent this development from occurring. However, we sincerely request that conditions are placed upon this site to limit both dust and noise for nearby residents. And in the event that the company does not meet these conditions, they must rectify/recompense affected landowners.</p>		
A297905		<p>Attachment to Comments Form Regarding Concrete Manufacturing Facility on Lot 60, 394 Robertson Road, Cardup:</p> <p><i>Dear Sir/ Madam.</i></p> <p><i>In reference to your letter, we have the following concerns regarding the proposed extension to the concrete facility in question.</i></p> <p><i>You letter states that the application is seeking for retrospective approval for the current facility, apart from the approved batching plant. Are we to assume that the current facility has been operating without any environmental impact study being carried out, which would have addressed the impact it may have had on the environment and the well being of the rate payers in the affected area. Are we also to assume the facility in question has been allowed to expand to such an extent over a number of years under the nose of the SJ Shire. Why has something not been done sooner? If I wanted to put up a shade sail on my property, I would have to seek shire approval, if not, you would request it be removed!?</i></p>	Refer to applicant's response to summary of submissions section below.	Refer to 'Planning Assessment' section of the Council Report.

## SUMMARY OF SUBMISSIONS

## PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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		<p><i>You go on to mention the proposed expansions are going to include a below ground stressing bed and an above ground stressing bed and further drainage. Being no expert in the field, what are the stressing beds, what mechanical components are attached to these which would generate noise or vibration likely to be heard outside the confines of the facility?</i></p> <p><i>We have already complained to Serpentine &amp; Jarrahdale Shire Environmental Officer regarding the loud noise emanating from the industrial facilities in Robertson Road, all hours of the day.</i></p> <p><i>During our phone conversation with the Environmental Officer, he suggested that the noise was more than likely coming from the Concrete Manufacturing facility on Robertson Road, Cardup.</i></p> <p><i>If this proposal goes ahead and the size of the facility is increased by 50% we can therefore assume that the noise levels will also increase by 50% which would make living conditions intolerable. If the size of the facility is to increase, will compensation be provided for damage incurred to buildings, or necessary alterations, such as double glazing for noise reduction, be provided by the facility?</i></p> <p><i>The Environmental Officer and a co-worker, attended the boundaries of the facility following another telephone complaint from myself regarding the noise.</i></p> <p><i>Unfortunately/fortunately, by the time they attended, the noise had stopped.</i></p> <p><i>During this period of time, at the Shires recommendation, I compiled a log of dates and times and noise issues which was subsequently submitted to the Environmental Department.</i></p> <p><i>However, as we have learnt over the years, SJ Shire is not the best with communication. It seems to be one sided as we have yet to have received any reply regarding the documented complaint.</i></p> <p><i>Apart from noise pollution, we would also like to be informed of the assessment of dust and environmental pollution that is created by this</i></p>		

### SUMMARY OF SUBMISSIONS

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		<p><i>facility, including water run off into the ground water, which many of the local Cardup residence rely on for a clean water supply.</i></p> <p><i>Why has this facility been allowed to grow to such an extent in a sensitive rural environment and why is it not in a dedicated zoned heavy industrial area away from people's properties and sensitive native flora and fauna reserve, zoned Bush Forever.</i></p> <p><i>Perhaps if we were black, red tailed cockatoos, rather than human beings, something might be done about the matter.</i></p> <p><i>I look forward to receiving your reply regarding our concerns, no later than 16<sup>th</sup> May 2023.</i></p> <p><i>I would also like to note it is our intention to contact local and national media, as well as state government officials, to draw attention to this issue on a broader scale.</i></p>		
A144201		<ol style="list-style-type: none"> <li>1. Additional noise, there is already very loud noise coming from there and some days almost unbearable all day</li> <li>2. Karbro Drive will not withstand extra concrete trucks coming, there is already a lot coming and we feel will destroy this road.</li> </ol>	Refer to applicant's response to summary of submissions section below.	Refer to 'Planning Assessment' section of the Council Report.
A185304		<p>We are in the unfortunate position of living on Soldiers Road, directly across from the above-mentioned concrete manufacturing facility.</p> <p>We purchased our home in early 2001. Our goal was to live as much of our lives as possible in our semi-rural home. Before purchasing, we enquired at the shire office about the type of industry planned for the area. We were assured it was all zoned for light industrial development. Presently we find a huge, heavy industry developing on our doorstep.</p> <p>We raised our children in our beloved home and have lived here for the past 23 years. We are now nearing retirement and we find that our semi-rural home is now bordered by a huge heavy developing industry, rubbish, noise, dust and a recent increase in early morning traffic.</p>		Refer to 'Planning Assessment' section of the Council Report.

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		<p>The Permapole Wood Company was the only industry that existed on the site when we first acquired our home. This same site was expanded to accommodate the Permacast company. During the initial years of operation, the industrial noise level was acceptable, dust has always been a problem blowing from the site onto our property and rubbish frequently blew onto the fire breaks and bushland.</p> <p>From around 2021, the company seemed to acquire new machinery, which emits a noise that is grating and difficult to bear. This noise together with other noisy equipment, vehicles emitting alarms are loudly audible throughout our house, including all our bedrooms. We were woken up yesterday (Saturday 22/04/2023) shortly after 6 am, to hammering against metal. Today (Sunday 23/04/2023) we woke at 6 am to a continuous beeping alarm noise coming from the Facility. This level of noise is not acceptable at any time or day of the week.</p> <p>All types of rubbish (papers, boxes, plastic, large nylon-type bags) has increased, some is caught on the Facility fences, most is strewn across the neighbouring land, some get caught against our own fence. The bush land now reminds us of areas we have visited in third world countries. We have a collection of large, white nylon-type bags, collected over the last few years. In the early days, we tried to pick up the rubbish that spews out of the Facility grounds. We can no longer keep up and there is rubbish permanently around the site. We have witnessed Facility personnel clearing the area near the gates of the Facility, but any areas beyond the Facility appears to be not considered their responsibility and is also not controlled by the Shire.</p> <p>We witness (and hear) facility personnel or visitors driving on Robertson Road with no regard to speed limits or safety, uncontrolled by either the Shire or the Facility.</p> <p>Dust from the Facility now streams uncontrolled across the road onto our property, when it is windy, particularly during the summer months. This dust is particularly noticeable in our swimming pool, which we have to back-wash, at best every few days. The dust also gets into our house. We are</p>		

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		<p>concerned about our drinking water tanks, as water is collected from the house guttering.</p> <p>The Facility already operates 7 days a week from 6 am to 6 pm including public holidays.</p> <p>We have many, many concerns regarding the “proposed” increase in operations at the Robertson Road Facility.</p> <p>You are requesting our comments on the “RETROSPECTIVE” approval for the increased size and operation of this Facility, what does this mean? Have we been asked to comment on something that is already going ahead? Please advise.</p> <p>We have not as yet been consulted by MODAP, although we are only 99 metres from the Facility, boundary to boundary.</p> <p>Has the Shire altered the zoning of this site to enable this sort of heavy industry to operate? Please advise.</p> <p>What is the minimal permissible distance of this type of development to residential areas? What are the EPA recommendations? Please advise.</p> <p>There is a “bush forever” region allocated to one border of the site, why have the residences on Soldiers Road been excluded from this type of protection? Please advise.</p> <p>The residences in our area do not have scheme water and rely on rain water and ground water. How much ground water has been allocated to the Concrete Manufacturing Facility operation and what effect does this have on the resource? Please advise.</p> <p>What are the legally permissible operating hours, noise limits and dust limits for a Facility that is circa 100 metres from a private residence? What are the EPA and legislative recommendations? What measures have been taken to monitor and record these levels over time? Please advise.</p>		

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		<p>The rubbish from the Facility has never been monitored or controlled. Will the shire be taking any action in this regard?</p> <p>This Facility sets a precedent for the industrialisation of the area. Please advise of the Shire's plans for the nearby sites.</p> <p>Our home is not the semi-rural home, that we were assured it would remain, and that we subsequently purchased and planned to live in for as much of our lives as physically possible. Furthermore, I am sure that the value of our property is considerably reduced due to the industrial monster that you are allowing to spread and grow.</p>		
<p>A185100 / A401423 Joint submission</p>		<p>We are concerned with the significant detrimental impacts this facility is likely to have on our properties, the surrounding community and future development of the locality, we strongly object to the proposal. A summary of the significant issues with the proposal underpinning our reasons for objection are provided at the conclusion of this letter, with further detail provided herein.</p> <p><b>INCREMENTAL EXPANSION &amp; DISREGARD OF THE PLANNING FRAMEWORK</b></p> <p>The proponent, Permacast, has been operating at the site since 2006 (17 years) without approvals for their operations.</p> <p>The buildings and some infrastructure included in the current application were existing on site prior to an application being made for the Mobile Concrete Batching Plant in 2021 yet were not included in that application. If they were, the full scale of the proposal could have been appropriately assessed.</p> <p>Although we understand a Mobile Concrete Batching Plant was approved by the Shire (under a State Administrative Tribunal Section 31 reconsideration) at its 13 December 2021 OCM and that proposed PA23/198 is a retrospective application seeking approval to existing</p>	<p>Refer to applicant's response to summary of submissions section below.</p>	<p>Refer to 'Planning Assessment' section of the Council Report.</p>



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		<p>unauthorised development on the site, we are very concerned the facility has not been properly assessed given the ad-hoc nature of its applications.</p> <p>When the proponent lodged DA PA21 in early 2021 seeking support for the Mobile Batching Plant, many of the facilities included in this current DA (PA23/198) were already existing on site, including the office structures, the concrete manufacturing shed, stressing beds 1 and 2, gantry cranes and various other infrastructure. Why were these elements not included in PA21 so that the proposal could be considered in its entirety, and more clearly depicting the large scale of this facility?</p> <p>In our view, the separation of the applications has resulted in confusion or misinformation (whether intended or perceived) around staffing numbers, traffic generation, hours of operation and operational scale (which directly impacts separation distance considerations). The proposals presented in these applications indicate a large-scale concrete manufacturing facility which will have a significant impact on its surrounding environment, of which our property and many others with urban residential uses are close neighbours.</p> <p>The current application states “development approval of the retrospective application will formalise the existing use”, however, consideration needs to be given about the appropriateness of this use for both the site and the locality. The notion of simply ‘formalising’ an un-approved activity of this scale is non-sensical. The fact that it already exists, without all necessary approvals, should not prejudice this decision-making process.</p> <p>Aerial photography from 26 August 2010 (attached) shows a large portion of the western half of Lot 60 as heavily vegetated. Part of this area was included within Bush Forever Site 361.</p> <p>Aerial photography from 17 December 2011 (attached), a little over 12 months later, shows the whole of this bushland area cleared to the firebreak running along the northern edge of the remaining Bush Forever Site 361 area.</p>		

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		<p>The boundary of Bush Forever Site 361 was amended by the 'South East and South West Districts Omnibus Amendment No. 1380/57' in mid-2022 to exclude this cleared area, however the clearing occurred more than a decade earlier and some 5 years after Permacast commenced operations on the site.</p> <p>Given the potential for a substantial operation such as this to have significant detrimental impacts on surrounding properties (and in fact large proportions of future residential development within Mundijong) it is highly concerning that this proponent appears to be one to consistently ask for forgiveness rather than permission. With such disregard for due process and statutory approvals in relation to such a major facility, what confidence can the JDAP, Shire or EPA have that various operational and management plans will be implemented appropriately, if at all.</p> <p><b>INCOMPLETE PLANNING CONTEXT</b></p> <p>The applicant of the DA report (and previous DAs for the proponent) also prepared the 'Cardup Business Park Local Structure Plan' (LSP) in 2018. This LSP includes requirements which the proposed concrete manufacturing facility does not comply with, as detailed further herein.</p> <p>The MRS Zoning (Figure 1), TPS2 Zoning (Figure 2) and LPS 3 Zoning (Figure 3) diagrams in the DA report show very limited context for surrounding land uses. There is no description of any zoning and land use applicable to abutting sites, notwithstanding the nature of the proposed facility and its likelihood of creating significant impacts on neighbours. In contrast the plans provided in the Cardup Business Park Local Structure Plan show extensive zoning and land use information, clearly indicating how close this facility is to future residential development.</p> <p>The large landholdings directly south and south-west of the Permacast facility are both identified as future urban residential areas, being Lot 29 Robertson Road, Whitby and Lot 30 Soldiers Road, Cardup.</p>		

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		<p>Lot 29 forms part of the Whitby residential project and is zoned 'Urban/Urban Deferred/Parks &amp; Recreation' under the MRS and 'Urban Development/Rural/Parks &amp; Recreation' under TPS 2.</p> <p>Lot 30 is currently zoned 'Rural' under the schemes, however, forms part of Development Investigation Area No. 1 in both the Shire of Serpentine Jarrahdale Local Planning Strategy, endorsed by the Western Australian Planning Commission on 18 March 2022, and the Mundijong Structure Plan (July 2021). Lot 30 is also identified as 'Urban Expansion' under the South Metropolitan Peel Sub-Regional Planning Framework.</p> <p>Lot 30 is currently subject to a proposed MRS amendment to facilitate residential development in accordance with its classification under the WAPC and Shire Policy Frameworks. In September 2022, Council resolved to provide preliminary support for the WAPC to initiate the proposed MRS Amendment.</p> <p>The future residential development of these parcels, together with the Cardup Rural Residential area, is well established within the planning framework. From our research, it appears the proponent's development applications do not reference these future residential development areas.</p> <p><b>CARDUP BUSINESS PARK LOCAL STRUCTURE PLAN</b></p> <p>The Cardup Business Park Local Structure Plan (LSP) was approved by the Western Australian Planning Commission (WAPC) in March 2019. This LSP makes the following statements with regard to the 'Application of EPA Guidance Statement to Cardup Business Park', being:</p> <p>"It is not necessary to specify particular separation distances at the local structure planning stage as it will be the responsibility of the future operators to ensure that the lot is suitable for the proposed activity, and to demonstrate that emissions are managed and do not extend outside the boundary of Cardup Business Park, and where relevant, that the required separation distances to sensitive land uses are achieved."</p>		

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		<p>And,</p> <p>“Since existing sensitive land uses are situated in nearby proximity to the local structure plan area, the Guidance Statement provides that it will be the responsibility of the future operator to ensure that the relevant separation distances are achieved.”</p> <p>These requirements are clear and pre-date both development applications submitted by the proponent. The Cardup Business Park LSP is a contemporary planning document and should be seriously considered when making planning decisions. The planning framework has been based on this principle, how can one landowner simply ignore this and put legitimate planning in jeopardy? Landowners have made investment decisions based on the planning framework.</p> <p>Given the above and clear onus on the proponent for its operations to contain their own emissions and ensure relevant separation distances are achieved, Land Group WA is seeking litigation advice regarding any potential adverse impacts from the facility on its future residential project.</p> <p><b>DEVELOPMENT APPLICATION INCONSISTENCIES</b></p> <p>The submitted DA report is deficient about key elements that require consideration in issuing any approval of this nature, being:</p> <ul style="list-style-type: none"> <li>• Through-put;</li> <li>• Staffing levels;</li> <li>• Days of operation;</li> <li>• Traffic generation; and</li> <li>• Commentary on separation distances.</li> </ul>		

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		<p>The application is described as needing to further develop the site to allow for “increased manufacturing” due to “unprecedented demand” and that “Permacast is looking to increase there (sic) manufacturing capacity.”</p> <p>The following inconsistencies or lack of information are identified:</p> <ul style="list-style-type: none"> <li>• There is a 120 bay car park to facilitate increased staff numbers but no final staff numbers are provided in the planning report.</li> <li>• Many of the facilities (office/lunchroom/stressing beds) are described as being “existing” and “to be retained” whereas they are subject to this DA application as part of its retrospective nature given none had previously been approved.</li> <li>• The manufacturing process describes the need for agitator trucks to move the concrete to the stressing beds and for significant storage, however, there is no detail provided.</li> <li>• The DA planning report does not refer to Lot 21 to the immediate east, however, the Transport Impact Assessment (TIA) attached at Appendix C attaches at its own Appendix B a ‘Site Plan’ that refers to a “Proposed Hardstand Storage” area of some 21.31ha that is required for laydown of the manufactured products. Has this hardstand area previously been given approval or is it properly intended to form part of this proposed DA?</li> <li>• There is no detail on through-put as “it is dependent on market demand”, apart from a reference to being able to produce 200 tonnes of concrete product per day. This would be less than 73,000 tonnes per annum if the plant operated 365 days per year which is a gross understatement considering the DWER Works Approval (Ref: W6658/2022/1 dated 21 June 2022) provides a design capacity of 280,000 tonnes per year with expected actual production of 150,000 tonnes per year. As such, the DA report makes a gross</li> </ul>		

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		<ul style="list-style-type: none"> <li>• understatement of the proposed capacity of the site which then influences the associated technical reporting about traffic generation and environmental impacts.</li> <li>• The movement of materials to site to make the concrete (sand/aggregate/cement etc) to facilitate this level of throughput would be considerable and is not addressed in any of the technical reporting associated with this proposal (for example the TIA suggests only 6 semi-trailer trips to Lot 60 per day).</li> <li>• The DA report describes the operating hours as “dependent on market and customer demand” and “typically” production will be from 6am to 6pm. It does not advise how many days per week the facility is anticipated to operate. The DWER Works Approval ‘Decision Report’ states “the applicant proposes to operate the concrete batching plant 6 days per week from 5am to 6pm (Monday – Saturday), with operation on Sundays or public holidays subject to demand.” It also states, “occasional operation outside of these hours may be required.”</li> <li>• The DA report describes the access within Lot 60 as being “constructed of a hardened gravel sub-base material”, however, the Works Approval ‘Decision requires “all surfaces within the concrete batching plant operations to be sealed with concrete/asphalt.”</li> </ul> <p>SEPARATION DISTANCES</p> <p>Figure 1 ‘Site Extent’ of Appendix D ‘Dust Management Plan’ is grossly over simplified showing a very limited extent of mapping with regard to surrounding ‘Sensitive Receptors’ land uses.</p> <p>Figure 1 of the Dust Management Plan submitted in the 2021 application for the Mobile Concrete Batching Plant (Ref: PA21) showed a far greater extent of impacts upon ‘Sensitive Receptors’ and included mapping 500m, 1,000m and 1,500m buffers.</p>		

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		<p>However the 2021 report is also deficient as it did not recognise Lot 30 Soldiers Road or Lots 26 &amp; 29 Robertson Road, Whitby, all proposed for future residential development, as 'Sensitive Receptors' even though the EPA Guidance Statement specifically states that buffer definition studies are needed where "a new industrial land use is proposed near an existing or proposed sensitive land use."</p> <p>Moreover, the EPA Guidance Statement states as follows:</p> <p><i>"To ensure an appropriate level of environmental protection, the EPA expects that individual industrial developers will take all reasonable and practicable measures to prevent or minimise emissions from their premises."</i></p> <p><i>"Wherever practicable, it is expected that adverse environmental impacts should not extend beyond the boundary of a particular industrial site."</i></p> <p><i>"Generally, protection of sensitive land uses from industrial emissions is assisted by the identification of suitable buffers at the strategic and structure planning stages of the land use planning process, and in the early project formulation stages in the case of individual projects."</i></p> <p><i>"Where the separation distance is less than the generic distance, a scientific study based on site and industry-specific information must be presented to demonstrate that a lesser distance will not result in unacceptable impacts."</i></p> <p><i>"If the distance from the industrial land use to the sensitive land use is less than the recommended separation distance, and it cannot be demonstrated that unacceptable environmental impacts are likely to be avoided, then other options should generally be pursued."</i></p> <p><i>"These may include</i></p> <ul style="list-style-type: none"> <li><i>• modifying the project to reduce emissions via engineering controls such as process design, process enclosure or other means; and</i></li> </ul>		

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		<ul style="list-style-type: none"> <li>• <i>pursuing land use planning and management controls (e.g., land acquisition, rezoning) to reduce environmental impacts to acceptable levels.</i></li> </ul> <p><i>“Where a separation under consideration is less than in the table, it is recommended that a new project does not proceed in the absence of site-specific investigations and a report demonstrating that the separation distance will meet acceptability criteria and that enforceable management techniques will be applied to ensure an appropriate environmental outcome.”</i></p> <p>As described previously above, the Cardup Business Park LSP includes specific reference to this EPA Guidance and imposes specific requirements on proponents to meet these standards.</p> <p>We are very concerned that the Dust Management Plan does not properly consider the scale of the proposed facility, nor the proper extent of sensitive land uses within close proximity of the subject land and as such that the proposal does not meet the requirements of the LSP with regard to containing its own impacts/emissions.</p> <p>The focus of the technical reporting within the DA (and more broadly within both the Amendment 180 documentation and Mobile Concrete Batching Plan DA Ref: PA21) being on a facility that produces between 5,000 tonnes and 150,000 tonnes has potentially influenced the assessment(s) of this facility.</p> <p>The EPA buffer guidance recommends a generic separation distance of 500m to 1,000m for a facility producing less than 150,000 tonnes per annum and the applicant has previously stated:</p> <p>“The minimum distance between the proposed location of the concrete casting shed and any residential dwelling is approximately 465m. This is only marginally below the suggested 500m separation zone. Hence, such a discrepancy can be mitigated by limiting the scale of the operation and</p>		



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### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>ensuring acceptable air quality standards via any development application and/or works approval licence.”</p> <p>(ref: summary of submissions on Scheme Amendment No. 180, March 2013)</p> <p>The above is particularly concerning given:</p> <ol style="list-style-type: none"> <li>1. The facility is a ‘Cement product manufacturing works’ which has a DWER Works Approval to produce up to 280,000 tonnes of concrete or cement being mixed, prepared or treated, which under the Environmental Protection Authority ‘Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses No. 3 of 2005’ requires a buffer distance of 1,000 to 1,500 metres ‘depending on size’.</li> <li>2. Plan 1 shows our properties at Lot 30 Soldiers Road and Lot 29 Robertson Road being significantly impacted by any buffer beyond 500m from the Permacast facility, potentially jeopardising the Whitby Town Centre and over 1,000 future housing lots as depicted in the Strategic Planning Framework for the locality.</li> <li>3. Court Grammar School on Bishop Road is also located within the 1,500m sensitive land use buffer.</li> </ol> <p>As such, have previous proposals been, and is this proposed DA being, assessed based upon inaccurate information that could well influence whether this facility should have any approval status whatsoever?</p> <p><b>DUST MANAGEMENT PLAN</b></p> <p>The Dust Management Plan attached as Appendix D specifically excludes reference to the Concrete Batching Plant located in the centre of the Lot 60 operations, as it was approved as part of a separate application process (PA21).</p>		

### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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		<p>It is considered deficient to not include the Concrete Batching Plant so that the cumulative effects of the whole facility can be properly assessed – particularly as the majority of infrastructure subject of the current DA 'retrospective' proposal is existing.</p> <p>We also note that although the Dust Management Plan included within the DA for the Mobile Concrete Batching Plant did indicate a 1,000m to 1,500m buffer, it showed only the special rural land to the west and the Court Grammar School to the south-west as being Sensitive Receptors. The future residential development projects on Lot 30 Soldiers Road and Lot 29 Robertson Road were not shown, nor included within that environmental assessment.</p> <p><b>BUSH FOREVER SITE 361</b></p> <p>We acknowledge that a portion of the subject land has been previously cleared by the proponent and the boundary of Site 361 amended (retrospectively?) under the MRS, as outlined above.</p> <p>However, it should be further acknowledged that this is a sensitive area.</p> <p>In their submission on Scheme Amendment No. 180, the EPA stated that "the vegetation complex within these areas is poorly represented (3% remaining) and there are mapped Threatened Ecological Communities."</p> <p>Although now separated by a fence and firebreak, has the impact of cement dust and other dust particles on this vegetation been properly assessed.</p> <p>Should a land use with such potentially significant environmental impact be permitted to operate next to an area of land specifically identified for high level environmental protection?</p> <p>In our view, an independent flora study of Bush Forever Site 361 should be commissioned to review any impacts this facility is having on the existing vegetation.</p>		

### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p><b>PARKING</b></p> <p>The planning report for the DA states that “currently there are between 60-70 staff associated with the overall operations.” The report then goes on to state that “staffing is expected to increase gradually over the coming years.”</p> <p>These broad statements do not assist the assessment process.</p> <p><b>ACCESS</b></p> <p>The DA report describes the access within Lot 60 as being “constructed of a hardened gravel sub- base material which allows for heavy vehicle movements without destruction of the driveway” and “during summer, a water cart frequently waters the driveway and yard to appropriately manage all dust generated on site.”</p> <p>However, it is well known that the supply of materials to, and the manufacturing process of, a facility like this produces dust. The Works Approval ‘Decision Report’ includes an ‘Applicant Control’ measure to address ‘Concrete Batching Regulation 3: Minimisation of dust’ which states, “all surfaces within the concrete batching plant operations to be sealed with concrete/asphalt” and “road sweepers and/or watering will be employed as necessary to clean dust causing material from yard surface.”</p> <p>A condition to seal all plant operation areas (i.e., including accessways) should be imposed on any approval for this facility in this regard.</p> <p><b>TRAFFIC</b></p> <p>The movement of materials to site to make the concrete (sand/aggregate/cement etc) to facilitate the high level (280,000 tonnes per year) of throughput would be considerable – and yet is not addressed in any of the technical reporting associated with this proposal (for example the TIA suggests only 6 semi-trailer trips to Lot 60 per day).</p>		

### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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		<p>On page 20 of the TIA, there is a statement that "...it is highly unlikely that two 19m trucks would enter and exit Norman Road simultaneously." We assume this statement is made because the swept paths show conflict between vehicles if they were entering and exiting Norman Road/South West Highway together.</p> <p>However, given the Works Approval for an anticipated 280,000 tonnes per year throughput, it may well be likely that a high volume of truck movements would cause such conflict.</p> <p>The importance of safety on country roads, particularly where heavy vehicles are involved, cannot be understated. If road intersections require upgrading to avoid such conflicts, these upgrades should be a condition of any approval.</p> <p>Further, the traffic movement data within the TIS is unclear.</p> <p>The report states that "Lot 60 is currently operational and the trips generated from the site is included in the existing traffic count survey data."</p> <p>Notwithstanding the high throughputs outlined in the DWER Works Approval and the capacity for 100 staff on site (and growing), the TIA suggests only 30 passenger cars and 6 semi-trailers will visit Lot 60 on a daily basis.</p> <p>This again appears to be grossly deficient.</p> <p>Moreover, as is suggested in the TIA, heavy vehicles should be directed towards South West Highway to avoid conflicts with the future residential areas abutting to the west and south.</p> <p>For safety reasons we strongly suggest the proposal be conditioned to achieve this important health and safety outcome – with heavy vehicle traffic being required to access South West Highway rather than the more local road network to the immediate west of the site.</p>		

## SUMMARY OF SUBMISSIONS

## PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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		<p><b>HOURS OF OPERATION</b></p> <p>The DA report, its appendices and the DWER Works Approval outline differing hours of operation. The DA report describes the operating hours as “<i>dependent on market and customer demand</i>” and “<i>typically</i>” production will be from 6am to 6pm. It does not advise how many days per week the facility is anticipated to operate.</p> <p>The TIA (Appendix C) says “general operations are (Monday – Friday, 6am to 6.00pm). However, during night works... may be required on a 24 hour basis to meet project demand.”</p> <p>However, the Works Approval ‘Decision Report’ states “<i>the applicant proposes to operate the concrete batching plant 6 days per week from 5am to 6pm (Monday – Saturday), with operation on Sundays or public holidays subject to demand.</i>” It also states, “<i>occasional operation outside of these hours may be required.</i>”</p> <p>The volume of operations and suggestion that even 78 hours per week (per Works Approval) may not be sufficient given project demand, confirm this is a very significant facility that must surely be considered high impact.</p> <p>Producing the tonnage approved in the Works Approval for the duration of operating hours outlined in the Works Approval suggests the ‘size’ of this facility would require the larger buffer separation distance required under EPA Guidance.</p> <p><b>DWER WORKS APPROVAL</b></p> <p>The DWER Works Approval (Ref: W6658/2022/1) dated 21 June 2022 provides a design capacity of 280,000 tonnes per year. Although it notes an expected actual production of 150,000 tonnes per year, it is fair to assume given the scale of the facility and the intention of the proponent to respond to ‘market and customer demand’ that the fully capacity of operations is likely.</p>		

## SUMMARY OF SUBMISSIONS

## PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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		<p>The DWER Works Approval Decision Report was assessed on that basis and the DA should also be considered in this regard.</p> <p>In the 'Decision' (Part 5) section of the DWER 'Works Approval 'Decision Report' the following advice is provided:</p> <p>"The delegated officer has determined the proposal to construct and operate a concrete batching plant at the premises, with an assessed production capacity of 280,000 tonnes per year, poses a low level of risk of impacts to public health and the environment, subject to regulatory controls. This determination is based on the following:</p> <ul style="list-style-type: none"> <li>• the proposed plant is to be constructed within a pre-existing industrial premises;</li> </ul> <p>(we note the pre-existing nature of the facility was un-approved)</p> <ul style="list-style-type: none"> <li>• proposed construction works are minimal with short time requirements due to the portable nature of the plant;</li> </ul> <p>(the plant is described a mobile, however, was always intended to be fixed, plus this statement doesn't appear to recognise the other substantial infrastructure existing and proposed for the site)</p> <ul style="list-style-type: none"> <li>• the applicant has undertaken a noise impact assessment which indicates the operation of the premises will comply with the Noise Regulations; and</li> <li>• the applicant has demonstrated operation of the premises and proposed controls will comply with the Concrete Batching Regulations.</li> </ul> <p>(based on or in consideration of any separation distance?)</p> <p>The delegated officer notes that although the premises is predicted to meet the assigned noise levels prescribed in the Noise Regulations, there is potential for community complaint if noise levels increase significantly during the early morning (prior to 6:00am). If this occurs, the applicant may be</p>		

### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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		<p>required to change the hours of operation to ensure compliance with the assigned noise levels in the Noise Regulations.</p> <p>Based on the assessment in this decision report, the delegated officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.</p> <p>Following construction, the applicant is required to apply for a Registration for the ongoing operation of the premises.”</p> <p>This decision is based upon the plant being constructed “within a pre-existing industrial premises” yet this activity was unauthorised and operating without any approvals. Moreover, the risk analysis seems to have focused on only one residence to the east of the site and not with any consideration to the future residential development areas located on properties directly opposite the western and southern boundaries of the subject land.</p> <p>Our concern is that the applicant/proponent provided a very limited suite of information to DWER for the Works Approval assessment, much as it has done in submitting this DA.</p> <p><b>DEVELOPMENT ASSESSMENT CONTEXT</b></p> <p>The submission does not specifically address Clause 67 Deemed provisions (Planning and Development (Local Planning Schemes) Regulations 2015) which requires the local government (decision makers) to have due regard to a number of matters. It is the applicant's responsibility to demonstrate that these matters are appropriately addressed, which clearly is not the case with this proposal. For example, the DA does little to consider and address:</p> <ul style="list-style-type: none"> <li>(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</li> <li>(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been</li> </ul>		

## SUMMARY OF SUBMISSIONS

## PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</p> <p>(h) any structure plan, activity centre plan or local development plan that relates to the development;</p> <p>(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including,</p> <p>(n) the amenity of the locality including the following -</p> <ul style="list-style-type: none"> <li>(i) environmental impacts of the development;</li> <li>(ii) the character of the locality;</li> <li>(iii) social impacts of the development.</li> </ul> <p>As outlined in the DA planning report, the subject land is zoned 'Industrial Development' under draft Local Planning Scheme No. 3 (which is seriously entertained). 'Industry' is an 'A' use under this zoning, which "means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions".</p> <p>Approval is thus discretionary.</p> <p>We consider the ad-hoc assessment of this facility has potentially diminished the significant impact an operation of this size will have on the locality, including not only dust and noise but also considerable heavy vehicle movements.</p> <p>The communities of Mundijong and Cardup have been the subject of extensive strategic planning for many years and represent the future residential lifeblood of the area. We are very concerned that the initial and</p>		



## SUMMARY OF SUBMISSIONS

### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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		<p>ongoing impacts of this facility will be a blight on the Shire's vision for its municipality for years to come.</p> <p>Land Group WA and Golden Group believe that the Shire and JDAP must direct the applicant to update the DA and associated technical reports to accurately and holistically detail the Permacast activities and their impacts with regard to the planning framework. To enable an informed planning assessment, the DA must directly reference how the operations interact with the existing and future residential uses of the locality. This information should be re-advertised to the surrounding community and relevant authorities to ensure all parties can make an informed assessment of the impacts.</p> <p>Should the Shire and JDAP find any scope to support the application, we request both the Shire and EPA monitor the facility very carefully and take any actions necessary to protect the community from adverse environmental impacts emanating from the site.</p> <p><b>SUMMARY OF ISSUES</b></p> <ol style="list-style-type: none"> <li>1. The proponent, Permacast, has been operating on the site since 2006 (17) without all necessary approvals.</li> <li>2. Aerial photography shows a portion of Bush Forever Site 361 within Lot 60 was cleared by the proponent in 2011 a decade before MRS Amendment 1380/57 was approved to amend the boundary of this important environmental asset.</li> <li>3. The Cardup Business Park Local Structure Plan requires operators to ensure that their lot is suitable for the proposed activity, and to demonstrate that emissions are managed and do not extend outside the boundary of Cardup Business Park, and where relevant, that the required separation distances to sensitive land uses are achieved.</li> <li>4. The deficiency and inconsistency in information provided across the reporting seems to seek to diminish the overall impact of the facility and</li> </ol>		

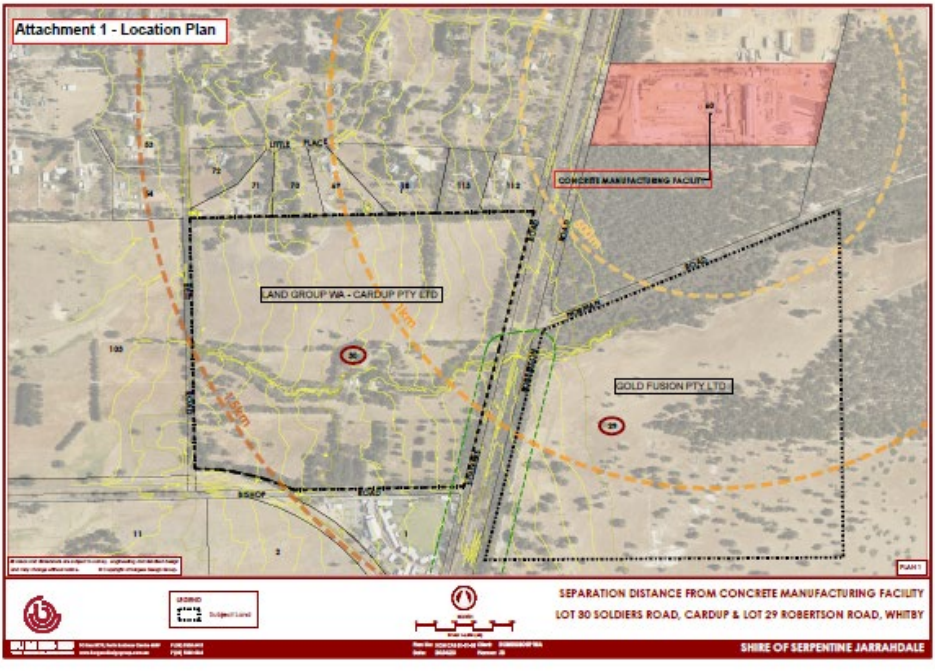
### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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		<p>does not enable an informed assessment against the planning framework.</p> <p>5. With a history of disregard for due process and statutory approvals, what confidence can JDAP, the EPA or Shire have those operations will be managed in accordance with any approvals issued?</p> <p>6. The proposal seeks approval to access and driveways via a hardened gravel sub-base material that will be watered however, the DWER Works Approval requires all surfaces within the operations to be sealed with concrete/asphalt, which infers that the subject application is not in accordance with the DWER Works Approval.</p> <p>7. Landowners in the area have made investment decisions made on the planning framework. Lot 30 Soldiers Road and Lot 29 Robertson Road, abutting to the south (being earmarked for future residential development and including parts of the Whitby town centre and a future TAFE site) will be adversely impacted by activities on Lot 60 which permeate beyond the site boundaries, especially if they impact beyond 500m from the concrete manufacturing facility.</p> <p><b>CONCLUSION</b></p> <p>Land Group WA and Golden Group are very concerned about the negative impacts this existing yet un-approved facility may have on our residential projects. We oppose any form of approval that will result in the proposal being detrimental in any way to properties located beyond the boundary of the Cardup Business Park, as required in the Cardup Business Park Local Structure Plan.</p> <p>Approvals to the site appear to be predicated on impacts/emissions from the facility being contained either on site or within 500m of the site, based upon the submitted technical studies. It is essential that any prospective approval for Lot 60 is only valid on the basis that impacts/emissions are strictly contained within 500m of the facility.</p>		


**SUMMARY OF SUBMISSIONS**

**PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility**

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		<p>Given uncertainty around the full extent of the impacts and emissions associated with the facility, we strongly object to the proposal.</p> 		

**SUMMARY OF SUBMISSIONS**


**PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility**

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**PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility**

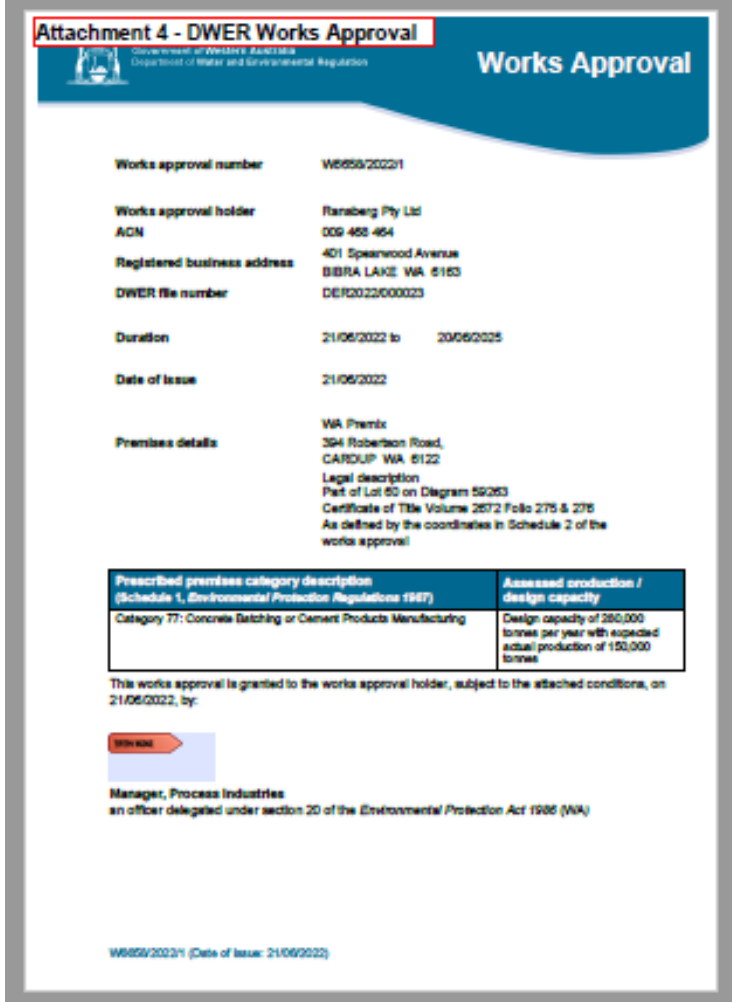
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		 <p><b>Attachment 4 - DWER Works Approval</b></p> <p>Government of Western Australia Department of Water and Environmental Regulation</p> <h2>Works Approval</h2> <p><b>Works approval number</b> W8659/2022/1</p> <p><b>Works approval holder</b> Ramsberg Pty Ltd ACN 009 488 484</p> <p><b>Registered business address</b> 401 Spearwood Avenue BIBRA LAKE WA 6183</p> <p><b>DWER file number</b> DEF2022/000023</p> <p><b>Duration</b> 21/06/2022 to 20/06/2025</p> <p><b>Date of issue</b> 21/06/2022</p> <p><b>Premises details</b> WA Premis 394 Robertson Road, CARDUP WA 6122 Legal description Part of Lot 60 on Diagram 59263 Certificate of Title Volume 2672 Folio 275 &amp; 276 As defined by the coordinates in Schedule 2 of the works approval</p> <table border="1"> <thead> <tr> <th>Prescribed premises category description (Schedule 1, Environmental Protection Regulations 1987)</th> <th>Assessed production / design capacity</th> </tr> </thead> <tbody> <tr> <td>Category 77: Concrete Batching or Cement Products Manufacturing</td> <td>Design capacity of 280,000 tonnes per year with expected actual production of 150,000 tonnes</td> </tr> </tbody> </table> <p>This works approval is granted to the works approval holder, subject to the attached conditions, on 21/06/2022, by:</p> <p><b>Manager, Process Industries</b> an officer delegated under section 20 of the Environmental Protection Act 1986 (WA)</p> <p>W8659/2022/1 (Date of issue: 21/06/2022)</p>	Prescribed premises category description (Schedule 1, Environmental Protection Regulations 1987)	Assessed production / design capacity	Category 77: Concrete Batching or Cement Products Manufacturing	Design capacity of 280,000 tonnes per year with expected actual production of 150,000 tonnes		
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**PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility**

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		<p style="text-align: center;"><b>Works approval history</b></p> <table border="1" data-bbox="622 454 1137 512"> <thead> <tr> <th>Date</th> <th>Reference number</th> <th>Summary of changes</th> </tr> </thead> <tbody> <tr> <td>21/06/2022</td> <td>W0059/2022/1</td> <td>Works approval granted</td> </tr> </tbody> </table> <p><b>Interpretation</b></p> <p>In this works approval:</p> <ul style="list-style-type: none"> <li>(a) the words 'including', 'includes' and 'include' in conditions mean 'including but not limited to', and similar, as appropriate;</li> <li>(b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;</li> <li>(c) where tables are used in a condition, each row in a table constitutes a separate condition;</li> <li>(d) any reference to an Australian or other standard, guideline, or code of practice in this works approval:             <ul style="list-style-type: none"> <li>(i) if dated, refers to that particular version; and</li> <li>(ii) if not dated, refers to the latest version and therefore may be subject to change over time;</li> </ul> </li> <li>(e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and</li> <li>(f) unless specified otherwise, all definitions are in accordance with the EP Act.</li> </ul> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>NOTE:</b> This works approval requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this works approval.</p> </div> <p style="font-size: small; margin-top: 20px;">W0059/2022/1 (Date of issue: 21/06/2022)</p> <p style="text-align: right; font-size: small;">2</p>	Date	Reference number	Summary of changes	21/06/2022	W0059/2022/1	Works approval granted		
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**PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility**

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
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		<p><b>Works approval conditions</b></p> <p>The works approval holder must ensure that the following conditions are complied with:</p> <p><b>Construction phase</b></p> <p><b>Infrastructure and equipment</b></p> <p>1. The works approval holder must construct the infrastructure listed in Table 1:</p> <p>(a) in accordance with the corresponding design and construction requirements; and</p> <p>(b) at the corresponding infrastructure location; as set out in that table.</p> <p><b>Table 1: Design and construction / installation requirements</b></p> <table border="1"> <thead> <tr> <th data-bbox="616 635 757 678">Infrastructure</th> <th data-bbox="757 635 1019 678">Design and construction requirements</th> <th data-bbox="1019 635 1133 678">Infrastructure location</th> </tr> </thead> <tbody> <tr> <td data-bbox="616 678 757 767">1. Concrete Batching Operations Area</td> <td data-bbox="757 678 1019 767"> <ul style="list-style-type: none"> <li>Site surface area to be sealed with concrete and/or asphalt.</li> <li>Surface to be shaped to drain stormwater to detention basin and process water to wedge pit.</li> </ul> </td> <td data-bbox="1019 678 1133 767">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="616 767 757 820">2. 7 x 100m<sup>2</sup> (approx) Wet/dry Silo</td> <td data-bbox="757 767 1019 820"> <ul style="list-style-type: none"> <li>Must be constructed with concrete floor and concrete sides and fitted with sprinklers.</li> </ul> </td> <td data-bbox="1019 767 1133 820">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="616 820 757 879">3. 4 x 22.5m<sup>3</sup> Aggregate Holding Hoppers</td> <td data-bbox="757 820 1019 879"> <ul style="list-style-type: none"> <li>Must be fitted with wind shields and water sprays to prevent dust emissions.</li> </ul> </td> <td data-bbox="1019 820 1133 879">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="616 879 757 1193">4. 3 x Cement silos (combined 140 tonne capacity)</td> <td data-bbox="757 879 1019 1193"> <p>Each silo must be constructed with:</p> <ul style="list-style-type: none"> <li>Reverse jet pulse filter cleaning system which is designed to reduce dust emissions to less than 50 milligrams per cubic metre;</li> <li>a pressure differential device to detect blockages and holes in filters;</li> <li>Ducting which discharges air from the cement silo air cleaning system to within one metre of the ground;</li> <li>A level indicator with an audible alarm which sounds if cement reaches 0.6 metres (m) below the inlet to the silo's air cleaning system or 2 tonnes less than the silo's maximum capacity;</li> <li>A relief valve which is piped to a weigh hopper or outlet within 1m of the ground to prevent overflowing;</li> <li>A test circuit which indicates whether the level indicator and alarm are operating</li> </ul> </td> <td data-bbox="1019 879 1133 1193">Schedule 1, Figure 2</td> </tr> </tbody> </table> <p>W0859/2023/1 (Date of Issue: 21/06/2023)</p> <p>3</p>	Infrastructure	Design and construction requirements	Infrastructure location	1. Concrete Batching Operations Area	<ul style="list-style-type: none"> <li>Site surface area to be sealed with concrete and/or asphalt.</li> <li>Surface to be shaped to drain stormwater to detention basin and process water to wedge pit.</li> </ul>	Schedule 1, Figure 2	2. 7 x 100m <sup>2</sup> (approx) Wet/dry Silo	<ul style="list-style-type: none"> <li>Must be constructed with concrete floor and concrete sides and fitted with sprinklers.</li> </ul>	Schedule 1, Figure 2	3. 4 x 22.5m <sup>3</sup> Aggregate Holding Hoppers	<ul style="list-style-type: none"> <li>Must be fitted with wind shields and water sprays to prevent dust emissions.</li> </ul>	Schedule 1, Figure 2	4. 3 x Cement silos (combined 140 tonne capacity)	<p>Each silo must be constructed with:</p> <ul style="list-style-type: none"> <li>Reverse jet pulse filter cleaning system which is designed to reduce dust emissions to less than 50 milligrams per cubic metre;</li> <li>a pressure differential device to detect blockages and holes in filters;</li> <li>Ducting which discharges air from the cement silo air cleaning system to within one metre of the ground;</li> <li>A level indicator with an audible alarm which sounds if cement reaches 0.6 metres (m) below the inlet to the silo's air cleaning system or 2 tonnes less than the silo's maximum capacity;</li> <li>A relief valve which is piped to a weigh hopper or outlet within 1m of the ground to prevent overflowing;</li> <li>A test circuit which indicates whether the level indicator and alarm are operating</li> </ul>	Schedule 1, Figure 2		
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Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
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		<table border="1" data-bbox="524 296 1214 1272"> <thead> <tr> <th data-bbox="618 389 757 427">Infrastructure</th> <th data-bbox="757 389 1014 427">Design and construction requirements</th> <th data-bbox="1014 389 1128 427">Infrastructure location</th> </tr> </thead> <tbody> <tr> <td></td> <td>correctly.</td> <td></td> </tr> <tr> <td data-bbox="618 456 640 472">5.</td> <td data-bbox="640 456 757 549">1 x 4.5m Twin shaft paddle mixer (above truck load out area)</td> <td data-bbox="757 456 1014 549"> <ul style="list-style-type: none"> <li>Must be fitted with a dust filtration system to prevent dust emissions during transfer of dry materials.</li> <li>Must be equipped with high pressure water sprays to prevent accumulation of concrete.</li> </ul> </td> <td data-bbox="1014 456 1128 549">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="618 558 640 574">6.</td> <td data-bbox="640 558 757 574">Truck load out area</td> <td data-bbox="757 558 1014 638"> <ul style="list-style-type: none"> <li>Must be sealed with concrete and/or asphalt and surface shaped to drain process water to the wedge pit for reuse within the plant.</li> <li>Must be constructed with concrete sides.</li> </ul> </td> <td data-bbox="1014 558 1128 638">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="618 647 640 663">7.</td> <td data-bbox="640 647 757 663">Slump stand</td> <td data-bbox="757 647 1014 727"> <ul style="list-style-type: none"> <li>Surface must be sealed with concrete and/or asphalt and shaped to drain process water to the wedge pit for reuse within the plant.</li> <li>Must be constructed with concrete sides.</li> </ul> </td> <td data-bbox="1014 647 1128 727">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="618 737 640 753">8.</td> <td data-bbox="640 737 757 753">Wash out bays</td> <td data-bbox="757 737 1014 817"> <ul style="list-style-type: none"> <li>Surface must be sealed with concrete and/or asphalt and shaped to drain process water to the wedge pit for reuse within the plant.</li> <li>Must be constructed with concrete sides.</li> </ul> </td> <td data-bbox="1014 737 1128 817">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="618 826 640 842">9.</td> <td data-bbox="640 826 757 842">Conveyor</td> <td data-bbox="757 826 1014 906"> <ul style="list-style-type: none"> <li>Must be enclosed with wind shields to prevent dust emissions.</li> <li>Water sprays to be installed on transfer points.</li> </ul> </td> <td data-bbox="1014 826 1128 906">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="618 916 640 932">10.</td> <td data-bbox="640 916 757 932">Basin</td> <td data-bbox="757 916 1014 995"> <ul style="list-style-type: none"> <li>To be constructed as per design to accommodate 1-100 year ARI rainfall event.</li> </ul> </td> <td data-bbox="1014 916 1128 995">Schedule 1, Figure 2</td> </tr> <tr> <td data-bbox="618 1005 640 1021">11.</td> <td data-bbox="640 1005 757 1021">Wedge Pit</td> <td data-bbox="757 1005 1014 1085"> <ul style="list-style-type: none"> <li>To be constructed as per design to accommodate 1-100 year ARI rainfall event.</li> </ul> </td> <td data-bbox="1014 1005 1128 1085">Schedule 1, Figure 2</td> </tr> </tbody> </table> <p data-bbox="618 1203 833 1219">W885/2023/1 (Date of Issue: 21/06/2023)</p> <p data-bbox="1115 1219 1128 1235">4</p>	Infrastructure	Design and construction requirements	Infrastructure location		correctly.		5.	1 x 4.5m Twin shaft paddle mixer (above truck load out area)	<ul style="list-style-type: none"> <li>Must be fitted with a dust filtration system to prevent dust emissions during transfer of dry materials.</li> <li>Must be equipped with high pressure water sprays to prevent accumulation of concrete.</li> </ul>	Schedule 1, Figure 2	6.	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**SUMMARY OF SUBMISSIONS**

**PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility**

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p><b>Compliance reporting</b></p> <p>2. The works approval holder must within 28 calendar days of all infrastructure and equipment required by condition 1 being constructed or installed:</p> <ul style="list-style-type: none"> <li>(a) undertake an audit of their compliance with the requirements of condition 1; and</li> <li>(b) prepare and submit to the CEO an Environmental Compliance Report on that compliance.</li> </ul> <p>3. The Environmental Compliance Report required by condition 2, must include as a minimum the following:</p> <ul style="list-style-type: none"> <li>(a) certification that the items of infrastructure or component(s) thereof, as specified in condition 1, have been constructed in accordance with the relevant requirements specified in condition 1;</li> <li>(b) as constructed plans and a detailed site plan for each item of infrastructure or component of infrastructure specified in condition 1; and</li> <li>(c) be signed by a person authorised to represent the works approval holder and contains the printed name and position of that person.</li> </ul> <p><b>Records and reporting</b></p> <p>4. The works approval holder must record the following information in relation to complaints received by the works approval holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:</p> <ul style="list-style-type: none"> <li>(a) the name and contact details of the complainant, (if provided);</li> <li>(b) the time and date of the complaint;</li> <li>(c) the complete details of the complaint and any other concerns or other issues raised; and</li> <li>(d) the complete details and dates of any action taken by the works approval holder to investigate or respond to any complaint.</li> </ul> <p>5. The works approval holder must maintain accurate and auditable books including the following records, information, reports, and data required by this works approval:</p> <ul style="list-style-type: none"> <li>(a) the works conducted in accordance with condition 1;</li> <li>(b) any maintenance of infrastructure that is performed in the course of complying with condition 1;</li> <li>(c) complaints received under condition 4.</li> </ul> <p>6. The books specified under condition 5 must:</p> <ul style="list-style-type: none"> <li>(a) be legible;</li> <li>(b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;</li> <li>(c) be retained by the works approval holder for the duration of the works approval; and</li> <li>(d) be available to be produced to an Inspector or the CEO as required.</li> </ul> <p>W0059/2023/1 (Date of Issue: 21/09/2022) <span style="float: right;">5</span></p>		

**SUMMARY OF SUBMISSIONS**

**PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility**

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
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		<p><b>Definitions</b></p> <p>In this works approval, the terms in Table 2 have the meanings defined.</p> <p><b>Table 2: Definitions</b></p> <table border="1"> <thead> <tr> <th>Terms</th> <th>Definition</th> </tr> </thead> <tbody> <tr> <td>books</td> <td>has the same meaning given to that term under the EP Act.</td> </tr> <tr> <td>CEO</td> <td>means Chief Executive Officer. CEO for the purposes of notification means: Director General Department administering the Environmental Protection Act 1986 Locked Bag 10 Joondalup DC WA 6019 <a href="mailto:info@dear.wa.gov.au">info@dear.wa.gov.au</a></td> </tr> <tr> <td>condition</td> <td>a condition to which this works approval is subject under section 62 of the EP Act.</td> </tr> <tr> <td>Department</td> <td>means the department established under section 35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Part V Division 3 of the EP Act.</td> </tr> <tr> <td>discharge</td> <td>has the same meaning given to that term under the EP Act.</td> </tr> <tr> <td>emission</td> <td>has the same meaning given to that term under the EP Act.</td> </tr> <tr> <td>Environmental Compliance Report</td> <td>means a report to satisfy the CEO that the conditioned infrastructure and/or equipment has been constructed and/or installed in accordance with the works approval.</td> </tr> <tr> <td>EP Act</td> <td>Environmental Protection Act 1986 (WA).</td> </tr> <tr> <td>EP Regulations</td> <td>Environmental Protection Regulations 1987 (WA).</td> </tr> <tr> <td>premises</td> <td>the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map (Figure 1) in Schedule 1 to this works approval.</td> </tr> <tr> <td>prescribed premises</td> <td>has the same meaning given to that term under the EP Act.</td> </tr> <tr> <td>waste</td> <td>has the same meaning given to that term under the EP Act.</td> </tr> <tr> <td>works approval</td> <td>refers to this document, which evidences the grant of the works approval by the CEO under section 54 of the EP Act, subject to the conditions.</td> </tr> <tr> <td>works approval holder</td> <td>refers to the occupier of the premises being the person to whom this works approval has been granted, as specified at the front of this works approval.</td> </tr> </tbody> </table> <p>-----  <b>END OF CONDITIONS</b></p> <p>W6859/2022/1 (Date of Issue: 21/06/2022)</p> <p style="text-align: right;">5</p>	Terms	Definition	books	has the same meaning given to that term under the EP Act.	CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department administering the Environmental Protection Act 1986 Locked Bag 10 Joondalup DC WA 6019 <a href="mailto:info@dear.wa.gov.au">info@dear.wa.gov.au</a>	condition	a condition to which this works approval is subject under section 62 of the EP Act.	Department	means the department established under section 35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Part V Division 3 of the EP Act.	discharge	has the same meaning given to that term under the EP Act.	emission	has the same meaning given to that term under the EP Act.	Environmental Compliance Report	means a report to satisfy the CEO that the conditioned infrastructure and/or equipment has been constructed and/or installed in accordance with the works approval.	EP Act	Environmental Protection Act 1986 (WA).	EP Regulations	Environmental Protection Regulations 1987 (WA).	premises	the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map (Figure 1) in Schedule 1 to this works approval.	prescribed premises	has the same meaning given to that term under the EP Act.	waste	has the same meaning given to that term under the EP Act.	works approval	refers to this document, which evidences the grant of the works approval by the CEO under section 54 of the EP Act, subject to the conditions.	works approval holder	refers to the occupier of the premises being the person to whom this works approval has been granted, as specified at the front of this works approval.		
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**SUMMARY OF SUBMISSIONS**

**PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility**

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
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**Schedule 1: Maps**

**Premises map**

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



W6658/2022/1 (Date of issue: 21/06/2022)

### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
A187300		I support the proposal as it brings needed employment to the area.		
A400085		<p>I am very against the development because I remember when this area was a quiet and peaceful place to live before Permacast.</p> <p>Noise, vibration and traffic are my main concerns. Noise and vibration - Since the CONCRETE BATCHING FACILITY was built there has been noise (low tone humming sound) and vibration coming from there most days and sometimes for excessively long periods caused by when they use their machinery such as crawler/walker cranes, loaders and other engines/motors associated with their daily activities.</p> <p>FURTHER EXPANSION to this facility for MASS production will certainly increase the frequent disturbances mentioned above affecting residents in the surrounding semi-rural suburb (a once quiet place to live). Manufacturing noise will begin at 6am and continue until 6pm.</p> <p>There is no doubt that the noise and vibration comes from PERMACAST because I have driven to their gates to verify the source of noise and vibration.</p> <p>Heavy vehicle traffic - Karbro drive is already a very busy road because it is a "RAT RUN" for heavy vehicles to avoid using the South West Highway or Mundijong Road which are designed for heavy vehicles. The noise from trucks going to facilities on Robertson Road can at times be continuous from early morning to nightfall particularly if they are busy, perhaps loading out their product etc. Karbro Drive road surface is in poor condition and continues to degrade rapidly with so many heavy vehicles. A truck bouncing on the bumps and potholes creates loud thumping, shakes the windows in my house and caused the gyprock ceiling cornices to crack and fall away.</p> <p>FURTHER EXPANSION for HIGH CAPACITY PRODUCTION will definitely exacerbate this problem. I consider the FURTHER DEVELOPMENT of the site should be classed as heavy industrial and will ruin this area more than it already has been if this goes ahead. Nobody wanted the Concrete</p>	Refer to applicant's response to summary of submissions section below.	Refer to 'Planning Assessment' section of the Council Report.

### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		Batching Facility in the first place yet it still went ahead ignoring concerns from local residents.		
A398334		<p>We object to the Permacast application for retrospective approval and increased manufacturing based on the factors outlined below.</p> <p>We maintain that the Permacast yard is inappropriately located and we are impacted by their current operations therefore an expansion would not be appropriate and detrimental to our health and amenity. Furthermore, a heavy industrial facility in a semi-rural area will devalue property values.</p> <p>The current Permacast activities and proposed expansion do not align with the rural values and natural beauty of the Shire of Serpentine Jarrahdale. This operation belongs in an industrial area ie Kwinana/Henderson with appropriate buffers not in a rural environment like Cardup.</p> <p>Noise and vibration Presently loud noise is received at my premises from the applicant during daytime hours and after 7pm. The current noise is equivalent to a helicopter with grinding and humming sounds and vibration felt like an earthquake shaking my house. I hear beeping, alarms and am subject to noise, vibration and grinding and this is starting to impact my, my family's and other residents' health. The modelling report states that the operation will only comply with the noise regs during 7am to 7pm and if all of the stressor beds are not in use. Modelling explains that noise will be less than 48dB and this is equivalent to a library however that is currently not the case. I do not have access to expensive noise monitoring equipment however would assume the current operations exceed 48dB and is equivalent to approximately 70-80dB inside our residence (equivalent to traffic and alarm clocks).</p> <p>The operation is also exceeding the noise regulations by operating outside the prescribed hours and by operating multiple stressor beds. Increase traffic proposed for the expansion is unlikely to be supported by our rural roads.</p>	Refer to applicant's response to summary of submissions section below.	Refer to 'Planning Assessment' section of the Council Report.

### SUMMARY OF SUBMISSIONS

#### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>Dust emissions During prevalent winds concrete dust blows onto my property. The dust is starting to impact my time that I spend outdoors. The application claims that dust emissions will be appropriately managed and compliant with the concrete batching regulations however visible dust from the premises frequently blows in my direction.</p> <p>I am also concerned that the dust will impact the water quality of my rainwater which I and all other residences of Cardup use for drinking and other domestic use. Light emissions Light from the cranes is visible from my residence and is affecting my visual amenity and enjoyment. We have bought in a rural zone and are subject to lighting that would be expected from heavy industry.</p> <p>This is impacting our use of our land and we are concerned about future development and land values. Additionally, when driving on Soldiers and Norman Roads, and South-West Highway the lights are visible and could cause a traffic incident. Visual Amenity Permacast cranes are visible from our residence blocking the view of the Scarp. The view is dominated by construction plant and does not align with the rural outlook of the Shire. The concrete structures are visible from our rural road. We maintain that the operation should be relocated to a heavy industrial area ie Kwinana/Henderson with appropriate buffers separating residences and schools.</p> <p>This is evident by the number of complaints I have recently lodged with the Shire regarding Permacast and their inappropriately located operations.</p>		

## SUMMARY OF SUBMISSIONS

### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
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#### APPLICANT'S RESPONSE TO SUMMARY OF SUBMISSIONS

##### **Noise emissions:**

An environmental noise assessment was undertaken for the Permacast operations at Lot 60 Robertson Road. With regard to noise emissions consideration is given to noise from cranes, trucks, telehandlers and stressing beds, against the prescribed standards of the Environmental Protection (Noise) Regulation 1997. The results for the Vehicle Operations were assessed against the daytime assigned levels and were deemed to comply. Similarly, results for the stressing beds running individually were assessed against daytime assigned levels and were deemed compliant. Further, results for multiple stressing beds operating at the same time were assessed against daytime assigned levels and confirmed compliance is achievable at nearby receivers from some scenarios while multiple stressing beds are operating at the same time as detailed in Table 4-3 of the acoustic Report.

It is important to note recent construction work likely contributed to noise emissions from the subject site, noise emissions from construction work is exempt from the Environmental Protection Act between 7am and 7pm Monday to Saturday (excluding public holidays).

##### **Dust Pollution:**

A dust management plan was prepared in support of the application and assessed potential dust emission from activities associated with the concrete manufacturing facility. The Dust Management Plan identified two potential dust sources, the first being vehicle movement within the site and wind erosion of exposed surfaces. The DMP concludes that potential impacts from dust emissions are considered low, based on the results from the risk assessment and the separation distances to sensitive receptors. Notwithstanding, dust management measures have been proposed (refer Table 1 of Dust Management Plan), these include all surfaces required to be constructed to a hardstand standard with a water cart located onsite able to water down the area to minimize dust in summer, restricting vehicle speeds to no more than 10km/hr to minimize dust lift off, keeping of a complaints register and regular visual monitoring and logging of dust during operations. The objectives of proposed measures are to minimize dust lift during all activities and to ensure there are no adverse dust impacts to sensitive receptors. Further, these measures will ensure no dust will be visible beyond the property boundary.

It is expected any approval would include a condition that requires adherence to the Dust Management Plan.



## SUMMARY OF SUBMISSIONS

### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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#### **Stormwater management:**

A stormwater management plan (SWMP) was prepared in support of the development application which was an updated version of a previously approved SWMP by the Shire, the SWMP recommends drainage management systems and for the containment of runoff as well as pollutant and sediment control measures. The SWMP concludes stormwater run off can be contained and will not have any negative impacts on the surrounding environment.

#### **DWER Works Approval:**

The DWER works approval that is referenced (Ref: W6658/2022/1 dated 21 June 2022) relates to the approved Concrete Batching Plant and not the concrete manufacturing facility.

Notwithstanding, whilst the concrete batching plant (which is operated by a different proponent) has approval to produce up to 280,000 tonnes per annum not all of the readymix concrete will be supplied to the proposed Concrete Manufacturing Facility (or Permacast) as detailed in Section 2.3.1 of the DWER decision report. As such, it should not be assumed the proposed concrete manufacturing facility will produce 280,000 tonnes of concrete products per annum.

#### **Traffic on Karbro Drive**

Trucks associated with the Permacast Operations are not approved to use Karbro Drive, additionally operations associated with the approved Concrete Batching Facility also are not approved to use Karbro Drive. A condition of approval for the concrete batching plant required the preparation of Traffic Management Plan, the traffic management plan prohibits the use of Karbro Drive. It is anticipated that a similar condition will be placed on any approval for the Concrete Manufacturing Facility that restricts trucks from using Karbro Drive, any such condition will be strictly adhered to at all times.

#### **Stressing Beds**

Stressing beds are used as part of the concrete manufacturing process, once reinforcement cages are assembled, they are placed in moulds and then placed in the stressing beds before concrete is poured. Once the concrete is poured the concrete is 'pre stressed' via vibrations, this process is used to increase the structural efficiency of products. Monitoring of both noise emissions and vibrations from the stressing beds on site have been measured by an acoustic consultant and are deemed to comply with relevant noise regulations.

## SUMMARY OF SUBMISSIONS

### PA23/198 – Lot 60, 394 Robertson Road, Cardup - JDAP - Retrospective Concrete Manufacturing Facility

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#### Approval history over the site

It is acknowledged the application is a retrospective application and the required approvals were not sought at the appropriate time. The concrete manufacturing operations are to an extent a natural expansion of the longstanding timber products industry. The site being subject to Scheme Amendment 180 (gazetted on the 31/05/16) which sought to expand the special use zoning to include concrete manufacturing which would then allow a development application for a concrete manufacturing facility to be considered. This was prior to the Cardup Business Park structure plan being approved which designated the site as 'Industry' where the concrete manufacturing use is a discretionary. At the time the Concrete Batching Plant development application was lodged, the Shire of Serpentine Jarrahdale alerted the proponent that a retrospective development application would need to be lodged for the concrete manufacturing facility, which has resulted in this application.

#### Surface of concrete batching plant

Section 3.1 of the DWER works approval report requires the trafficable area within the plant to be sealed with concrete/asphalt. This works approval relates to the concrete batching plant (area excluded from site plan) and not the concrete manufacturing operations that are subject to this application.