

Austral Bricks: Cardup Stakeholder Community Group

Meeting Minutes

Wednesday 17 March 2021, 10.00am to 12.00pm

Dome Cafe, 829 South Western Highway, Byford

Agenda, minutes and tabled documents available via [WEBPAGE](#)

Attendees

Alan Clarkson	Serpentine-Jarrahdale Ratepayers Association
Kevin Radford	Serpentine-Jarrahdale Ratepayers Association
Max Erskine	Resident
Peter Edmiston	Resident
Tom Dyer	Serpentine-Jarrahdale Ratepayers Association
Ann Dyer	Resident
Stephen White	Byford on the Scarp Residents Association
Colleen Rankin	Byford Progress Association
Vanessa Slater	Coordinator Natural Reserves; Shire of Serpentine-Jarrahdale
Andrew Mack	Consultant
Matthew Gordon	Resources and Transport Manager; Austral Bricks
David Johnson	General Manager; Austral Bricks
Tanya Gilders	WA Property & Compliance Manager; Austral Bricks
Lenda Oshalem	Chairperson; Newgate
Cale Black	Newgate

Apologies

None

Agenda

Item	Topic	Reporting
1	Welcome / Introductions	Newgate
2	Apologies	Newgate
3	Debrief of last meeting and follow up communications	Discussion led by Newgate
4	Terms of reference	Newgate
5	Operations update	Austral Bricks
6	Development application update, including update on Environmental Protection Authority assessment and provision of additional reports requested	Austral Bricks
7	Dust, including make up of dust particles and dust management	Austral Bricks
8	Groundwater	Austral Bricks
9	Consideration of proposal to relocate operations to alternative site	Austral Bricks
10	General business	Discussion led by Newgate
11	Next meeting / future meeting dates	Newgate

Item	Topic	Action Items
1	<p>Welcome / Introductions</p> <p>Lenda Oshalem opened the meeting at 10:00am and asked all attendees to introduce themselves.</p>	
2	<p>Apologies</p> <p>No apologies recorded.</p>	
3	<p>Debrief of last meeting and follow up communications</p> <p>Lenda Oshalem welcomed a debrief about the last Stakeholder Consultative Group (SCG) meeting. Lenda Oshalem noted new terms of reference allow a more transparent approach to the meeting by publishing agendas, minutes and documents presented to the SCG.</p> <p>Lenda Oshalem noted that Austral would not be able to share documents that contain commercially sensitive information.</p> <p>Lenda Oshalem would like to make the SCG meetings more constructive in the future.</p> <p>Alan Clarkson asked if it was up to Austral to decide what is commercially sensitive. Lenda Oshalem confirmed and said that nothing will be presented to the SCG that is commercially sensitive.</p> <p>Stephen White asked if that included embarrassing content. It does not. Tanya Gilders referenced the Freedom of Information Act sets out what is considered to be commercially sensitive.</p> <p>Alan Clarkson expressed his view that this is not in the spirit of why the SCG has been formed. Alan Clarkson asked if the SCG is able to invite other consultants to the SCG. Lenda Oshalem confirmed this would be permissible in line with the new Terms of Reference.</p> <p>Peter Edmiston was concerned that the output of the meeting moving forward would be constrained, including information available to the SCG on licence details, and said that the throughput of the facility has been redacted as commercial-in-confidence information in government documents, and that the community does not know what the actual throughput of the site is currently. Tanya Gilders clarified what information is available publicly and what is commercially sensitive. David Johnson noted the competitiveness in the market, and said that sensitive information such as the number of bricks produced made public would be damaging to Austral's operations, but would be made available through regulatory purposes. Peter Edmiston remarked that actual throughput</p>	

Item	Topic	Action Items
	<p>information would be of importance to the community beyond the commercial interest.</p> <p>Stephen White asked if those numbers would be in the annual accounts. David Johnson answered not by division, such as at Cardup's facilities.</p> <p>Peter Edmiston brought up the review initiated as a result of the SCG's last meeting and asked about the outcome of that review. Lenda Oshalem asked the SCG to consider drawing a line in the sand with regards to the previous meeting of the group, in order to resume meetings as soon as possible. Andrew Mack clarified the issue prompted the changes in the SCG structure, terms of reference and how it operates.</p>	
4	<p>Terms of reference</p> <p>Lenda Oshalem noted two changes to the Terms of Reference circulated ahead of the meeting; Item 5.5 now links to an external site instead of an internal site. Item 4 changes membership, and adds 1 to 2 members of the Byford Progress Association and changes local residents from 2 to 3 to 1 to 2.</p> <p>Vanessa Slater asked if the Shire of Serpentine-Jarrahdale should be on the permanent membership list. Lenda Oshalem confirmed that this would be possible.</p> <p>Lenda Oshalem highlighted the last paragraph on item 4 in reference to inviting attendees from time to time as necessary.</p> <p>Lenda Oshalem discussed the process of distributing agendas and minutes via email. Peter Edmiston asked the process of approving minutes. Lenda Oshalem said wholesale changes and substantive changes would be brought back to the group, with minutia changes able to be made and accepted between meetings to ensure minutes are published in a timely manner.</p> <p>Lenda Oshalem discussed the chairperson position in Item 4.4 and the meeting schedule as per Item 5.3, including the ability of the SCG to call a special meeting by request.</p> <p>Alan Clarkson asked who would determine the calling of a special meeting. Lenda Oshalem responded that the Chair would discuss with Austral and come to a consensus with the SCG. Alan Clarkson said that the power still remains in Austral's hands. Tom Dyer suggested a majority of SCG members calling for a special meeting would be enough. Lenda Oshalem clarified it would be likely that if a majority called for a meeting, Austral would very likely agree in any case.</p> <p>Max Erskine asked if the SCG would be able to nominate special experts. Alan Clarkson said it would depend on the issue. Lenda Oshalem responded that they would be able to</p>	<p>ACTION 1 Lenda Oshalem to add 1 representative from the Shire of Serpentine-Jarrahdale to the permanent membership list.</p>

Item	Topic	Action Items
	<p>be invited to the meeting if the SCG would like to invite them to the meeting.</p> <p>Peter Edmiston asked about 4.1 (f) and clarification on 'notes' and 'minutes'. Lenda Oshalem clarified that the terms are interchangeable, but would modify to ensure consistency in language.</p> <p>Peter Edmiston asked about the 'listening to community concerns' and the consistency between 'member' and 'community'.</p> <p>Peter Edmiston asked if they can add point (c) for Austral to actively promote community concerns internally within Austral. Lenda Oshalem suggested actively promote and feedback internally of concerns from the community. Tanya Gilders clarified that it is already happening, but happy to add this to the Terms of Reference to make it more clear.</p> <p>Matthew Gordon highlighted 5.3(b) and asked if schedule be changed to date. Lenda Oshalem agreed on this change.</p> <p>Alan Clarkson asked a question regarding the complaints process. Lenda Oshalem said this would be addressed in the complaints section.</p> <p>Peter Edmiston asked for clarification on whether "Austral Bricks will appoint a Chairperson for the SCG" should be under 4.3 Remuneration and suggested 4.4 Chairperson is a more appropriate section of the Terms of Reference. Lenda Oshalem said she would update.</p> <p>Max Erskine asked about Item 2(b) and if these documents would be available publicly, and if that includes commercially sensitive information. Tanya Gilders and Lenda Oshalem clarified that if the document is published publicly by a government, it may contain redacted sections, but otherwise would be publicly available and noted personal information will be redacted.</p> <p>Tom Dyer asked whether it is appropriate for the Chairperson to have the right to suspend or cancel membership without a majority of SCG members' support. Lenda Oshalem clarified this would only be in the case of disorderly conduct displayed under the Terms of Reference.</p> <p>Lenda Oshalem committed to updating the Terms of Reference and circulating the updates via email for approval of the SCG to be published online.</p>	<p>ACTION 2 Lenda Oshalem to ensure consistent language in terms of reference in regards to 'notes' and 'minutes' and 'community' and 'member'</p> <p>ACTION 3 Lenda Oshalem to add point (c) to Item 4.1 'Commitments of SCG Members' under Austral Bricks as per SCG discussion.</p> <p>ACTION 4 Lenda Oshalem to change 'schedule' to 'date' on item 5.3(b).</p> <p>ACTION 5 Lenda Oshalem to review section on Chairperson and remuneration and update accordingly.</p> <p>ACTION 6 Lenda Oshalem to circulate updated terms of reference via email for SCG approval.</p>
5	Operations update	

Item	Topic	Action Items
	<p>Tanya Gilders gave an update to operations via slideshow presentation (attached).</p> <p>Tanya Gilders said that Austral have an environmental hotline staffed by Tanya Gilders and another person who will be available to take queries from community members.</p> <p>Peter Edmiston asked for clarification on the overflow pipe. Tanya Gilders confirmed the overflow pipe exists from pond 1 to pond 2.</p> <p>Peter Edmiston asked if the compliant audit has taken place. Tanya Gilders clarified that the audit was undertaken and deemed compliant from the November inspection.</p> <p>Peter Edmiston asked on progress of rehabilitation on the Northern Pit. Tanya Gilders said there was no update on this progress. The pit floor is part of the environmental licence for the Cardup plant and is used for stockpiling of materials.</p> <p>Alan Clarkson asked Austral's plans to mitigate dust for Byford and Scarp residents. Alan Clarkson said that the community was told that the old Northern Pit was to be rehabilitated, and is now a stockpile creating dust that is affecting the community. Alan Clarkson said that the SCG has previously asked what is the make-up of the dust.</p> <p>Tanya Gilders clarified the clay stockpiles is now part of the new plant.</p> <p>Alan Clarkson asked about the storage of the material on the Northern Pit. Tanya Gilders said that this material is part of the Cardup plant and is ongoing.</p> <p>Stephen White pointed out the dust being kicked up from the Northern Pit and referred to the image on the presentation. Tanya Gilders said that it is mostly gravel and does not produce much dust.</p> <p>Lenda Oshalem asked if Austral could undertake to take a look at whether fine dust particles are being produced from the Northern Pit site. Tanya Gilders confirmed that this was possible.</p> <p>Peter Edmiston asked for clarification about the redevelopment plan and the mine closure. Tanya Gilders answered that the mine closure refers to the subdivision of the site that was proposed years ago, and is no longer happening. It is part of the operation site with Austral awaiting advice from the Shire on management as part of approvals.</p> <p>Lenda Oshalem asked for clarification on which parts will be rehabilitated. Tanya Gilders answered that there are no areas to be rehabilitated besides a turn point, which was delayed due to Water Corporation proposing works on the portion of the site. David Johnson said that it was going through the processes. Tanya Gilders clarified that it is with Austral's property team who is liaising with Water Corporation, who have put through acquisition requirements for part of the lot.</p>	<p>ACTION 7 Austral to investigate Northern Pit site for production of fine dust particles and dust issues.</p>

Item	Topic	Action Items
	<p>Tom Dyer asked how far the Northern Pit is from sensitive areas, such as the Scarp. Tanya Gilders said the whole pit area runs along the Byford by the Scarp estate, the clay stockpiling itself is less than half of the pit, and the distance from the Scarp estate is estimated to be around 400 metres. Tom Dyer mentioned dust collection in his roof space from half a kilometre away from the site. The SCG tabled an action to look at dust issues in the Northern Pit.</p> <p>Tom Dyer asked about the degree of the stack monitoring taken place on January 2021. Tanya Gilders said that this is part of the licence requirements, monitoring for a number of particles.</p> <p>Tanya Gilders clarified that no one piece of equipment can remove every particle, and take advice from the Department of Water and Environmental Regulation (DWER) on which particulates are most important to remove for public health. They are required to monitor sulphur dioxide but no limit on it.</p> <p>Peter Edmiston asked regarding the licence and the measurements shown on the stack if the scrubber wasn't dealing with as much as had anticipated, citing reduction of HF by 52% instead of the anticipated 82% predicted. Tanya Gilders responded that Austral has not exceeded licence limits with the cascade scrubber since recommissioning in 2017. The scrubber was refurbished as part of recommissioning in November/December 2020. Andrew Mack answered that (prior to refurbishment) the scrubber was not performing at optimum levels but was still easily achieving limits set by regulators as per public health risk. David Johnson said that Western Australia has a higher standard than other jurisdictions.</p> <p>Tom Dyer asked if there are any figures of the recommissioned scrubber. Tanya Gilders said not yet.</p> <p>Peter Edmiston asked for the throughput of the scrubber. David Johnson said the information is commercially sensitive and Austral cannot answer that. It cannot exceed 200,000 tonnes as per the licence. Lenda Oshalem suggested to take this question on notice and committed to trying to get an answer to the SCG.</p> <p>Peter Edmiston asked about the asphaltting and the crossover to Kiln Road, dragging material onto Kiln Road from the Austral site, and the crossing over of trucks on the wrong side of the road to enter Kiln Road. Matthew Gordon said that Austral will be widening the crossovers in consultation with the drivers, and will widen the turns. Peter Edmiston asked on timeframe. Matthew Gordon said the job is being quoted now, with David Johnson to approve the job. Lenda Oshalem asked if it required any Shire or government approval. Matthew Gordon said it did not.</p> <p>Stephen White pointed out the number of complaints is misleading and only count official complaints, and said</p>	<p>ACTION 8 Refer to Action 7 in regards to dust issues in the Northern Pit.</p> <p>ACTION 9 Lenda Oshalem to discuss with Austral to try to provide an answer to the SCG.</p>

Item	Topic	Action Items
	<p>anecdotal complaints are not counted. Tanya Gilders said that these are recorded complaints that have been received officially by Austral and encouraged SCG members and other community members to continue to input complaints directly to Austral. Peter Edmiston asked for clarification on whether Austral staff have observed dust issues and said that they are not Austral's complaints department. David Johnson said that they take drives around on windy days and have not observed dust issues. Alan Clarkson said there is unbelievable dust levels and raised the health concerns of community and staff working on the facility, and reiterated they have been asking for the dust makeup. Lenda Oshalem gave an undertaking to work with Austral on this matter and respond to the SCG at the next meeting.</p> <p>Peter Edmiston asked if Austral had an Occupational Health and Safety Officer. David Johnson said that Austral does.</p> <p>Stephen White discussed taking photos of dust rising from the facility and receiving analysis on the photograph for the makeup of the dust. Lenda Oshalem asked if the photos could be shared via email. Stephen White said he would be able to.</p> <p>Stephen White and Colleen Rankin raised the possibility of CCTV cameras to be installed to capture dust levels.</p> <p>Max Erskine raised concerns with the particulate of dust, in particular PM2.5 and PM10.</p> <p>Peter Edmiston said that residents on Kiln Road have been trying to deal with cotton bush. Tanya Gilders said that Austral supplied the water for the removal. Alan Clarkson said that Austral have done well with cotton bush removal and fire breaks.</p>	<p>ACTION 10 Austral to address dust safety and makeup concerns at the next SCG meeting.</p> <p>ACTION 11 Stephen White to share photos with Lenda Oshalem via email.</p>
6	<p>Development application update, including update on Environmental Protection Authority assessment and provision of additional reports requested</p> <p>Tanya Gilders said the development application (DA) is on hold pending Environmental Protection Authority (EPA) decision.</p> <p>Alan Clarkson asked about the processes. Tanya Gilders clarified that the Joint Development Assessment Panel (JDAP) is on hold until the EPA decision has been made. Tanya Gilders said that throughout the process there will be community consultation, but has no control on public submission processes for EPA and JDAP. All extra reports given to the EPA will be published on the EPA website as part of the public consultation. Andrew Mack said that these reports will be given to the JDAP once the EPA decision has been made and will be considered as part of their decision.</p> <p>Alan Clarkson asked a question regarding information supplied to DWER for the original licence, and information to be</p>	

Item	Topic	Action Items
	<p>provided as part of the DA process. Tanya Gilders clarified that the new reports given to the EPA are based on the DA for the redevelopment, not current Cardup operations.</p> <p>Peter Edmiston asked on timeframe. Tanya Gilders said it is depending on consultants.</p> <p>Tanya Gilders clarified the decision of the Environmental Protection and Biodiversity Conservation (EPBC) to deem the project to be not a controlled action is only in relation to the clearing of land. Tom Dyer asked for clarification on bush forever land. Tanya Gilders said that this is a federal decision, and that State Government is a separate process.</p>	
7	<p>Dust, including make-up of dust particles and dust management</p> <p>Lenda Oshalem clarified that information provided to the last meeting in relation to the makeup of the brick is commercially sensitive and will not be circulated to the group.</p> <p>Tanya Gilders said that Austral needs to adhere to management plans in relation to dust mitigation.</p> <p>Peter Edmiston asked how many times Austral cease operations in high wind environments. Tanya Gilders answered that there were none that she was aware of. Peter Edmiston asked who makes the operational decision. David Johnson said that it is an operational decision of the plant. When David Johnson is present on site on windy days, they have not seen dust carried over boundaries.</p> <p>Peter Edmiston commented on recent news regarding strong winds due in the area, and asked what process Austral goes through to determine what strong winds are and how they determine when they shut down operations as per the management plans. Tanya Gilders said there are escalation protocols, such as a water cart or covering of stockpiles of materials with hydro-mulch, or taking more severe actions by ceasing operations. The on-site crusher is protected by easterly winds and material is then transported by closed conveyor system to other processing.</p> <p>Peter Edmiston commented that he is able to observe “Mt Fuji” being built each day with dust whipping off the top from strong winds, and said if there is no need to use the mitigation strategy, then why is the need for the mitigation strategy.</p> <p>Colleen Rankin asked if there is someone responsible in the company who is monitoring weather and wind reports each morning. Tanya Gilders said that is managed by the quarry manager, and conditions differ from different locations such as Toodyay and Byford. In some cases, these operations have ceased. Colleen Rankin said it would be useful to have this</p>	<p>ACTION 12 Austral to consider reinstatement of weather and wind monitoring onsite.</p>

Item	Topic	Action Items
	<p>monitoring reinstated. David Johnson said this is a good point and will be taken on notice.</p> <p>Peter Edmiston asked if this monitoring includes carting. David Johnson responded that Austral have been aware of operations stopping previously due to dust created by carting.</p> <p>Alan Clarkson said there are two issues with wind carrying dust and from the operations; from trucks on the road, and dust originating on site. Alan Clarkson expressed concerns on the health and safety of workers and community members.</p> <p>David Johnson reiterated that Austral needs to know about these issues through real time complaints directly to Austral. Lenda Oshalem explained that it is important for these complaints to be sent to Austral so that they are aware of these issues in real time. Tanya Gilders mentioned previous instances of complaints being received from truck drivers, and action being able to be taken from these complaints.</p> <p>Max Erskine suggested the installation of a local anemometer. Tanya Gilders said that Austral have looked into this and will renew this, and said that it needs to be done properly to give people the comfort that it is being monitored properly.</p> <p>Tom Dyer suggested personal monitoring equipment could be issued to workers.</p> <p>Alan Clarkson asked on the makeup of the dust. David Johnson said the mineralogy of the site does not reflect the dust content, and employees do regular onsite checks. David Johnson said these do not exceed health and safety levels. Tanya Gilders said that it is very difficult to provide a makeup of the dust in regard to what is going up in the air. Alan Clarkson said that an independent sample should be taken from each material brought into the site, and compare this to what is captured from dust in the air. Tanya Gilders said that it is still difficult to determine this with the number of variables from operations and around the operations. Austral performs stack monitoring for particulate matter and does not differentiate between 2.5 and 10 micron particulate. Formulas and calculations are used as per national standards on pollution in regard to other factors such as diesel trucks and road type.</p> <p>Alan Clarkson said that information from Austral such as dust makeup from the quarry needs to be shared with the SCG.</p> <p>Lenda Oshalem said that the information regarding the material in the quarry is the composition makeup of the brick is commercially sensitive. Tanya Gilders said that this was presented to the SCG in a previous meeting but was not released later on as it is commercially sensitive.</p> <p>Peter Edmiston asked if particulate size is commercially sensitive. Tanya Gilders confirmed that this is not, and is publicly available on the EPA website. Peter Edmiston asked if there is any equipment that could be taken on site that measures the</p>	<p>ACTION 13 Austral to consider installation of local anemometer on site.</p>

Item	Topic	Action Items
	<p>volume of dust, particulate size and other factors. Andrew Mack said that it would be possible to measure and speciating dust, requiring a large amount of monitors on the site to determine composition and the origin of the dust composition.</p> <p>Stephen White asked about ambient monitoring and providing data to the community for transparency. Tanya Gilders clarified that Austral does not perform ambient monitoring on site and as a result cannot provide that data.</p> <p>Colleen Rankin said that the SCG is asking for dust monitoring to be taken place on site, and that the last few points of discussion between parties showed that this is possible.</p> <p>Lenda Oshalem gave an undertaking to the SCG to take questions and queries on notice regarding dust monitoring and mitigation.</p>	<p>ACTION 14 Lenda Oshalem to follow up with Austral regarding suggestions provided for dust monitoring and mitigation and respond to SCG at the next meeting.</p>
8	<p>Groundwater</p> <p><i>Agenda item deferred due to time constraints.</i></p>	
9	<p>Consideration of proposal to relocate operations to alternative site</p> <p>David Johnson said that the resources required for the establishment and development of a brickworks site is immense, and that extensive stakeholder engagement is required for this to be possible. David Johnson highlighted the possibility of relocating the site is quite remote and requires hundreds of millions in supported funding to address the financial impost, without consideration of other factors such as operations, approvals and community engagement aspects.</p> <p>David Johnson clarified that the move is not off the table, but is not an active consideration or being actively pursued by Austral.</p> <p>Stephen White asked if the process could begin with consideration of election cycles or incentives from different levels of government. Lenda Oshalem clarified that the level of financial support required is beyond the remit of local government. David Johnson said he is interested in meeting with all levels of government on possibilities, and is conscious of the need for brick product in the long term.</p> <p>Colleen Rankin asked timeframes for power and water on a potential Mundijong industrial area site. Tanya Gilders said this is not known and understands the Mundijong industrial area is private land.</p> <p>Tom Dyer said that if operations were to continue at the Cardup site, dust will remain an issue for residents. David</p>	

Item	Topic	Action Items
	<p>Johnson acknowledged this and committed to working on the issues raised through the SCG process.</p> <p>Colleen Rankin reiterated the importance for Austral to perform actions from the SCG such as dust monitoring to address community concerns.</p>	
10	<p>General business</p> <p>Stephen White thanked Austral management for attending the SCG meeting, and the Chairperson for conducting the meeting in an effective manner.</p>	
11	<p>Next meeting / future meeting dates</p> <p>Lenda Oshalem will consult with Austral and the SCG on the next meeting dates.</p> <p>SCG meeting closed 12:04pm.</p>	