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Published on: 13 February 2009

Statement No. 785

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

BRICK AND TILE WORKS, MALAGA

Proposal: The construction and operation of a brick making facility on Lot 121 on Plan 817803 Bonner Drive, Malaga, as documented in schedule 1 of this statement.

Proponent: Austral Bricks (WA) Pty Ltd

Proponent Address: Locked Bag 100, MIDLAND Private Boxes WA 6936

Assessment Number: 1740

Previous Assessment Numbers: 027 & 819

Previous Statement Numbers: 003 & 352 (Published on 1 September 1987 and 18 April 1994, respectively)

Report of the Environmental Protection Authority: Report 1298

Previous Reports of the Environmental Protection Authority: Bulletins 292 & 731

The implementation of the proposal to which the above reports of the Environmental Protection Authority relate is subject to the following conditions and procedures, which replace all previous conditions and procedures:

1 Proposal Description

1-1 The proponent shall implement the proposal as assessed by the Environmental Protection Authority and described in schedule 1 of this statement subject to the conditions and procedures of this statement.

2 Proponent Nomination and Contact Details

- 2-1 The proponent for the time being nominated by the Minister for the Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.
- 2-2 The proponent shall notify the Chief Executive Officer (CEO) of the Department of Environment and Conservation of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

3 Site Access

- 3-1 All industrial traffic shall enter and leave the site from Beach Road and Bonner Drive.

4 Decommissioning

- 4-1 At closure, the proponent shall decommission the site in a manner which ensures that the site is suitable for future land uses.
- 4-2 Within twelve months of closure, the proponent shall remove or, if appropriate, retain plant and infrastructure as agreed in consultation with relevant stakeholders.
- 4-3 Within six months of closure, the proponent shall identify contaminated areas and provide notification, including proposed management measures, to relevant statutory authorities.
- 4-4 Within twelve months of closure, the proponent shall rehabilitate all disturbed areas to a standard suitable for the agreed new land use(s).
- 4-5 Within three months of completing the decommissioning required by condition 4-1, the proponent shall provide a written report to the CEO of the Department of Environment and Conservation on the implementation of the decommissioning.
- 4-6 The proponent shall undertake any further actions to achieve satisfactory decommissioning as required by the CEO of the Department of Environment and Conservation.

Procedures

- 1. The Minister for the Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment and Conservation over the fulfilment of the requirements of the conditions.

2. The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the *Environmental Protection Act 1986*.

Hon Donna Faragher JP MLC
MINISTER FOR ENVIRONMENT; YOUTH

Schedule 1

The Proposal (Assessment No. 1740)

The proposal is to construct and operate a brick and tile works on Lot 121 on Plan 817803 Bonner Drive, Malaga. The proposal is described in the documents *Notice of Intent, Proposed Tile and Refractory Brick Manufacturing Plant, Malaga, Ray Belton, undated; Addendum, Notice of Intent, Proposed Tile, Refractory Brick Manufacturing Plant, Malaga, Dames & Moore 1987*; and a Section 46 application to change conditions to allow for subdivision of the proposal lot.

The brick and tile works consists of a single gas-fired kiln, chamber dryers, clay storage, clay brick preparation facilities, wastewater/stormwater retention ponds, a stock yard and a sales building.

The Key Proposal Characteristics are shown in Table 1.

Table 1 – Key Proposal Characteristics

Element	Quantities/Description
Brick and tile making capacity	50 million bricks/tiles per annum
Kiln discharge stack	Not less than 35 metres in height
Scrubber	Appropriate to licence conditions
Discharge of hydrogen fluoride	Maximum from site of 1 gram per second
Clay Stockpiles	Enclosed storage
Truck movements	Approximately 120 per day

Figures (attached)

Figure 1 - Site Layout



MALAGA

LEGEND

- ← NORTH
- MAIN ENTRANCE
- PROPERTY BOUNDARY
- KILN STACK

Date of Issue – July 2008



Figure 1: Site Layout