



Environmental Protection Authority

Chief Executive Officer
Holcim (Australia) Pty Ltd
18 Brodie Hall Drive
BENTLEY WA 6102

Our Ref 13-349088
Enquiries Mark Jefferies
Phone 6145 0811

Attn: Lisa Honan

Dear Sir/Madam

**NOTICE UNDER SECTION 39A(3)
*Environmental Protection Act 1986***

PROPOSAL: Baldivis Sand Quarry Stage 1 Expansion
LOCATION: within ML70/1046, Baldivis
LOCALITY: City of Rockingham
PROPONENT: Holcim (Australia) Pty Ltd
DECISION: Not Assessed – Public Advice Given

Thank you for your letter referring the above matter to the Environmental Protection Authority (EPA).

This proposal raises a number of environmental issues. However, the EPA has decided not to subject this proposal to the environmental impact assessment process and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986* (EP Act). Nevertheless, the EPA provides the attached advice to you as the proponent, and other relevant authorities on the environmental aspects of the proposal.

The EPA's decision to not assess the proposal is open to appeal. There is a 14-day period, closing 23 December 2013. Information on the appeals process is available through the Office of the Appeals Convenor's website, www.appealsconvenor.wa.gov.au, or by telephoning 6467 5190.

Yours faithfully

Anthony Sutton
Director
Assessment and Compliance Division

9 December 2013

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PUBLIC ADVICE UNDER SECTION 39A(7)
Environmental Protection Act 1986

**Holcim (Australia) Pty Ltd - Baldivis Sand Quarry Stage 1 Expansion,
M70/1046**

The proposal is to expand the existing Baldivis Sand Quarry Stage 1 operation for approximately three years. The proposal is located within Department of Mines and Petroleum (DMP) mining lease M70/1046 and operates under Department of Environment Regulation (DER) Licence L8176/2007/2 and Department of Water Licence (GWL 162863(2)). The proposal is on Department of Parks and Wildlife managed land (State Forest).

The area was previously a pine plantation which was then cleared, burned and rehabilitated. The proponent and LandCorp have an established agreement framework by which the Stage 1 and the Expansion site would be transferred to LandCorp following the completion of quarry operations. It is understood that LandCorp would use the land for residential development. The site is zoned Urban Deferred under the City of Rockingham's Town Planning Scheme.

The EPA did not receive any public comments on the proposal.

1. Environmental Factors

The Environmental Protection Authority (EPA) has identified the following preliminary environmental factor for the proposal.

(a) Amenity (noise and dust)

2. Advice and Recommendations Regarding Environmental Factors

The EPA has considered the proposal in accordance with the requirements of the Environmental Protection Act 1986 (EP Act) and the *Environmental Impact Assessment Administrative Procedures 2012*. In making its decision on whether to assess the proposal, the EPA considered the values of the environment, the extent of the likely impacts, policies, guidelines, procedures and standards against which a proposal can be assessed, and the presence of other statutory decision-making processes which regulate the mitigation of the potential effects on the environment (see Section 7 Significance Test Administrative Procedures).

a. Amenity (noise and dust)

The proponent advised that throughout existing operations, there have not been any previous complaints regarding noise or dust from the nearest sensitive receptors. The EPA notes that the proposal would result in a reduction of the buffer zone from 250 metres (m) to 150 m where operations are adjacent to Stakehill Road.

Noise from the proposed operations has the potential to affect amenity.

The referral includes an Operation Noise Assessment which generally concludes that the environmental noise assessment has shown that without any noise control measures, the proposal may exceed the allowable noise level by up to 1 dB(A). Through adopting best work practices, the proponent's view is that the expansion proposal will comply with the *Environmental Protection (Noise) Regulations 1997*. The proposal describes that the expansion will not include a screening plant which contributes to noise at the operations.

The proposal would operate under DER Licence (L8176/2007/2). The EPA supports the proponent's management actions to minimize noise generation. The EPA notes that by adopting best practice, the proposal is likely to meet the Noise Regulations. The DER's assessment of the proposal will consider the extent to which the proposal can meet the Noise Regulations. This will include reviewing the Operation Noise Assessment and proposed management and mitigation strategies to ensure the proposal meets the Noise Regulations. The EPA understands that this may include giving consideration to staging the proposal, adaptive management and/or modifying the proposal to ensure it can meet the Noise Regulations.

The proposal is also within mining lease M70/1046. The proposal considered by the DMP will need to have regard and be consistent with any management and mitigation actions required by the DER.

Dust resulting from the proposed operations has the potential to affect amenity.

Dust levels throughout the sand extraction process are required to be compliant with the National Environmental Protection (Ambient Air Quality) Measure (NEPM).

The dust air quality assessment undertaken by Holcim has shown that during any season during the year, following watering of roads, there will be no exceedance of the NEPM PM_{2.5} particulates of less than 2.5 µm in size), PM₁₀ particulates of less than 10 µm in size) or Atmospheric Wastes Environmental Protection Policy 1999 total suspended particles at any residences during operation of the sand quarry.

Holcim (Australia) Pty Ltd (HAUS) has implemented dust management measures described in the Dust Management Plan and HAUS' Safety, Health and Environment Guideline - Dust Other Than Silica for the Project for the Stage 1 Project. The Dust Management Plan would be revised to incorporate the Expansion Project. The Dust Management Plan and the proposed mitigation actions are given effect through *the Mining Act 1978* to ensure that there are no significant impacts on the amenity of nearby residents.

The EPA therefore considers that dust can be managed by the DMP in accordance with the *Mining Act 1978*.

The EPA is of the view that the potential impacts on the amenity of nearby residence from noise and dust for this sand extraction proposal are matters that

can be adequately regulated and mitigated by the DER and the DMP to meet the EPA's objectives.

The decision of the EPA to not assess this proposal carries no presumption about the outcome of any other statutory decision-making processes.