

# **Premier coal mine expansion, Collie**

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**Western Collieries Ltd**

**Proposed changes to Environmental Conditions**

**Report and recommendation  
of the Environmental Protection Authority**

**Environmental Protection Authority  
Perth, Western Australia  
Bulletin 666  
December 1992**

## THE PURPOSE OF THIS REPORT

This report contains the Environmental Protection Authority's environmental assessment and recommendations to the Minister for the Environment on proposed amendments to Environmental Conditions for the Premier coal mine proposal.

Immediately following the release of the report there is a 14-day period when anyone may appeal to the Minister against the Environmental Protection Authority's Report.

After the appeal period and the determination of any appeals, the Minister consults with the decision making Ministers and then issues his decision about whether the proposed amendments may or may not proceed.

## APPEALS

If you disagree with any of the assessment report or recommendations you may appeal in writing to the Minister for the Environment detailing the reasons for your concern and enclosing the appeal fee of \$10.

It is important that you clearly indicate the part or parts of the report you disagree with and the basis, on environmental grounds, for your concern so that the grounds of your appeal can be properly understood and considered by the Minister for the Environment.

## ADDRESS

Hon Minister for the Environment  
12th Floor, Dumas House  
2 Havelock Street  
WEST PERTH WA 6000

Your appeal (with the \$10 fee) must reach the Minister's office no later than 5.00 pm on 29 December, 1992

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cover.*

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# 1. Background

Western Collieries Ltd (the proponent) received approval on the 2 April, 1992 from the Minister for the Environment to develop the Premier coal mine, in the Collie Basin, subject to a number of legally binding Environmental Conditions (Appendix 1). The Minister's approval followed the release of the Environmental Protection Authority's Report and Recommendations on the proposal (EPA Bulletin 601) and the determination of the appeals on the bulletin. The Minister requested the Environmental Protection Authority, under Section 46 of the Environmental Protection Act, 1986, to report to him on some proposed changes to the Environmental Conditions.

# 2. The proposal

The subject of this report is the proposal to make changes to the ministerial statement issued on 2 April, 1992, for Western Collieries Ltd's Premier coal mine project. The changes relate to Environmental Condition 6, which sets noise limits, and on an arbitration procedure which applies to all Environmental Conditions.

## Arbitration procedure

A statement on arbitration is not included in the ministerial statement issued on 2 April, 1992. The Minister for the Environment now has a standard statement of an arbitration procedure which is normally included on statements of Environmental Conditions. The procedure stipulates that the Minister would determine any disputes between the proponent and the Environmental Protection Authority, or any other government agency, over compliance with the Environmental Conditions. The statement is as follows:

## Procedure

The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.

If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

**The Environmental Protection Authority considers that the Minister for the Environment could add the procedural statement to the Environmental Conditions.**

## Noise limits

With regard to the Environmental Condition on noise limits (Condition 6, Appendix 1), the Environmental Protection Authority proposes to replace the existing condition with a standard noise limit condition consistent with the imminent Noise Regulations. **The Authority has recommended that the Minister for the Environment replace Environmental Condition 6 to make it consistent with the noise limits in the imminent Noise Regulations (Recommendation 1).**

### **3. Advice of the Environmental Protection Authority**

The Environmental Protection Authority considers that the arbitration procedure statement should be included in a revised ministerial statement and makes the following recommendation on noise limits:

#### **Recommendation 1**

The Environmental Protection Authority recommends that the noise limit condition (Environmental Condition 6) in the ministerial statement issued on 2 April 1992 (Appendix 1) be replaced with:

#### **6 Noise Limits**

The proponent should conduct operations so that noise emissions do not unreasonably impact on the surroundings.

#### **6-1 The proponent shall ensure that noise emissions do not exceed:**

- 40 dB  $L_A$  between 10pm on any day and on the following day when measured on any noise-sensitive premises;
- 45 dB  $L_A$  between 7pm and 10pm on any day, and between 7am and 7pm on Sundays and gazetted public holidays, when measured on any noise-sensitive premises;
- 50 dB  $L_A$  between 7am and 7pm on Monday to Saturday inclusive, when measured on any noise-sensitive premises; and
- 65 dB  $L_A$  when measured at or near the boundary of premises that are not noise-sensitive premises (other industries);

where such emissions would result in the noise level present at the affected premises exceeding the ambient noise level present at any time by more than 5 dB  $L_A$ .

#### **6-2 The proponent shall ensure that noise emissions from those activities which are of concern to occupiers of noise-sensitive premises do not exhibit tones, amplitude and frequency modulation, and impulsiveness of a nature which increases the intrusiveness of the noise.**

#### **6-3 The proponent shall conduct noise surveys and assessments in consultation with the Environmental Protection Authority.**

## **Appendix 1**

**Ministerial statement issued on 2 April, 1992**

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED (PURSUANT  
TO THE PROVISIONS OF THE ENVIRONMENTAL PROTECTION ACT,  
1986)**

PREMIER COAL MINE EXPANSION, COLLIE (601)

WESTERN COLLIERIES LTD

This proposal may be implemented subject to the following conditions:

**1. Proponent commitments**

The proponent has made a number of environmental management commitments in order to protect the environment.

- In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Consultative Environmental Review and in Response to Issues (Appendix 1 in Environmental Protection Authority Bulletin 601). (A copy of the commitments is attached).

**2. Detailed implementation**

Changes to the coal mining proposal, as described in the Consultative Environmental Review and Response to Issues documents, which are not substantial, may be carried out with the approval of the Minister for the Environment.

- Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material in any way that the Minister for the Environment determines is not substantial, on the advice of the Environmental Protection Authority, those changes may be effected.

**3. Impacts on residents**

Predicted dust and noise impacts on residents surrounding the mining operation, particularly at Shotts from the crusher facility, are unacceptable and require a management strategy for resolution before development for coal mining commences.

- 3-1 Prior to coal mining operations the proponent shall prepare a management strategy, in consultation with the surrounding residents, which details strategies for either relocating residents who would be affected by unacceptable noise, dust and risk impacts from the mining operation or for modifying the mining operations, to the satisfaction of the Minister for the Environment on advice of the Environmental Protection Authority.
- 3-2 Should the approved strategy prepared in accordance with condition 3-1 be one of modifying mining operations rather than relocation of residents, this shall be implemented through the Environmental Management Programme required by condition 4-1.
- 3-3 Should the approved strategy prepared in accordance with condition 3-1 be one of relocation of residents, this shall be implemented to the satisfaction of the Minister for the Environment.

**4. Environmental Management Programme**

In order to plan for such a large earthmoving operation with large-scale environmental impacts, an Environmental Management Programme is required.

- 4-1 Prior to each major phase of the mining operation, the proponent shall prepare an Environmental Management Programme to plan for and monitor the effects of that phase of the proposal and to provide appropriate management strategies based on the monitoring results, to the satisfaction of the Environmental Protection Authority. The Environmental Management Programme must be consistent with the provisions of Clause 7 of the Collie Coal (Western Collieries) Agreement Act.

This Programme shall address, but not necessarily be limited to, the management, monitoring, auditing and reporting requirements of the following issues:

1. noise, dust and risk impacts on surrounding residents;
  2. impacts from the mine dewatering operation;
  3. impact on the conservation values and area of the State Forest;
  4. dieback disease management; and
  5. rehabilitation to an acceptable final land use.
- 4-2 The proponent shall implement the Environmental Management Programme required by condition 4-1 to the satisfaction of the Environmental Protection Authority.

## **5. Mine dewatering impacts**

The proponent is responsible for managing the impacts of the mine dewatering.

- 5-1 The proponent shall prepare a water supply plan, as part of the Environmental Management Programme (condition 4), which describes measures to ensure adequate domestic and stock water supplies for any existing private users of the groundwater resource affected by the dewatering operation, to the satisfaction of the Minister for the Environment on advice of the Environmental Protection Authority and the Water Authority of Western Australia.
- 5-2 The proponent shall implement the plan required by condition 5-1 to the satisfaction of the Environmental Protection Authority on advice of the Water Authority of Western Australia.
- 5-3 The proponent shall utilise and/or dispose of any water occurring in or collecting on the Mining Lease (including water pumped or drawn from mines) in accordance with a water management plan which will deal with the supply of water to power stations and other utilities and the disposal of water in an acceptable manner. The development of this plan, which will be consistent with the provisions of relevant State Agreement Acts, is the responsibility of the Water Authority of Western Australia.

## **6. Noise limits**

The noise generated by the coal mining operation should be kept within environmentally acceptable levels.

- 6-1 The proponent shall ensure that the noise emissions from the project do not cause or contribute to noise levels in excess of:
- 50db(A) slow from 7am to 7pm Monday to Saturday inclusive, but excluding gazetted public holidays;
  - 40db(A) slow from 10pm to midnight and from midnight to 7am every day;
  - and
  - 45db(A) slow at all other times;
- when measured:
- (1) at any point on or adjacent to other premises not occupied by the proponent and used for residential or other noise-sensitive purposes; and
  - (2) at a height between 1.2 and 1.5 metres above ground level and at a distance

greater than 3.5 metres from any reflecting surface other than the ground.

6-2 Where the combined level of the noise emissions from the project and the normal ambient noise exceeds the levels specified in condition 6-1, this condition shall be considered to be contravened only when the following criteria are also met at the measurement point:

- the noise emissions from the premises are considered by the Environmental Protection Authority to be audible and contributing significantly to the measured noise levels; and
- the noise emissions from the premises are identifiable by the Environmental Protection Authority as emanating from the project.

6-3 Noise emissions shall not include tonal or impulsive components or other characteristics which make the noise more annoying than it would be in their absence. These characteristics will be assessed by the Environmental Protection Authority.

6-4 The proponent shall conduct noise surveys to the satisfaction of the Environmental Protection Authority.

### **7. Dust limit**

The dust generated by the coal mining operation should be kept within environmentally acceptable levels.

- The proponent shall not cause dust at residential premises surrounding the mine to exceed 1000 microgrammes per cubic metre ( $\mu\text{g}/\text{m}^3$ ), measured continuously over 15 minutes.

### **8. Decommissioning**

The satisfactory decommissioning of the project and removal of the plant and installations is the responsibility of the proponent.

8-1 At least six months prior to decommissioning, the proponent shall prepare a decommissioning plan, to the satisfaction of the Environmental Protection Authority.

8-2 The proponent shall implement the plan required by condition 8-1 to the satisfaction of the Environmental Protection Authority.

### **9. Proponent**

The ministerial conditions legally apply to the nominated proponent.

- No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

### **10. Time limit on approval**

The environmental approval of the proposal is limited.

- If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of five years referred to in this condition shall be made before the expiration of that



period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority).

## **11. Compliance Auditing**

In order to ensure that environmental conditions and commitments are met, an audit system is required.

11-1 The proponent shall prepare an "Audit Programme", which includes requirements for the preparation of periodic "Compliance Reports", in consultation with and to the satisfaction of the Environmental Protection Authority.

11-2 Subsequent to condition 11-1, the proponent shall implement the approved Audit Programme to the satisfaction of the Environmental Protection Authority.

### **NOTE:**

The reporting requirements for these conditions may be effected through the reporting requirements of the State Agreement Act, subject to meeting the timing requirements of the conditions.

Bob Pearce, MLA  
MINISTER FOR THE ENVIRONMENT

