

Environmental Protection Authority

Statement of Reasons for Level of Assessment

Proposal Unlikely to be Environmentally Acceptable

Proposal:	Granite extraction
Location:	Lot 2036 Bird Road, Torbay, City of Albany
Proponent:	A D Contractors Pty Ltd
Date:	24 November 2008
Assessment No	1762

Description of proposal and location

The proponent, A D Contractors Pty Ltd, proposes to quarry granite at Lot 2036, Bird Road Torbay (Figure 1).

The subject property is located in the City of Albany (refer Figure 2) and is zoned rural under the Town Planning Scheme.

Background

This proposal was referred to the Environmental Protection Authority (EPA) on 10 September 2008 by a third party. The proponent was requested to provide further information on the proposal on the 17 September 2008. On the 26 September 2008, the proponent undertook a trial blast at the quarry site. This blast resulted in noise complaints to the EPA from neighbours. Neighbours were not informed by the proponent of his intention to blast prior to the blast. Results from the trial blast and further information on the proposal were received from the proponent on the 9 October 2008. The measurement of air blast overpressure showed that the trial blast did not comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations).

On 22 October 2008 the EPA Chairman wrote to the proponent stating that he believed that in its current form the proposal did not meet the EPA's objectives for noise impacts to neighbouring properties and separation distances between sensitive land uses and hard rock quarrying. On the 3 November 2008 further information was received from the proponent regarding the trial blast.

Key Environmental Factors

Airblast levels due to blasting

Regulation 11(3) of the Noise Regulations limits the maximum airblast level received at any other premises to 125 dB $L_{Linear\ peak}$ between 0700 hours and 1800 hours on Monday to Saturday. Regulation 11(4) further limits this daytime airblast level to 120 dB $L_{Linear\ peak}$ for 9 in any 10 consecutive blasts. The trial blast returned a reading of 130.3 dB $L_{Linear\ peak}$ at a distance of 475 metres from the blast site. The nearest premises are approximately 70 metres from the proposed extraction area. The trial blast did not comply with the Noise Regulations.

The proponent suggested an explanation of why the trial blast was louder than expected. However, the proponent failed to recognise that the airblast level limits apply at the boundary of the nearest premises. The proponent has not provided evidence that compliance with the Noise Regulations could be achieved at the nearest boundary approximately 70 metres away from the proposed quarry site.

The proponent's consultant made four recommendations to reduce the noise impact from blasting. These recommendations, if implemented, might reduce the noise impact on the neighbours, but there is no evidence that these recommendations are able to make the proposed project achieve compliance with the Noise Regulations. Furthermore, there is no indication that the proponent would adopt any one of these four recommendations.

Operating Noise Levels

The proposal does not include crushing and screening of rock on site. However, it does include an excavator with rock breaking capacity to break, sort and stockpile rocks. It also includes heavy trucks to transport the rocks and a possible loader for loading trucks. These are all potentially noisy machines and no evidence has been presented that the assigned noise levels at the nearest neighbours' properties will be able to be met.

EPA Guidance Statement 3, Separation Distances between Industrial and Sensitive Land Uses

EPA Guidance Statement 3 recommends a separation of 1000 metres between hard rock quarrying and sensitive land uses. The nearest residential building is approximately 500 metres from the proposed quarry site. If the boundary of the quarrying area to the boundary of the sensitive land use property distance is measured, as recommended in the guidance, the proposed quarry site is approximately 350 metres from the boundary of the sensitive land use.

The recommended separation distance is based on noise, dust and risk impacts. The recommended distance may be varied if site specific investigations show that impacts to neighbours are acceptable. The proponent has not shown that noise impacts will be acceptable. Impacts from dust and flyrock from blasting have not been addressed and proved to be acceptable. As the public road and the nearest adjoining premises are approximately 70 metres from the proposed quarry, the potential for flyrock and a blast safety zone would need to be investigated.

Surface and Groundwater impacts

Information on the impacts to and management of surface and groundwater was requested. No information has been provided on these impacts.

Conclusion

The EPA considers that the proposal to quarry granite at Lot 2036 Bird Road, Torbay, cannot be considered environmentally acceptable for the reasons outlined below. The proposal does not meet the EPA's objectives for (a) airblast and noise levels, or (b) adequate separation between industrial and sensitive land uses to avoid or minimise the potential for land use conflict. The management objective for (a) is compliance with the *Environmental Protection (Noise) Regulations 1997* and for (b) is compliance with relevant standards for noise, dust and risk impacts.

Reasons for Level of Assessment of ‘Proposal Unlikely to be Environmentally Acceptable (PUEA)

1. The proponent has not demonstrated that the proposal can comply with the air blast levels at the adjoining premises required by the Noise Regulations.
2. The proponent has not demonstrated that the proposal can comply with the assigned noise levels at the adjoining premises required by the Noise Regulations.
3. The proposal does not demonstrate compliance with the EPA’s objective of Guidance Statement 3 to ensure adequate separation between industrial and sensitive land uses to avoid or minimise the potential for land use conflict.

References

Environmental Protection (Noise) Regulations 1997

Environmental Protection Authority (2005) *Guidance Statement No. 3, Separation Distances between Industrial and Sensitive Land Uses*, Environmental Protection Authority, June 2005



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	LOT 2036, BIRD ROAD		
	CITY OF ALBANY		
	NOTE: DISTANCES & AREAS SUBJECT TO SURVEY	Date: MARCH 2008	DWG 9726

Figure 2