



Environmental Protection Act 1986  
Environmental Protection (Noise) Regulations 1997

## Environmental Protection (Fimiston Gold Mine Noise Emissions) Approval 2016

Approval of the Minister under the *Environmental Protection (Noise) Regulations 1997* regulation 18B.

**1. Citation**

This approval is the *Environmental Protection (Fimiston Gold Mine Noise Emissions) Approval 2016*.

**2. Commencement**

This approval comes into operation on the day on which it is published in the *Gazette*.

**3. Terms used**

In this approval —

***airblast level*** has the meaning given in regulation 11(1);

***Barton Street Williamstown (BSW)*** means any place at or adjacent to the intersection of Barton Street and Baden Street, Williamstown;

***blasting*** has the meaning given in regulation 2(1);

***Boulder Primary School (BPS)*** means any place within the boundary of the premises known as Boulder Primary School at 200 Lane Street, Boulder;

***CEO*** has the meaning given in the *Environmental Protection Act 1986* section 3(1);

***daytime*** means any time in the period —

- (a) between the hours of 0700 and 1900 on Monday to Saturday, excluding public holidays; and

- (b) between the hours of 0900 and 1900 on Sunday and public holidays;

**evening** means any time in the period between the hours of 1900 and 2200;

**Fimiston Gold Mine** means the land coloured blue on the map in Schedule 1;

**impulsiveness** has the meaning given in regulation 9(1);

**Kalgoorlie Technical School (KTS)** means any place within the boundary of the premises known as Kalgoorlie Technical School at 13 Davidson Street, South Kalgoorlie;

**KCGM** means Kalgoorlie Consolidated Gold Mines Pty Ltd ACN 009 377 619;

**$L_{A10}$  approved level** means an approved level that, measured as an  $L_{A\text{ Slow}}$  value, is not to be exceeded for more than 10% of the representative assessment period;

**$L_{A\text{ max}}$  approved level** means an approved level that, measured as an  $L_{A\text{ Slow}}$  value, is not to be exceeded at any time;

**$L_{A\text{ Slow}}$**  has the meaning given in regulation 2(1);

**location** means a location specified in Schedule 2 Table 1 column 1;

**$L_{Z\text{ peak}}$**  has the meaning given in regulation 11(1);

**Metal Exploration Premises (MEP)** means any place within the boundary of the premises known as Metal Exploration Premises at 29 to 31 Holmes Street, Boulder;

**mining operations** has the meaning given in the *Mining Act 1978* section 8(1);

**modulation** has the meaning given in regulation 9(1);

**night** means any time that is not daytime or evening;

**Outram Street Boulder (OSB)** means any place at or adjacent to the intersection of Outram Street and Shannon Street, Boulder;

**regulation** means a regulation of the *Environmental Protection (Noise) Regulations 1997*;

**representative assessment period** has the meaning given in regulation 2(1);

**sensitive site** has the meaning given in regulation 11(1);

**start day** means the day on which notice of this approval is published in the *Gazette*;

**tonality** has the meaning given in regulation 9(1);

**York Street Boulder (YSB)** means any place on York Street, between the intersections of York Street with Lane Street and Hamilton Street, Boulder.

#### 4. Approval

- (1) Approval is granted to KCGM to allow the level of noise emitted from the Fimiston Gold Mine to exceed the standards prescribed under regulations 7 and 11(4)(a)(i) and (6)(a)(i) if —
  - (a) for noise emissions other than those resulting from blasting — the level of noise when received at a location at the time specified in Schedule 2 Table 1 column 2 opposite that location does not exceed —
    - (i) the  $L_{A 10}$  approved level specified in column 3 for that location at that time; and
    - (ii) the  $L_{A \max}$  approved level specified in column 4 for that location at that time;
  - (b) for noise emissions resulting from blasting — the airblast level when received at a sensitive site on a residential property owned by KCGM at the time of day specified in Schedule 3 Table 1 column 1 does not exceed —
    - (i) the approved airblast level specified in column 2 for that time of day; and
    - (ii) the approved airblast level specified in column 3 for that time of day.
- (2) For the purposes of calculating under subclause (1)(a) the  $L_{A 10}$  approved level or the  $L_{A \max}$  approved level for a location, WIF means the weather influencing factor determined under Schedule 2 Table 2 for the weather conditions, as measured under the noise management plan submitted or revised under clause 9, prevailing at that location at the time the noise is received.
- (3) For the purposes of assessing under regulation 9(3) if noise emitted from the Fimiston Gold Mine when received at a location is taken to be free of the characteristics specified in regulation 7(1)(b), the adjustment in regulation 9(3) Table 2 column 1 where tonality is present is varied to 0 dB.

#### 5. Duration of approval

- (1) This approval has effect for 5 years from the start day, unless a longer period applies under subclause (2).
- (2) If KCGM applies, within 4 years after the start day, for a further approval under regulation 17(1) in relation to noise emissions from the Fimiston Gold Mine then this approval continues to have effect until the Minister grants, or refuses to grant, the further approval.

#### 6. Condition of approval

This approval is subject to the condition that KCGM ensures that clauses 7 to 10 are complied with.

**7. Minimisation of noise emissions and impact of noise**

- (1) KCGM is to take all reasonable measures to reduce the level, and eliminate the tonality, of noise emissions from the Fimiston Gold Mine.
- (2) KCGM is to utilise best practices for blasting to minimise airblast levels from the Fimiston Gold Mine.

**8. Noise monitoring**

- (1) KCGM is, as far as practicable, to continuously record levels of noise received at —
  - (a) Boulder Primary School; and
  - (b) Metal Exploration Premises.
- (2) KCGM is to record levels of noise received at each location in accordance with the noise monitoring programme for that location in the noise management plan submitted or revised under clause 9.
- (3) KCGM is to record airblast levels at each blast monitoring station in accordance with the airblast level monitoring programme for that station in the noise management plan submitted or revised under clause 9.
- (4) KCGM is to keep a record under subclauses (1), (2) and (3) for a period of at least 2 years from the day on which the record is made.

**9. Noise management plan**

- (1) KCGM is to submit a noise management plan for the Fimiston Gold Mine to the CEO within 3 months after the start day.
- (2) The noise management plan is to include the following —
  - (a) details of a noise and airblast level monitoring programme;
  - (b) details of a programme to monitor weather conditions relevant to the assessment of noise and airblast levels from mining operations;
  - (c) details of a programme for the provision of information to the community regarding noise and airblast levels from mining operations;
  - (d) procedures to be adopted by KCGM to respond to complaints about noise emissions;
  - (e) procedures to be adopted by KCGM to identify major noise emission sources;
  - (f) procedures to be adopted by KCGM to adjust mining operations to reduce noise emissions —
    - (i) based on the noise and airblast level monitoring programme specified in paragraph (a); and

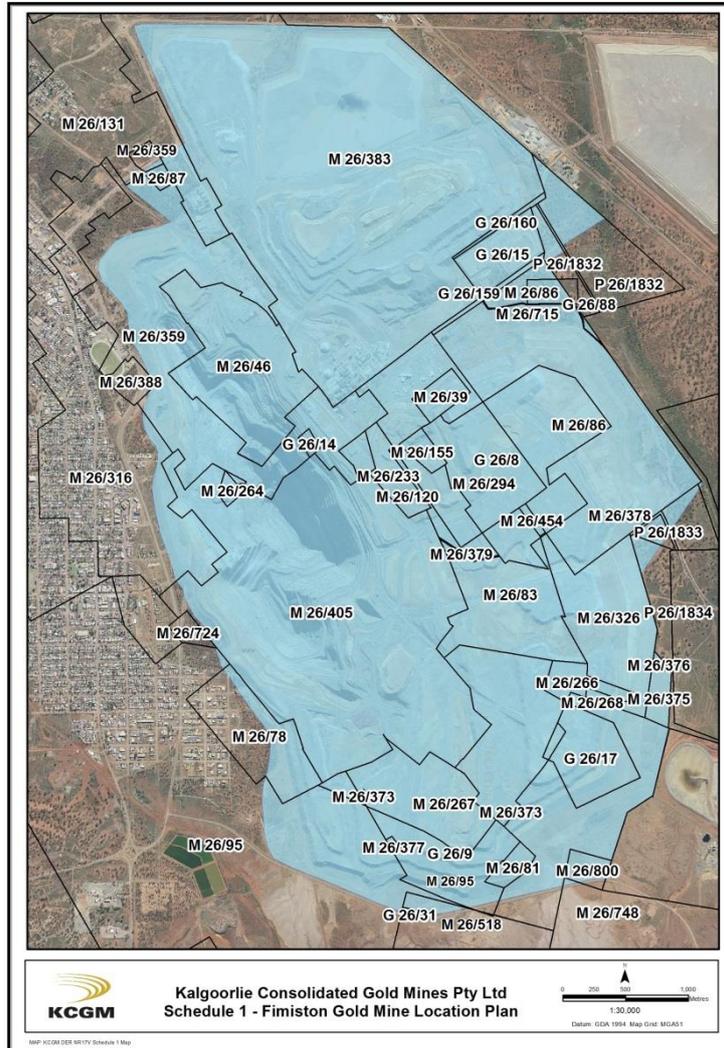
- (ii) based on responses to complaints about noise emissions;
  - (g) procedures to be adopted by KCGM to eliminate tonality, modulation and impulsiveness in noise emissions from mining operations;
  - (h) procedures to be adopted by KCGM to minimise noise emissions from equipment used for mining operations;
  - (i) procedures to be adopted by KCGM to minimise airblast levels;
  - (j) procedures to be adopted by KCGM for recording details of blasting practices used for any blast that exceeds the airblast level set out in regulation 11;
  - (k) any other matter that the CEO may require.
- (3) After receiving the noise management plan the CEO may, by notice in writing, require KCGM to provide a revised noise management plan including details of any matter specified in the notice.
- (4) A revised noise management plan required under subclause (3) is to be provided within 14 days after the day the notice is received or by such other time as the CEO specifies in the notice.

#### **10. Annual report**

- (1) KCGM is to prepare a written report —
  - (a) for the year beginning on the start day; and
  - (b) for each year that begins on the anniversary of that day.
- (2) The report for a year is to contain —
  - (a) a summary of the noise and airblast levels recorded under clause 8 during the year; and
  - (b) a summary of the progress of the implementation of the noise management plan submitted or revised under clause 9.
- (3) KCGM is to give the report for a year to the CEO within one month after the end of the year or by such other time as the CEO approves in writing.
- (4) On the request of the CEO, KCGM is to give the CEO any assistance or information necessary to enable the report to be understood by members of the public.

**Schedule 1 — Fimiston Gold Mine map**

[cl. 3]



**Schedule 2 — Noise emissions other than from blasting**

[cl. 4(1)(a)]

**Table 1**

Location	Time	L <sub>A 10</sub> approved level (dB)	L <sub>A max</sub> approved level (dB)
Barton Street Williamstown	Daytime	50 + WIF	65 + WIF
	Evening	45 + WIF	55 + WIF
	Night	45 + WIF	55 + WIF

Location	Time	$L_{A10}$ approved level (dB)	$L_{Amax}$ approved level (dB)
Boulder Primary School	Daytime	50 + WIF	62 + WIF
	Evening	45 + WIF	52 + WIF
	Night	45 + WIF	52 + WIF
Kalgoorlie Technical School	Daytime	50 + WIF	62 + WIF
	Evening	45 + WIF	52 + WIF
	Night	45 + WIF	52 + WIF
Outram Street Boulder	Daytime	52 + WIF	65 + WIF
	Evening	49 + WIF	60 + WIF
	Night	49 + WIF	60 + WIF
York Street Boulder	Daytime	52 + WIF	65 + WIF
	Evening	49 + WIF	60 + WIF
	Night	49 + WIF	60 + WIF

Table 2

Weather conditions		Weather influencing factor (dB)				
		Location				
Wind Direction	Wind speed (km/hr)	BSW	BPS	KTS	OSB	YSB
Calm	< 2	3	6	6	5	4
Northerly	$\geq 2$	- 2	6	6	5	5
North Easterly	$\geq 2$	2	6	6	4	5
Easterly	$\geq 2$	4	6	6	4	5
South Easterly	$\geq 2$	4	6	6	3	5
Southerly	$\geq 2$	4	4	6	2	5
South Westerly	$\geq 2$	3	2	5	2	4

Weather conditions		Weather influencing factor (dB)				
		Location				
Wind Direction	Wind speed (km/hr)	BSW	BPS	KTS	OSB	YSB
Westerly	2 - 7	0	2	3	3	2
Westerly	> 7	- 4	- 3	- 2	3	- 3
North Westerly	2 - 7	- 4	4	3	4	2
North Westerly	> 7	- 6	3	- 1	3	- 1

### Schedule 3 — Noise emissions from blasting

[cl. 4(1)(b)]

Table 1

Time of day	Approved airblast level (dB $L_{Z peak}$ )	
	Not to be exceeded anytime	Not to be exceeded for 9 in any 10 consecutive blasts
0700 to 1800 hours Monday to Saturday (excluding public holidays)	125	120
0700 to 1800 hours Sunday and public holidays	120	115

A. JACOB, Minister for Environment.