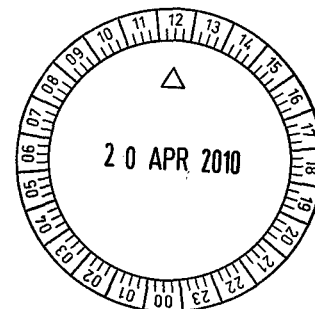




PUBLIC

Minister for Environment; Youth

Your Ref: DOCA215619
Our Ref: 40-08477



Hon Brian Ellis MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000

Dear Mr Ellis

PETITION NO 37 – HANSON QUARRY EXPANSION

Thank you for your letter dated 8 March 2010 regarding the operation of Hanson's Red Hill Quarry and its proposed expansion. I have provided background information, outlining the history of assessments of the quarry, followed by a response to your questions.

Background

The quarry (Herne Hill Quarry) on Lot 11 Toodyay Road, Red Hill, was originally situated on the western side of the site. Quarrying was moved to the eastern side of the site to reduce impacts on residential areas from dust, noise, odours and visual impact for both existing and future residential development.

The Environmental Protection Authority (EPA) assessed the proposal for the relocation of the quarry and reported on the new location in 1991. The new site was chosen to be behind the main ridge of the Darling Scarp to reduce visibility and was expected to have at least 100 years of resource. The commitments provided by the proponent and incorporated in the Minister for Environment's Statement 199 included commitment No. 22 that "the Pioneer No.2 (*currently known as Red Hill Quarry*) operations will not be visible from ground level outside Pioneer's property once screening bunds and vegetation are established".

Subsequent to the Ministerial approval of the quarry relocation proposal, the Shire of Swan (*now City of Swan*) referred the proponent's Extractive Industry Licence (EIL) application to the EPA in 1994. The EIL application included an extension to the West Pit that was not part of the original quarry relocation proposal in 1991. The EPA considered the 1994 EIL application and concluded that the overall environmental impact of the extension was not so severe as to require environmental impact assessment.

The Red Hill Quarry commenced operations in 1998. In 2004, the EPA received a request from the then Minister for the Environment for advice as to whether commitment No 22, relating to the visibility of the quarry, could be included as a condition of the Ministerial Statement and what additional conditions relating to visual impacts should be imposed to enable adequate enforcement. The EPA concluded that the Red Hill Quarry operation was visible from land not owned by the proponent and that the Visual Impact Assessment, a part of the 1990 PER, was inaccurate in its prediction that the operations would not be visible from ground level outside the proponent's property once screening bunds and vegetation were established. The EPA recommended that commitment No. 22 should be removed from Ministerial Statement 199 as it was not achievable. The EPA also found that the southern edge of the West Pit was outside the approved footprint area. The EPA recommended that the proponent be required to prepare a detailed Rehabilitation Plan for the quarrying operation which included consultation with key stakeholders.

In 2006 the proponent made two applications for extensions to the quarry. One approved in January 2006 was for the outline of the pit as it had been constructed, and the other, approved in September 2006, was for a 5.4 ha extension of the pit in a north westerly direction. Both extensions were approved under section 45C of the *Environmental Protection Act 1986*, which allows the Minister for Environment to approve changes to proposals which do not have a significant detrimental effect on the environment in addition to, or different from, the effect of the original proposal.

Current compliance

The Office of The Environmental Protection Authority (OEPA) monitors compliance with the implementation conditions of Ministerial Statements including approved amendments. Implementation of any voluntary commitments made by the proponent in the Public Environmental Review document is the responsibility of the proponent. The OEPA has advised me that it conducts regular audits in relation to Hanson Construction Material Pty Ltd's Red Hill Quarry as approved by Ministerial Statements 199 and 705 and is unaware of any current non-compliance.

The Department of Environment and Conservation (DEC) also currently licences the quarry under Categories 12 (screening of material) and 13 (crushing of building material) of the Environmental Protection Regulations 1987.

DEC's responsibilities regarding the management of Hanson's Red Hill quarry relate to these processing activities (crushing and screening) and their impacts on the environment.

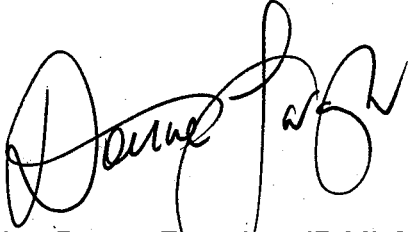
The proponent is required by the current DEC licence to undertake water quality monitoring monthly from July to October when Susannah Brook is flowing. Current reports to DEC indicate that they are in compliance with this requirement. No ambient air quality monitoring is required by the DEC licence. Dust deposition monitoring is undertaken intermittently by the proponent to assist with dust management. It is not possible to calculate air quality from dust deposition monitoring.

Current expansion proposal

The current expansion proposal is being assessed by the EPA and it has not as yet provided its report to me. Therefore, I cannot comment on the current EPA assessment.

It should be noted that in relation to the regulation of crushing and screening activities under the Environmental Protection Act, the quarry will also need a Works Approval if additional crushing and screening is required. The main concerns from a DEC point of view would be an increase in dust, noise and possibly vibration due to an increase in crushing and screening activity. However, consideration as to whether a Works Approval could be approved will not occur until after the EPA has reported.

I am informed by the EPA that the assessment will consider cumulative impacts from other operations and proposals in the area, where information is available about these other operations and proposals. I expect that the EPA will provide its report to me within the next few months.



Hon Donna Faragher JP MLC
MINISTER FOR ENVIRONMENT; YOUTH

19 APR 2010