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[Original approval published in Government Gazette, WA 29 June 2012 and amendments in Government Gazette, WA 10 December 2013 and 14 November 2014]

***Environmental Protection Act 1986***

***Environmental Protection (Wagerup Alumina Refinery  
Noise Emissions) Approval 2012  
as amended under regulation 17 Environmental Protection  
(Wagerup Alumina Refinery Noise Emissions)  
Amendment Approval 2013\****

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**location 4** means any place at or adjacent to the south-western corner of Lot 500 on Plan 22014, near the water treatment plant on Boundary Road, Wagerup;

**location 5** means any place at or adjacent to the south-eastern corner of Lot 2606 on Plan 249779, near Boundary Road, Wagerup;

**location 6** means any place at or adjacent to the north-western corner of the intersection of Millar Street and Aitken Street, Wagerup;

**location 7** means any place at or adjacent to the intersection of Chapter Road and Aitken Street, Wagerup;

**location 8** means any place at or adjacent to the south-western corner of Lot 102 on Diagram 85596, near Waterous Road, Wagerup;

**MGA94 coordinates** means *Map Grid of Australia 1994 (MGA94) coordinates in Zone 50 of the Universal Transverse Mercator Grid System based on the Geocentric Datum of Australia\**;

**noise-affected land** means land on which there are noise-sensitive premises that receive, at any noise-sensitive location on the premises, noise emitted from the Wagerup Alumina Refinery at a level that is likely to exceed the standard prescribed under regulation 7(1)(a) in respect of noise received at a noise-sensitive location;

**noise-sensitive location** means a location on noise-sensitive premises that is within 15 metres of a building directly associated with a noise-sensitive use;

**noise monitoring programme** means *the programme described in clause 8\**;

**noise-sensitive premises** has the meaning given in regulation 2(1);

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

**start day** means the day on which notice of *the Environmental Protection (Wagerup Alumina Refinery Noise Emissions) Amendment Approval 2013\** is published in the *Gazette*;

**Wagerup Alumina Refinery** means the alumina refinery operated by Alcoa and located at Lot 700 on Plan 59305 and Lot 205 on Plan 34250, Wagerup.

[\*Clause 2 amended in *Gazette* 10 December 2013 p. 5823-4]

### 3. Approval to exceed noise levels

Approval is granted to Alcoa to allow the level of noise emitted from the Wagerup Alumina Refinery to exceed the standard (other than the LA max assigned level) prescribed under regulation 7(1)(a) in respect of

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**Table**

**Location**                      **Time of day**                      **L<sub>A</sub> 10**

<b>Location</b>	<b>Time of day</b>	<b>L<sub>A</sub> 10 Approved level (dB)</b>	<b>L<sub>A</sub> 1 Approved level (dB)</b>
Location 5	0700 to 1900 hours Monday to Saturday	45	55
	0900 to 1900 hours Sunday and public	41	50
	1900 to 2200 hours all days	41	50
	2200 hours on any day to 0700 hours Monday to	41	45
Location 6	0700 to 1900 hours Monday to Saturday	45	55
	0900 to 1900 hours Sunday and public	40	50
	1900 to 2200 hours all days	40	50
	2200 hours on any day to 0700 hours Monday to	37	45
Location 7	0700 to 1900 hours Monday to Saturday	45	55
	0900 to 1900 hours Sunday and public	40	50
	1900 to 2200 hours all days	40	50
	2200 hours on any day to 0700 hours Monday to	37	45
Location 8	0700 to 1900 hours Monday to Saturday	45	55
	0900 to 1900 hours Sunday and public	40	50
	1900 to 2200 hours all days	40	50
	2200 hours on any day to 0700 hours Monday to	36	45

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**4. Duration of approval**

- (1) This approval has effect for 2 years from the start day or for a longer period that applies under subclause (2).
- (2) If Alcoa applies for a further approval under regulation 17 in relation to the Wagerup Alumina Refinery within the first 18 months in which this approval has effect, this approval continues to operate until the Minister grants, or refuses to grant, the further approval.

**5. Condition of approval**

It is a condition of the grant of this approval that Alcoa comply with the provisions in *clauses 6 to 11*.\*.

[\*Clause 5 amended in Gazette 10 December 2013 p. 5824]

**6. Noise amelioration plan**

- (1) Alcoa must submit to the *CEO*\* within 3 months of the start day a noise amelioration plan in respect of noise-affected land.
- (2) The noise amelioration plan must contain the following —
  - (a) an acoustic amelioration programme setting out procedures for the provision by Alcoa of noise insulation for buildings, on noise-affected land, that are directly associated with a noise-sensitive use;
  - (b) a land management plan setting out the procedures for the purchase by Alcoa of noise-affected land;
  - (c) any other matter that the *CEO*\* may require.
  - (d) at any time after receiving a noise amelioration plan from Alcoa, the *CEO*\* may, by notice in writing, request Alcoa to

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- (2) *A person appointed by Alcoa as a noise consultant must be a person who —*
- (a) *has the qualifications and skills necessary to competently undertake, and report on, the noise monitoring programme; and*
  - (b) *is a member of a professional body or association the objects of which are to promote and advance the practice of acoustics in Australia; and*
  - (c) *is not a related body corporate or a subsidiary (as those terms are defined in the Corporations Act 2001 (Commonwealth) section 9) of Alcoa; and*
  - (d) *is not an employee of —*
    - (i) *Alcoa; or*
    - (ii) *any such related body corporate or subsidiary.*
- (3) *If a noise consultant appointed under this clause ceases undertaking the noise monitoring programme, for whatever reason, then Alcoa is to appoint another noise consultant as soon as is practicable, but in any event within 3 months of that cessation.*
- (4) *Alcoa must inform the CEO, by notice in writing, within 2 months of the appointment of a noise consultant of the name and qualifications of the noise consultant.*

[\*Clause 7 inserted in Gazette 10 December 2013 p. 5824-5]

**8. Noise monitoring programme to be undertaken\***

- (1) *Alcoa must ensure that a noise consultant appointed under clause 7 undertakes a noise monitoring programme that has the following objectives —*
- (a) *to provide a comparison of the noise emitted from the Wagerup Alumina Refinery between —*
    - (i) *the period during which this approval has effect; and*
    - (ii) *2001, or if sufficient relevant data is not available for 2001, the year next after 2001 for which sufficient relevant data is available;*
  - (b) *to measure compliance with clause 3.*
- (2) *Monitoring of the noise emitted from the Wagerup Alumina Refinery required for subclause (1)(a)(i) must —*
- (a) *commence within 3 months of the start day; and*
  - (b) *be continuous, apart from any breaks referred to in subclause (3), for as long as this approval has effect; and*

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- (c) *comprise the taking of noise measurements, using equipment that does not require the constant presence of an operator, at, or near, the points fixed by —*
- (i) *MGA94 coordinates 398164 East and 6359322 North\*\*; and*
  - (ii) *MGA94 coordinates 398202 East and 6356379 North\*\*;*
- and*
- (d) *be carried out in a way that correspond as closely as possible to the way that the monitoring that produced the data referred to in subclause (1)(a)(ii) was carried out, including —*
- (i) *the use of the same statistical noise parameters as were used to produce that data; and*
  - (ii) *the use of the same values over the same time periods and duration as were used to produce that data; and*
  - (iii) *measuring noise emissions in the same way that noise emissions were measured to produce that data.*
- (3) *Breaks in the continuous monitoring referred to in subclause (2)(b) must be of the shortest possible duration and due only to —*
- (a) *normal maintenance of the monitoring equipment; or*
  - (b) *unavoidable and unforeseeable failure of, or damage to, the monitoring equipment.*
- (4) *Monitoring of the noise emitted from the Wagerup Alumina Refinery required for subclause (1)(b) must —*
- (a) *take place on —*
    - (i) *at least 3 occasions between 1 May and 30 September 2014; and*
    - (ii) *at least 3 occasions between 1 May and 1 July 2015;*

*and*
  - (b) *be carried out —*
    - (i) *at each of the 8 locations listed in clause 3; and*
    - (ii) *between 2200 hours on any day to 0700 hours the next day.*

*[\*Clause 8 inserted in Gazette 10 December 2013 p. 5825-6;*

*\*\* Clause 8 amended in Gazette 14 November 2014 p.4275]*

## **9. Report on 1 Ganttenteov G**

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- (2) *The report is to be submitted within 21 months of the start day.*
  - (3) *In respect of the monitoring required for clause 8(1)(a) the report must —*
    - (a) *summarise at least the last 8 months of noise emissions data collected under the noise monitoring programme during the period that this approval has effect; and*
    - (b) *compare —*
      - (i) *that data; and*
      - (ii) *relevant and available noise emissions data collected for the Wagerup Alumina Refinery in 2001 or, if sufficient relevant data is not available for 2001, data for the year next after 2001 for which sufficient relevant data is available;*
    - (c) *if the data used for comparison under paragraph (b)(ii) was not collected in 2001, explain why the data used for the comparison was chosen.*
  - (4) *In respect of the monitoring required for clause 8(1)(b) the report must —*
    - (a) *set out the data collected under clause 8(4); and*
    - (b) *use that data to describe the extent to which Alcoa has complied, or failed to comply, with clause 3; and*
    - (c) *if there has been any failure to comply with clause 3, describe the failure and provide an explanation as to why the failure occurred.*
  - (5) *The report must also —*
    - (a) *provide details of —*

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*(a) containing the information referred to in subclause (3) in respect*

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**11. Reports to be publicly available\***

(1) *Alcoa must ensure that each report submitted to the CEO under*

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