Government of Western Australia
Department of Water and Environmental Regulation

# Decision Report

## Application for Works Approval

**Part V Division 3 of the *Environmental Protection Act 1986***

| | |
|---|---|
| **Works Approval Number** | W3118/2025/1 |
| **Applicant** | Mid-West Ports Authority |
| **ABN** | 73 384 989 178 |
| **File number** | INS-003118 \| APP-0031581 |
| **Premises** | Geraldton Port<br>Marine Terrace, West End<br>GERALDTON WA 6530<br><br>Legal description<br>Part of Lot 503 on Deposited Plan 57801<br>Certificate of Title Volume 3157 Folio 232<br>As defined by the premise maps in Schedule 1 and as defined by the coordinates in Schedule 2. |
| **Date of report** | 08 June 2026 |
| **Decision** | Works approval granted |

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# 1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the premises. As a result of this assessment, works approval W3118/2025/1 has been granted.

# 2. Scope of assessment

## 2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) has considered and given due regard to its regulatory framework and relevant policy documents which are available at https://dwer.wa.gov.au/regulatory-documents.

## 2.2 Overview of premises

Mid-West Ports Authority (the applicant) operate the Port of Geraldton (the premises) which is managed by the applicant and regulated under existing licence L4275/1982/15. The premises is located approximately 430 km north of Perth, on the northern shores of Point Moore within the south-eastern corner of Champion Bay and directly adjacent to the city of Geraldton.

In operation since 1924, the port has evolved into a diversified trade hub handling major export and import commodities and providing berthing for cruise vessels, oil-rig tenders and specialist craft.

The premises is located within the larger Geraldton Port facility area and consists of five operational berthing stations (Berths 3 - 7); each utilised for the handling of specific bulk material/granular products. Existing Berths 1 and 2 are not currently operational.

This application relates to the implementation of the Geraldton Port Maximisation Project (PMaxP) and involves construction works relating to construction of a new berth (Berth 1) and upgrade and extension works relating to Berth 6.

## 2.3 Application summary

On 30 September 2025, the applicant submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

As specified in section 2.2, this application relates to the implementation of PmaxP which involves dredging, land reclamation, piling, and installation of the following marine infrastructure:

- Construction of a new berth (Berth 1);
- Extension of the existing Berth 6 including upgrades to the stormwater system;
- New tug harbour, including the construction of a new breakwater extending north into champion bay;
- Port west road upgrades.

PMaxP also includes the demolition of the existing Berth 2 wharf deck.

An overview of the PMaxP changes are depicted in Figure 1.

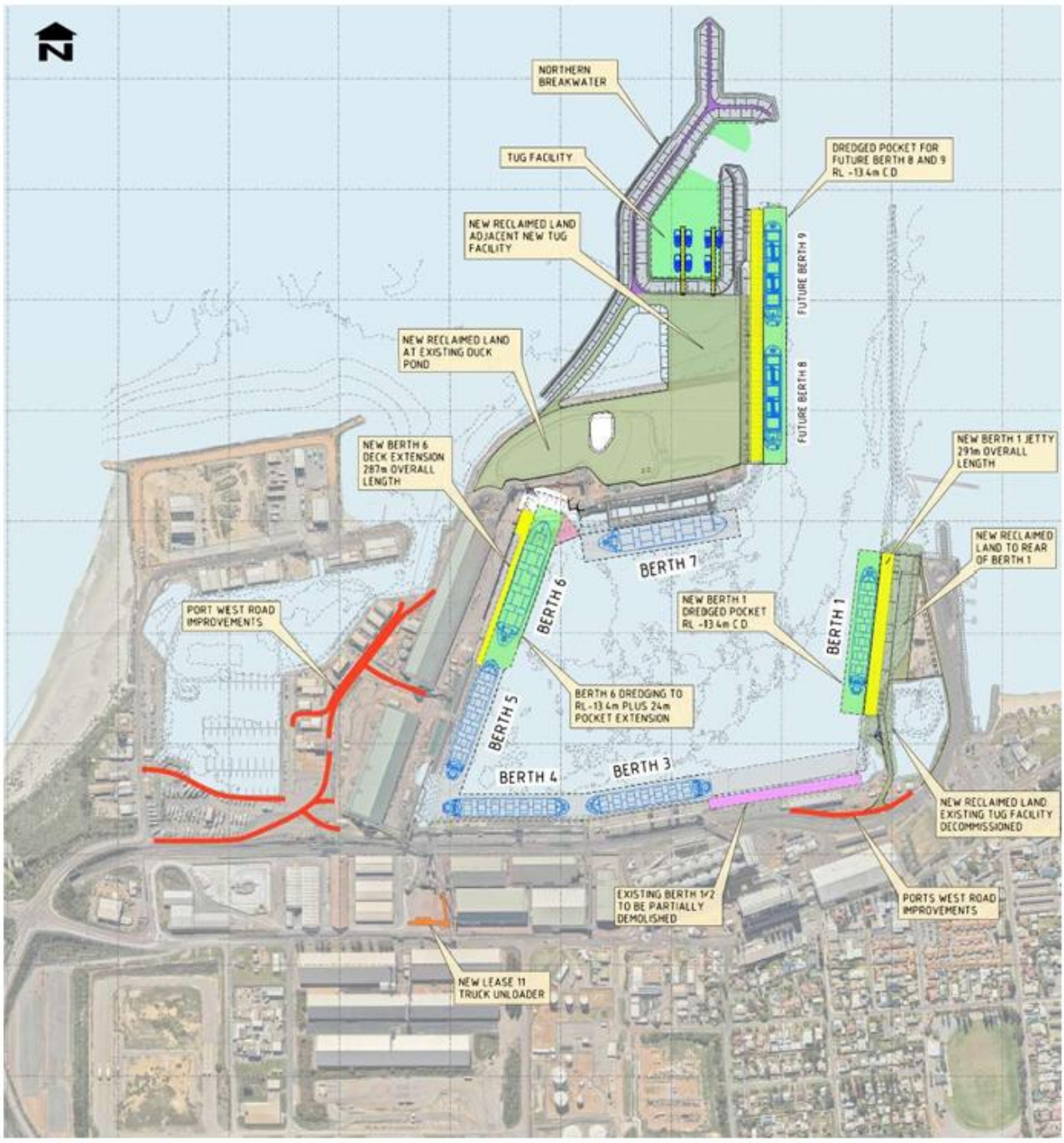


**Figure 1: Upgraded Geraldton Port Layout**

## 2.4 Proposed works

Details of works associated with PMaxP that have been considered in this risk assessment are provided below.

### 2.4.1 New Berth 1 construction

Berth 1 will be constructed to replace the aged infrastructure of existing Berths 1 and 2 (Figure 2). The key purpose of constructing the new berth is to facilitate continued trade, mitigate anticipated congestion at Berth 6, and establish a dedicated and safe disembarkation location for cruise vessels. Currently, cruise ships berth at Berths 3 and 6, resulting in scheduling constraints and operational impacts on export vessel movements.

Construction of the replacement Berth 1 will include impact and vibratory piling of approximately 120 tubular piles to a maximum depth of 40 m. These piles will support a 293 m x 22 m new concrete wharf deck.

Berth 1 will be used for the import of heavy mineral concentrate (HMC) and fertiliser. HMC will be unloaded using self-discharging vessels to a hopper for direct loading into trucks for transport offsite. Fertiliser will be unloaded using grab buckets which also load trucks via a hopper. Hazardous metal concentrate products such as copper, lead sulphide, zinc, nickel and iron concentrates are not proposed for handling at Berth 1 due to the proximity of potentially sensitive receptors at the town beaches east of the port. No product will be exported from this location.

The new berth will not increase the overall port throughput with berth tonnages being redistributed from other berths to improve operational flexibility at those wharfs.

**Figure 2: Berth 1 render new wharf highlighted yellow**

### 2.4.2 Stormwater management infrastructure of Berth 1 construction

Berth 1 will drain via overland flow to the back of the berth, passing across bituminised (sealed) hardstand before continuing over the graded unsealed hardstand. From there, runoff will enter the graded earthworks and then flow into the retention and infiltration swale. The swale will be lined with 300 mm blue metal and fitted with a sediment fence designed to remove an average of 80% of solids and gross pollutants (Figure 3).

The swale will have a weir overflow that discharges into the old tug harbour material disposal area located south of the wharf (Figure 1). This will occur only during rainfall events that exceed the 1 in 10 year ARI capacity of the swale.

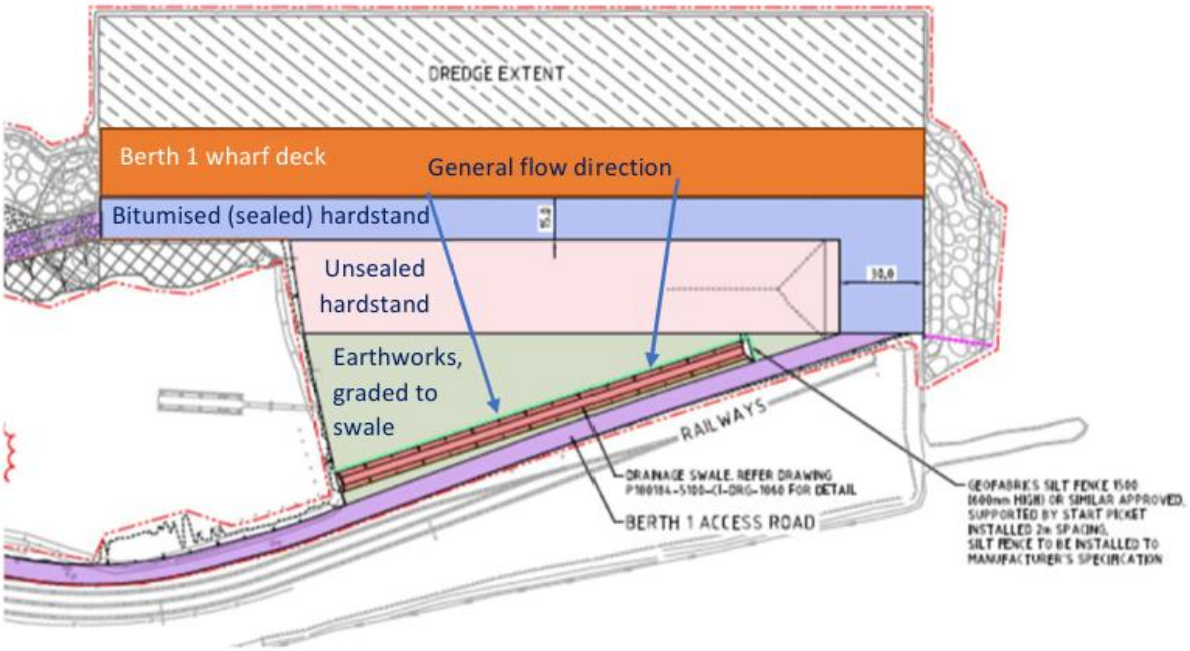


**Figure 3: Berth 1 wharf deck layout**

### 2.4.3 Existing Berth 6 extension

Berth 6 is an existing operational facility that requires extension and upgrade works to support Panamax-class vessels. These improvements are necessary to eliminate the current operational impacts on the efficiency and utilisation of the neighbouring Berth 5.

Berth 6 is currently used for the import and export of the products listed in Table 1 using the specified handling methods.

**Table 1: Products currently imported/exported from Berth 6 and the associated handling method.**

| Product | Handling method |
|---|---|
| **Import** | |
| HMC | Self-discharging vessel to hopper |
| Coal<br>Fertiliser (urea, soda ash, pot ash, phosphates) | Grab bucket to hopper |
| **Export** | |
| Metal concentrates (copper, lead sulphide, iron, zinc, nickel) | Rotainers into ship hold via wharf-based crane and rotating lifting frame |
| Mineral sand concentrate | |
| Bagged garnet | |

The Berth 6 extension (Figure 4) will include improved stormwater management by providing a sealed and appropriately graded surface that directs runoff to the Humeceptor network. Treated stormwater will subsequently be released to the commercial harbour via three new stormwater discharge points positioned beneath the berth structure.

The wharf upgrade will involve vibratory and impact piling of approximately 100 tubular piles of up to 914 mm diameter to a depth of approximately 20 m. The wharf deck to a new length of approximately 290 m (existing wharf deck length is 244 m) and width of 23 m.

Operationally, the extension of Berth 6 will not increase the overall throughput of the port nor result in a change to the materials handling activities that currently occur at Berth 6. The total maximum throughput will remain within the existing licence throughput limit of 23 Million tonnes per annum (Mtpa). The primary change is an improved stormwater management system as described below in section 2.4.4 and therefore this assessment is limited to consideration of risks associated with changes to stormwater management at Berth 6.

**Figure 4: Berth 6 Render wharf extension highlighted yellow**

### 2.4.4 Stormwater management infrastructure of Berth 6 extension

Stormwater management at Berth 6 will be improved through the design of the new berth extension. Stormwater will be captured and treated via an increased number of new drainage inlets (downpipes), with sediment sumps incorporated, before being directed to a Humeceptor (six new Humeceptors in total) prior to discharge via new drainage outfall points (three new outfalls) (Figure 5). The Berth 6 stormwater system will be designed to contain a 1 in 10-year Average Recurrence Interval (ARI); i.e. 10% Annual Exceedance Probability (AEP) storm event based on the local region, with all captured stormwater flowing back away from the harbour towards the landside infrastructure.

The drains on Berth 6 will be able to be isolated during product loading and unloading to minimise the risk of product entry into the drainage system.

The licence currently authorises stormwater discharges to port waters via various outfalls (SW1 – SW17). SW14 is associated with stormwater discharge from Berth 6 and the licence requires monitoring of this discharge when handling fertiliser to verify the content of nitrogen-based pollutants in the discharge. With the improved drainage and filtration system on Berth 6, the applicant considers that stormwater monitoring during loading / unloading of fertiliser at Berth 6 is no longer required (MWP, 2025).

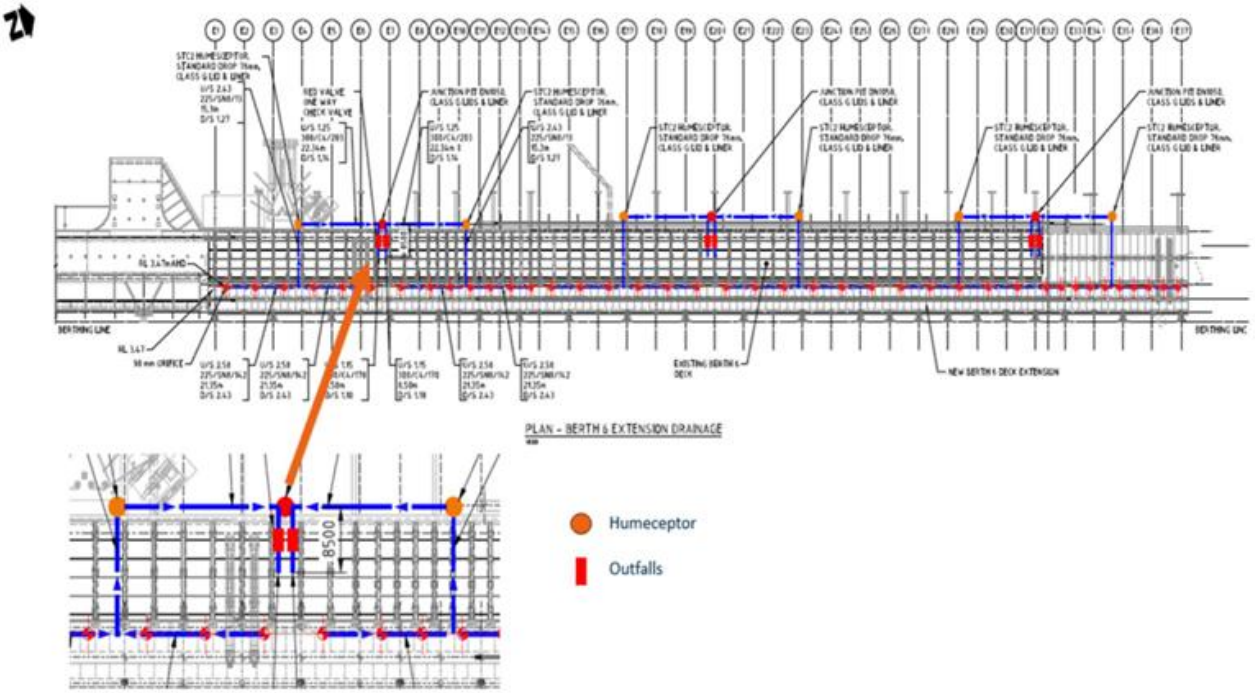


**Figure 5: Berth 6 Drainage system and new outfalls.**

### 2.4.5 Scope of the assessment:

The application and assessment is limited only to changes associated with Category 58 and 58a activities as defined by Schedule 1 of the *Environmental Protection Regulations 1987*. No changes to the throughput capacity specified in the licence (L4275/1982/15) will result from the proposed works. The following matters are considered to be out of the scope of this assessment and have not been considered within the technical risk assessment detailed in this report.

- The new tug facility and breakwater expansion.
- The Port West Road upgrades.
- Berth 2 wharf deck demolition -The applicant proposes to send all demolition material off-site for processing; therefore, concrete crushing and screening associated with the removal and recycling of concrete is excluded from the scope of this works approval.
- Construction of Berths 8 and 9 as these are future works and not proposed through this amendment.
- Preparatory works associated with Berth 1 and 6 construction works including dredging and rock revetment.
- The construction of the truck unloader to be used for materials handling at Berth 4 as it has been approved under works approval W6893/2024/1 granted on 11 June 2024.

Emissions and discharges associated with existing operations that are unrelated to the proposed upgrade works associated with Berth 1 and Berth 6 have also not been reassessed. This includes materials handling activities at Berth 6 which are not expected to change as a result of this amendment and have therefore not been reassessed.

Furthermore, the scope of this works approval assessment is limited to the proposed upgrade works associated with Berth 1 and Berth 6 and associated prescribed activities occurring within the prescribed premises boundary. Accordingly, activities associated with the transport of materials outside the premises, including rail and road transport, are excluded from the scope of this assessment.

## 2.5 Part IV of the EP Act

### 2.5.1 Previous approvals under Part IV of the EP Act

The premises and its previous expansion have been assessed by the Environmental Protection Authority (EPA) and subject to conditions under various Ministerial Statements (MS). A summary of these is outlined in Table 2.

**Table 2: Summary previous assessments and approvals under Part IV of the EP Act.**

| Ministerial Statement | Date of approval | Associated Report | Proposal description and summary of relevant conditions |
|---|---|---|---|
| MS 87 | 27 December 1989 | 411 | Proposal related to reclamation of 5 hectare (ha) area within the inner harbour. Associated works included breaching of outer breakwater and dredging of channel to create new entrance to fishing boat harbour.<br>Key environmental factors assessed included water quality, marine ecosystems, offshore coastal processes, as well as noise and dust impacts. |
| MS 367 | 5 October 1994 | 752 | Proposal related to further expansion of port facilities, with extension of sand trap breakwater and reclamation of 7.8 ha by trapping littoral drift on the ocean side of the fishing boat harbour. The proposal would enable sand to accumulate in a manner that reduced the cost of land reclamation for further port development.<br>Key environmental factors assessed included water quality, protection of biological communities, and shoreline stability. |
| MS 600 | 10 June 2022 | 1050 | Proposal to implement the Port Enhancement Project and undertake preparatory works for the Town Beach Foreshore Redevelopment Project, including deepening of harbour basin by dredging, widening of existing channel and extension of channel out to sea, disposal of dredge spoil from channel dredging offshore to create artificial lobster catching reefs, modifications to breakwater design, and construction of railway line on eastern breakwater.<br>Key environmental factors assessed included benthic primary producer habitat, water quality, marine mammals, noise impacts, visual impact, and coastal stability. |

Statements 87, 367 and 600 include requirements to monitor and manage water quality of the inner harbour to meet specified environmental quality objectives during dredging works. These monitoring programs are no longer active as dredging works associated with the above approved proposals have been completed.

### 2.5.2 Assessment of PMaxP

The proposed PMaxP was referred to the under section 38 of the EP Act, with the level of assessment set as “Referral Information with additional information”. The EPA released its Report and Recommendations (EPA Report 1792) on 19 September 2025. The assessed proposal included activities relating to dredging approximately 258,000 $m^3$, land reclamation, piling and installation of the following marine infrastructure:

- new wharf decks relating to Berth 1 (relocated) and Berths 8 and 9;
- extension of the existing Berth 6; and
- new tug harbour, including the construction of a new breakwater extending north into Champion Bay.

In its assessment, the EPA considered the following key environmental factors:

- benthic communities and habitats including indirect impacts from turbidity, sediment deposition and mobilisation of contaminants associated with dredging and construction activities;
- marine environmental quality particularly impacts to environmental quality from dredging and construction activities including hydrocarbon contamination from leaks and spills;
- marine fauna as is relates to impacts to Australian sea lions and other conservation significant fauna from, among other things, underwater noise generated during construction; and
- coastal processes.

The EPA's Report was subject to appeal (Appeal 039/25), with appellants raising concerns regarding the adequacy of the assessment of risks to marine fauna—particularly the Australian sea lion (*Neophoca cinerea*) and nearby haul-out sites—and to coastal processes. In its determination of the appeal, the Minister for Environment accepted the Appeals Convenor's recommendation to allow the appeal in part, resulting in additional and amended conditions to strengthen environmental outcomes for marine fauna and coastal processes. MS1272 was subsequently granted on 4 May 2026.

### 2.5.3 Marine water quality

As indicated above, MS1272 includes conditions regarding the protection of marine water quality within the port waters. Specifically, conditions require the applicant to achieve specific environmental outcomes which includes no adverse impacts to marine environmental values and requirements to meet certain levels of environmental protection.

In order to achieve these outcomes, applicant is required to implement the Dredge Environmental Monitoring and Management Plan (DEMMP) which includes monitoring of tail discharge from the reclamation area at the old tug harbour (adjacent to Berth 1). More specifically, monitoring will occur at the border of the Low Ecological Protection Area associated with the old tug harbour return water discharge (site "OTHD" shown in Figure 6) for a suite of parameters including metals, ammonia and perfluorooctanesulfonate (PFOS). Monitoring will occur on a fortnightly basis during dredging, and will continue for one month (or two survey events) post completion of dredging works. The DEMMP does not include provisions for ongoing monitoring beyond this period.

The delegated officer has determined not to unnecessarily duplicate the requirements of MS1272, or reassess the Environmental Factors listed above which have already been assessed through EPA Assessment 1792. However, as discussed further in Table, the delegated officer considers that monitoring at the old tug harbour tail discharge should continue through TLO to ensure oversight of stormwater discharges from Berth 1.

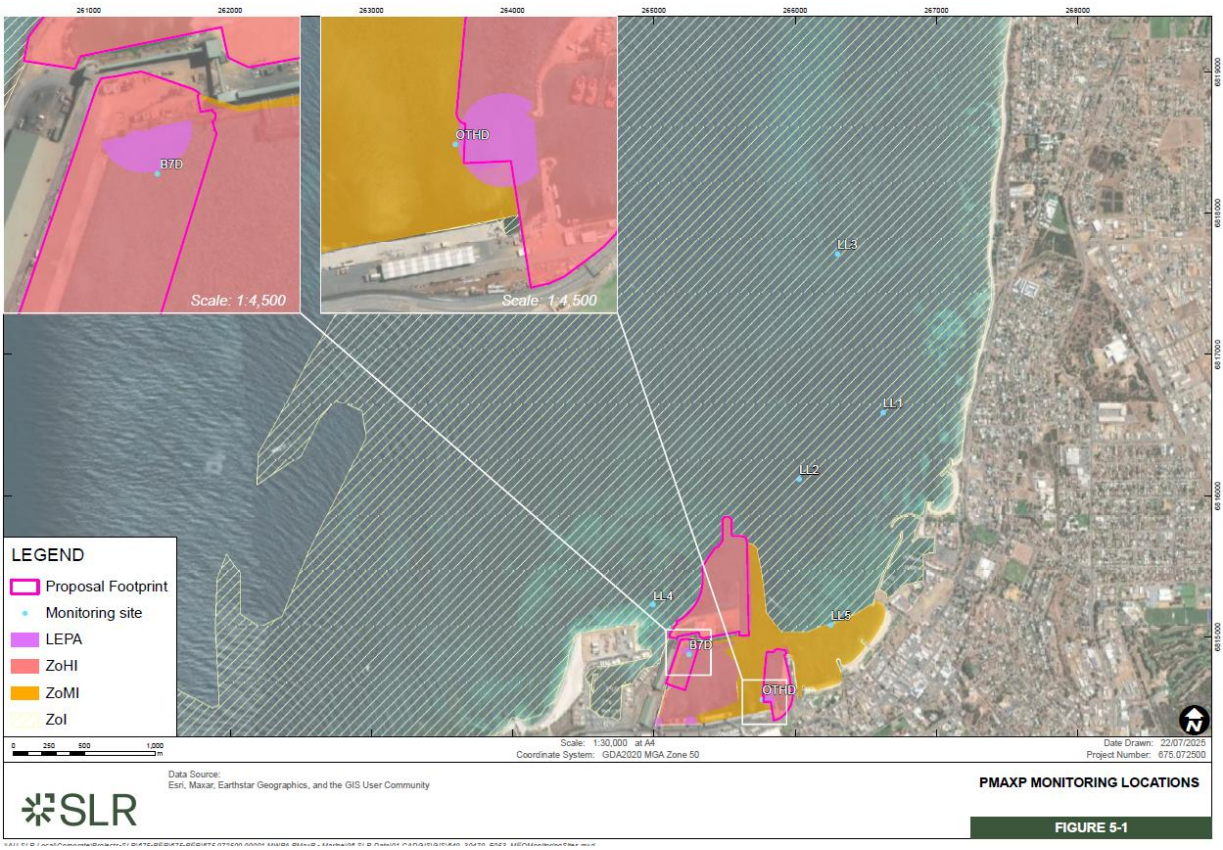


**Figure 6: Monitoring locations specified in the DEMMP**

## 2.6 *Environment Protection and Biodiversity Conservation Act 1999*

The PMaxP was also referred to the Department of Climate Change Energy the Environment and Water (DCCEEW) under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (the EPBC Act) in April 2025 and in August 2025. The referral decision is 'Not a Controlled Action if taken in a Particular Manner'(EPBC 2025/10165).

The decision specifies measures designed to avoid and mitigate potential impacts to Australian sea lions, particularly in relation to impacts from underwater noise. This includes conditions requiring that:

- piling and rock-breaking activities be limited to daytime hours;
- that soft-start procedures be implemented prior to commencing or recommencing such activities; and
- that all piling, rock-breaking, and dredging activities must cease if an Australian sea lion is identified within, or entering, a designated shutdown zone (i.e. waters surrounding the location where piling activities, rock breaking activities or dredging activities are to occur).

## 2.7 Marine Environmental Monitoring and Management Plan

As discussed in section 2.5.1, previous marine environmental monitoring programs required by Ministerial conditions are no longer active. In the absence of these requirements, the applicant has developed a Marine Environmental Monitoring and Management Plan (MEMMP) (O2 Marine, 2024) which establishes a structured, risk-based framework for monitoring and managing marine environmental quality in and around the port. The plan is intended to support

the protection of identified environmental values by defining environmental quality objectives, indicators, and assessment criteria. It aims to characterise baseline conditions, identify and monitor potential impacts, and inform management responses where necessary. The MEMMP incorporates both water quality and sediment monitoring at locations shown in Figure 7. The licence currently includes conditions for monitoring sediment and water quality that broadly align with the specifications of this plan.

Previous assessments undertaken by the department (DWER 2024) acknowledged the development of the MEMMP. While the MEMMP was not formally assessed, the department provided preliminary feedback on the plan noting expectations for refinement to ensure it adequately addresses risks to marine environmental quality. While the general content of the plan has been considered in this assessment, particularly in relation to the location of monitoring sites, the MEMMP has not been formally reviewed or accepted as part of this application. Further review and refinement may be required during the consideration of a future licence application, particularly in relation to any requests to adjust stormwater monitoring requirements currently specified on the licence.

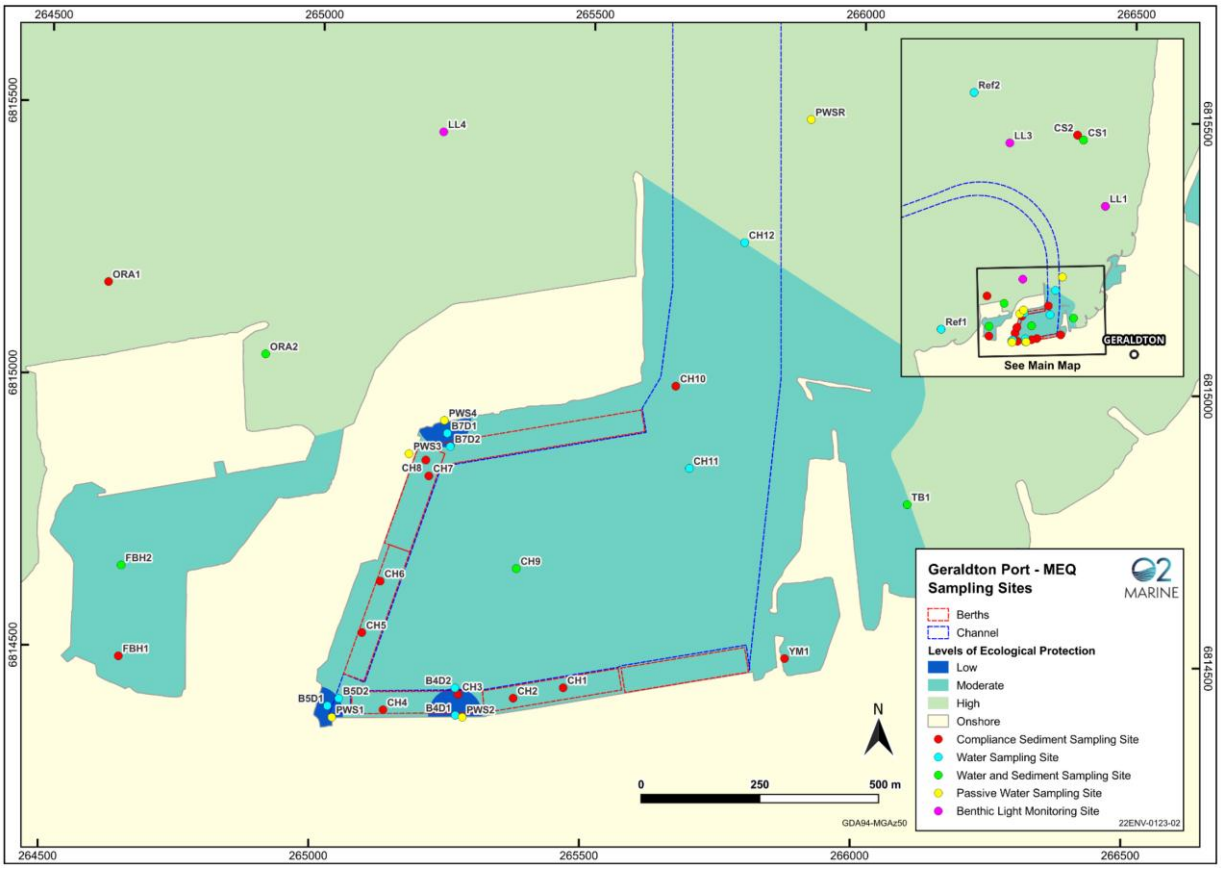


**Figure 7: MEMMP defined areas of ecological protection and monitoring locations.**

# 3. Noise modelling

The applicant contracted Acoustic Engineering Solutions (AES) to conduct an Environmental Noise Impact Assessment (ENIA). The acoustic model was used to predict noise levels at selected receivers for comparison with against the noise standards prescribed in the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). The acoustic model was developed using SoundPlan v8.0 and the CONCAWE prediction algorithms and considered both construction and operational scenarios.

Twelve (12) noise modelling scenarios were assessed in the modelling (Table 3). Scenarios 1 to 7 represent construction activities undertaken during daytime hours only (0700 to 1900), while

Scenario 8 represents construction activities occurring across daytime, evening, and night-time periods (i.e. 24-hour operations). Noting that the ENIA was developed for the entire PMaxP project, certain scenarios are not relevant to this assessment as they are out of scope. This includes, for example, Scenario 8, which is dedicated to dredging activities, and Scenarios 7, 10 and 12, which focus on the construction and operation of Berth 8.

**Table 3: Modelled noise scenarios relevant to this assessment.**

| Scenario | Activities included in the modelled scenario |
|---|---|
| **Construction** | |
| Scenario 1 | Considers the following daytime construction activities:<br>• Berth 1 civil/earthworks; and<br>• Berth 1 and Berth 8/9 capital dredging. |
| Scenario 2 | Considers the following daytime construction activities:<br>Berth 1 piling;<br>• Berth 1 structural (deck install) and piling,<br>• Berth 6 civil/earthworks;<br>• Berth 8/9 capital dredge; and<br>• Tug harbour seawalls and reclamation. |
| Scenario 3 | Considers piling hammer impact noise in isolation for its maximum noise ($L_{AMax}$) emission during Berth 1 piling. |
| Scenario 4 | Considers the following daytime construction activities:<br>• Berth 1 structural (deck install); and<br>• Tug harbour seawalls, reclamation and piling. |
| Scenario 5 | Considers the following daytime construction activities:<br>• Maintenance dredging works at tug harbour;<br>• Berth 6 piling; and<br>• Berth 6 structural (deck install) |
| Scenario 6 | Considers the following daytime construction activities:<br>• Berth 6 structural works;<br>• Berth 2 demolition; and<br>• Berth 8 civil/earthworks and piling. |
| Scenario 7 | Considers daytime construction activities associated with Berth 8. |
| Scenario 8 | Represents Berth 1 capital dredging works occurring during daytime, evening and at night. |
| **Operations** | |
| Scenario 9 | Represents worst-case operation of individual shiploading activities at new Berth 1 and includes operation of the mobile harbour crane, onsite truck movements and operation of mobile equipment such as a forklift and vacuum truck. |
| Scenario 10 | Similar to Scenario 9, Scenario 10 represents worst-case operations at Berths 8 and 9 in isolation. |
| Scenario 11 | A cumulative assessment of Scenario 9 (operation of new Berth 1) combined with current worst-case operations of Geraldton Port. |
| Scenario 12 | A cumulative assessment of Scenario 10 (operation of new Berths 8 and 9) combined with current worst-case operations of Geraldton Port. |

Predicted noise levels for all twelve scenarios were assessed at eleven receptors (R1 to R11). Six of these are considered to be noise sensitive premises (R1-R5 and R7) while the remaining five are commercial premises.

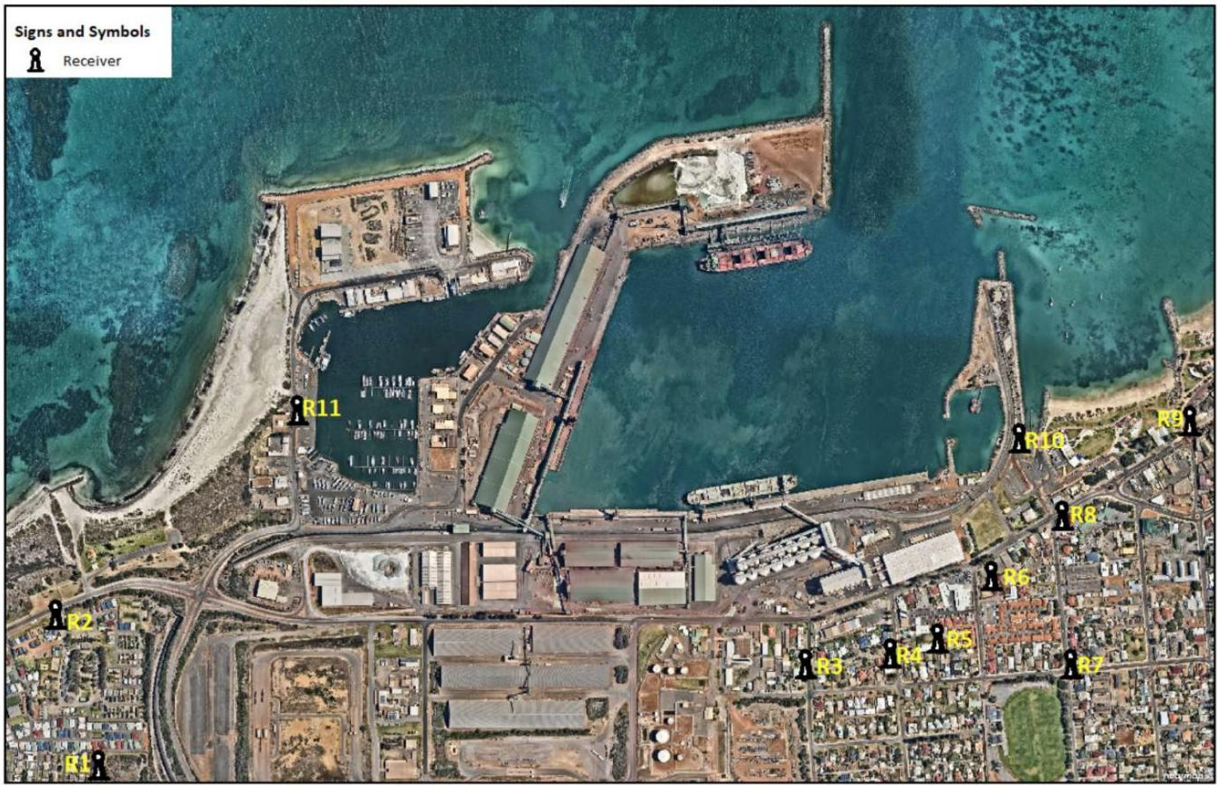


**Figure 8: Locations of selected noise-sensitive receivers (R1 to R11)**

Under the Noise Regulations, an applicant must ensure that noise from a proposed activity is low enough that it does not significantly add to overall noise levels. In practical terms, this means the noise from the proposal must be more than 5 decibels below the allowed noise limit at the nearest sensitive location. If the noise is within 5 decibels of the limit, it is considered a significant contribution and does not comply.

## 3.1 Construction noise

The noise assessment identified that construction activities associated with the project, including dredging, tug harbour construction, civil works, piling and structural works, will generate elevated and intermittent noise levels characteristic of large marine and port infrastructure developments. The application indicates that construction works are expected to occur for seven days a week over a two year period. While most activities occurring between daylight hours (7am and 7pm), dredging operations are expected to occur 24/7. As stated above, dredging works are outside the scope of this assessment and therefore risks associated with noise from dredging have not been considered.

Construction noise was assessed conservatively against criteria set at 5 dB below the assigned noise levels at nearby receptors, consistent with requirements of the Noise Regulations relating to the determination of activities that significant contribute to noise (refer to section 3 above).

Modelling predicted that construction noise undertaken during standard daytime hours (Monday to Saturday) would comply with the criteria at some receptor locations under all wind conditions, while exceedances at other locations may occur under certain wind directions, particularly during high-noise activities such as piling. These exceedances were predicted to occur infrequently (generally less than approximately 15–20% of the time).

Regulation 13 of the *Environmental Protection (Noise) Regulations 1997* establishes a specific framework for managing construction noise, recognising its temporary and variable nature, and provides that construction noise is exempt from compliance with assigned noise levels where the works meet the definition of construction work and are undertaken in accordance with an Construction Noise Management Plan (CNMP) approved under the Noise Regulations.

A technical review of the ENIA confirmed that the construction noise assessment methodology, modelling inputs and assumptions were appropriate and that the conclusions of the ENIA are sound. It is considered that, given the conservative assessment approach and the low frequency of high-noise events, construction noise impacts are unlikely to be significant and can be adequately managed in accordance with a Regulation 13 via a CNMP.

The application included a Noise Management Plan prepared by AES which is considered appropriate in principle, noting that submission and approval of a site-specific CNMP by the City of Greater Geraldton is required. The delegated officer also notes that detailed, activity-specific CNMPs must be developed and approved for any proposed out-of-hours construction works prior to their commencement.

Construction activities will occur concurrently with ongoing port operations, requiring careful differentiation between construction and operational noise sources to demonstrate compliance for each activity type.

Subject to these requirements, the delegated officer considers that construction noise risks can be appropriately managed through the assessment and approval of a CNMP.

## 3.2 Operational noise

Operational noise modelling assessed the predicted noise emissions from the proposed new berths, both individually and cumulatively with existing port operations, under a range of operating and meteorological scenarios. The assessment identified that, under worst-case conditions, operational noise associated with the new berths and cumulative port activities may exceed assigned noise levels at a number of sensitive receptors (Table 4). However, these exceedances are predicted to occur infrequently under specific weather conditions, with modelling indicating compliance for approximately 98% of the time across day, evening and night periods.

Technical review of the ENIA confirmed that the operational noise modelling was carried out correctly and that the conclusions of the ENIA are accurate and valid. It is acknowledged that existing port operations already contribute relatively high noise levels under worst-case conditions and that noise from the port operation is highly likely to be masked by the high level of background noise in the port area.

To support the recent licence amendment (granted November 2024) increasing the throughput of the port, a noise model validation assessment was undertaken. This validation demonstrated compliance with the Noise Regulations and showed that measured noise levels were typically around 5 dB lower than model predictions, confirming that the operational noise model is conservative. Notwithstanding this, several noise controls were implemented, including:

- replacement of silencers and fogging units within dust collectors;
- upgrade of Berth 4 shiploader alarm to a broad band squawker type alarm; and
- improvements to routine equipment maintenance and condition reports by a third-party provider.

The monitoring also demonstrated that port-derived noise is frequently masked by high background noise levels associated with wind and other exempt sources, a condition expected to continue during future operations of the new berths.

Noting the potential for the model to over-predict noise from the premises, the applicant has committed to undertaking further noise validation work to verify that the operation of the PMaxP will comply with the Noise Regulations and, where compliance cannot be demonstrated, the applicant has committed to developing a noise management plan to ensure ongoing compliance.

**Table 4: Maximum predicted $L_{A10}$ noise levels (dB(A)) at receptors modelled for Scenario 9 and 11 with tonality and impulsiveness adjustments applied.**

| Receivers | Noise criteria | | Scenario 9[2] | | Scenario 11 | |
|---|---|---|---|---|---|---|
| | Day[1] | Night | Day[1] | Night | Day[1] | Night |
| R1 - Residential | 48 | 38 | 31.9 | 32.4 | 42.5 | 47.8 |
| R2 - Residential | 47 | 37 | 32.0 | 32.3 | 44.7 | 49.4 |
| R3 - Residential | 57 | 47 | 28.4 | 28.5 | 49.1 | 53.8 |
| R4 - Residential | 52 | 42 | 33.9 | 34.0 | 45.1 | 49.9 |
| R5 - Residential | 53 | 43 | 32.6 | 32.6 | 41.5 | 46.3 |
| R6 – Commercial/retail | 60 | 60 | 49.8 | 54.9 | 56.5 | 56.5 |
| R7 - Residential | 47 | 37 | 41.9 | 47 | 44.0 | 49.1 |
| R8 - Commercial | 60 | 60 | 45.5 | 50.6 | 57.7 | 57.6 |
| R9 - Recreation | 60 | 60 | 49.8 | 54.8 | 58.9 | 58.8 |
| R10 – Parking | 60 | 60 | 61.4 | 61.5 | 64.4 | 64.4 |
| R11 - Commercial | 60 | 60 | 39.9 | 45.2 | 57.6 | 56.7 |

Note 1: Day represents 0700-1900 Monday to Saturday excluding public holidays

Note 2: For the PmaxP in isolation, predicted noise levels are required to achieve 5dB less than the assigned noise level.

# 4. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

## 4.1 Source-pathways and receptors

### 4.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and operation which have been considered in this decision report are detailed in Table 5 below. Table 5 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 5: Proposed applicant controls**

| Emission | Sources | Potential pathways | Proposed controls (MWP, 2025) |
|---|---|---|---|
| **Construction** | | | |
| Dust | Wheel generated dust associated with construction vehicles and mobile plant on unsealed surfaces.<br>Dust from bulk earthworks. | Air / windborne pathway | • Dust generation will be kept to a minimum through the wetting of soils prior to and during works.<br>• A water cart will be available for use throughout construction.<br>• Wetting will be applied based on observed site conditions and any visible dust generation at the work front.<br>• Dust management measures will be applied in accordance with the applicant's Dust Management Plan (DMP) and will be included in the Contractor's Construction Environmental Management Plan.<br>• In accordance with conditions of the existing licence (L4275/1982/15), the applicant operates an extensive dust monitoring network that will be in use throughout the construction phase. The applicant is required to report exceedance of air quality targets on a quarterly basis. |
| Noise | Piling and Construction of Berth 1 deck and Berth 6 extension. | Air / windborne pathway | • A CNMP has been developed to manage construction noise during the construction phase including out of hours work and has been developed in accordance with regulation 13 of the Noise Regulations. The plan is subject to assessment and approval by the City of Greater Geraldton to ensure it is suitable for managing noise during construction.<br>• Construction works will primarily be conducted during daylight hours from 0700 to 1900 hours as prescribed in the Noise Regulations.<br>• Conditions of EPBC 2025/10165 require that piling and rock-breaking activities are limited to daytime hours.<br>• In accordance with Regulation 13 of the Noise Regulations, construction works will be carried out in accordance with control of environmental noise practices set out in section 4 of AS 2436-2010 *Guide to noise and vibration control on construction, maintenance and demolition sites* and the equipment used on the premises will be the quietest reasonably available. |
| Sediment laden stormwater runoff | Construction of Berth 1 deck and Berth 6 extension. | Overland runoff into marine environment during rainfall events | • Berth 1 construction site will be managed via a series of sumps with silt traps, or via infiltration, to prevent discharge of material-laden stormwater into the existing adjoining drainage network or marine environment.<br>• Stormwater at the Berth 6 construction site will be managed via the existing drainage system along with drainage diversion and collection where required.<br>• Environmental quality monitoring in accordance with the MEMMP and DEMMP. |

| Emission | Sources | Potential pathways | Proposed controls (MWP, 2025) |
|---|---|---|---|
| **Operation** | | | |
| Dust | Handling of granular bulk materials (HMC, fertiliser) at Berth 1 | Air / windborne pathway | • The same controls as outlined in the existing Licence (L4275/1982/15) will apply relating to maintaining product above its associated dust extinction moisture (DEM) level, use of wind shields during unloading, monitoring of wind conditions, managing spillages to prevent dust lift off, covering of trucks when transporting material at the premises and implementing measures to ensure that dust does not cross the boundary of the premises.<br>• Sweeping / vacuuming during handling to recover spillage and ensure the avoidance of bulk product entering the harbour during rain events.<br>• Grabs will not be overloaded, as far as practicable for fertiliser loading. Ideal load level is up to the height of the grizzly.<br>• To avoid spillage, hoppers will not be overloaded during the fertilise loading. The maximum level to which hoppers will be filled depends on the bulk density of the product being unloaded.<br>• Trucks will immediately be tarped once loaded with fertiliser.<br>• Ambient air quality monitoring will continue in accordance with the requirements of the licence which includes a monitor located directly east of Berth 1 |
| Accidental direct spillage to marine waters | | Direct discharge and land overflow | The same controls as outlined in the existing Licence (L4275/1982/15) will apply which includes measures for managing spills such as:<br>• the use of spill deflector plates when loading and unloading;<br>• that spills are collected in a manner that prevents them accessing the environment; and<br>• that measures are implemented to prevent spillage via the gap between the berth and the vessel.<br>Routine mechanical and manual sweeping will be carried out to reduce spilt material entering marine environment.<br>Spilt product will be removed along kerbs, around bollards, on top of fenders, and berth face water outlet lids using vacuum truck or swept back onto the berth to be picked up by road sweeper. At no time are materials will be swept or washed into the marine environment.<br>Trucks will not be overloaded and any spillage of product onto the truck body external to the trailer will be cleaned up immediately and prior to the truck leaving the hopper area.<br>Upon completion of loading, discharge hoppers and machinery used on the ship (such as excavators and bobcats) will be cleaned. |
| Noise | | Air / windborne | Noise validation monitoring to commence during the Time Limited Operations (TLO) phase for the new Berth 1 with commitments to develop an operational noise management plan where exceedances of the assigned noise levels specified in the Noise Regulations are identified. |

| Emission | Sources | Potential pathways | Proposed controls (MWP, 2025) |
|---|---|---|---|
| Sediment laden and/or contaminated stormwater runoff | Materials unloading at new Berth 1.<br>Materials loading and unloading at extended Berth 6. | Overland runoff into marine environment during rainfall events | Berth 1:<br>• Controls in place for managing spillage as described above to prevent spills entering the stormwater system.<br>• Materials handling at Berth 1 is limited to fertiliser and HMC (no metal concentrates).<br>• Berth 1 will be graded so that stormwater is directed via sealed and unsealed hardstands to a retention and infiltration swale equipped with a sediment fence designed to remove 80% of solids and gross pollutants prior to discharge to the environment.<br>• The Berth 1 drainage / stormwater system will be designed to contain a 1 in 10 year ARI event.<br>• During loading / unloading of products, or in the event of a spill, blue metal filled sediment socks will be installed along the perimeter of the sealed hard stand area (where it meets the unsealed hard stand) to minimise the risk of entry of product to the drainage system.<br>• The drainage swale will discharge into the old tug harbor material disposal area. Discharge from this area into the broader port marine waters is managed under MS1272, although only during dredging works.<br>Berth 6:<br>• Stormwater will be captured and treated via an increased number of new drainage inlets (downpipes), with fines / sediment sump incorporated, before being directed to new Humeceptors. Discharge will be via three new outfalls.<br>• Drainage system is designed to capture a 1 in 10 year ARI event.<br>• Berth 6 drainage network will be able to be isolated during product loading and unloading, to minimise the risk of product entry into the broader port drainage system.<br>• Humeceptors will be inspected and cleaned via a vacuum truck post-loading and prior to deisolating.<br>• Drains will only be opened once the berth has been cleared of all residual product.<br>• Marine environmental quality monitoring will continue in accordance with the MEMMP. |

### 4.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the delegated officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 6 and Figure 9 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises *(Guideline: Environmental Siting* (DWER 2020)).

**Table 6: Sensitive human and environmental receptors and distance from prescribed activity**

| **Human receptors** | **Distance from prescribed activity** |
|---|---|
| Recreational premises (Geraldton Multipurpose Centre & Geraldton beach) | 200 m east from proposed works area |
| Residential premises | 350 m southeast from proposed works area (Berth 1) |
| Commercial premises | Approximately 350 m southeast from proposed works area (Berth 1) |
| Other sensitive premises | Retirement village approximately 450 m south from proposed works area<br>Primary School approximately 700 m southeast from proposed works area |
| **Environmental receptors** | **Distance from prescribed activity** |
| Surrounding marine environment | Directly adjacent to proposed works area |
| Marine Fauna | Sea Lions (*Neophoca cinerea*) can be present in marine water within and adjacent to the premises. Sea Lions are listed as endangered under the EPBC Act.<br>*As discussed in section 2.5 impacts to Sea Lions are managed under MS1272 and therefore, this receptor is screened out.* |

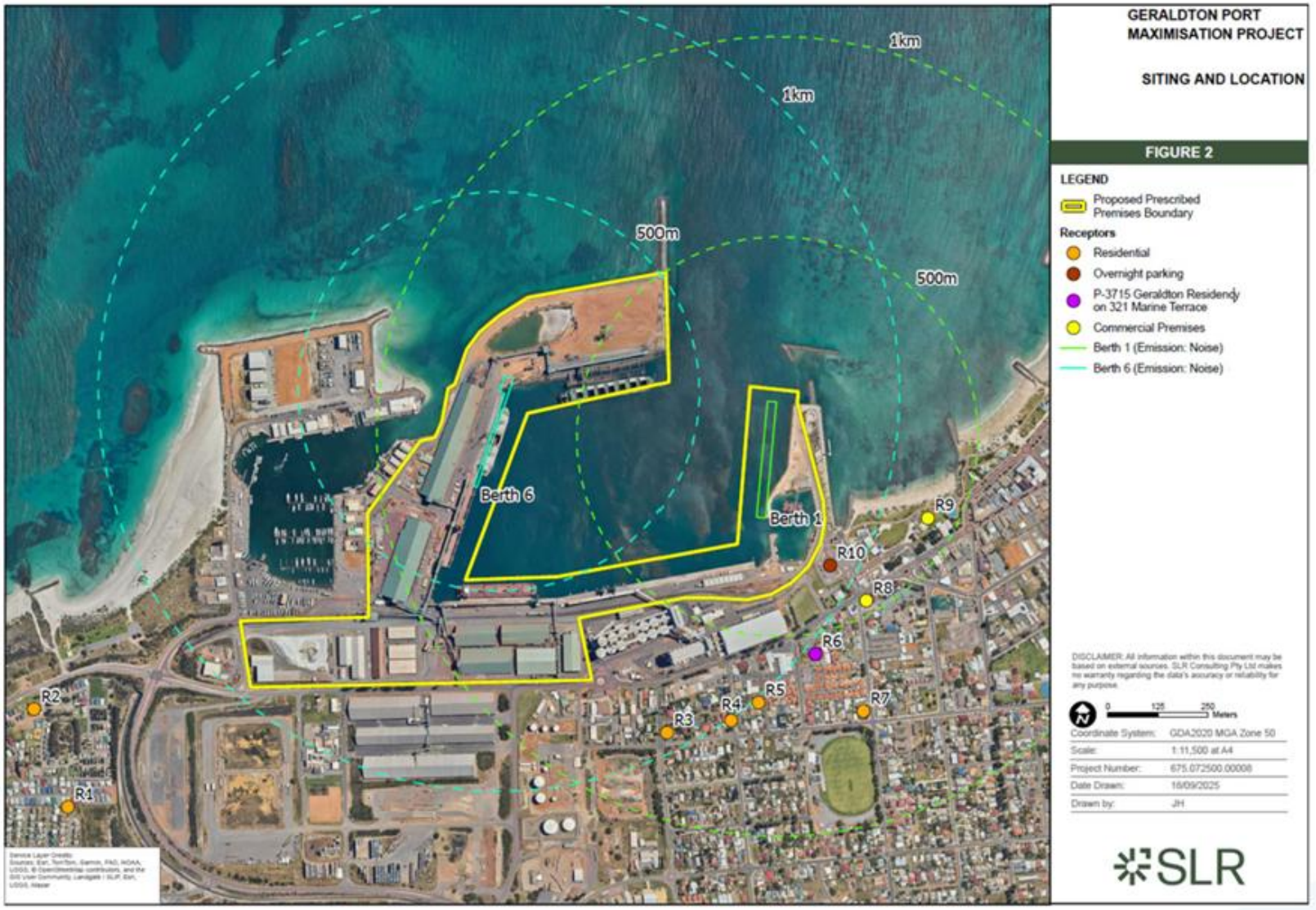


**Figure 9: Distance to sensitive receptors**

## 4.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 4.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 4.1), these have been considered when determining the final risk rating. Where the delegated officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 7.

Works approval W3118/2025/1 that accompanies this decision report authorises construction and time-limited operations. The conditions in the issued works approval, as outlined in Table 7 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the premises i.e. Bulk material loading or unloading. A risk assessment for the operational phase has been included in this decision report, however licence conditions will not be finalised until the department assesses the licence application.

**Table 7: Risk assessment of potential emissions and discharges from the premises during construction and operation**

| Risk events | | | | | Risk rating [1] C = consequence L = likelihood | Applicant controls sufficient? | Conditions[2] of works approval | Reasoning |
|---|---|---|---|---|---|---|---|---|
| **Sources / activities** | **Potential emission** | **Potential pathways and impact** | **Receptors** | **Applicant controls** | | | | |
| **Construction** | | | | | | | | |
| Wheel generated dust associated with construction vehicles and mobile plant on unsealed surfaces.<br>Dust from bulk earthworks | Dust | Air / windborne pathway causing impact to human health and amenity | Human receptors, including recreational residential, commercial, industrial and sensitive premises (refer to Section 4.1.2) | Refer to Section 3.1 | C = Slight<br>L = Unlikely<br>**Low Risk** | Y | Existing conditions of the licence relating to monitoring and reporting of exceedances. | The delegated officer is satisfied that the applicant has proposed adequate controls to manage dust emissions during construction, noting that construction activities will be staged and defined timeframe, reducing the likelihood of sustained or high-risk dust generation. |
| Piling and construction of Berth 1 deck and Berth 6 extension. | Noise | | | As outlined in section 3.1, the delegated officer determined that noise impacts associated with the proposed construction works are unlikely to be significant and can be appropriately managed in accordance with Regulation 13 of the Noise Regulations via the CNMP assessment and approval process. | | | | |
| Construction of Berth 1 deck and Berth 6 extension. | Sediment-laden stormwater runoff | Overland runoff into marine environment during rainfall events causing to marine environment and ecological health or impacting surface water quality | Surrounding marine environment | Refer to Section 3.1 | C = Slight<br>L = Rare<br>**Low Risk** | Y | Existing conditions of the licence relating to stormwater. | Stormwater within the Berth 1 construction site will be managed via a series of sumps with silt traps, or via infiltration, to prevent discharge of material-laden stormwater into the existing adjoining drainage network or marine environment.<br>Berth 6 construction site will be managed via the existing drainage system along with drainage diversion and collection where required.<br>Existing licence L4275/1982/15 contains relevant conditions for the management of stormwater runoff becoming contaminated by the activities on the premises, which remain applicable during construction.<br>The delegated officer considers the proposed controls for managing stormwater from the construction of the proposed infrastructure to be adequate noting that discharges are also subject to the *Environmental Protection (Unauthorised Discharges) Regulations 2004*. |
| **Time-limited-operations** | | | | | | | | |
| Operation of new Berth 1 (Handling of bulk materials at Berth 1) | Dust | Air / windborne pathway causing impacts to human health and amenity | Human receptors, including recreational residential, commercial, industrial and sensitive premises (refer to Section 4.1.2) | Refer to Section 3.1 | C = Moderate<br>L = Possible<br>**Medium Risk** | Y | Condition 6: Premises operational requirements during time-limited operations<br>Condition 7: Infrastructure and equipment requirements during time-limited operations<br>Existing licence conditions relating to the control of dust. | Materials handling activities at Berth 1 will be limited to unloading of fertiliser and HMC using either self-discharging vessels or a vessel crane and grab to a hopper. No permanent infrastructure is proposed to support this activity. This type of materials handling is currently authorised at Berth 6 and no change to the total throughput of the premises is expected as a result of this work which is intended to provide flexibility for scheduling of shipments, particularly during Berth 6 upgrade works. HMC and fertiliser imports typically make up a smaller percentage of materials handling at the port (less than 10%), which predominantly exports iron ore (MWP 2025).<br>Existing conditions of the licence apply relating the management of operational dust from materials handling activities. These include the following requirements:<br>• Product unloaded at the premises must be at or above its associated dust extinction moisture level and the licence holder must maintain records of product moisture content. Note this excludes mineral sands, garnet, clean fill and fertiliser.<br>• Where moisture conditioning cannot be practically achieved for a bulk product, all practicable measures to prevent excessive dust emissions must be implemented.<br>• During unloading, spill deflector plates and/or wind shields must be utilised, and the licence holder must monitor and ensure that wind conditions are not causing excessive dust liftoff.<br>• Specifications for the management and recovery material spillages.<br>• Trucks transporting HMC must be covered to prevent dust lift off.<br>The existing licence also includes requirements for ambient air quality monitoring at four locations surrounding the port, including two locations adjacent to receptors, one of which is directly south south-east of the new Berth 1. The licence specifies ambient air quality targets with requirements to report exceedances of these targets, including an investigation into the cause of the exceedance and details of corrective actions.<br>Noting the limited handling that is expected at Berth 1 and the proposed controls, which align with existing controls of the licence, the delegated officer considers that handling of material at the newly constructed Berth 1 is not expected to change the overall risk of dust from the premises. Conditions have been applied on the works approval restricting the type of material handled at Berth 1 to HMC and fertiliser as proposed by the Applicant. Existing conditions of the licence relating the management of dust, as outlined above, will apply to these activities, and the delegated officer considers that these controls are suitable for managing dust risks. |

| Risk events | | | | | Risk rating [1]<br>C = consequence<br>L = likelihood | Applicant controls sufficient? | Conditions[2] of works approval | Reasoning |
|---|---|---|---|---|---|---|---|---|
| **Sources / activities** | **Potential emission** | **Potential pathways and impact** | **Receptors** | **Applicant controls** | | | | |
| | Accidental direct spillage to marine waters | Direct discharge, land overflow potentially causing ecosystem disturbance or impacting surface water quality | Direct discharge to marine water impacting surrounding marine environment | Refer to Section 3.1 | C = Slight<br>L = Unlikely<br>**Low Risk** | Y | Existing conditions on the licence relating to prevention and recovery of spilled material. | The applicant's proposed controls have already been conditioned in the existing licence L4275/1982/15 and the Delegated Officer considers that the conditions in the licence for managing this emission are sufficient. |
| | Noise | Air / windborne pathway causing impacts to human health and amenity | Human receptors, including recreational residential, commercial, industrial and sensitive premises (refer to Section 4.1.2) | Refer to Section 3.1 | C = Moderate<br>L = Possible<br>**Medium Risk** | Y | Conditions 11 - 13: Investigation Report submission<br>Condition 14: Plan for non-compliance mitigation | As discussed in section 3.2, operational noise levels associated with the proposed new Berth 1, and cumulatively from port operations, are predicted to exceed assigned noise levels at several sensitive receptors under worst-case operating scenarios. However, the likelihood of noise impact is considered low given the limited occurrence of worst-case conditions and the elevated background noise levels within the port environment.<br>The applicant has committed to undertaking additional noise monitoring to verify the model predictions noting that the results of modelling are likely conservative estimated. The delegated officer considers that post-construction operational noise verification monitoring, consistent with this commitment, is required once the new berths become operational to demonstrate ongoing compliance with the Noise Regulations and this requirement has been conditioned on the works approval. Additionally, where noise validation work indicates exceedance with the Noise Regulations, the applicant is required to prepare a plan outlining corrective actions. |
| Operation of new Berth 1 and extended Berth 6 | Sediment-laden and/or contaminated stormwater runoff | Overland runoff into marine environment during rainfall events causing to marine environment and ecological health or impacting surface water quality. | Direct discharge to marine water impacting surrounding marine environment | Refer to Section 3.1 | C = Moderate<br>L = Unlikely<br>**Medium Risk** | N | Condition 1: Infrastructure requirements (construction)<br>Condition 7: Infrastructure and equipment requirements (time-limited operations)<br>Condition 8: Authorised emissions and discharge points<br>**Condition 9: Marine environmental monitoring**<br>Existing conditions on the licence relating to stormwater management and ambient environmental monitoring (sediment, water quality, etc.). | Berth 1:<br>The delegated officer notes that materials handling at Berth 1 is limited to HMC and fertiliser with no metal concentrates being imported/exported from this area.<br>Infrastructure controls specifying the design requirements for the stormwater management system at Berth 1 have been imposed through the works approval. The delegated officer has also considered the relevant existing licence conditions, together with the applicant's proposed measures for managing potential spillages that may enter the stormwater system. On this basis, the delegated officer is satisfied that these controls are appropriate and adequate to manage the risks associated with stormwater from Berth 1.<br>The delegated officer notes that overflow from the stormwater swale at Berth 1 will discharge into the adjacent reclamation area at the old tug harbour. This facility was assessed under Part IV of EP Act with discharges from this area during construction (i.e. during the dredging program) being managed under MS1272 via the DEMMP. Noting that this monitoring requirement only applies through construction of the PMaxP, the delegated officer determined that there is a regulatory gap regarding monitoring of discharge from the old tug harbour to the broader port waters during ongoing operation of the premises. As such, the delegated officer has determined to apply the monitoring requirements of the DEMMP through TLO. This requirement will be reviewed through the assessment of a licence application seeking ongoing authorisation for the operation of materials handling at Berth 1. The frequency of monitoring is reduced from fortnightly to monthly noting that the only additional contributions intermittent discharges associated with stormwater at Berth 1.<br>Berth 6:<br>The stormwater management system at Berth 6 will be upgraded as part of the berth extension works. As outlined in Section 2.4.4, stormwater will be captured and treated through an expanded drainage network comprising additional downpipes fitted with sediment sumps, prior to discharge via new Humeceptors and three new outfalls. In addition to housekeeping measures to manage product spillage, the system will also be isolated during loading and unloading activities, with any accumulated waste in the Humeceptors removed by vacuum truck before the system is reopened. These controls have been imposed as conditions of the works approval. |

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

# 5. Consultation

Table 8 provides a summary of the consultation undertaken by the department.

**Table 8: Consultation**

| Consultation method | Comments received | Department response |
|---|---|---|
| The application advertised on the department's website on 17 November 2025. | One public submission was received on 27 November 2025. A summary of comments and the department's response is provided in Appendix 1: Summary of public comments. | See Appendix 1: Summary of public comments for response. |
| Local Government Authority (City of Greater Geraldton) advised of proposal on 17 November 2025 | The City of Greater Geraldton replied on 10 December 2025 informing the department that MWPA will be using its exemptions making this project a "public works" removing the need for local government planning approval. | Noted. |
| The applicant was provided with draft documents on 13 May 2026. | Refer to Appendix 2. | |

# 6. Conclusion

Based on the information in the application and this decision report, the delegated officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

Overall, the delegated officer considers that the proposed works will not significantly alter the risk profile of the premises and can be managed using existing and proposed controls. Applicant controls have been conditioned on the works approval where appropriate.

Operational activities are authorised for a limited period under the works approval. Should the applicant continue these activities beyond this period, an application to amend the licence will be required at which point the delegated officer will review the applied controls to determine that they remain suitable.

As outlined in Table 7, the delegated officer notes a regulatory gap exists for monitoring discharges to port waters from the old tug harbour reclamation area during ongoing operations. The applicant requested that, consistent with the approach taken for the reclamation discharge at Berth 7, discharge from the old tug harbour is proposed to remain managed under MS1272. However, the delegated officer notes that as with the old tug harbour discharge line, relevant MS600 conditions apply to the Berth 7 discharge during dredging only and not to ongoing operations. Accordingly, monitoring requirements have been applied to the old tug harbour discharge through TLO on an interim basis, and the appropriateness of ongoing controls, including those relating to Berth 7 discharge, will be reviewed through the licence assessment.

Noise verification is required through the TLO period to verify that the premises will remain compliant with the noise standards specified in the Noise Regulations. Where compliance with the Noise Regulations cannot be demonstrated, the application is required to develop a plan for implementing improvements to achieve compliance.

# References


1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. DWER 2021, *Amendment Report, Application for Licence Amendment, Geraldton Port* dated 22 March 2021 [Accessed at https://www.der.wa.gov.au/images/documents/our-work/licences-and-works-approvals/Decisions_/L4275-1982-15_AR.pdf]
5. DWER 2024, *Amendment Report, Application for Licence Amendment, Geraldton port* dated 18 November 2024 [Accessed at https://www.der.wa.gov.au/images/documents/our-work/licences-and-works-approvals/Decisions_/L4275/L4275%20AR%2020241118.pdf]
6. Acoustic Engineering Solutions (AES) 2025, *Environmental Noise Impact Assessment of PMaxP Marine Infrastructure (Ref: AES-890384-R01-1-07022025),* Perth, Western Australia.
7. AES 2025, *Noise management Plan for the port maximization project (Ref: AES-890384-R01-1-07022025),* Perth, Western Australia.
8. Mid-West Ports (MWP) 2025, *PMaxP Part V Works Approval Submission, Berth 1 and 6 constructions; attachment 8*, Perth, Western Australia.
9. MWP 2025, *Annual Environmental Report*, prepared by MWP August 2025 [DWER Record: APP-0030813).
10. O2 Marine 2024, *Port of Geraldton Marine Environmental Monitoring and Management Plan (Rev 0)* prepared for Mid West Ports Authority.
11. SLR Consulting Australia 2025, *Dredging Environmental Monitoring and Management Plan, Geraldton Port Maximisation Project (Rev 1.0)* prepared for Mid West Ports Authority.

# Appendix 1: Summary of public comments

| Summary of public comment | Department's response |
|---|---|
| *Matters raised in submissions that are outside the scope of the assessment of this application or the provisions Part V of the EP Act are not further addressed in this assessment.* | |
| Commenter raises non-compliance with Noise Regulations. The commenter outlines that the provided noise assessment reveals systematic and pervasive non-compliance with the noise regulations with specific examples from the noise assessment included within the comment. | The delegated officer's consideration of risks associated with noise is documented in Sections 3 and 4 of this report.<br><br>As outlined in sections 2.4.5 and 3, the scope of this assessment is limited to construction and operation of equipment and infrastructure associated with the prescribed activities. Accordingly, some activities associated with construction, such as dredging, are outside the assessment scope.<br><br>The delegated officer considers that Regulation 13 is appropriate for the management of noise emissions during construction and notes that construction activities will be undertaken in accordance with a Construction Noise Management Plan approved by the City of Greater Geraldton.<br><br>Noise modelling was subject to technical review by the department's internal subject matter experts, who confirmed that the assumptions and conclusions are appropriate for predicting operational noise emissions. It is important to recognise that modelling provides predicted noise levels based on a range of assumptions and therefore represent worst-case noise scenarios. Experience with previous assessments indicates that modelling is conservative and can over-predict actual noise levels.<br><br>The premises is also complex, with multiple noise sources contributing cumulatively to levels at sensitive receptors, which introduces inherent uncertainty into predictions. While the modelling indicates that exceedances of the assigned noise levels under the Noise Regulations may occur under certain conditions, the likelihood of these occurring in practice is considered low.<br><br>To provide greater certainty, the works approval requires the applicant to undertake noise validation monitoring during commissioning and operation to verify the model predictions. This ensures that compliance is assessed based on measured performance rather than predicted outcomes alone. Where monitoring identifies actual non-compliance, the applicant is required to investigate the cause and implement appropriate mitigation measures, ensuring a clear and enforceable process to address verified impacts rather than relying solely on conservative, modelled exceedances. |
| Commenter raises that proposed noise mitigation measures outlined with the applicants Construction Noise Management Plan are inadequate to manage construction noise emissions. | |
| Commenter raises that the application relies heavily on *Noise Regulations 1997* exemptions under Regulation 13 for construction noise and Regulation 3(1)(i) for vessel-based equipment. The commenter outlines their view that the application of these exemptions is problematic as:<br>- Limited evidence is provided that the equipment selection represents "the quietest reasonably available" and that construction practices align with best practice noise control as specified in AS 2436-2010 as required by the *Noise Regulations*.<br>- No evidence of a formal notification protocol or commitment to individual premise notification is provided.<br>- That dredging equipment noise exempt under Regulation 3(1)(i) is environmentally problematic allowing for a significant and prolonged noise source to operate 24 hours over 3-to-6-week periods. | |
| Commenter raises that the noise assessment contains scientifically problematic claims relating to background noise levels. The commenter outlines:<br>- High existing background noise does not justify the addition of further noise impact.<br>- The argument that noise will be "masked" ignores the character and temporal patterns of construction noise.<br>- The assessment does not consider sleep disturbance impacts during nighttime dredging operations. | |

| Summary of public comment | Department's response |
|---|---|
| The commenter outlines their view that the stormwater management infrastructure at the premises is insufficient. This includes:<br>- The level of treatment proposed through Humeceptor units and retention swales is insufficient for port operations contamination sources.<br>- No discharge water quality criteria such as discharge limits, compliance criteria or receiving environment water quality objectives are specified.<br>- Limited information regarding construction phase erosion and sediment controls are outlined specifically in relation to piling, dredging and berth construction works. | As discussed above and in section 2.4.5, the scope of the assessment is limited to works associated with prescribed activities on the premises. Activities such as dredging are not within scope and are managed under Part IV of the EP Act via MS 1272.<br>The delegated officer has undertaken an assessment of risks associated with stormwater as outlined in section 4.2. Factors considered in the assessment include:<br>• Existing licence controls for the management of spills and marine environmental quality monitoring (sediment and water quality);<br>• Product handling limitations at Berth 1; and<br>• Infrastructure controls such as use of Humeceptors and isolation capabilities at Berth 6 and sediment fence at Berth 1 swale.<br>The delegated officer acknowledged that the MEMMP and DEMMP establish frameworks for monitoring and managing impacts to port waters. The delegated officer identified gaps in these water quality monitoring programs and applied conditions on the works approval to address this through TLO. These requirements will be reviewed and refined through the assessment of the licence application. |
| The commenter outlines concerns relating to dust control measures and air quality at the premises. These concerns include:<br>- The application lacks quantitative assessment of dust generation potential and demonstrable adequacy of proposed controls.<br>- Commenter raises that the preexisting monitoring program at the premise should be continued through construction and operation with explicit requirements in the works approval. | Matters relating to dust emissions and the risk associated with it, as relevant to the risk assessment under Part V of the EP Act are detailed in section 3. It should be noted that the assessment is limited to dust emissions associated with handling and Berth 1 considering that there are no changes proposed to materials handling activities at Berth 6 and therefore dust risks relating to Berth 6 activities have not been reassessed.<br>As outlined in the risk assessment, materials handling at Berth 1 is limited to fertiliser and HMC and, based on previous activities, does not contribute significantly to port import activities.<br>The existing licence includes comprehensive conditions for the management of dust that apply, including ambient air quality monitoring which will contribute through the construction and operational phases of PMaxP.<br>In light of this information, and proposed applicant controls described in sections 4.1.1 and 4.2, the delegated officer has determined that activities at Berth 1 will not significantly alter the dust risk profile at the premises and that dust emissions |

| Summary of public comment | Department's response |
|---|---|
| | can be suitably managed through the conditions applied on the licence and works approval. |
| The submission raises concerns that community consultation undertaken to date is insufficiently detailed and appears limited to post-approval notification. It recommends that affected residents be engaged prior to approval through comprehensive consultation, including clear communication of impacts and opportunities to provide input into management measures. | Consultation for the PMaxP has been undertaken through the Part IV assessment process under the EP Act, public consultation coordinated by the Environmental Protection Authority. This included a requirement for the applicant to demonstrate that targeted consultation with relevant stakeholders had been carried out<br><br>In addition, the Part V assessment process has provided further opportunity for stakeholder input through publication of the application and supporting documentation on the department's website in accordance with statutory requirements. |
| The submitter raised that certain documents referenced in the application were missing from the submission and were not available for public comment specifically the Operational Noise Management Plan, Construction Environmental Management Plan, site contamination assessment and remediation plans, and details of other approvals obtained (such as Commonwealth approvals). | The delegated officer acknowledges the submitter's concern regarding referenced documents that were not included with the application or available during the public comment period.<br><br>Some of the documents referenced in the application, such as relevant Commonwealth approvals, are publicly available and therefore were not requested from the applicant.<br><br>For other documents identified by the submitter, including management plans and site-specific studies, the delegated officer considers that not all documents referenced in an application were necessarily required to be provided for the purposes of assessment. In this case, certain documents were either not considered critical to the assessment of the application or relate to matters that outside the scope of the assessment.<br><br>The delegated officer assessed the application based on the information provided, including technical reports and supporting documentation relevant to the specified works and emissions. It was determined that the application contained sufficient information to enable a robust assessment of potential environmental impacts and to inform decision-making. Accordingly, no further information was considered necessary for publication. |

# Appendix 2: Summary of applicant's comments on risk assessment and draft conditions

| Condition | Summary of applicant's comment | Department's response |
|---|---|---|
| **Works Approval** | | |
| Condition 1, Table 1, Item 2(a) | The applicant requested changes to the wording of Table 1, Item 2(a), regarding the design of the stormwater discharge, to remove the stipulation of "six" Humeceptors. The applicant has requested approval for the proposed arrangement; however, flexibility is sought to vary the number of Humeceptors during detailed design, provided that any such changes do not alter the risk profile or compromise the intended environmental outcome.<br><br>The applicant advised that there is no change to the proposed stormwater control and management measures, and that all stormwater will pass through a Humeceptor before discharging to the harbour. | The delegated officer has updated the specification within the condition, acknowledging that the request will allow for flexibility in final design while maintaining the required operational control and outcome. |
| Condition 9, Table 5 | The applicant provided further context and requested the removal of the requirement for monitoring SW18-SW20 (as drafted).<br><br>Rationale: The applicant advised that the stormwater discharge does not occur during fertiliser or metal concentrate loading activities. During loading of granular product, the relevant system is isolated to prevent any release, and all captured water, including stormwater and washdown water, is contained and removed off-site. | The delegated officer acknowledges the comments provided by the applicant that further clarified the operations of the stormwater system during loading activities. Noting the stormwater system is designed and operated as a closed system, this additional control, as initially drafted, is not required and as a result has been removed. |
| Condition 9, Table 5 | The applicant requested the changes to the sampling frequency from monthly to quarterly.<br><br>Rationale: The applicant advised that the OTHD monitoring location does not represent an active discharge point until completion of the capital dredging works and is therefore not relevant during the berth construction stage covered by this approval. While the applicant is amenable to inclusion of this monitoring point within the sampling program, it has requested that the monitoring frequency be reduced from monthly to quarterly to align with the existing requirements of the current licence. | The delegated officer has accepted the proposed change in sampling frequency. |
| Condition 10 | The applicant requested changes to the wording from "non-continuous sampling and analysis" in the draft works approval to "sample analysis".<br><br>Rationale: The applicant mentioned that the condition wording should be amended to clarify that the requirement for NATA accreditation applies to the analytical testing of samples only, and not to the sampling process itself. | Accepted. The delegated officer has updated the condition a requested. |

| Condition | Summary of applicant's comment | Department's response |
|---|---|---|
| Drafted condition 11 (now removed) | The applicant requested the removal of this condition.<br>Rationale: The applicant advised that the sampling equipment specified under the approval does not require calibration, and therefore the calibration requirement is not applicable. | The delegated officer accepted the applicant's comment and removed the condition. |
| Condition 13 | The applicant requested that the report wording be amended to include the term 'final'. | Accepted. The delegated officer has updated the condition a requested. |
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| Section 2.5.3 | The applicant requested to amend wording from "tails discharge" to "return water discharge" to reflect the type of discharge. | Typographical errors corrected. |
| Section 2.5.3 | The applicant requested correction of a typographical error, amending 'OTHP' to 'OTHD'. | |
| Section 3.2 | The department requested additional confirmation regarding the number of noise control measures in the previous noise assessments (AES 2023). | Additional clarification noted and updated where relevant. |