



**Environmental
Protection
Authority**

**Port Facility Upgrade – Anderson Point, Port Hedland:
Dredging and Wharf Construction – Third Berth
– inquiry under section 46 of the
Environmental Protection Act 1986
to amend Ministerial Statement 771**

Fortescue Metals Group Limited

Report 1715

October 2021

Inquiry under section 46 of the *Environmental Protection Act 1986*

The Minister for Environment has requested that the Environmental Protection Authority (EPA) inquire into and report on whether condition 11 (Dust) of Ministerial Statement 771 for the Port Facility Upgrade - Anderson Point, Port Hedland: Dredging and Wharf Construction - Third Berth should be changed.

Section 46(6) of the *Environmental Protection Act 1986* requires the EPA to prepare a report that includes:

- (a) a recommendation on whether or not the implementation conditions to which the inquiry relates, or any of them, should be changed
- (b) any other recommendations that it thinks appropriate.

The following is the EPA's report to the Minister pursuant to s. 46(6) of the *Environmental Protection Act 1986*.



Prof. Matthew Tonts
Chair
Environmental Protection Authority

18 October 2021

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1 Proposal

The Port Facility Upgrade - Anderson Point, Port Hedland: Dredging and Wharf Construction - Third Berth proposal involves the dredging of not more than 4,050,000 cubic metres off Anderson Point for a third ship berth, the disposal of dredge spoil at Anderson Point, and the extension of the approved open-pile wharf. The proposal upgrades the construction of the port at Anderson Point in Port Hedland approved under Ministerial Statement (MS) 690. The proponent for the proposal is Fortescue Metals Group Limited (FMG).

The Environmental Protection Authority (EPA) assessed the proposal at the level of Assessment on Referral Information (ARI), and published its Report and Recommendations (Report 1286) in April 2008. In this report, the EPA identified the following key environmental factors required evaluation:

- Coral and mangrove health
- Rehabilitation
- Noise
- Introduced marine organisms
- Dust.

In applying the *Statement of Environmental Principles, Factors and Objectives* (EPA 2020a) these factors are now represented by:

- Coastal processes
- Benthic communities and habitats
- Marine environmental quality
- Social surroundings
- Marine fauna
- Air quality.

The EPA concluded in Report 1286 (EPA 2008) that the proposal can be managed to meet the EPA's objectives, provided there is satisfactory implementation by the proponent of the recommended conditions.

The then Minister for Environment approved the proposal for implementation, subject to the implementation conditions of MS 771 on 5 August 2008.

The EPA notes that MS 771 approves a third berth to the Anderson Point port facility approved under MS 690 for the Pilbara Iron Ore and Infrastructure Project Port and North-South Railway (Stage A) proposal, issued on 3 October 2005.

Previously approved changes to the proposal

One change to the original proposal was approved under s. 45C of the *Environmental Protection Act 1986* (EP Act) on 14 November 2008 (Attachment 1 of MS 771). The change related to dredging of the third berth at Anderson Point and included:

- extensions to the dredging program (change to the duration of dredging, increase in the volume of material to be dredged to 4,050,000 cubic metres, increase in the area of marine disturbance, increase in the settlement area on land and increase in the height of bunds around spoil dumps)
- addition of a new dredge spoil settlement area.

Previously approved changes to the conditions

There have been no changes to the implementation conditions since MS 771 was issued.

2 Requested changes to the conditions

In May 2020, the proponent requested the following changes to the implementation conditions of MS 771:

- removal of condition 11 relating to dust management at the port facility, allowing dust emissions from the port facility to be solely regulated under Part V of the EP Act.

In June 2020, the Minister for Environment (Minister) requested that the EPA inquire into, and report on whether condition 11 (Dust) of MS 771 for the Port Facility Upgrade - Anderson Point, Port Hedland: Dredging and Wharf Construction - Third Berth proposal should be changed. This report satisfies the requirements of the EPA's inquiry pursuant to s. 46 of the EP Act.

3 Inquiry into changing the conditions

The EPA has discretion as to how it conducts this inquiry. In determining the extent and nature of this inquiry, the EPA had regard to information such as:

- the currency of its original assessment, EPA Report 1286 (EPA 2008)
- MS 771
- the s. 46 inquiry EPA Report 1669 (EPA 2020b) associated with amending the dust management condition 17 in MS 690, for the FMG Pilbara Iron Ore and Infrastructure Project: Port and North-South Railway (Stage A) proposal
- Minister’s Appeal Determination on the appeal against amendment of Licence L8194/2007/3 – Anderson Point Materials Handling Facility Port Hedland, Appeal number 046 of 2020¹
- Licence L8194/2007/3 (DWER 2021) issued under Part V of the EP Act on 24 September 2021
- information provided by the proponent
- advice from relevant decision-making authorities
- any new information regarding the potential impacts of the proposal on the environment.

EPA procedures

The EPA followed the procedures in the *Environmental Impact Assessment (Part IV Divisions 1 and 2) Administrative Procedures 2016* (State of Western Australia 2016) and the *Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual* (EPA 2020c).

¹ Appeal 046 of 2020 Minister’s Appeal Determination [https://www.appealsconvenor.wa.gov.au/oac/files/046-20%20Minister%20s%20Appeal%20Determination\(1\).pdf](https://www.appealsconvenor.wa.gov.au/oac/files/046-20%20Minister%20s%20Appeal%20Determination(1).pdf)

4 Inquiry findings

The EPA considered air quality as the key environmental factor relevant to the change to the conditions.

4.1 Air quality

The EPA's environmental objective for air quality is *to maintain air quality and minimise emissions so that environmental values are protected* (EPA 2020d).

Conclusions from EPA Report 1286

In the EPA's original assessment of this proposal, impacts on air quality were considered as part of the dust factor. Report 1286 states that 'dust could be generated from any surfaces disturbed as a result of the proposed dredging works' (EPA 2008).

As detailed in Report 1286, 'FMG stated that the proposal has minimal potential to create dust as dredging and reclamation are largely wet activities'. However, the EPA considered 'that there was potential for dust to be generated from reclaimed areas, before and after the proposed dredging activities, if these areas are not managed in an environmentally acceptable manner'. The EPA required that 'these areas are not left susceptible to dust lift-off, and they are rehabilitated in accordance with the proposed Port Area Rehabilitation Plan' (EPA 2008).

Report 1286 noted that condition 17 of MS 690 for the related Stage A proposal addressed dust generation and required a Dust Management Plan to be prepared. This plan required 'best practice dust mitigation and management during construction and operations and would remain current for the proposed construction and subsequent operations phases' (EPA 2008).

Report 1286 concluded that the proposal can be managed to meet the EPA's environmental objectives for the dust factor. The EPA recommended condition 11 (dust) to manage and control dust:

Condition 11: Dust

- 11-1 The proponent shall monitor and control dust associated with construction and operation of the port in accordance with the Dust Management Plan prepared to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority as stated under Ministerial Statement 690.

The proponent has prepared and implemented the *Port Facility Dust Environmental Management Plan*, which was first approved in July 2011 under condition 17-1 of MS 690.

The EPA notes that the proponent controls dust associated with operation of the port in accordance with the *Port Facility Dust Environmental Management Plan* through

dust management techniques and infrastructure to minimise dust emissions from the facility.

In addition to the existing dust controls and management measures, a number of recent dust control measures were implemented by the proponent's Port Operations Dust Workings Group, including a commitment to ensure an increase to 95 per cent from 90 per cent of out loaded product having a moisture content above dust extinction moisture (DEM).

The Department of Water and Environmental Regulation (DWER) has confirmed that there are no active non-compliances recorded against the implementation conditions of MS 771 (DWER correspondence dated 14 June 2021). Further, until 2 September 2020 (date of the Licence amendment) implementation of the dust management plan required by condition 11-1 of MS 771 has been monitored via condition 17-3 of MS 690. No active non-compliances are recorded against MS 690.

Part V (Environmental Regulation) of the EP Act

In conducting this inquiry, the EPA notes that DWER is now responsible for the regulation of FMG's operations at the Anderson Point Materials Handling Facility, under Part V (Environmental Regulation) and Part VI (Enforcement) of the EP Act.

In assessing the requested changes to implementation conditions, the EPA considered the capacity and experience of the regulator to manage dust emissions, including:

- A. Whether the regulator has established policies and procedures to support its regulatory process related to dust emissions.
- B. Whether the regulator has the technical skills and experience to manage the environmental impacts, particularly where non-standard technology is proposed, or the type of proposal is not regularly considered by the regulator.
- C. Where the EPA considers that an opportunity for public comment is important, whether this is provided by the regulatory process.

A. Regulator policies and procedures

The EPA acknowledges that emissions and discharges for prescribed premises are licensed under Division 3, Part V of the EP Act. FMG's Anderson Point Materials Handling Facility is a prescribed premises and is subject to a Part V operating licence number L8194/2007/3 (Licence).

An amendment to the Licence was granted on 2 September 2020 for an increase of throughput. As part of the amendment, dust management conditions were added to the Licence. The inclusion of additional dust monitoring and management requirements is consistent with the regulatory approach applied to bulk handling port premises in Port Hedland.

The amendment to the licence was subject to an appeal on the grounds relating to the management and monitoring of dust were inadequate. On 15 July 2021 the Minister determined that the appeal be allowed in part.

In the Minister's Appeal Determination, it is stated that 'while the Minister was generally of the view that the controls for dust management and monitoring are adequate, the Minister allowed the appeal to the extent that further improvements are made to the licence. These improvements are directed at requiring the licence holder to demonstrate that any additional controls that might be required to be installed are effective in ensuring that the DWER's objective of 'no net increase' in dust emissions is achieved'². DWER has further amended the Licence to reflect the outcomes of the Minister's Appeal Determination which was issued on 24 September 2021.

DWER has confirmed to the EPA (DWER 2021) that amending the Licence and applying additional dust management and monitoring requirements is consistent with the regulatory approach applied to other bulk handling port premises in Port Hedland and further satisfies the State Government-endorsed recommendation of the Port Hedland Dust Management Taskforce.

The EPA notes that the DWER has developed a suite of guidance in relation to its functions under Part V of the EP Act which includes:

- *Guidance Statement – Setting Conditions, Division 3, Part V, Environmental Protection Act 1986* (DER 2015)
- *Guidance Statement – Environmental Siting, Part V, Division 3, Environmental Protection Act 1986* (DER 2016)
- *Guideline – Decision Making, Part V, Division 3, Environmental Protection Act 1986* (DWER 2019)
- *Guidance Statement – Risk Assessment, Part V, Division 3, Environmental Protection Act 1986* (DER 2017).

The EPA notes that the DWER undertakes a risk-based approach to its regulatory functions and decision-making based on the source-pathway-receptor model. In accordance with the *Guidance Statement – Risk Assessment, Part V, Division 3, Environmental Protection Act 1986* (DER 2017), this approach is summarised as follows:

- identification of the emissions including the sources, type, volumes, concentrations, and duration of emissions
- identification of emission pathways and the receptors that may be affected by the emissions
- identification of risk events, which include an emission, a pathway or potential pathway and an adverse effect to the receptor from that emission
- an assessment of the consequence and likelihood of the risk event
- determination on whether the risk event is acceptable, tolerated, or unacceptable and not tolerated.

² Appeal 046 of 2020, Minister's Appeal Determination 15 July 2021, [https://www.appealsconvenor.wa.gov.au/oac/files/046-20%20Minister%20s%20Appeal%20Determination\(1\).pdf](https://www.appealsconvenor.wa.gov.au/oac/files/046-20%20Minister%20s%20Appeal%20Determination(1).pdf)

The EPA also notes that the DWER's risk assessment framework considers the cumulative impacts of emissions.

The EPA notes that the DWER's regulatory framework provides a suitable mechanism to ensure there is no unacceptable risk of harm to public health or the environment from emissions and discharges from prescribed premises.

B. Technical skills and experience to manage the environmental impacts

The DWER has a role in protecting and maintaining air quality in Western Australia. The DWER provides strategic, technical, and policy advice on air quality matters in Western Australia.

The EPA notes that the DWER undertook the Port Hedland dust monitoring campaign from February to June 2017 using a Light Detection and Ranging (LIDAR) instrument and Beta Attenuation Monitors. The dust monitoring campaign was initiated to better understand dust issues, including the location of dust sources and movement of dust plumes across large areas within and around Port Hedland.

LIDAR assists the DWER to assess dust sources affecting local communities and to inform decision-making, including the setting of conditions for prescribed premises regulated under Division 3, Part V of the EP Act.

With respect to the monitoring and management of dust impacts at Port Hedland the DWER has confirmed to the EPA (DWER 2021) that:

- DWER has direct oversight of the management and maintenance of the Port Hedland air quality monitoring network
- DWER obtains boundary monitoring data from all port operators through Part V of the EP Act licence reporting conditions and requests for information
- the boundary and air quality monitoring network combined will continue to inform regulatory decision-making under Part V of the EP Act.

C. Public comment process

The EPA notes that ss. 54(2)(b), 54(2a), 57(2)(b), and 57(2a) of the EP Act provide opportunity for the public and relevant public authorities to provide comment on applications for works approvals and licences. The licence amendment application from FMG for the increase in throughput and addition of dust management conditions was released for public comment. Four public comments were received during the consultation period.

In addition, s. 102 of the EP Act allows for appeals against a decision to grant or refuse a works approval and licence, and on amendments made to works approvals and licences. Appeal rights exist for third parties including members of the public. As discussed above, one appeal was made against the amendment of L8194/2007/3 licence. On 15 July 2021 the Minister determined that the appeal be allowed in part. The DWER have further amended the Licence to reflect the outcomes of the Minister's Appeal Determination which was issued on 24 September 2021.

Port Hedland Dust Taskforce

The EPA's former *Environmental Protection Bulletin No. 2 Port Hedland Noise and Dust* (EPA 2009) stated that 'a coordinated government and industry approach to the development and execution of an integrated government and industry strategy (with explicit emission reduction strategies and explicit exposure reduction strategies) is required with strong and inclusive governance arrangements' for dust and noise impacts at Port Hedland.

The Port Hedland Dust Management Taskforce (Taskforce) was established in May 2009 to coordinate and plan for dust management in Port Hedland.

The Taskforce was chaired by the Department of Jobs, Tourism, Science and Innovation (DJTSI) and included representatives of the Town of Port Hedland, Pilbara Ports Authority, Department of Health (DoH), Department of Planning, Lands and Heritage (DPLH), EPA, DWER, Port Hedland Industries Council (PHIC), and major port users (including Roy Hill Infrastructure, BHP Billiton Iron Ore and FMG).

The PHIC was established between industry and the Pilbara Ports Authority to manage an ambient air quality monitoring program. The Taskforce supported the establishment of the PHIC and endorsed information sharing, improvement initiatives, and monitoring programs.

In 2010, the Taskforce released the *Port Hedland Air Quality and Noise Management Plan* (Department of State Development 2010), which was adopted by the Government of Western Australian for ongoing air quality and noise management in Port Hedland. The plan included an implementation strategy for air quality and noise reduction in Port Hedland.

The *Port Hedland Air Quality and Noise Management Plan* identified environmental management controls and detailed the responsible organisations. The PHIC was identified as the responsible organisation for establishing and operating an independent, best practice comprehensive air quality and noise management regime in Port Hedland. The DWER was responsible for the regulation aspect of this regime.

In January 2016, the DoH released a Health Risk Assessment report on air quality in Port Hedland (DoH 2016). The report identified the risks associated with exposure to coarse and fine particulate matter and its constituents of certain metals, silica and mineral fibres. In response to the report, the Taskforce released the *Port Hedland Dust Management Taskforce Report to Government* (Department of State Development 2016), which provided its final recommendations regarding dust impacts on Port Hedland.

The State Government supported the Taskforce recommendation for the implementation of a coordinated risk-based review and assessment approach in management of dust in Port Hedland. To give effect to this, the following commitments were made:

- The DWER to implement a coordinated risk-based review and assessment approach to the management of dust and noise in Port Hedland through review of all port premises licences under Part V of the EP Act.

- Where premises are subject to Ministerial Statements, the DWER will provide the findings and recommendations of its risk-based review and assessment to the EPA to determine a consistent and singular regulatory approach for bulk handling port premises to eliminate regulatory duplication.
- The EPA will consider the DWER's assessments and the appropriateness of conditions in the Ministerial Statements.
- Where the EPA inquires under s. 46 of the EP Act into conditions within the Ministerial Statement, the EPA will provide the Minister with a report on whether the conditions in the Statement/s should be changed.
- The DWER finalises and implements dust management guidelines for bulk handling port premises, outlining its expectations in relation to the assessment of dust impacts, dust control and monitoring requirements from the premises (DJTSI 2018).

In October 2019, the DWER launched the Port Hedland Dust Program to implement the State Government's response to the *Port Hedland Dust Management Taskforce Report* including the takeover of the operation and maintenance of the PHIC air quality monitoring network, and the development of new guidelines to ensure that Port Hedland's bulk handling operators achieve best practice.

The government has instructed the responsible departments to give effect to its recommendations, including the DWER (industry regulation and air quality monitoring) and the DPLH (land use planning).

The EPA notes that the DWER has identified a process for the regulation of dust at Port Hedland. This process has been developed based on current DWER and EPA policies and the provisions of the EP Act that relate to the regulation of emissions and discharges.

Dust management for port operations in Port Hedland is currently regulated under Part V of the EP Act through the Licence conditions. The EPA notes that dust management is also mandated through condition 11 of MS 771, representing regulatory duplication.

The proposed amendment will remove dust management requirements from MS 771 allowing the regulation of dust emissions through the Licence conditions. The proposed amendment will bring the operations associated with MS 771 in line with the operations at the remainder of the wharf, currently operating under MS 690 and the Licence. The EPA notes that implementation conditions relating to dust management in MS 690 were changed by MS 1137 issued on 3 June 2020. MS 1137 removes the effect of dust conditions 17-1, 17-2, 17-3 and 17-4 of MS 690 once dust is licensed through Part V (Environmental Regulation) of the EP Act.

Assessment of the requested change to conditions

The EPA considers that the following current environmental policy and guidance is relevant to its assessment of the proposal for these factors:

- *Environmental Factor Guideline – Air Quality* (EPA 2020d).

The EPA acknowledges that the DWER supports the process to avoid regulatory duplication through the amendment of Ministerial Statement conditions set under Part IV (Environmental Impact Assessment) of the EP Act, so that emissions and discharges can be appropriately regulated under Part V (Environmental Regulation) of the EP Act.

The EPA has inquired into the proposed changes to the dust implementation conditions and considers that the amendment to remove condition 11 (Dust) from MS 771 is appropriate. The inquiry findings are based on:

- confirmed compliance status of MS 771 and MS 690 (DWER 2021)
- confirmed monitoring and management of dust impacts at Port Hedland by DWER to continue to inform regulatory decision-making under Part V of the EP Act
- the established State Government-endorsed recommendation of the Port Hedland Dust Management Taskforce to implement a coordinated risk-based approach to the management of dust under Part V of the EP Act, providing a singular regulatory approach
- the Part V EP Act Licence has been amended to reflect the Minister's appeal determination on 15 July 2021 to direct the 'licence holder to demonstrate that any additional controls that might be required to be installed are effective in ensuring that the DWER's objective of 'no net increase' in dust emissions is achieved'³.

³ Appeal 046 of 2020 Minister's Appeal Determination
[https://www.appealsconvenor.wa.gov.au/oac/files/046-20%20Minister%20s%20Appeal%20Determination\(1\).pdf](https://www.appealsconvenor.wa.gov.au/oac/files/046-20%20Minister%20s%20Appeal%20Determination(1).pdf)

5 Conclusions and recommendations

Change to condition 11

The proponent has requested that condition 11 of MS 771 be deleted, leaving dust emissions from the port facility to be solely regulated under Part V of the EP Act. The EPA considers it is appropriate to amend MS 771 to remove condition 11.

Conclusions

In relation to the request to remove condition 11 (Dust), considering the information provided by the proponent and relevant EPA policies and guidelines, the EPA concludes that:

- There are no changes to the proposal associated with the request to change the condition.
- There is no significant new or additional information that changes the conclusions reached by the EPA under any of the relevant environmental factors since the proposal was assessed by the EPA in Report 1286 (EPA 2008).
- No new significant environmental factors have arisen since the EPA assessed the proposal.
- Impacts to the key environmental factors are considered manageable, based on the requirements of existing conditions, and the imposition of the attached recommended statement (Appendix A).

Recommendations

Having inquired into this matter, the EPA submits the following recommendations to the Minister for Environment under s. 46 of the EP Act:

1. While retaining the environmental requirements of the original conditions of MS 771, the EPA considers the amendment of MS 771 to remove of condition 11 is appropriate.
2. The proposal may be implemented, subject to the conditions of any licence issued to the proponent in relation to its operations in Port Hedland under Part V (Environmental Regulation) of the EP Act.
3. After complying with s. 46(8) of the EP Act, the Minister may issue a statement of decision to amend condition 11 of MS 771 in the manner provided for in the attached recommended statement (Appendix A).

Appendix A: Recommended conditions

STATEMENT TO CHANGE THE IMPLEMENTATION CONDITIONS APPLYING TO A PROPOSAL (Section 46 of the *Environmental Protection Act 1986*)

PORT FACILITY UPGRADE - ANDERSON POINT, PORT HEDLAND: DREDGING AND WHARF CONSTRUCTION - THIRD BERTH

Proposal: Dredging of not more than 4,050,000 cubic metres off Anderson Point, for a third ship berth; disposal of dredge spoil on pre-existing and previously approved land at Anderson Point; and extension of the approved open-pile wharf, as documented in schedule 1 and attachment 1 of Ministerial Statement 771.

Proponent: Fortescue Metals Group Limited
Australian Company Number 002 594 872

Proponent Address: 87 Adelaide Terrace
East Perth, Western Australia 6004

Report of the Environmental Protection Authority: 1715

Previous Report Relating to this Proposal: 1286

Preceding Statement Relating to this Proposal: 771

Pursuant to section 45 of the *Environmental Protection Act 1986*, as applied by section 46(8), it has been agreed that the implementation conditions set out in Ministerial Statement No. 771, be changed as specified in this Statement.

Condition 11 Dust

From the date of this Statement, implementation condition 11 in Ministerial Statement 771 no longer applies in relation to the proposal.

Appendix B: Identified Decision-Making Authorities

The decision-making authorities (DMAs) in the table below have been identified for the purposes of s. 45 as applied by s. 46(8) of the *Environmental Protection Act 1986*.

Decision-Making Authority	Legislation (and Approval)
1. Chief Executive Officer, Department of Water and Environmental Regulation	<i>Environmental Protection Act 1986</i> (Part V Works Approval and Licence)
2. Chief Executive Officer, Pilbara Ports Authority	<i>Port Authorities Act 1999</i> (lease or licence)
3. Chief Dangerous Goods Officer, Department of Mines, Industry Regulation and Safety	<i>Dangerous Goods Act 2004</i> (dangerous goods licence)

References

DER 2015, *Guidance Statement - Setting Conditions, Division 3, Part V, Environmental Protection Act 1986*, Department of Environmental Regulation, Perth, WA.

DER 2016, *Guidance Statement - Environmental Siting, Part V, Division 3, Environmental Protection Act 1986*, Department of Environmental Regulation, Perth, WA.

DER 2017, *Guidance Statement - Risk Assessment, Part V, Division 3, Environmental Protection Act 1986*, Department of Environmental Regulation, Perth, WA.

DJTSI 2018, *Port Hedland Dust Management Taskforce Report - Government Response fact sheet*, Department of Jobs, Tourism, Science and Innovation, Perth, WA.

DOH 2016, *Port Hedland Air Quality Health Risk Assessment for Particular Matter*, Department of Health, Perth WA.

Department of State Development 2010, *Port Hedland Air Quality and Noise Management Plan*, Department of State Development, Perth, WA.

Department of State Development 2016, *Port Hedland Dust Management Taskforce Report to Government (August 2016)*, Department of State Development, Perth, WA.

DWER 2019, *Guideline - Decision Making, Part V, Division 3, Environmental Protection Act 1986*, Department of Water and Environmental Regulation, Perth, WA.

DWER 2021. Environmental Protection Act 1986, Part V Licence L8194/2007/3 issued 24 September 2021. Department of Water and Environmental Regulation, Perth, WA.

EPA 2008, Port Facility Upgrade- Anderson Point, Port Hedland Dredging and wharf construction -third berth, Fortescue Metals Group Ltd, *Report and Recommendations of the Environmental Protection Authority, Bulletin 1286, April 2008*. Environmental Protection Authority, Perth, WA.

EPA 2009, *Environmental Protection Bulletin No. 2 Port Hedland Noise and Dust*, Environmental Protection Authority, Perth, WA.

EPA 2016, *Environmental Factor Guideline – Human Health*, Environmental Protection Authority, Perth, WA.

EPA 2020a, *Statement of Environmental Principles, Factors and Objectives*, Environmental Protection Authority, Perth, WA.

EPA 2020b, *Report and recommendations of the Environmental Protection Authority, Report 1669 March 2020, Pilbara Iron Ore and Infrastructure Project: Port and North-South Railway (Stage A) – inquiry under section 46 of the Environmental Protection Act 1986 to amend Ministerial Statement 690*. Environmental Protection Authority, Perth, WA.

EPA 2020c, *Environmental Impact Assessment (Part IV Division 1 and 2) Procedures Manual*, Environmental Protection Authority, Perth, WA.

EPA 2020d, *Environmental Factor Guideline – Air Quality*, Environmental Protection Authority, Perth, WA.

Minister for Environment 2021. Minister's Appeal Determination, Appeal against amendment of licence L8194/2007/3 – Anderson Point Materials Handling Facility Port Hedland. 15 July 2021. Accessed at

[https://www.appealsconvenor.wa.gov.au/oac/files/046-20%20Minister%20s%20Appeal%20Determination\(1\).pdf](https://www.appealsconvenor.wa.gov.au/oac/files/046-20%20Minister%20s%20Appeal%20Determination(1).pdf)

State of Western Australia 2016, *Environmental Impact Assessment (Part IV Divisions 1 and 2) Administrative Procedures* Western Australian Government Gazette, No. 223, 13 December 2016.