



Ass # 871

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State # 367

WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL  
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE  
ENVIRONMENTAL PROTECTION ACT 1986)**

PROPOSAL: GERALDTON PORT EXPANSION  
(239/871)

CURRENT PROPONENT: GERALDTON PORT AUTHORITY

CONDITIONS SET ON: 22 DECEMBER 1989

The implementation of this proposal is now subject to the following conditions which replace all previous conditions:

**1 Proponent Commitments**

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, including the proposed extension of the breakwater as reported in Environmental Protection Bulletin 752, the proponent shall fulfil the commitments made during the assessment in 1989 (summarised and published in Environmental Protection Authority Bulletin 411 as Appendix 2) and the revised commitments of May 1994 (published in Environmental Protection Authority Bulletin 752 as Appendix 2); provided that the commitments are not inconsistent with the conditions or procedures contained in this statement.

A schedule of environmental management commitments (August 1994) which will be audited by the Department of Environmental Protection is attached.

**2 Dredging**

- 2-1 Prior to commencement of any major additional dredging activity not addressed within the Notice of Intent, the proponent shall refer that activity to the Environmental Protection Authority.

**3 Water Quality**

- 3-1 Prior to construction, the proponent shall prepare a water quality monitoring programme for the Port, including the Inner Harbour.
- 3-2 Prior to construction, the proponent shall establish a baseline for comparison of water quality.

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- 3-3 The proponent shall ensure that waters within the Geraldton Inner Harbour are maintained at a quality acceptable to the Department of Environmental Protection, so that they do not have an adverse impact on the marine environment or on the beneficial uses of the waters outside the Inner Harbour.

The criteria which should be used for determining acceptable water quality are published in the draft document 'Western Australian Water Quality Guidelines for Fresh and Marine Waters', Environmental Protection Authority Bulletin 711, October 1993.

- 3-4 The proponent shall implement the water quality monitoring programme required by condition 3-1.

#### **4 Bunding**

- 4-1 In order to minimise environmental impacts from sediment plumes resulting from dredging, prior to commencement of dredging, the proponent shall bund all reclamation areas (for Stage 2) and take such other action as is required to meet this objective.

- 5 Not applicable.

#### **6 Quarrying**

- 6-1 Prior to construction, the proponent shall identify and subsequently implement appropriate environmental management for the quarrying and transport of rock associated with the construction of the bund walls, to the requirements of the Department of Environmental Protection following consultation with the City of Geraldton.

#### **7 Shoreline Stability**

- 7-1 The proponent shall undertake shoreline monitoring in order to confirm shoreline stability and to identify any littoral drift problems resulting from the port expansion.

- 7-2 The proponent shall prepare a shoreline monitoring plan.

- 7-3 The proponent shall implement the shoreline monitoring plan required by condition 7-2.

#### **8 Implementation**

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 8-1 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

#### **9 Proponent**

These conditions legally apply to the nominated proponent.

- 9-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

**10 Time Limit on Approval**

The environmental approval for the proposal is limited.

- 10-1 If the proponent has not substantially commenced the modified project within five years of the date of this statement, then approval to implement the proposal as granted in the statement of 22 December 1989 shall lapse and be void. The Minister for the Environment shall determine any question as to whether the modified project has been substantially commenced.

Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority).

**11 Compliance Auditing**

In order to ensure that environmental conditions and commitments are met, an audit system is required.

- 11-1 To help verify environmental performance, the proponent shall prepare periodic Progress and Compliance Reports in consultation with the Department of Environmental Protection.

**Procedure**

- 1 The Department of Environmental Protection is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.
- 2 If the Department of Environmental Protection, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Kevin Minson MLA  
MINISTER FOR THE ENVIRONMENT

# Schedule of Environmental Management Commitments

August 1994

## GERALDTON PORT EXPANSION (239/871)

### GERALDTON PORT AUTHORITY

#### Pre-construction:

1. Dredging for Stage 2 will be limited to four months so as to minimise the period over which turbidity will be generated. Management of turbidity will be performed to the satisfaction of the Department of Environmental Protection.
2. The Geraldton Port Authority will monitor on an annual basis the impact, if any, of sand moving around the reclaimed area on nearby seagrass communities. The monitoring programme will be prepared in consultation with the Department of Environmental Protection and the results will be supplied to the Department of Environmental Protection as they become available.

#### During Construction

3. The Geraldton Port Authority will manage the reclamation activities in such a way as to minimise the generation of noise and dust. In the unlikely event that complaints are received the Geraldton Port Authority will take appropriate action to rectify the problem. These actions will be performed to the satisfaction of the Department of Environmental Protection.

#### Post-construction

4. The Geraldton Port Authority will carry out management and monitoring programmes of the dredging and reclamation works. These will include monitoring of heavy metals in dredged sediments to ensure that future industrial land does not contain contaminated sediment. The programmes will be designed and implemented to the satisfaction of the Department of Environmental Protection.
5. The Geraldton Port Authority will modify existing contingency programmes designed for hydrocarbon spillage and fire events to include the reclaimed area and will prepare a contingency plan for the repair of breakwaters and any other stabilising structures associated with the works should they fail.
6. The Geraldton Port Authority will upgrade the existing common user refuelling facility at the Fishing Boat Harbour by replacing the earth bund with a concrete floor and brick bund wall.