



# Works Approval

**Works approval number** W6852/2023/1

**Works approval holder** Kimberley Ports Authority

**Registered business address** PO Box 46  
BROOME WA 6725

**DWER file number** DER2023/000549

**Duration** 30/01/2024 to 29/01/2027

**Date of issue** 30/01/2024

**Date of amendment** 04/09/2024

**Premises details** Port of Broome  
Location 409 on Miscellaneous Plan 221193  
Lots 616 and 956 on Deposited Plan 240107  
Lot 621 on Deposited Plan 70861  
Lots 650 and 651 on Deposited Plan 415214  
Lot 698 on Deposited Plan 209491  
Lot 848 on Deposited Plan 174017  
BROOME WA 6725

As defined by the coordinates in Schedule 2

<b>Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)</b>	<b>Assessed design capacity</b>
Category 58: Bulk material loading or unloading (premises on which clinker, coal, ore, ore concentrate, or any other bulk granular material is loaded onto or unloaded from vessels by an open materials loading system (>100 tonnes or more per day).	1,600,000 tonnes per annum (tpa)

This works approval is granted to the works approval holder, subject to the attached conditions, on 4 September 2024, by:

## MANAGER, RESOURCE INDUSTRIES

*Officer delegated under section 20 of the Environmental Protection Act 1986*

## Works approval history

Date	Reference number	Summary of changes
30/01/2024	W6852/2023/1	Works approval granted.
03/05/2024	W6852/2023/1	Amendment to add Laydown Area 3 to Figure 1, Schedule 1
04/09/2024	W6852/2023/1	Department initiated amendment to extend time-limited operations by 180 days

## Interpretation

In this works approval:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this works approval:
  - (i) if dated, refers to that particular version; and
  - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

**NOTE:** This works approval requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this works approval.

## Works approval conditions

The works approval holder must ensure that the following conditions are complied with:

### Construction phase

#### Infrastructure and equipment

1. The works approval holder must:
  - (a) install the equipment;
  - (b) in accordance with the corresponding installation requirements;
  - (c) at the corresponding infrastructure location;
  - (d) within the corresponding timeframe,
 as set out in Table 1.

**Table 1: Design and installation requirements**

	Infrastructure	Design and installation requirements
1.	Air quality monitor(s)	<ol style="list-style-type: none"> <li>(a) As specified by a person qualified and experienced in the area of air quality monitoring and dust impacts to adequately verify the nature and extent of dust emissions from the premises.</li> <li>(b) Consisting of a minimum of one air quality monitor, capable of undertaking the monitoring specified in condition 17, installed in accordance with AS/NZS 3580 and operated in accordance with the relevant Australian Standard for that monitor type.</li> <li>(c) Monitor(s) are to be located;               <ol style="list-style-type: none"> <li>(i) Within the prevailing wind direction of receptors;</li> <li>(ii) Installed with a 120 degree clear sky angle in the direction of dust sources; and</li> <li>(iii) Located &gt;1m from walls and solid structures to allow sufficient airflow around sampling inlets.</li> </ol> </li> </ol>

#### Compliance reporting

2. The works approval holder must within 30 calendar days of an item of infrastructure required by condition 1 being installed:
  - (a) undertake an audit of their compliance with the requirements of condition 1; and
  - (b) prepare and submit to the CEO an Environmental Compliance Report on that compliance.
3. The Environmental Compliance Report required by condition 2, must include as a minimum the following:
  - (a) certification by a suitably qualified person that the items of infrastructure identified in condition 1, have been constructed in accordance with the relevant requirements specified in condition 1;
  - (b) rationale for the chosen location(s) and type(s) of air quality monitor;

- (c) details of any communications with Department of Health regarding recommendations for undertaking dust characterisation or monitoring for respirable silica dust;
- (d) a map depicting the installed air quality monitoring equipment location(s);
- (e) photographs of dust monitor(s);
- (f) a map depicting the monitoring equipment location(s); and
- (g) be signed by a person authorised to represent the works approval holder and contains the printed name and position of that person.

## Time limited operations phase

### Commencement and duration

4. The works approval holder may only commence time limited operations for infrastructure within the prescribed premises where the Environmental Compliance Report as required by condition 2 has been submitted.
5. The works approval holder may conduct time limited operations for all items of infrastructure specified in condition 6 (as applicable):
  - (a) for a period not exceeding 360 calendar days from the day the works approval holder meets the requirements of condition 4 for that item of infrastructure; or
  - (b) until such time as a licence for that item of infrastructure is granted in accordance with Part V of the *Environmental Protection Act 1986*, if one is granted before the end of the period specified in condition 5(a).

### Time limited operations requirements

6. During time limited operations, the works approval holder must ensure that the premises equipment listed in Table 2 and located at the corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in Table 2.

**Table 2: Infrastructure and equipment requirements during time limited operations.**

	Site infrastructure and equipment	Operational requirements	Infrastructure location
1	Dust monitor	To be functioning in accordance with manufacturer’s design specifications.	As determined in accordance with condition 1

7. The works approval holder must ensure that no visible dust generated from the prescribed activities crosses the boundary of the premises.
8. Where the works approval holder has identified dust has crossed the boundary of the premises, the works approval holder shall document any actions taken by site personnel to reduce fugitive dust.
9. The works approval holder must immediately recover, or remove and dispose of, spills of environmentally hazardous materials including fuel, oil, or other hydrocarbons, whether inside or outside an engineered containment system.
10. The works approval holder must take all reasonable and practicable measures to prevent stormwater run-off becoming contaminated by the activities and operations undertaken at the premises.

11. The works approval holder must ensure stormwater is managed within the premises so that potentially contaminated and/or sediment laden stormwater is retained onsite.
12. The works approval holder must collect all spillages of product so as to prevent it entering the environment.

### Noise validation during time limited operations

13. Within 30 days of the commencement of Time Limited Operations as specified in Condition 6, the works approval holder must retain the services of a person qualified and experienced in the area of environmental noise assessment and who by their qualifications and experience is eligible to hold membership of the Australian Acoustical Society or the Australian Association of Acoustical Consultants to:
  - (a) investigate the nature and extent of noise emissions from the premises;
  - (b) assess in accordance with the methodology required in the *Environmental Protection (Noise) Regulations 1997*, the compliance of the noise emissions from the primary activities, against the relevant assigned levels specified in those Regulations; and
  - (c) compile and submit a report to the works approval holder within 30 days of its preparation
14. A report prepared pursuant to condition 13(c) is to include:
  - (a) a description of the methods used for monitoring and/or modelling of noise emissions from the premises;
  - (b) details and the results of the investigation undertaken pursuant to condition 13(a); and
  - (c) details and results of the assessment of the noise emissions from the premises, against the relevant assigned levels in the Environmental Protection (Noise) Regulations 1997 undertaken pursuant to condition 13(b);
15. The works approval holder must submit to the CEO the report prepared pursuant to condition 13(c) within 14 days of receiving it.
16. Where an assessment pursuant to condition 13(b) indicates that noise emissions do not comply with the relevant assigned levels in the Environmental Protection (Noise) Regulations 1997, the works approval holder must:
  - (a) within 60 days of receiving an assessment report pursuant to condition 13(c) prepare a plan to ensure the undertaking of the licenced activity will no longer lead to any contravention of the Environmental Protection (Noise) Regulations 1997; and
  - (b) provide to the CEO a copy of the plan prepared pursuant to condition 16(a) within 30 days of its preparation.

### Dust monitoring during time limited operations

17. The works approval holder must monitor the air during time limited operations for concentrations of the identified parameters in accordance with Table 3.

**Table 3: Monitoring of ambient air concentrations during time limited operations**

Parameter	Monitoring Location	Unit	Frequency	Averaging Period	Sampling Method
Particles as PM <sub>10</sub>	Location(s) as determined in accordance with condition 1.	µg/m <sup>3</sup>	Continuous	24 hour average	AS3580.1.1: 2016 AS3580.9.11: 2016
Dust deposition		g/m <sup>2</sup> /day	Continuous (replaced monthly)	Monthly	AS/NZS 3510.1.1

### Compliance reporting

- 18.** The works approval holder must submit to the CEO a report on the time limited operations within 30 calendar days of the completion date of time limited operations or 30 calendar days before the expiration date of the works approval, whichever is the sooner.
- 19.** The works approval holder must ensure the report required by condition 18 includes the following:
- a summary of the time limited operations, including timeframes and amount of material handled;
  - a summary of the environmental performance of all infrastructure as installed;
  - data collected in accordance with monitoring requirements of the works approval;
  - relevant meteorological data sourced from the Bureau of Meteorology Broome NTC AWS Station, ID: 033102;
  - a review of performance and compliance against the conditions of the works approval; and
  - where the manufacturer's design specifications and the conditions of this works approval have not been met, what measures will the works approval holder take to meet them, and what timeframes will be required to implement those measures

### Records and reporting (general)

- 20.** The works approval holder must record the following information in relation to complaints received by the works approval holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
- the name and contact details of the complainant, (if provided);
  - the time and date of the complaint;
  - the complete details of the complaint and any other concerns or other issues raised; and
  - the complete details and dates of any action taken by the works approval holder to investigate or respond to any complaint.

- 21.** The works approval holder must maintain accurate and auditable books including the following records, information, reports, and data required by this works approval:
- (a) the works conducted in accordance with condition 1 and 6;
  - (b) any maintenance of infrastructure that is performed in the course of complying with condition 6;
  - (c) monitoring programmes undertaken in accordance with condition 17; and
  - (d) complaints received under condition 20.
- 22.** The books specified under condition 21 must:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
  - (c) be retained by the works approval holder for the duration of the works approval; and
  - (d) be available to be produced to an inspector or the CEO as required.

## Definitions

In this works approval, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

Term	Definition
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means:  Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919  <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V Division 3 of the EP Act.
discharge	has the same meaning given to that term under the EP Act.
emission	has the same meaning given to that term under the EP Act.
Environmental Compliance Report	means a report to satisfy the CEO that the conditioned equipment has been installed in accordance with the works approval.
EP Act	<i>Environmental Protection Act 1986 (WA)</i> .
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i> .
premises	the premises to which this works approval applies, as specified at the front of this works approval and as shown on the premises map (Figure 1) in Schedule 1 to this works approval.
prescribed premises	has the same meaning given to that term under the EP Act.
time limited operations	refers to the operation of the infrastructure and equipment identified under this works approval that is authorised for that purpose, subject to the relevant conditions.
works approval	refers to this document, which evidences the grant of the works approval by the CEO under section 54 of the EP Act, subject to the conditions.
works approval holder	refers to the occupier of the premises being the person to whom this works approval has been granted, as specified at the front of this works approval.

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**END OF CONDITIONS**



## Schedule 1: Premises Map

The boundary of the prescribed premises is shown in the map below (Figure 1).

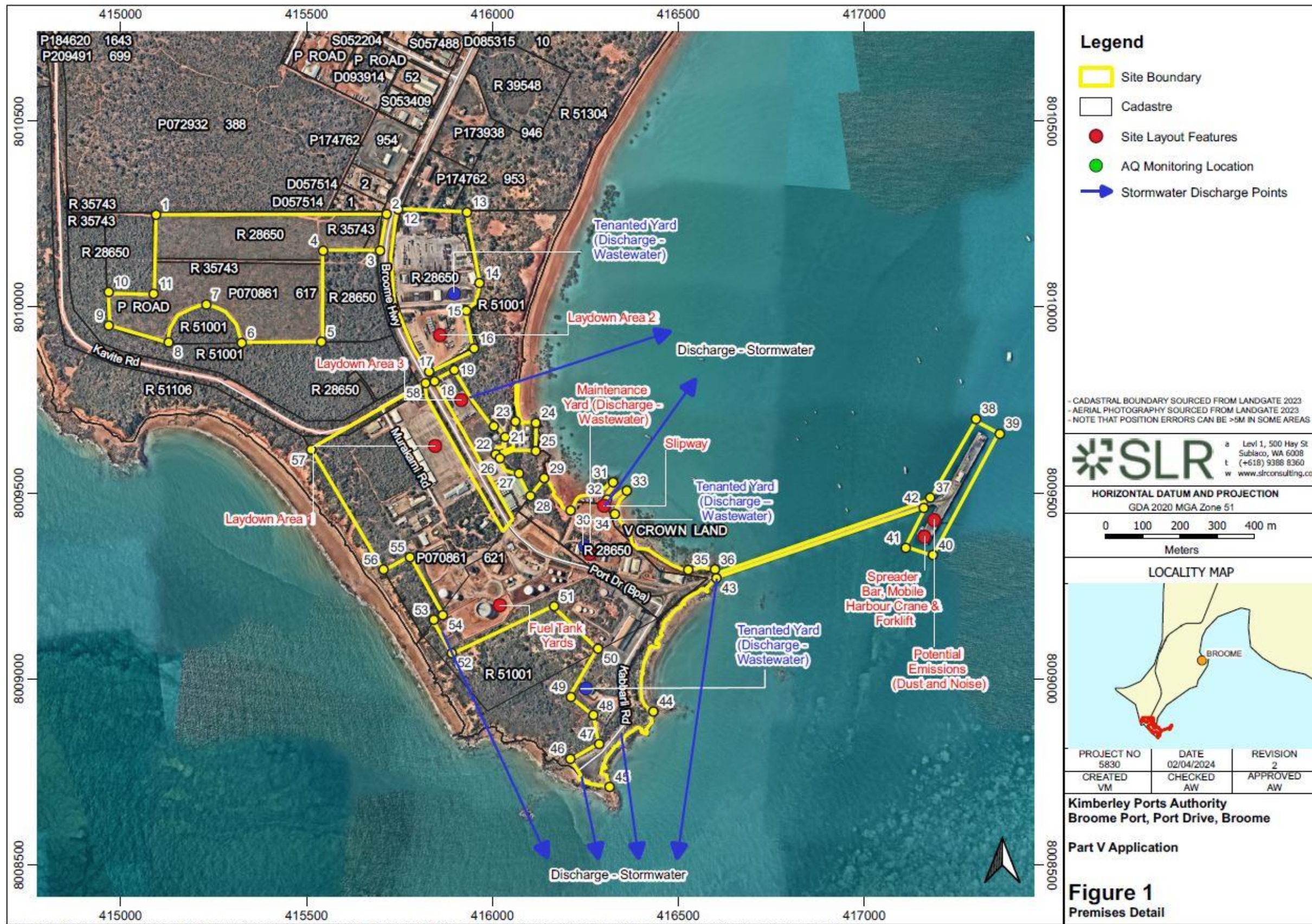


Figure 1: Map of the prescribed premises boundary and site layout

## Schedule 2: Premises boundary

The corners of the premises boundary are the coordinates listed in Table 2.

**Table 2: Premises boundary coordinates (GDA2020)**

ID	Longitude	Latitude	ID	Longitude	Latitude
1	122.198	-17.9944	30	122.2085	-18.0017
2	122.2039	-17.9944	31	122.2096	-18.001
3	122.2037	-17.9953	32	122.2094	-18.0014
4	122.2023	-17.9953	33	122.21	-18.0012
5	122.2022	-17.9975	34	122.2096	-18.0017
6	122.2002	-17.9975	35	122.2115	-18.0031
7	122.1993	-17.9966	36	122.2122	-18.0031
8	122.1983	-17.9975	37	122.2177	-18.0014
9	122.1968	-17.9971	38	122.2188	-17.9995
10	122.1968	-17.9963	39	122.2194	-17.9998
11	122.1979	-17.9963	40	122.2177	-18.0028
12	122.2042	-17.9943	41	122.217	-18.0026
13	122.2059	-17.9944	42	122.2175	-18.0016
14	122.2062	-17.9961	43	122.2122	-18.0033
15	122.2059	-17.9968	44	122.2106	-18.0065
16	122.2061	-17.9977	45	122.2095	-18.0084
17	122.2049	-17.9983	46	122.2085	-18.0077
18	122.2051	-17.9985	47	122.2092	-18.0073
19	122.2056	-17.9982	48	122.2091	-18.0066
20	122.2066	-17.9996	49	122.2085	-18.0062
21	122.2069	-17.9999	50	122.2092	-18.005
22	122.2066	-18.0003	51	122.2081	-18.004
23	122.2071	-17.9995	52	122.2055	-18.0051
24	122.2076	-17.9995	53	122.205	-18.0043
25	122.2076	-18.0002	54	122.2053	-18.0042
26	122.2067	-18.0004	55	122.2044	-18.0028
27	122.2072	-18.0007	56	122.2038	-18.0031
28	122.2075	-18.0013	57	122.2019	-18.0001
29	122.2079	-18.0009	58	122.2048	-17.9985