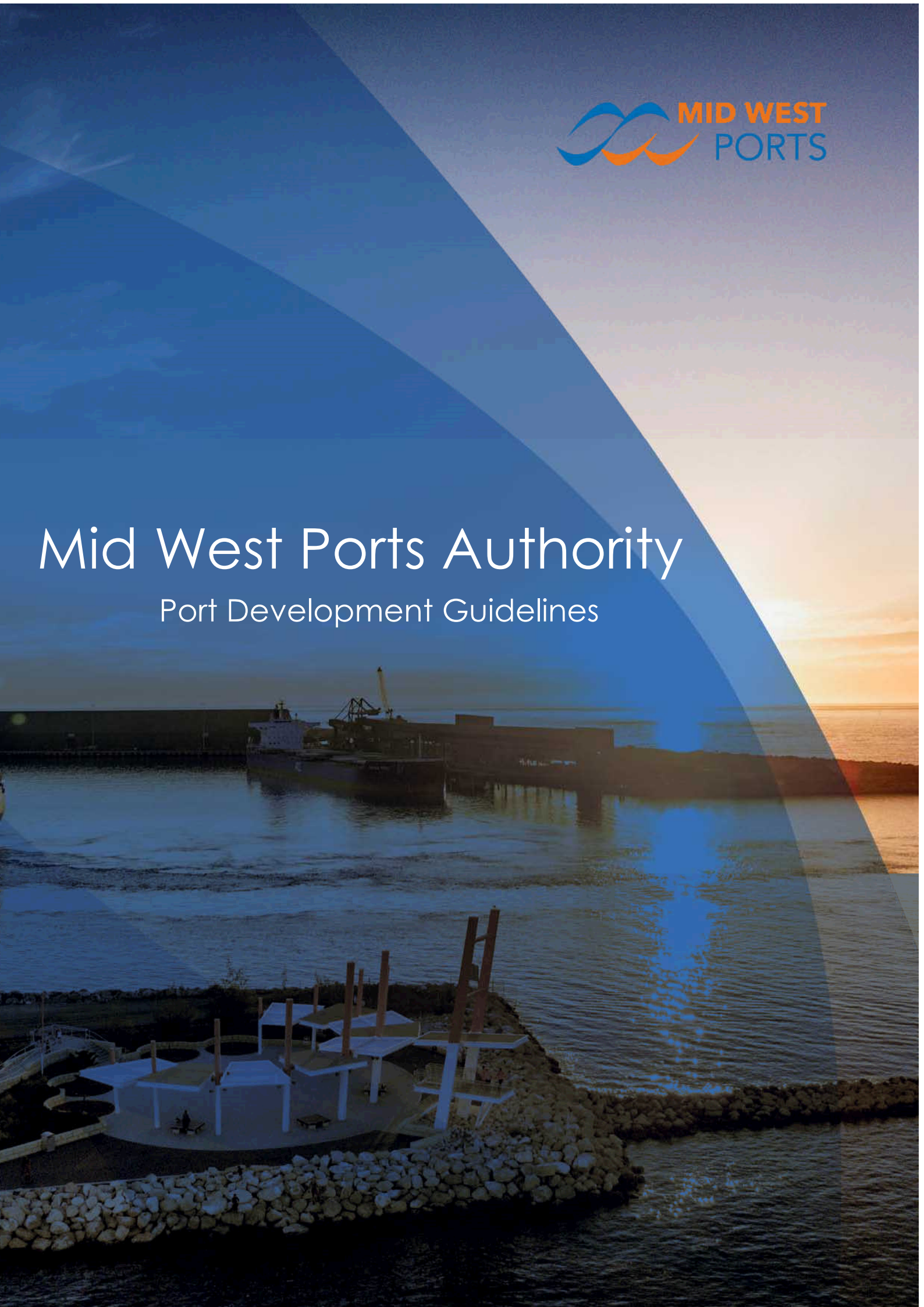

Mid West Ports Authority

Port Development Guidelines

PORT DEVELOPMENT GUIDELINES

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Version	Revision Date	Details	Prepared By	Authorised By
1 (Rev A)	22/04/2013	For Internal Consideration	P. Duplex	
2 (Rev B)	10/05/2013	Reformatted Document	P. Duplex	
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Abbreviations and Acronyms	
ARI	Average Recurrence Interval
AS	Australian Standard
BA	*Building Act 2011, Building Amendment Building Act 2012, Building Regulations 2012*
CEMP	Construction Environmental Management Plan
CHRMAP	Coastal Hazard Risk Management and Adaptation Plan
CSMP	Construction Safety Management Plan
CMD	Contracted Maximum Demand
DB	Distribution Board
DFES	Department of Fire & Emergency Services
DOT	Department of Transport
DMIRS	Department of Mines, Industry Regulation and Safety
DWER	Department of Water and Environmental Regulation
EP Act	*Environmental Protection Act 1986*
EPA	Environmental Protection Authority
FBH	Fishing Boat Harbour
FFL	Finished Floor Level
HAZOP	Hazard and Operability Study
HV	High Voltage

Abbreviations and Acronyms	
IFC	Issued for Construction
LGAs	Local Government Authorities
LV	Low Voltage
MD	Maximum Demand
MRWA	Main Roads Western Australia
MSIA	*Mine Safety and Inspection Act 1994*
MSIC	Maritime Security Identification Card
MWPA	Mid West Ports Authority
NCC	National Construction Code
NPER	National Professional Engineers Register
OEMP	Operational Environmental Management Plan
OSMP	Operational Safety Management Plan
PAA	*Port Authorities Act 1999*
PDA	*Planning and Development Act 2005*
PF	Power Factor
QRA	Quantitative Risk Analysis
SCADA	Supervisory Control and Data Acquisition
SEQMP	Safety, Environmental & Quality Management Plan
SPA	*Shipping and Pilotage Act 1967*

Units of Measurement	
ha	Hectare
km	Kilometre
mm	Millimetre
m	Metre
m2	Square Metre

1 Introduction

1.1 OVERVIEW OF THE MID WEST PORTS AUTHORITY

Mid West Ports Authority (**MWPA**) operates as a Western Australian Government Trading Enterprise under the *Port Authorities Act 1999* (**PAA**), with a Board of Directors reporting to WA's Minister for Ports.

MWPA was established on 1 July 2014 as a result of the *Ports Legislation Amendment Act 2014* which consolidated seven of WA's eight port authorities into four regional port authorities. MWPA encompasses the Port of Geraldton, located approximately 424 kilometres north of Perth, and the proposed port of Oakajee, located approximately 23 kilometres north of Geraldton. In addition to the main harbour, the Port of Geraldton includes the Fishing Boat Harbour (**FBH**).

The Port of Geraldton supports numerous trade sectors, including iron ore, mineral sands and concentrates, agribulk, rock lobster and other fisheries, fuel, livestock and tourism. Iron ore represents 75% of total trade, with grain and mineral sands and concentrates totalling 11% each. Current throughput averages 16 million tonnes per annum (mtpa), and it is anticipated that this may increase to up to 50 mtpa per annum over the next 15 years through the implementation of the Port Master Plan: https://www.midwestports.com.au/Profiles/midwestports/Assets/ClientData/campaigns/geraldton-master-plan/Geraldton-Port-Master-Plan.pdf. Opportunities exist to increase throughput from existing sectors and to diversify operations to include aquaculture, increased cruise ship visitation and value-adding tourist activities, high value minerals and containers.

In the future, MWPA will also assume oversight over Harbour Master and marine safety functions at two Shipping and **Pilotage Act 1967** (**SPA**) ports following their transfer from the Department of Transport, as enabled through the **Ports Legislation Amendment Bill 2016**. These ports include the Ports of Cape Cuvier and Useless Loop which collectively constitute the Port of Carnarvon.

MWPA's operations are guided by its vision, mission and values which are shown in **Figure 1**.

Under the PAA, MWPA has a duty to act on commercial principles and is afforded the power to perform defined functions such as:

- Facilitating trade within and through the port.
- Planning for future growth and development of the port.
- Undertaking or arranging for activities that will encourage and facilitate the development of trade and commerce generally for the economic benefit of the State through the use of the port and related facilities.
- Controlling business and other activities in the port or in connection with the operation of the port.
- Being responsible for the safe and efficient operation of the port.
- Being responsible for maintaining port property.
- Being responsible for port security.
- Protecting the environment of the port and minimising the impact of port operations on the environment.

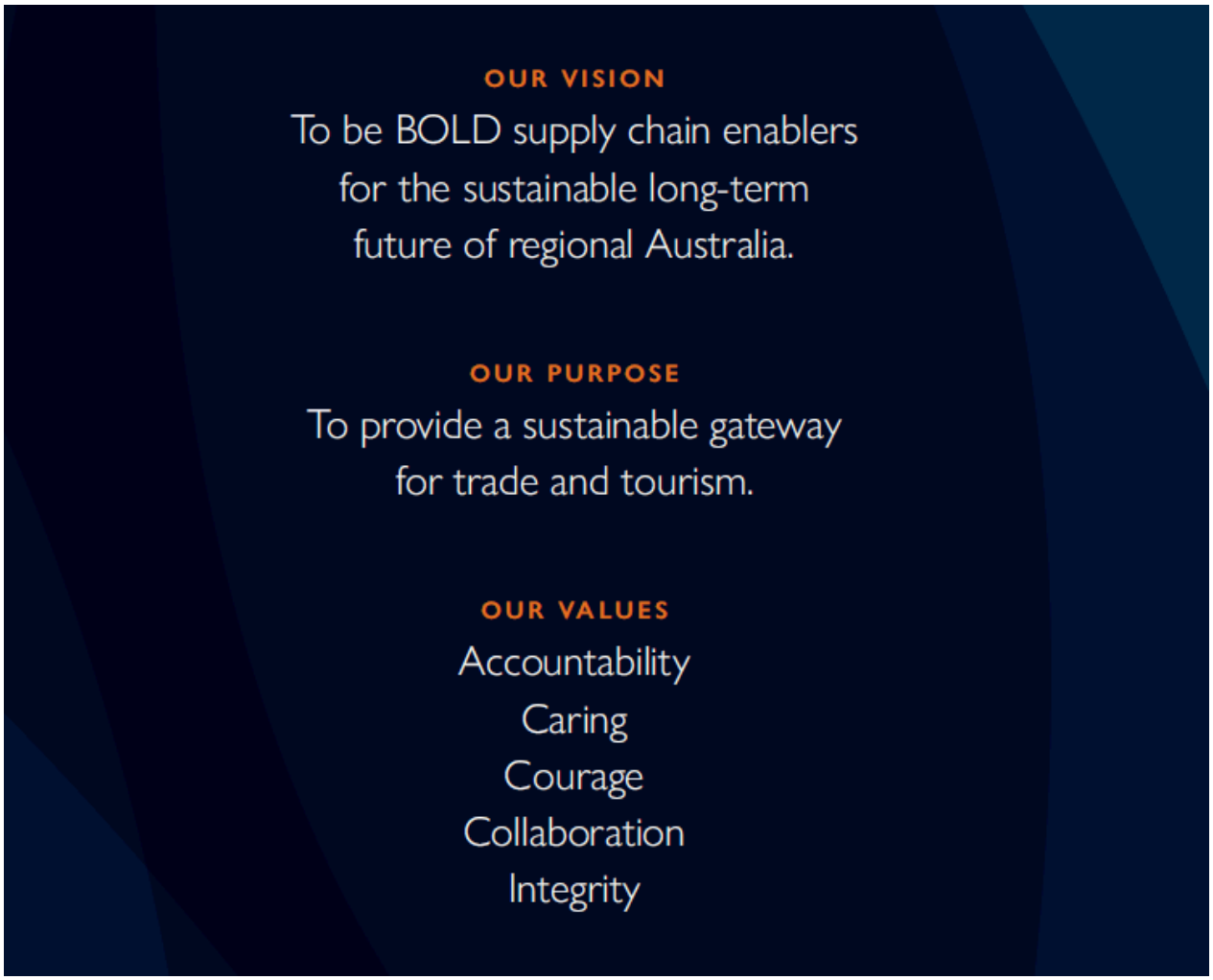

Figure 1 – MWPA Vision, Mission and Values

To enable MWPA to effectively perform its functions, the PAA provides it with powers. These include the power to:

- Manage, improve and develop real or personal property vested in it or acquired by it or arrange for property to be managed, improved or developed.
- Carry out port works or arrange for port works to be carried out.
- Provide, manage and operate port facilities or arrange for port facilities to be provided, managed and operated.

In short, MWPA is responsible for overseeing development that occurs on land that it owns or manages. These Development Guidelines (the Guidelines) have been prepared to assist anyone who wishes to develop on land that is owned or managed by MWPA.

1.2 DEVELOPMENT GUIDELINES AREA OF APPLICATION

These Development Guidelines apply to all land and waters that are managed by MWPA. MWPA is currently the manager of all land and waters contained within Reserve 25300, which includes:

- 83.05 hectares (**ha**) of land comprising the Port of Geraldton, including the main commercial harbour, Fishing Boat Harbour and various lots south of Marine Terrace;
- 180.11 ha of coastal land at Oakajee; and
- Waters extending approximately 7.5 kilometres (**km**) west from a line parallel to the Point Moore Lighthouse, then approximately 36.5 km to the north (28,893 ha in total).

The extents of the MWPA managed land and waters are shown on Deposited Plan 410027, included as Figure 1 below.

MWPA also owns three lots immediately south of the Port in freehold title, totalling approximately 6.05 ha in area. These lots are also shown in the Deposited Plan in **Figure 2**.

At this stage the Development Guidelines do not apply to land or waters at Cape Cuvier and Useless Loop, as these areas are not currently managed by MWPA.

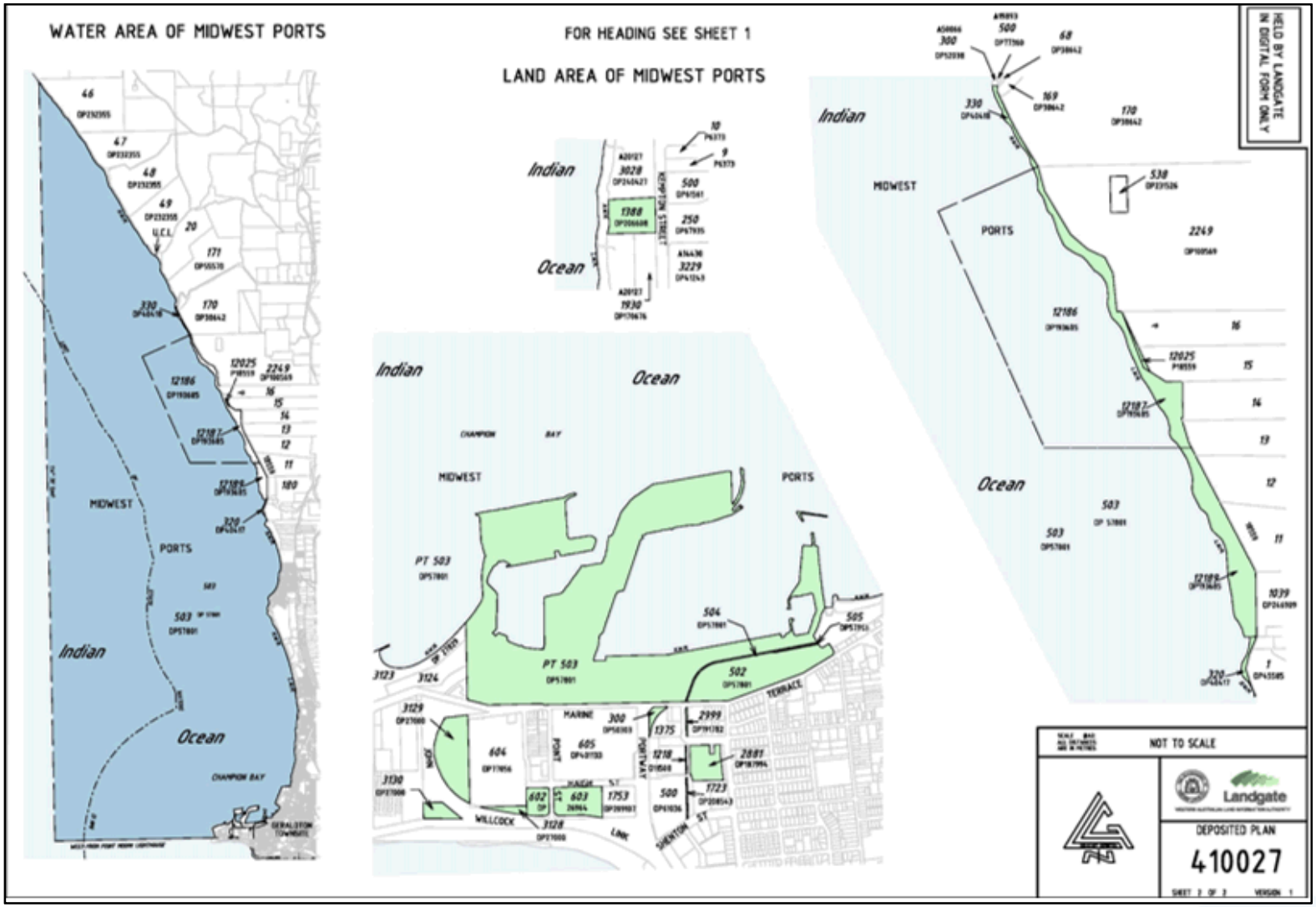

Figure 2 – Extents of MWPA Managed Land and Waters

1.3 DEFINITIONS

Applicant	A person or corporate entity that lodges a Development Application to undertake development or use of Port land, which may or may not be the Proponent.
Development	Any demolition, erection, construction, alteration of or addition to any building or structure on the land, including the carrying out of excavation.
Development Application	A formal Application lodged by an Applicant to seek approval to undertake development or land use on a designated area of land
Development Approval	A document allowing a person to undertake development or land use on a designated area of land, which may or may not be subject to conditions.
General Industry	Land uses that provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and ot sensitive land uses.
Land Use	The type or types of activity which take place on a designated area of land
Light Industry	Land uses that provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.
Local Government Consultation	A letter and accompanying documentation describing a proposed development on Port land which is sent to the relevant local government, to fulfil the requirement under s.6(3) of the PDA to consult with the responsible authority prior to undertaking such development.
Proponent	A person or corporate entity that seeks to undertake development or use of Port land, which may or may not be an Applicant

2 Legislative Requirements for Development

Development in Western Australia is primarily governed by three pieces of legislation:

- The *Planning and Development Act 2005* (**PDA**);
- The *Building Act 2012* (**BA**); and
- The *Environmental Protection Act 1986* (**EP Act**).

Relevant portions of each Act and their relationship to development within the Port will be discussed in the sections below. The flowchart in **Figure 3** (p.15) provides a brief overview.

Other legislative instruments may apply to some developments on a case-by-case basis. For instance, at some locations at the Port the requirements of the *Mines Safety and Inspection Act 1994* (**MSIA**) and Regulations also apply, and the port's Rail Terminal falls under the control of the *Western Australian Rail Safety Act 2010* and the *Western Australian Rail Safety Regulations 2011.*

In addition to the state government requirements outlined below, development at MWPA should be consistent with MWPA's Statement of Corporate Intent (https://www.midwestports.com.au/Profiles/midwestports/Assets/ClientData/Documents/Corporate/SOCI/2020-21-Statement-of-Corporate-Intent.pdf), Port Master Plan and any other strategic documents which may be prepared and adopted from time to time.

2.1 PLANNING AND DEVELOPMENT ACT 2005

The PDA is the principal instrument that governs development and land use in Western Australia. It establishes the requirement to obtain approval prior to undertaking development or using land. Under the PDA, approval is generally granted by the local government in which the activity will take place. This is commonly referred to as 'Development Approval' or 'Planning Approval.'

However, Section 6 of the PDA states that 'public works' are exempt from requiring Development Approval from the local government. The *Port Authorities Act 1999* contains provisions which state that 'port works' and 'port facilities' can be considered 'public works' for the purposes of the PDA. Therefore, any development which can be considered 'port works' or 'port facilities' does not require local government Development Approval and is controlled by MWPA through its Development Application (DA) process.

In exercising the planning exemption conferred by the PDA, MWPA must consult with the relevant local government and ensure that the proposed development has regard for the purpose and intent of any Local Planning Scheme in effect and for orderly and proper planning and the preservation of amenity in the locality.

Most activities that will occur in the Port will be considered 'port works' or 'port facilities,' however some will not, and in these cases a DA must also be lodged with the local government. This is to occur through MWPA as the land owner.

Proponents are encouraged to meet with MWPA early in the process of planning new development to discuss whether their proposal constitutes 'port works' or 'port facilities' as this may impact processing timeframes.

2.2 BUILDING ACT 2011

Once a development has met the requirements under the PDA, approval is generally required under the BA in the form of a permit to undertake building or demolition work.

Building and Demolition Permits are typically issued from the relevant local government, however there are some types of development that are exempt from requiring a permit under Part 5 of the BA. These exemptions include:

- Temporary buildings or structures erected for no longer than 1 month (Section 69);
- Buildings or incidental structures that are used in the construction, operation, or maintenance of road, rail, port, harbour, airport, water, sewerage, electricity, oil or gas supply infrastructure (Section 70);
- Buildings or incidental structures that are used in the construction, operation, or maintenance of facilities that meet the needs of effective and efficient shipping and boating, including:
- Jetties, landing places, slips, platforms, grids, breakwaters, depots and sheds;
- Moorings;
- Boating facilities;
- Launching ramps;
- Navigation aids; and

- Marine craft (Section 71);
- Buildings or incidental structures that are used in the construction, operation, or maintenance of a place where mining operations are carried on (Section 72);
- Buildings or incidental structures that are used in the construction, operation, or maintenance of a facility that is primarily industrial processing plant (Section 74).

Please note that the exemptions outlined above do not apply if the building or structure is accessible to members of the public. Additionally, the exemptions in Sections 70 – 74 do not apply if the building or structure is used for residential or recreational purposes. In these cases, a Building Permit from the LGA is required.

Even where a development is exempt from requiring a LGA Building Permit, Proponents will still need to demonstrate that the development is compliant with all applicable building standards, to ensure that MWPA as the land owner/manager can meet its obligations under Section 37(2) of the BA. Refer Section 4.1.5.1.

2.3 ENVIRONMENTAL PROTECTION ACT 1986

The EP Act provides for the prevention, control and abatement of pollution and environmental harm and for the conservation and protection of the environment. It sets the framework to regulate activities which may have impact on the environment.

2.3.1 Assessment of 'Significant Proposals'

The EP Act states that all 'significant proposals' require assessment from the Environmental Protection Authority (EPA). 'Significant proposals' are those *'likely, if implemented, to have a significant effect on the environment.'* The types of projects that are generally considered 'significant proposals' are large scale industrial and resources projects or major investment in public infrastructure.

Under Part 4 of the EP Act, an Applicant or a decision-making authority can refer any proposal it considers to be a 'significant proposal' to the EPA. The EPA will then determine whether it wishes to undertake a formal assessment of the proposal. If EPA assessment is required, the onus will be on the Applicant to supply any information required by the EPA. Once the assessment process is underway, the clock stops on any DA lodged with MWPA or the local government until such time as a decision has been made. If the proposal is ultimately supported, the decision from the EPA will be issued in the form of a Ministerial Statement, which will include any implementation conditions the EPA deems appropriate. Ongoing compliance with Ministerial Statements is required and compliance monitoring is undertaken by the Department of Water and Environmental Regulation.

MWPA will advise the Proponent as soon as practicable during pre-lodgement discussions if it considers that the proposal could constitute a 'significant proposal.'

2.3.2 Works Approvals and Environmental Licences

Part 5 of the EP Act requires approval for certain land uses which have the potential to cause emissions and discharges to air, land or water. These are referred to as 'prescribed premises.' A list of prescribed premises is set out in Schedule 1 of *the Environmental Protection Regulations 1987.*

Any construction of a new prescribed premises or modifications to an existing prescribed premise requires a 'Works Approval' to be obtained before construction commences. Additionally, prior to operation of a prescribed premises an Environmental Licence is required. It is an offence to cause an emission or discharge into the environment unless an environmental licence is held for the premises.

Works approvals and environmental licences are issued by DWER. Generally, these will not be issued until the Proponent can demonstrate that Development Approval has been obtained, although dialogue with DWER can start at any stage of the process.

MWPA currently holds an Environmental Licence for '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.' (Category 58 and 58A).

A copy of the Environmental Licence can be accessed via DWER's website: https://www.der.wa.gov.au/component/k2/itemlist/filter?searchword20=Greater+Geraldton+City&moduleId=94&Itemid=175

The loading or unloading of any materials not listed in, or in volumes in excess of what is approved under, MWPA's Environmental Licence will require a Trial Notification followed by an Amendment to the licence. As the Licence holder, MWPA will lead this process with all information regarding the proposal to be provided by the Proponent. Refer HSE-PRO-019.

Any other types of 'prescribed premise' are not captured in MWPA's environmental licence. These will require their own works approval prior to construction, and in some cases may require an individual Environmental licence to operate.

2.4 OTHER RELEVANT LEGISLATION AND CODES OF PRACTICE

Any alterations or a change of use involving infrastructure listed on the MWPA Environmental Licence may be subject to a works approval and or licence amendment which must be applied for and granted prior to the works commencing. Additionally, certain activities may require a licence, permit or registration under other Acts and Regulations including but not limited to:

- Dewatering and groundwater extraction - Rights in Water and Irrigation Act 1914;
- Control of pollution and use of water - Waterways Conservation Act 1976;
- Waste and effluent disposal - Environmental Protection (Controlled Waste) Regulations 2004 and or Environmental Protection (Unauthorised Discharges) Regulations 2004; and
- Noise - Environmental Protection (Noise) Regulations 1997
- Rockwall, reclamation and breakwaters - Western Australian Marine and Harbours Act 1981, Conservation and Land Management Act 1984

DWER provide the following guidance documents that outline approval processes and associated timelines:

- *DWER Guideline: Industry Regulation Guide to Licensing*
- *DWER Guideline: Port Authority bulk handling trials*

2.4.1 Dangerous Goods Act 2004

Industries involving explosives and other dangerous goods, including major hazard facilities, with potential off-site risks are regulated by the DMIRS under the *Dangerous Goods Safety Act 2004*.

Sites storing or handling dangerous goods may require a licence under the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007.* Pipelines used to transport dangerous goods may also require registration under these Regulations.

Information on the types of goods and the critical qualities which require licensing are listed in the DMIRS's *Safety Guidance Note: Dangerous Goods Safety Guidance Note Licensing and exemptions for storage and handling*.

Minimum separation distances between explosive facilities and various categories of incompatible land uses are provided in Australian Standard *AS2187.1:1998 Explosives – Storage, Transport and Use – Storage – Western Australia* and the DMIRS's *Dangerous Goods Safety Guidance Note – Storage of explosives.*

2.4.2 Mines Safety and Inspection Act 1994

Sites where mining operations are carried out are designated as mines under the *Mines Safety and Inspection Act 1994* and operations on these sites must comply with the requirements of the MSIA and associated Regulations. Compliance with the MSIA is the responsibility of the relevant Mine Managers and is monitored by DMIRS.

MWPA has been designated as the Mine Manager for common user berths (such as 4 and 5) when operating and any mineral storage shed not leased to a private operator. Proponents whose developments are proposed within MWPA's mine site may be required to demonstrate compliance with the MSIA and Regulations.

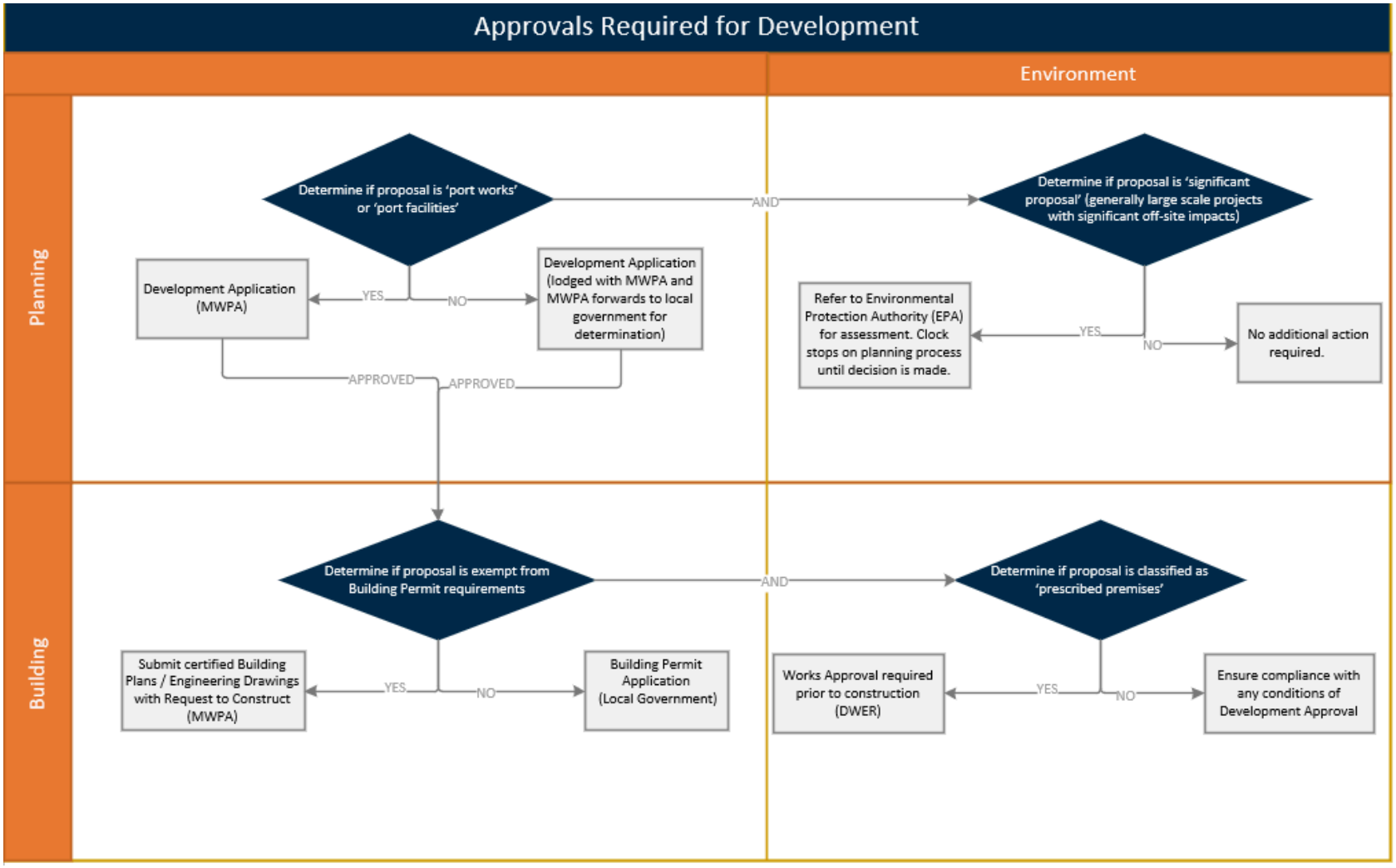

Figure 3 – Approvals Required for Development

3 Development Approval Process

3.1 WHAT SHOULD I DO FIRST?

Proponents are encouraged to contact MWPA as early as possible, to discuss the requirements of their proposed development and for assistance throughout the approvals process.

Particularly if you are not an existing Port leaseholder or customer, there may be additional steps to follow before MWPA will be able to consider a Development Application from you. Accordingly, all proponents, both new and existing customers / port users, are encouraged to liaise with the MWPA Trade team in the first instance.

Once a Proponent has made an enquiry regarding a proposal, including to accept new trade into the Port, MWPA will undertake an initial assessment. This is primarily to determine whether the proposal is exempt from requiring Development Approval and, if an Approval is required, to identify any 'atypical' information or plans that are required to be submitted, depending on the nature and scale of the proposal.

Timeframe for completion of Initial Assessment – up to 3 Business Days

Once it has been determined that a Development Application is required, all further enquiries and submissions are to be directed to the following:

Geraldton Office

Port Planner

PO Box 1856

Geraldton WA 6530

development.apps@midwestports.com.au

It is noted that some new trade proposals may not include development or the introduction of a new land use, however these will still be discussed by the Port Development Advisory Group (Refer 3.10.1) to ensure that all MWPA stakeholders can be involved in the process. Additional requirements may also apply, as set out in the Potential New Cargo (Customer) Procedure (COM-PRO-002) and HSE Approvals Process for New Cargoes Procedure (HSE-PRO-019), both currently under review.

3.2 WHAT FORMS OF DEVELOPMENT ARE EXEMPT FROM DEVELOPMENT APPROVAL?

Developments that will not require Development Approval from MWPA include:

1. General maintenance works which do not include:

- constructing new buildings or structures, with the exception of 'minor structures' as defined in Item Point 8 below;
- demolishing existing buildings or structures, with the exception of minor structures; or
- expanding the footprint of existing buildings or structures, with the exception of minor structures; or
- a permanent increase in usage of any essential services (i.e. power, water, effluent disposal).

2. Internal building work that does not materially affect the external appearance of the building;

3. Repainting of the internal surfaces of any building or structure, or repainting the external surfaces of any building or structure in the same or in a materially similar colour as the existing surface;
4. Installation of unlit freestanding signage that does not exceed $1m^2$ and complies with MWPA 508 – Guidelines for Line Marking and Signage (proposed).
5. Installation of unlit signage affixed to the walls of a building, not projecting above the eaves, roof, or ridge line or 6m above ground floor level, with a total combined area of $10m^2$, where the sign is associated with the approved use of the building.
6. Works that are temporary and in existence for less than 48 hours, or longer period as agreed to by MWPA.
7. Urgent works necessary for public safety, security of plant or equipment, continuance of essential services or protection of the environment.
8. Minor structures, including:

- Temporary offices, sheds, or sanitary facilities to be used by a builder in connection with building work carried out on the land on which the office, shed, or sanitary facility is proposed to be located;
- Fencing that is in accordance with the 'Minimum Development Requirements' in Section 4.1.9.1;
- Masts, antennas or similar structures that are, if attached to a building, no more than 2m in height above the highest point of attachment to the building; and, if not attached to a building, are no more than 3m in height;
- Water storage tanks, with a capacity of 5,000 L or less;
- Retaining walls that do not retain ground more than 0.5m in height;
- Attachment of photovoltaic panels or solar hot water systems to the roof of a building;
- Shade sails that do not change the approved land use, are made of permeable material and are not closer to 0.75m to any boundary;
- Flagpoles that do not exceed 6m in height.

It is noted that in some rare cases, development may be exempt from MWPA Development Approval however it may not be exempt from the requirement to obtain a Building Permit from the relevant local government under the BA. Whilst MWPA will endeavour to provide advice in this regard, it is the Proponent's responsibility to make enquiries with the relevant local government and obtain all relevant statutory approvals prior to works commencing.

Proponents must also comply with the MWPA HSE-PRO-032 Permit to Work Procedure BEFORE commencing ANY works on site which do not fall under the exemptions of that procedure.

3.3 ARE THERE DIFFERENT TYPES OF DEVELOPMENT?

Once it has been established that Development Approval from MWPA is required, the DA will fall under one of three categories of development, based on the complexity of the development, risk level, capital cost and likely level of regulation (Refer Table 1). The required level of documentation to be provided to MWPA with your DA will be commensurate with the development type assigned to your project. In addition, the time and cost to assess applications, the level of MWPA oversight and the need for third party consultants will vary according to development type.

Type	Complexity	Estimate Cost of Construction Works*	Regulation	Examples
Type 1	Minor Developments	Up to $500,000	Local	Small building extensions; site enhancements with minimal earthworks; minor changes of land use; small new buildings or structures with no off-site impacts
Type 2	Relatively Uncomplicated Developments	Between $50,000 - $1 million	Local / State	A major change of land use to an existing development; new buildings or structures involving medium amounts of construction and earthworks; no or minimal offsite impacts.
Type 3	Complex Developments	Greater than $1 million	Local / State / Commonwealth	Wharf construction and building premises; bulk storage; dredging; rail terminal; industrial processing plant; other buildings or structures involving large amounts of construction and earthworks; potential for offsite impacts requiring management.

Table 1 – Development Types

3.4 WHAT ARE THE FEES?

MWPA requires proponents to pay an assessment fee that covers the administration, assessment, management and review costs incurred by MWPA, from receipt of the Development Application through to the close-out of the Approval once all Development Conditions have been complied with, which must be done prior to the commencement of operations.

A fixed assessment fee will apply to Type 1 developments with a construction cost of up to $20,000. For Type 1 developments between $20,000 and $500,000 and all Type 2 and 3 developments, MWPA applies a sliding scale fee based on the estimated cost of development. Payment of the assessment fees are linked to the lodgement of DAs and **must be paid in full prior to the Application being assessed.**

Proponents are to provide and, where requested, substantiate the estimated total value of the proposed development.

MWPA may require third-party review/s to be undertaken on a specific component/s of the proposed development, in order to make a proper and fully-informed assessment. MWPA will advise the Applicant if it intended to commission a third-party review of the development. The Proponent will be responsible for paying to MWPA all reasonable costs of supervision and third-party fees/charges for review/s. Any report/s produced from the review/s will be made available to the proponent.

Type	Complexity	Estimate Cost of Construction Works*	Assessment Fee (Per Development Application)	
			Port Developments	FBH Developments
Type 1	Minor Developments	Up to $20,000	$150	$150
		Between $20,000 and $500,000	$1,000 plus 0.6% of the value of the proposed works above $20,000 (Range $1,000 - $3,880)	$1,000 plus 0.15% of the value of the proposed works above $20,000 (e.g. $20,000 = 1,000) (e.g. $0.5M = $1,720) (e.g. $1.0M = $2,460)
Type 2	Relatively Uncomplicated Developments	Between $500,000 - $1 million	$3,880 plus 0.4% of the value of the proposed works above $50,000 (Range $3,880 - $5,800) + Cost of any external consultants, third-party reviewers, or third-party audits.	
Type 3	Complex Developments	Between $1 million - $2 million	$5,800 plus 0.2% of the value of the proposed works above $1M (e.g. $2.0M = $7,880) + Cost of any external consultants, third-party reviewers, or third-party audits.	$2,500 plus 0/15% of the value of the proposed works above $1M, and not to exceed the fee for Port Development of the same value. (e.g. $2.0M = $4,000) (e.g. $5.0M = $8,500) + Cost of any external consultants, third-party reviewers, or third-party audits.
		Greater than $2 million	$10,000 plus 0.1% of the value of the proposed works. (e.g. $5.0M = $12,500) + Cost of any external consultants, third-party reviewers, or third-party audits.	

Table 2 – Development Application Fees

3.5 ARE THERE ANY BONDS?

MWPA at its discretion will require proponents to pay a pre-construction bond, in accordance with the table below.

Table 3 – Construction Bonds

Type	Complexity	Estimate Cost of Construction Works*	Pre-Construction Bond (Refundable)
Type 1	Minor Developments	Up to $20,000	Nil
		Between $20,000 and $500,000	Seven and a half (7.5) x Assessment Fee (Port Range: $7,500 - $29,100) (FBH Range: $3,750 - $12,900)
Type 2	Relatively Uncomplicated Developments	Between $500,000 - $1 million	Fifteen (15) x Assessment Fee (e.g. Port: $1M = $87,000) (e.g. FBH $1M = $36,900)
Type 3	Complex Developments	Between $1 million - $2 million	
		Greater than $2 million	For developments greater than $2.0M the bond value is to be determined.

The bond will be used to cover any damage resulting to MWPA assets from the construction activity.

Where a pre-construction bond is to be required, it will be included as a condition of Development Approval and must be paid prior to the Proponent receiving a Clearance to Construct (Refer Section 5.3). The bond will be refunded once the project has been closed out to MWPA's satisfaction (Refer Section 5.4.4).

3.6 HOW DO I LODGE MY DEVELOPMENT APPLICATION?

Development Applications and supporting documentation are to be submitted to MWPA via email to: development.apps@midwestports.com.au. Applications can also be posted to:

Port Planner

Asset and Port Development

PO Box 1856

GERALDTON WA 6530

3.7 WHAT SUPPORTING INFORMATION IS REQUIRED?

The documentation required to support a Development Application will depend on the development type (i.e. Type 1, 2, or 3). Typical documentation is summarised in Table 4 below. All forms referred to in the Port Development Guidelines are available on MWPA's website.

Table 4 – Typical Applicant Documentation

Document	Key Elements	Type 1 and 2	Type 3
Development Application Form MWPA form with essential information about the proposal.	• Must include signature from landowner or head lease holder. • Include estimated cost of development and construction timeframe. • Identify impacts on MWPA infrastructure and services.	**Required**	**Required**
Covering Letter Brief summary of the key points of the proposal	• Description of the development and why it is required. • The number of people to be employed in the development. • The proposed hours of operation. • Any traffic to be generated by the development, during construction and once operational. • Any emissions of noise, odour, electromagnetic radiation, black smoke, dust, vibration or waste products as a consequence of the development. • Details of any stakeholder engagement undertaken. • Details of any other approvals required.	**Required**	**May be required**
Project Definition Document Presents the preferred development concept as a basis for discussion and agreement with MWPA before the Proponent proceeds with detailed design.	• Project location and site characteristics (including tenure). • Project origin or need. • Project intent or concept. • Preliminary scope of work. • Major fixed equipment items, e.g. turbine, reactor vessel. • Interfaces with adjacent or related projects and infrastructure. • Project stakeholders. • Potential issues (i.e. community, environmental, social and regulatory). • Preliminary project schedule/staging plan. • Design philosophies or preliminary design criteria, including metocean conditions, and standards and codes to be adopted. • Conceptual design drawings, grouped by discipline	**Not required**	**May be required**

Document	Key Elements	Type 1 and 2	Type 3
	or work area. • Reports of relevant studies, investigations, etc. • Any spatial data including imagery, elevation and feature surveys, captured or compiled to inform the design. • Financial capability of the proponent. • Access to the site (not just the access point, but the access routes to the access point). • Existing services.		
Project Schedule	• Overview of the project. • Overview of the project governance arrangements. • Works schedule. • Demonstrates the relationship between the major components of the project.	**May be required**	**Required**
Conceptual Design Drawings Series of plans visually depicting attributes of the development site and the 'look and feel' of the proposal.	• Site Plan, drawn to a scale of 1:00, 1:200 of 1:500, including: – Drawing number, revision number and revision details and drawing date; – Location of the development site, including street name, lot / lease number, north point, site dimensions and site area (in m^2); – Dimensions and floor area (in m^2) of any existing buildings or structures to be retained on the site and any proposed new buildings or structures; – All setback distances from existing and proposed development to site boundaries; – Existing and proposed ground levels and Finished Floor Levels (relevant to nominated datum point or AHD); – Any areas set aside for vehicle access, parking and on-site circulation, including all existing and proposed crossovers; – Any existing or proposed landscaping; – Any existing utilities infrastructure / connection points; – The means for disposal of stormwater and wastewater (where applicable); – Any areas set aside for storage of bulk chemicals or dangerous goods or for the storage, handling and treatment of waste;	**Required**	**Required**

Document	Key Elements	Type 1 and 2	Type 3
	– Any areas of existing buildings that are proposed to be demolished; • Internal floor plans of any new building; • Elevation drawings including sectional drawings where relevant; and • Plans depicting any proposed advertising signage, including dimensions, materials and colours and the method of construction and fixing of the sign.		
Basis of Design Summarises the requirements for a facility or project entering the detailed design phase.	• The purpose of the facility. • Functional description of the facility. • General design requirements and design loads. • Reference codes and standards. • The operating environment. • Process flow diagrams. • A general arrangement site plan. • User requirements and/or performance expectations, e.g. availability, reliability, etc.	**Not required**	**May be required**

3.8 DO I NEED A LEASE OR LICENCE FROM MWPA?

In order to develop and operate on any site managed by MWPA (including the seabed), Proponents will require a form of tenure from MWPA such as a lease, licence, or other commercial agreement. A lease is generally required for exclusive user access rights, whilst a licence is generally required for access to common user areas, i.e. air space allocation for overhead conveyors in non-exclusive areas.

The negotiation of tenure can be carried out in parallel with the Development Application process, however the Proponent must secure tenure from MWPA prior to the commencement of any works. All leases and licences are subject to MWPA Board approval and Ministerial approval is required for leases with terms greater than five years.

The Proponent will be granted access to the site in accordance with the lease, licence or other commercial agreement. The Proponent must also allow access to the site for MWPA and/or its agents in accordance with the agreed terms of the relevant commercial agreement.

Construction and operational activities must be consistent with the permitted use(s) in the lease or licence agreement. Any new activities that are not covered in the permitted use(s) of the land must be submitted to MWPA for approval.

3.9 CAN CONTRACTORS SUBMIT APPLICATIONS ON MY BEHALF?

Anyone can submit a Development Application on behalf of a Proponent, however the Application form must contain the signature of the head lease holder to demonstrate that they have given their approval for the development to take place on their lease area.

If no lease is currently in place for the land that is subject to the Application, the form must be signed by a representative of the body or organisation that is currently engaging with MWPA with an intention to enter into a lease, licence, or other commercial agreement. There must be evidence of genuine and ongoing discussions with MWPA, such as a Cooperation Agreement or similar, in place.

If Management Plans are required either as part of the Application or as a condition of Development Approval, the Proponent will be requested to provide evidence that they have reviewed and approved any such management plan that has been prepared by a consultant, contractor or sub-contractor. MWPA will accept any of the following as evidence:

- A cover letterhead signed by the Proponent;
- An up-front statement within the management plan, that the lease holder has reviewed and approved the management plan;
- Any other means that the Proponent considers appropriate and that is acceptable to MWPA.

It is noted that once a Development Application is approved, any conditions associated with the approval are attached to the land and hence the lease or license holder is ultimately responsible for ensuring they are carried out to the satisfaction of MWPA. Refer Section 5.

3.10 WHAT CAN I EXPECT AFTER LODGEMENT?

The flowchart in Figure 4 (p.25) sets out the overarching process for undertaking development in the Port of Geraldton. These steps are summarised briefly in the following sections.

3.10.1 Consideration by Port Development Advisory Group

Once an Applicant has prepared and submitted a Development Application, it will be referred internally to the Port Development Advisory Group (PDAG). The PDAG comprises subject matter experts from a number of business units at MWPA.

The PDAG will consider the documentation provided along with your Development Application and decide whether any further information or clarification is required. Any requests for further information will be communicated to you in writing.

If further information is requested, the Development Application will be placed on hold until such time as it is received.

Timeframe for Initial PDAG consideration– *up to 14 days*

3.10.2 Local Government Consultation

As set out in Section 2.1, the PDA requires MWPA to consult with the relevant local government on all 'port works' and 'port facilities'. Unless otherwise agreed with the local government in writing, consultation will be in the form of a letter and plans, which MWPA will organise. The local government will have 14 days to comment on a development with no response considered to mean no objection.

It is noted that whilst MWPA must consider local government feedback on a proposed development it is not obligated to act upon any feedback.

Timeframe for Local Government Consultation– up to 14 days

3.10.3 Completion of Planning Assessment and Issue of Decision Notice

MWPA, with the input of the PDAG and with consideration any outcomes of the local government consultation, will assess the proposal to ensure it is consistent with orderly and proper planning and the preservation of amenity in the locality. This will be done in accordance with these Development Guidelines, the Port Master Plan, any other MWPA strategic planning documents, and other applicable State-level planning policies and guidelines.

Once the Planning Assessment has been completed, a Decision Notice will be drafted advising whether the Application is approved or refused. Applications are generally approved subject to conditions, which must be completed. If an Application is refused, reasons for refusal will be given.

If during the course of the Planning Assessment, it is identified that there are outstanding issues with the proposal that will lead it to be recommended for refusal, MWPA will endeavour to work with the Applicant to find a successful resolution which would enable the proposal to be approved. This may include submission of amended plans, additional technical work or application of particular pre-development conditions.

The Decision Notice will be signed by MWPA and provided in hard copy and electronically to the Applicant.

Timeframe for Completion – up to 40 days from receipt of completed Development Application (Types 1 and 2) *

* The timeframe is a guide and for less complex Applications a shorter timeframe can generally be expected. It is noted, however, that Type 3 applications cannot be determined by MWPA staff under Delegated Authority and require determination by the MWPA Board of Directors, which currently meets every 6 weeks.

3.10.4 Clearance of Development Conditions and Implementation

Before the construction can commence, the Proponent is required to demonstrate that they have complied with any conditions applied to the Development Approval. This can include the submission of various management plans, obtaining approvals or permits from other statutory authorities, and other matters relevant to the individual Application. Refer Section 5 for detail on the Clearance to Construct process.

Timeframe for Completion – up to 28 days from receipt of Request to Construct.

Once construction has been completed, for Type 3 and some Type 2 developments project handover and close-out will be required in accordance with Section 5.4.4.

3.11 WHAT ELSE DO I NEED TO KNOW?

Please be aware of the following in relation to MWPA's approvals process:

- Any approval, inspection or audit by MWPA of a Proponent's development does not constitute any warranty or representation by MWPA as to the suitability or accuracy of the design of that development.
- Notwithstanding MWPA approval, the Proponent is responsible for the design, construction and implementation of its development.
- Whilst MWPA will endeavour to work with Applicants, it may in its absolute discretion approve or refuse a proposed development.
- Compliance by the Applicant with these Guidelines is no guarantee of a MWPA approval for any proposed development.
- These Guidelines may be amended from time to time.

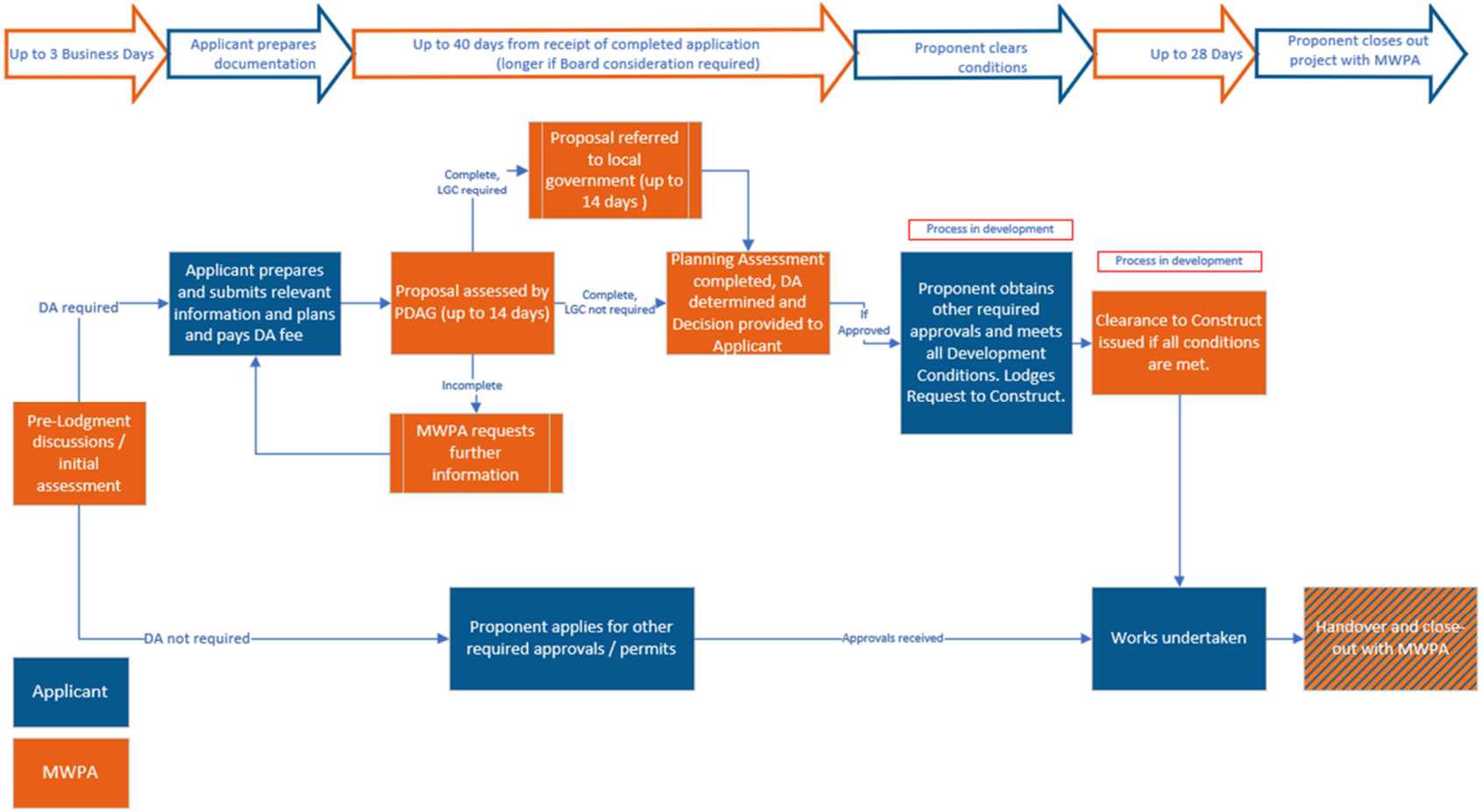

Figure 4 – Overview of MWPA Development Process

4 Development Standards

4.1 DEVELOPMENT STANDARDS FOR LAND DEVELOPMENTS

Table 5 sets out the Development Standards that apply on MWPA land. In the table, if a development meets the 'Minimum Development Requirements' it is considered to meet MWPA's requirements. If compliance with the 'Deemed to Comply' standards is not possible, the Applicant must demonstrate that the deviation is consistent with the 'Design Principles'.

Table 5 – Development Standards

Item	Design Principles	Minimum Development Requirements
4.1.1 Land Use		
4.1.1	1. The proposed land use is compatible with the current and desired future character of the area. 2. The proposed land use will not restrict the utilisation of adjacent land for the purpose set out for that land in the Port of Geraldton Master Plan and any endorsed Development Plan prepared for the area.	A. The proposed land use is consistent with the Port of Geraldton Master Plan and any endorsed Development Plans prepared for the area. B. The proposed land use is consistent with the permitted uses identified under an existing lease or licence agreement with MWPA.
4.1.2 Buffer zones		
4.1.2.1	1. Development does not pose significant risks to third parties or facilities beyond the site boundary.	A. The development is set back from sensitive land uses in accordance with the separation distances listed in Appendix 1 of the Environmental Protection Authority's *Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses*; or B. The development accompanied by a site-specific buffer definition study which demonstrates a sufficient separation distance can be achieved between the development's plant, facilities and/or operations and any adjoining land area, such that the use of the adjoining land area is not adversely affected by reason of gaseous, dust, noise and odorous emissions and risk that would be generated by the proponent's proposed development.

Item	Design Principles	Minimum Development Requirements
4.1.3 Coastal Hazards		
4.1.3.1	1. Development that is considered to be at risk of coastal erosion is undertaken in accordance with the principles of coastal hazard risk management and adaptation planning (CHRMAP) as set out in *State Planning Policy 2.6 – State Coastal Planning Policy*; and 2. The Applicant can demonstrate that adequate management and adaptation measures can be implemented to mitigate risk to a level that is acceptable to the end user, which may be the proponent, MWPA, a third-party or any combination of these. Evidence of consultation appropriate consultation with these parties will be required.	A. Development is not within the erosion setback distance over a 100-year planning timeframe as identified in an endorsed Coastal Hazard Risk Management and Adaptation Plan, such as the City of Greater Geraldton CHRMAP (2019), or in modelling undertaken by a suitably qualified practitioner.
4.1.3.2	1. Development that is considered to be at risk of coastal inundation is undertaken in accordance with the principles of coastal hazard risk management and adaptation planning (CHRMAP) as set out in State Planning Policy 2.6 – State Coastal Planning Policy; and 2. The Applicant can demonstrate that adequate management and adaptation measures can be implemented to mitigate risk to a level that is acceptable to the end user, which may be the proponent, MWPA, a third-party or any combination of these. Evidence of consultation appropriate consultation with these parties will be required.	A. Finished Floor Levels (FFLs) of the development are 0.5m above the predicted inundation level for a 100yr Annual Recurrence Interval (ARI) event over a 100 year planning timeframe, as determined in an endorsed Coastal Hazard Risk Management and Adaptation Plan or in modelling undertaken by a suitably qualified practitioner.

Item	Design Principles	Minimum Development Requirements
4.1.4 Siting of Development		
4.1.4.1	1. Development is appropriately setback from all site or lease area boundaries so as to: a. comply with all requirements of the *National Construction Code* (NCC) and relevant Australian Standards; b. contribute to, and be consistent with, an established streetscape; c. allow safety clearances for essential services; d. reduce impacts of building bulk on adjoining properties; and e. Provide adequate direct sun and ventilation to the buildings on the site and adjoining properties. 2. Placement of buildings and structures avoid impacts upon underground services and vehicle circulation.	A. Buildings are to be set back a minimum of 6.0m from the primary street frontage. B. Bin storage, water tanks, mobile communications towers, materials storage and servicing or plant equipment are not permitted in the front setback area. C. The front setback may be varied and reduced to 2.5m if: i. there is no parking, driveways, vehicle access ways and bin stores located between the building and the front of the lot; and ii. the portion/s of the building fronting the street/s is/are well designed and add/s to the streetscape. D. Buildings are to be setback at least 3.0m from one site boundary with other setbacks in accordance with NCC requirements. E. Access around buildings must be maintained to ensure that roof guttering can be cleaned and maintained. F. The site layout is designed to avoid locating buildings over existing easements and buried services (e.g. water supply mains, sewers, effluent disposal areas, stormwater drains and electrical and telecommunications cables) and allows for safe and effective manoeuvring of vehicles near such services. Consideration should be given to the location of fire hydrants and access for emergency vehicles. G. Buildings do not extend beyond lease boundaries.

Item	Design Principles	Minimum Development Requirements
4.1.4.2	1. Site coverage allows for sufficient: a. space between buildings; b. setbacks in accordance with 4.1.4.1; c. landscaping; d. vehicle access; e. manoeuvring and parking; f. stormwater management; and g. pedestrian access.	A. The combined footprint of all buildings does not exceed 70 per cent of a site.
4.1.5 Building Design		
4.1.5.1	1. Buildings and other structures are designed and constructed in accordance with the NCC, relevant Australian Standards and all applicable authorities' requirements with evidence of this provided to MWPA. 2. Buildings and structures are fit for purpose and function efficiently and safely.	A. The Applicant identifies the need for, and, subsequent to receiving Development Approval, obtains, a Building Permit under the *Building Act 2011* from the relevant local government for the construction of any buildings or other structures. B. In circumstances where a Building Permit is not required, subsequent to receiving Development Approval and prior to the commencement of construction, the Applicant submits the following documents prepared by a suitably qualified professional: i. a Certificate of Design Compliance prepared by qualified Building Surveyor for all buildings and structures that are regulated under the NCC; and/or ii. For all other structures, engineering drawings certified by a professional engineer in a relevant discipline, who is registered on the Australian National Professional Engineers Register or under another international system deemed equivalent by Engineers Australia and acceptable to MWPA. C. Subsequent to the completion of construction, the Applicant submits to MWPA:

Item	Design Principles	Minimum Development Requirements
		i. Where a Certificate of Design compliance was submitted for a building considered to be Class 2-9 under the NCC, a Certificate of Construction Compliance prepared by a qualified Building Surveyor; iii. Where certified Engineering drawings were provided, or for a building considered to be Class 1 or 10 under the NCC, as-constructed drawings in accordance with *MWPA 200 – Drafting Guidelines and AutoCAD Standards.*
4.1.5.2	1. Buildings are designed to complement and enhance the existing streetscape. 2. Building height is adequate for proponent operational needs without adversely impacting upon adjoining land use and development and port operations.	A. Buildings in publicly accessible areas are provided with street facades that: i. incorporate a variety of cladding materials to increase visual interest and reduce the appearance of building mass; ii. include variation in depth, such as projections, recesses and eaves overhangs; iii. Avoid large expanses of blank walls and highly reflective building materials; iv. Provide clear visual cues for entry points for visitors and deliveries; and v. Effectively screen from street view external fixtures and equipment. B. Where more than one building is to be established on a site, or there are intended to be outbuildings or ancillary installations, they all follow a consistent design theme. C. The colour treatment of external walls is to be in accordance with a MWPA 'Colours and Materials Palette', or, where this has not been prepared, determined on a case-by-case basis to complement the existing surroundings.

Item	Design Principles	Minimum Development Requirements
4.1.5.3	1. Building materials are durable and suitable for local climatic conditions and operational requirements.	A. Permanent buildings (i.e. offices), maintenance workshops and storage sheds have a minimum design life of 50 years, or the period stated in the Australian Standards, whichever is the greater. B. All buildings and structures, including temporary construction buildings, are designed to withstand conditions as specified in *AS 1170:2007 – Structural Design Actions.*
4.1.5.4	1. Building and site design has incorporated sustainable development and reuse principles, as far as possible.	A. Environmental impacts of constructing (or renovating) a building are reduced through careful selection of materials (recycled and recyclable, where possible) and minimising waste. B. Energy consumption is reduced through use of natural ventilation, cooling and lighting, as far as practicable. C. Water consumption is reduced through use of water-efficient fittings and harvesting wastewater for re-use. D. Indoor environments are healthy and comfortable and incorporate appropriate materials and fittings and access to natural light and external views.
4.1.6 Fill Material		
4.1.6.1	1. Fill material brought onto MWPA land is inert and uncontaminated and meets relevant environmental, safety, and engineering requirements. 2. MWPA's approval is required for all fill material intended to be imported onto the development site. MWPA defines 'imported fill' as being any material that does not originate from the area being developed, and includes material sourced from a borrow pit or quarry. 3. On-site material must not be relocated	A. The use of acid sulphate soil material, blended fill and high plasticity clay is not permitted. B. Prior to importation, the proponent has sampled and test the material intended to be imported to demonstrate compliance with the criteria for clean fill. These criteria are indicated in the Department of Water and Environmental Regulation publication, 'Landfill Waste Classification and Waste Definitions 1996' (as amended 2019). C. Compaction requirements for the

Item	Design Principles	Minimum Development Requirements
	without MWPA approval.	imported fill will depend on the intended end use, as determined by a suitably qualified and experienced geotechnical engineer. MWPA may request the proponent to undertake geotechnical analysis of the fill material in order to ensure its adequacy for the intended purpose. D. The proponent maintains records of the source(s), volume(s) and placement location(s) of imported fill (including maps of placement locations) and compaction test results and must provide these to MWPA upon request.
4.1.7 Landscaping		
4.1.7.1	1. Development sites are adequately landscaped where practical and reasonable. 2. Landscaping improves the visual amenity of the site from the streetscape and common / public areas.	A. A minimum of 5% of the development site is landscaped. B. All landscaping is provided within the site boundary, with the following areas prioritised: i. the primary street setback area; ii. spaces around offices / amenities buildings; iii. car parking areas; iv. along perimeter boundaries; v. adjacent to swale drains. C. Where required by MWPA, a landscaping plan is submitted as a condition of Development Approval, with all landscaping installed prior to occupation of the development. D. No existing landscaping is cleared without MWPA approval.

Item	Design Principles	Minimum Development Requirements
4.1.7.2	1. Landscaping is functional, sustainable, and reflective of the Mid West context.	A. Landscaping: i. utilises native species that are tolerant of local conditions (suitable for salt spray and coastal position and tolerant of strong winds); ii. promotes water-wise principles; iii. retains any significant vegetation present on the site; iv. manages and controls weeds; v. includes mulch in garden beds. B. Landscaping areas are planted with species that can thrive on local rainfall conditions and do not require irrigation. C. Landscaping design does not compromise visibility of personal security in streets or around buildings. D. Landscaping design does not inhibit access to services i.e. reading of meters.
4.1.8 Vehicle Movement, Access and Car Parking		
4.1.8.1	1. On site vehicle access is safe, effective, and minimises conflicts with site operations and other vehicles manoeuvring. 2. Trafficable surfaces including external and internal roads, driveways, crossovers, car parking areas, laydown areas and pedestrian walkways are treated with an appropriate pavement type, drained and maintained to a standard that is fit for the proposed purpose.	A. The minimum design life for internal site road access and driveways and common road pavements must be 30 years in accordance with *MWPA503 – Guideline for Roads and Pavements.* B. B. Roads and pavements are designed in accordance with the materials and construction standards in *MWPA503-Guideline for Roads and Pavements* and this is demonstrated on the plans or drawings submitted to MWPA.

<table>
<tr><th>Item</th><th>Design Principles</th><th>Minimum Development Requirements</th></tr>
<tr><td>4.1.8.2</td><td>1. Parking is provided onsite to meet all operational, employee and customer needs.
2. Parking areas are permanently maintained by the proponent.</td><td>A. All parking bays, signage, kerbing, wheel stops and aisle widths are designed in accordance with Australian / New Zealand Standard 2890.1:2004 – Parking Facilities – Off-street Parking.
B. Minimum parking provision is in accordance with the below table:
<table>
<tr><th>Land Use</th><th>Number of Bays</th></tr>
<tr><td>General Industry</td><td>2 per tenancy or lot plus 1 per 100m^2 of gross floor area.</td></tr>
<tr><td>Light Industry</td><td>2 per tenancy or lot plus 1 per 50m^2 of gross floor area.</td></tr>
<tr><td>Restaurant</td><td>1 bay per 8m^2 of gross floor area.</td></tr>
<tr><td>Shop</td><td>1 bay per 20m^2</td></tr>
<tr><td>Office</td><td>1 bay per 50m^2</td></tr>
<tr><td>Other development types</td><td>As determined by MWPA.</td></tr>
</table>
C. On-street parking is not permitted unless authorised by MWPA.
D. Where required under the NCC and any applicable legislation, parking bays that are designed for use by disabled persons are to be provided in accordance with Australian Standard 2890.6-2009 – Parking Facilities – Off-street Parking for People with Disabilities.
E. Wherever possible, car parking is located to the side and rear of the site.
F. Vehicle parking areas are maintained (including drainage, line marking, lighting,</td></tr>
</table>

Item	Design Principles	Minimum Development Requirements
		filling potholes etc.) to ensure the parking area performs as it was originally designed / constructed. G. Should on-site parking not be possible and MWPA is satisfied that adequate parking exists or is to be provided in close proximity to a proposed development, it may accept a cash payment in lieu of the provision of any or all types of parking spaces as required in Section 4.1.8.2(B), with the payment to cover, unless otherwise mutually agreed: i. The cost of constructing the required number of parking bays to MWPA's standards; and ii. 100% of the land value of the area that will be occupied by the parking bays, as determined by a licenced valuer.
4.1.8.3	1. Vehicle circulation and manoeuvring is provided on-site to ensure safe and effective movement and meet all operational, employee and customer needs.	A. The internal road layout facilitates entering the site without queueing across external roads and/or footpaths. B. All traffic associated with the development is accommodated within the property and / or lease boundaries. This includes movements of unlicensed vehicles e.g. service vehicles and cranes, boat lifters, front end loaders, bull dozers and fork lifts. C. Development Plans include sufficient detail regarding access, circulation and manoeuvring areas, including: i. Existing (if applicable) and estimated traffic volumes; ii. types of vehicles and loadings; iii. dimensions of all pavements and areas; iv. swept paths for the largest vehicles accessing the site; v. all gradients of parking, access and circulation area.

Item	Design Principles	Minimum Development Requirements
		D. Internal roads are to be designed in accordance with MWPA standards and specifications, or, where these do not exist, Austroads and Main Roads WA (MRWA) standards and specifications, to enable sufficient turning area for the maximum class of vehicles entering the site. E. Appropriate signage, linemarking and lighting must be provided in accordance with MWPA standards or, where these do not exist, MRWA standards. F. Appropriate barriers / bollards are provided where necessary to separate vehicles and pedestrian movements, particularly when vehicles are entering and exiting sheds. G. Access and manoeuvring of emergency vehicles is considered in the design and construction of driveways and on-site roadways.
4.1.8.4	1. Traffic associated with the development can be accommodated on the internal, and broader, road network without adverse impacts, reduction in the acceptable level of service or the creation of an undue maintenance burden. 2. Vehicle access and circulation integrates with the MWPA internal road network. 3. Road access and driveways are permanently maintained by the proponent to the satisfaction of MWPA.	A. At the discretion of MWPA, the proponent is required to prepare a Traffic Impact Assessment to address the impacts of the development and associated vehicle activity on the road network. These types of development include, but are not limited to: i. projects that significantly increase, or impact upon, traffic volumes (either peak or total daily counts); ii. projects that significantly change the traffic mix; or iii. projects that have the potential to impact traffic flows (such as laden B-doubles hauling material at slow speeds). B. Crossovers that intersect with MWPA or other public roads are constructed to an equal or higher pavement specification

Item	Design Principles	Minimum Development Requirements
		standard. The turnout radius of crossovers are designed to ensure that all wheels for the maximum class of vehicles proposed to access the site remain in contact with the pavement. C. A minimum first 6m of an internal site driveway is constructed to an equal or higher pavement specification standard as the adjoining crossover. D. Where applicable, culvert design, including diameter, headwalls, and erosion protection, are appropriately designed by an Engineers Australia member. MWPA's approval must be obtained for pipe or culvert details and driveway design at all access points. E. The proponent maintains road access and driveways in good condition in perpetuity, including maintaining driveways to the main road interface and clearing any culverts of obstruction that may be beyond the lease boundary.
4.1.8.5	1. Traffic flow generated by the development is appropriately managed during both the construction and operational phases.	A. If restriction of traffic is anticipated at any stage of the construction of operations, the proponent is responsible for preparing a construction traffic management plan and/or an operational traffic management plan in accordance with *HSE-PRO-018 Traffic Management – Geraldton Port*.

Item	Design Principles	Minimum Development Requirements
4.1.9 Fencing		
4.1.9.1	1. Development and lease areas are appropriately delineated with approved fencing that provides adequate site security for the proposed use.	A. Fencing that is used to define the Port of Geraldton Landside Restricted Zone (LRZ) is constructed in accordance with the standards in MAR-PRO-006 *Security Fencing – Geraldton Port*. B. Other external boundary fencing is constructed of galvanized or PVC coated rail-less link mesh or black or green palisade fencing, with a maximum fence height of 2.4m. C. Solid fencing such as Colorbond or other impervious materials may be used within lease areas for security, privacy, dust control or to screen certain areas such as where materials are stored. D. Fencing is designed in accordance with relevant Australian Standards and constructed to withstand wind region B loads as specified in *AS1170.2:2011 Structural Design Actions – Wind Actions.* E. In order to reduce the risk of harm to wildlife, MWPA discourages the use of barbed wire unless the proponent can demonstrate a legal, security, or other relevant requirement with no more than 3 strand barbed wire permitted in any case. B. Temporary fencing may be installed on construction sites, with fencing installed prior to the commencement of construction activities and removed once the construction is complete.

Item	Design Principles	Minimum Development Requirements
4.1.10 Storage and Laydown Areas		
4.1.10.1	1. Storage and laydown areas are safe, functional, and do not compromise the amenity of the site or surrounding area. 2. Storage and laydown areas are permanently maintained by the proponent.	A. All goods, materials or machinery kept on site are stored in a safe manner that satisfies all regulatory and legislative requirements. B. Wherever practicable, materials, goods and machinery are stored inside a building. C. Where outdoor storage is required, it is located to the side or rear of a lot and effectively screened from the primary street. D. Laydown areas are adequately sealed, unless the proponent successfully demonstrates: i. Sealing of laydown areas is impractical or unduly expensive; ii. The unsealed option would serve the same function as pavement without unacceptable reduction in health and safety standards; iii. Appropriate dust suppression measures are provided in lieu of sealed paving. E. Laydown areas are designed and maintained as dust free as practical. F. Laydown areas are adequately drained with stormwater run-off managed in accordance with Item 4.1.13.

Item	Design Principles	Minimum Development Requirements
4.1.11 Signage		
4.1.11.1	1. Signage is installed within lease area boundaries and is relevant to the approved use of the site.	A. No third-party advertising signage is permitted to be installed in lease areas. B. In accordance with the *Occupational Safety and Health Regulation 1996* (WA), warning signs are displayed in the workplace as they relate to identified hazards (refer AS1319 Safety Signs for the occupational environment).
4.1.11.2	1. Signage is of an appropriate design, location and scale to not adversely impact the amenity of the locality.	A. Signs are maintained in good order with any repairs undertaken promptly. B. Signs are not mounted above the roofline of a development or painted on a rooftop. C. Wall signs, in aggregate, do not exceed 20 percent of the area of any wall. D. Signs are not applied to more than 2 walls of a development. E. Mobile variable message boards or signs are not permitted without the prior written approval of MWPA.
4.1.11.3	1. Signage is installed so as not to cause damage or harm to people or property. 2. Lighting associated with advertising signs must not interfere with the safe movement and operation of vehicles, navigation aids, the aesthetics of the streetscape and the safe operation of port facilities.	A. Signs are erected or maintained so they do not: i. Endanger public safety; ii. Obstruct or impede sight lines required for the free and safe movement of traffic or from any street, vehicle circulation path, etc; iii. Become confused with, or mistaken for, an official traffic sign or signal or contravene the *Road Traffic Act 1974* or *Main Roads Act 1930.* iv. Conflict with or obscure any safety or

Item	Design Principles	Minimum Development Requirements
		informational signage. v. Detrimentally impact the structural integrity of the building or structure on which it is affected. B. Signage is not installed on a road reserve, footpath, drainage reserve, or carriageway, unless approved by MWPA. C. If a sign is permitted within a carriageway, the sign writing, lettering and colouring must be in accordance with AS 1744:2015 – Standard Alphabets for Road Signs or MRWA requirements, as appropriate. D. Permanent signs are securely fixed to the structure by which they are supported, with fixings and support posts designed to withstand region B wind conditions (AS1170.2) E. Temporary signs are securely fixed to the structure by which they are supported and removed as directed by MWPA in an extreme weather event or for any other reason deemed necessary.
4.1.12 Sea / Shipping Containers		
4.1.12.1	1. With the exception of those necessary for shipping purposes, sea containers are not visually prominent and do not detract from the amenity of the site. 2. Sea containers are not located where they may detrimentally affect any approved development or use or pose a safety risk.	A. Sea containers are not located in front of a building line. B. Sea containers are not visually prominent from any public road. C. Sea containers do not: i. Obstruct any existing access or manoeuvring area, including to bin storage; or ii. Reduce the amount of on-site car parking below the minimum requirements set out in 4.7.1.2(B).

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		D. Sea containers are appropriately tied down with tie-downs certified by a NPER Registered Professional Engineer. F. Sea containers purpose built or converted for use as buildings may be permitted at the discretion of MWPA.
4.1.13 Drainage and Stormwater Management		
4.1.13.1	1. Stormwater is managed on-site wherever possible either by containment or infiltration, as permitted by the soil and other site conditions; or otherwise appropriately managed prior to off-site discharge. 2. Stormwater management minimises the export of nutrients and sediments from the site into waterways.	A. All stormwater associated with a I in 10 year ARI event over a 1 hour duration is contained on the development site. B. Stormwater is managed in accordance with best practice, including the *Stormwater Management Manual for Western Australia* and *Water Quality Protection Note 52: Storm Water Management at Industrial Sites*. C. When requested by MWPA, the proponent must submit a stormwater management plan for MWPA's approval. A Stormwater Management Plan must include a local area catchment and drainage study, an on-site catchment and drainage strategy, and demonstrate how stormwater management will: i. Minimise environmental impacts; ii. Protect buildings and key infrastructure (including other drainage systems) from flooding and waterlogging; iii. Maximise opportunities for fit-for-purpose reuse of stormwater; iv. Integrate with hard and soft landscaping; v. Demonstrate the method to cater for

Item	Design Principles	Minimum Development Requirements
		a 1 in 100 year ARI event; vi. Be maintained into perpetuity. D. On-site and off-site stormwater management minimises the exports of pollutants from the site including roads, and considers the adoption of the following stormwater quality improvement targets (as compared to untreated stormwater runoff): i. Eighty percent (80%) reduction in Total Suspended Solids; ii. Ninety percent (90%) reduction in Gross Pollutants; iii. Reductions in contaminant concentrations (e.g. heavy metals, pathogens, nutrients, hydrocarbons) consistent with Australian and New Zealand Environmental and Conservation Council and Resource Management Council of Australia and New Zealand Guidelines for Fresh and Marine Water Quality. E. The location of any installed permanent drainage infrastructure is captured in an as-constructed survey and provided in spatial digital data format.
4.1.13.2	1. The land is adequately graded and drained. 2. The development of the site does not adversely affect existing drainage of the site and / or adjacent sites.	A. Stormwater management within roads and road reserves: i. Maintains a level of serviceability of 1 in 10 year ARI; ii. Are designed and constructed to MRWA standards. iii. Include adequate protection from scour or erosion by using concrete lining or stone pitching (or an approved

Item	Design Principles	Minimum Development Requirements
		equivalent) in a manner satisfactory to MWPA. Underground piped drains and box culverts are also permitted. iv. Include flood ways in locations on roads where significant flows of short duration are anticipated to occur infrequently. Flood ways must be designed and constructed to MRWA standards. B. Discharge into MWPA drainage systems requires prior approval from MWPA and all costs and approvals associated with these works (including works required to MWPA's drainage system) will be the responsibility of the proponent. C. If required, local on-site drains are constructed to ensure that run-off will be collected and discharged into perimeter drains or other suitable stormwater conveyance system, to minimise the risk of adversely impacting existing drainage regimes on site or on adjacent sites. D. Stormwater discharge points , where necessary, are located so they do not adversely impact on areas of high ecological value, or cause nuisance or damage to adjoining properties or facilities.
4.1.14 Utilities and Services		
4.1.14.1	1. Essential services supplied to the development do not adversely impact on existing development or other services and are compliant with all service provider and MWPA requirements.	A. Services are designed and installed in compliance with Australian standards and *MWPA 502 – Guidelines for Buried Services*. B. Proposed infrastructure designs and layouts do not compromise existing services, easements, or planned future land uses. Separation of services complies with the Utility Providers Code of Practice for WA.

Item	Design Principles	Minimum Development Requirements
		C. Whilst MWPA may hold information regarding the location of existing services, the proponent is responsible for collecting the most current information regarding services locations and easements and for verifying its accuracy. Utility locations are performed by Approved Plant Location organisations. D. Any information gathered that improves the location accuracy of existing services is provided to MWPA. If local surveys are required to verify buried services locations, this survey data is provided to MWPA in spatial digital format. (Refer Section 5.3.3.) E. Any redundant services impacted by the proposed development are removed as encountered in accordance with *MWPA 502 – Guidelines for Buried Services.* F. Any utility services added or removed as part of the construction are provided as separate data sets to the as-constructed spatial data. G. If required by MWPA, the development includes provision for additional infrastructure to facilitate future developments. H. All underground services are surveyed prior to back-filling. As constructed drawings and survey information are provided to MWPA in PDF and spatial digital format. Red-line mark-ups/ marked up issued-for-construction drawings alone will not be accepted by MWPA, unless agreed otherwise. I. Permanent marking of underground services is to be undertaken once a utility has been laid in its final alignment,

Item	Design Principles	Minimum Development Requirements
		backfilled and compacted in accordance. Marking, including inclusion of buried warning tape, is to be undertaken in accordance with *MWPA 502 – Guidelines for Buried Services.*
4.1.14.2	1. Development is provided with potable water supply that functions effectively and is adequate for the proposed use. 2. The proponent has the responsibility to finance service upgrades, including cost estimations for such upgrades, beyond their existing agreements with MWPA.	A. The development is connected to reticulated water and, where such arrangement exists with MWPA, will not require an increase in the peak flow and daily average consumption allowances allocated to the lease site. B. As early as practicable, the proponent identifies any circumstances where the water flow rate and pressure to a development site are less than required for the proposed development and liaises with MWPA regarding the viability and cost of required upgrades. C. Reticulated water supply is supplemented with rainwater tanks, where practicable.
4.1.14.3	1. Development is provided with electrical power that functions effectively and is adequate for the proposed use. 2. The proponent has the responsibility to finance service upgrades, including cost estimations for such upgrades, beyond their existing agreements with MWPA.	A. The development is connected to reticulated power and, where such arrangement exists with MWPA, will not require an increase in the current allocation to the lease site. B. As early as practicable, the proponent identifies any circumstances where the electrical supply to a development site is less than required for the proposed development and liaises with MWPA regarding the viability and cost of required upgrades. Where requested by MWPA, the proponent supplies the following information to assess current capacity and the need for and timing of upgrades: i. Anticipated Maximum Demand (MD) kVA/kW for the development;

Item	Design Principles	Minimum Development Requirements
		ii. Required voltage and frequency. Port standards are Low Voltage (LV) 415V 3 phase and 220 – 240V single phase at 50Hz and High Voltage (HV) 11kV 3 phase at 50Hz; iii. Anticipated load factor of the proponent's power usage; iv. Anticipated Power Factor (PF) of the proponent's loads. MWPA require proponents to provide PF correction systems to ensure the PF does not fall below 0.9; v. Timing of power requirement and schedule of anticipated increases in demand; vi. Listing of specifications of the power using machinery to be installed and operated and the building servicer's requirements.
4.1.14.4	A. Development is provided with telecommunications service that functions effectively and is adequate for the proposed use.	B. The development is connected to telecommunications infrastructure in accordance with the availability and standards of the relevant service providers. C. Where requested by MWPA, the proponent supplies information regarding all data and telephone communications and Fibre Optic cable, SCADA and radio systems to be installed, to ensure there is no interference with MWPA services.
4.1.14.5	1. Development is provided with waste water infrastructure that functions effectively and is adequate for the proposed use. 2. Waste water is not discharged into the ocean. 3. The proponent has the responsibility to	A. The development is connected to reticulated sewerage, with use of septic tanks not permitted. B. The design of new waste water infrastructure is consistent with all Water Corporation requirements and the proponent provides evidence of Water

Item	Design Principles	Minimum Development Requirements
	finance service upgrades, including cost estimations for such upgrades, beyond their existing agreements with MWPA.	Corporation approval prior to the works commencing. C. Anticipated volumes of waste water can be accommodated within the capacity of the Port's vacuum sewer system. If this is not the case, the proponent identifies the deficiency as early as practicable and liaises with MWPA and the Water Corporation regarding the viability and cost of any proposed upgrades. D. Fit-for-purpose re-use of waste water is considered where appropriate (i.e. irrigation, plant reticulation and/or wash down purposes). All waste water recycling systems meet the requirements of the Department of Health, local government authority and/or the Department of Water and Environmental Regulation.
4.1.15 Fire Fighting, Safety and Security		
4.1.15.1	1. New buildings are equipped with fire fighting resources in accordance with the NCC.	A. Development of new buildings that are categorised as Classes 2-9 under the NCC are assessed by the Department of Fire and Emergency Services (DFES) prior to lodgement of a Building Permit with the local government, or lodgement of a Certificate of Design Compliance with MWPA, unless: i. The development is a stand-alone, single-story buildings with a floor area of 500m^2 or less; or ii. No alternative solutions are involved in building design in relation to fire safety.

Item	Design Principles	Minimum Development Requirements
4.1.15.2	1. Development does not increase the risk from fire to the safety of personnel, asset protection or business continuity.	A. Where required by MWPA, the proponent will submit a Fire Safety and Fire Protection Strategy prepared by a specialist fire consultant, that includes: i. Conceptual layouts for the fire fighting system(s) and proposed locations of fire fighting equipment; ii. Defined access routes for emergency vehicles and first responders; iii. Location of muster points and/or safe areas; iv. Method of integrated of the proposed systems with any existing systems; v. Where required, a Quantitative Risk Analysis (QRA); vi. Capture and treatment of fire water; and vii. Any other provisions necessary for the effective and efficient mitigation of the risk of fire and its consequences.
4.1.15.3	1. Technology is used to increase site security without adversely impacting on the privacy of adjoining lots and other Port users.	A. Where required, security cameras are used for the purposes of securing leases and this infrastructure is strategically positioned to avoid privacy impacts.
4.1.16 Waste Management		

Item	Design Principles	Minimum Development Requirements
4.1.16.1	1. Waste material is stored in a designated functional and accessible location prior to off-site disposal at an approved disposal area. 2. Waste sent to landfill is minimised through reducing, reusing, and recycling.	A. Each site and/or lease area is supplied with a designated area(s) for the storage of waste material including rubbish bins, waste hydrocarbons and other industrial liquid drums and/or tanks. The size, location, and design of the area is adequate for the proposed use of the site. B. Waste storage areas are sized to suit the frequency of waste removal from the site and are accessible to waste removal vehicles. As a general guide, the location of the waste storage area should allow for access by a front-loading single unit truck (12.5m long with a 12.5m turning radius), particularly when using bulk bin service. C. Bins are fitted with lids and/or covers to stop windblown litter and access by animals, are screened from the public view and provided with a tap and adequate water supply with sufficient pressure. The bin storage area must have a dedicated area for bin cleaning. D. The waste storage area is constructed with bunded concrete flooring graded to an industrial floor waste gully connected to an approved wastewater disposal system for commercial waste. E. Drains incorporate a 200mm bucket trap or an alternate solid particulate capture system. F. All waste materials including fuel, oil, chemicals and hazardous materials must be removed from the site and disposed of in accordance with regulatory requirements. Burning or burying of waste is not permitted on port land.
4.1.17 Lighting		

Item	Design Principles	Minimum Development Requirements
4.1.17.1	1. Lighting is suitable for the proposed land use and does not adversely impact on adjoining properties or port operations.	A. Where work activities will take place at a development, lighting is provided in accordance with relevant legislation and standards, including AS 1680.5:2012 – Interior and Workplace Lighting and the technical parameters in the MWPA 710 – Electrical Lighting Installation Guidelines. B. Lighting does not interfere with the visibility of existing or planned navigational aids. C. Light spill from the site into the surrounding environment is minimised where practical to avoid adverse impacts on adjoining properties and wildlife. The control of obtrusive light complies with Australian Standard 4282:2019 - Control of the obtrusive effects of outdoor lighting. D. The location of any installed permanent lighting is picked up in as-constructed surveys and provided in digital spatial data format (Section 5.3.3)
4.1.18 Washdown facilities		
4.1.18.1	1. Washdown pads are designed to contain and treat all waste water from washdown activities, including spills.	A. Washdown activities can only take place in a dedicated washdown area to be included on the Development Plans. B. All washdown pads are sealed and bunded and/or graded to prevent runoff. C. Dimensions of the washdown pads cater for the operational use of the pad, to ensure all wash waters are contained. D. The washdown pad has sufficient cross and longitudinal fall to provide drainage to a collection point for collection and/or treatment. E. Washdown water must not be directly discharged into the environment, including to soils, groundwater and surface water. Only waste water that has been treated to an appropriate standard can be discharged. Design details of such systems must be

Item	Design Principles	Minimum Development Requirements
		provided by the proponent and may include: b. An evaporation pad that is sized for the usage and volume of the wash bay; or ii. Discharge and reuse of the wastewater on site following suitable treatment. F. Sumps associated with a washdown pad are: i. Pumped out on a regular basis to avoid overflowing and prevent soil contamination, with pump out water either adequately treated for disposal on-site or transported off-site for disposal; and ii. Provided with in-situ treatment as appropriate to preclude breeding of disease vectors, such as mosquitos, or where adjacent to wharf areas.
4.1.19 Environmental Management		
4.1.19.1	1. Potential environmental impacts of the development are adequately managed throughout the construction period and ongoing operations.	A. Where required by MWPA, the proponent prepares and submits a Construction Environmental Management Plan (CEMP) prior to construction commencing and / or an Operational Environmental Management Plan (OEMP) prior to operations commencing. The CEMP and/or OEMP must demonstrate that potential environmental impacts have been identified, risks assessed, and measures put in place to prevent or mitigate potential harmful impacts. B. Where a CEMP or OEMP has been requested, it must be approved by MWPA prior to the commencement of works, with relevant actions thereafter implemented at all times.

Item	Design Principles	Minimum Development Requirements
4.1.19.2	1. All necessary environmental and heritage approvals are obtained from local, state, and Commonwealth regulatory bodies, where applicable.	A. The proponent obtains all required environmental and / or heritage approvals from applicable regulatory bodies and provides copies of all surveys, reports, and final statutory approval documentation to MWPA.
4.1.19.3	1. Approval is required from MWPA and, where relevant, the Department of Water and Environmental Regulation, prior to clearing any vegetation on a site.	A. The Development Application and plans contain information regarding any existing vegetation which is proposed to be cleared in association with a development. B. Native vegetation is not removed without evidence of a Clearing Permit being obtained from DWER under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004.* The proponent must comply with any conditions imposed by DWER, such as offsets or replanting of vegetation elsewhere. C. Regrowth vegetation in previously disturbed areas is not removed without MWPA approval. MWPA may refer any such proposals to DWER should there be any doubt as to the origin and quality of the vegetation.
4.1.19.4	1. All practical precautions are taken to prevent spills of fuels, oils, chemicals and other hazardous substances and to ensure that contamination of the land does not occur.	A. All hazardous chemicals are transported, stored (including segregation), handled, used and disposed of in accordance with relevant legislation (i.e. Dangerous Goods Safety Act 2004, Dangerous Goods Safety (General) Regulations 2007, Australian Standards, Codes of Practice, Guidance Notes or other relevant requirements. B. Provision is made for potential spills to be bunded and retained on site for removal and disposal by approved means, so that any spills do not escape into the groundwater, stormwater systems or adjacent waterways. This includes the provision of stormwater storage and discharge / removal. C. Fuelling of vehicles and equipment complies with relevant regulations and standards. It is

Item	Design Principles	Minimum Development Requirements
		undertaken on impervious surfaces at locations away from drainage systems, with precautions in place to ensure spills do not escape into the groundwater, stormwater systems or adjacent waterways. D. Land based spills of hydrocarbons or other hazardous substances are reported to MWPA as soon as practicable, with any spill which enters Port waters reported immediately. E. The proponent is responsible for reporting the site to the DWER as having a prescribed activity under the *Contaminated Sites Act 2003*, where applicable.
4.1.19.5	1. The impacts of dust are minimised during construction and operations.	A. New cargoes are stored in sheds with no uncovered stockpiles permitted. B. Sheds for stockpiling of materials are fully sealed with negative pressure dust extraction systems. Dust extraction systems are built and maintained to a specification that complies with all environmental licensing requirements and relevant DMIRS Regulations. C. Where requested by MWPA, the proponent provides details of how fugitive dust emissions can be managed during construction and operations, including during transport. These measures can be incorporated into a broader CEMP or OEMP, or into a detailed Dust Management Plan, where appropriate.

Item	Design Principles	Minimum Development Requirements
4.1.19.6	1. The impacts of noise are minimised during construction and operations.	A. Development complies with the *Environmental Protection (Noise) Regulations 1997*. B. Buildings and equipment are designed to minimise noise output, wherever practicable. C. Where requested by MWPA, the proponent provides details of how noise can be managed during construction and operations, including transport. These measures can be incorporated into a broader CEMP or OEMP, or into a detailed Noise Management Plan, where appropriate. Noise monitoring may be required at the discretion of MWPA to ensure statutory noise limits are not exceeded.
4.1.20 Heritage Management		
4.1.20.1	1. All sites of Aboriginal heritage significance with the area to be developed are identified and impacts on significant sites are avoided or minimised to the greatest extent practicable.	A. The proponent identifies any sites of Aboriginal Heritage Significance as defined under the *Aboriginal Heritage Act 1972* within or adjacent to the development area in accordance with the Aboriginal Heritage Due Diligence Guidelines (Department of Premier and Cabinet, 2013). B. Where required, the proponent undertakes any archaeological or ethnographic surveys, and/or consultation with Traditional Owners, as deemed appropriate by the Department of Planning, Lands and Heritage or other regulatory body. Copies of all surveys and outcomes of consultation are to be provided to MWPA. C. Where required, the proponent obtains any approvals required under the *Aboriginal Heritage Act 1972* or the Commonwealth *Native Title Act 1993* prior to undertaking development, with copies of these approvals provided to MWPA.

Item	Design Principles	Minimum Development Requirements
4.1.20.2	1. All sites of built or cultural heritage significance with the area to be developed are identified and impacts on significant sites are avoided or minimised to the greatest extent practicable.	A. The proponent identifies any sites of built or cultural heritage significance as defined under the *Heritage Act 2018*, located on the State Heritage Register or within a local government local heritage survey, within or adjacent to the development area. B. Where a proposed development is likely to impact a place of heritage significance, MWPA will refer the proposal to the Heritage Council for assessment in accordance with the *Heritage Act 2018*. The proponent is responsible to undertake any surveys or investigations required as part of this referral and implementing any conditions of approval requested by the Heritage Council. Copies of all heritage surveys or investigations are to be provided to MWPA.
4.1.20.3	1. All sites of maritime heritage significance with the area to be developed are identified and impacts on significant sites are avoided or minimised to the greatest extent practicable.	A. The proponent identifies any sites of maritime heritage significance as defined under the Commonwealth *Underwater Cultural Heritage Act 2018* and/or *Maritime Archaeology Act 1973* and obtains all necessary approvals to undertake development. The proponent is responsible to undertake any archaeological surveys, liaison or consultation required by relevant regulatory bodies.
4.1.21 Health and Safety		
4.1.21.1	1. The development is designed to conform with all relevant legislation regarding workplace safety and hazard management.	A. The development is designed to conform with current occupational, health and safety legislation (i.e. Acts, Regulations, Codes of Practice, Standards, Guidance Notes, etc.) as applicable to the scope of operations/activities. B. Where required by MWPA, the proponent conducts a Hazard and Operability Study (HAZOP) to identify potential hazards and operational problems in terms of plant design and human error. The HAZOP will

Item	Design Principles	Minimum Development Requirements
		ensure that control and other safety systems such as functional safety (e.g. emergency safe shutdown) are in place and work with a high level of reliability. Where appropriate, MWPA will be involved in the HAZOP team. C. Where required by MWPA, the proponent prepares and submits a Construction Safety Management Plan (CSMP) prior to construction commencing and / or an Operational Safety Management Plan (OSMP) prior to operations commencing. The CSMP and/or OSMP must demonstrate that all high-risk construction and operational activities have been identified, risks assessed, permits or licences are held and measures put in place to prevent or mitigate potential harm. D. Where a CSMP or OSMP has been requested, it is approved by MWPA prior to the commencement of works, with relevant actions thereafter implemented at all times.
4.1.22 Potential Contaminated Sites and Acid Sulfate Soils		
4.1.22.1	1. Applicants must pay due consideration to the potential for contaminants to be present where ground disturbing activities are planned. Contaminants may be associated with reclaimed land and historical practices/activities. MWPA will provide any available information on the proposed development sites to assist, however the proponent is required to make its own assessment of conditions, unless otherwise advised by MWPA. 2. MWPA approval via an excavation permit is required for all excavations. 3. On-site material must not be relocated without MWPA approval.	A. The proponent prepares a MWPA excavation permit for approval by MWPA prior to any excavation. The permit must detail the intended end-fate of surplus excavated material. B. The proponent implements safe working practices to mitigate the risk of worker exposure to potential contaminants. C. Any excavated materials temporarily stored onsite is stored in a manner that avoids contamination of the environment or stormwater drains during rain events. D. The proponent coordinates environmental analysis of all excavated surplus materials at an accredited laboratory to determine if contaminants are present. Excavated

Item	Design Principles	Minimum Development Requirements
	4. Under the *Environmental Protection Regulations 1987,* soils that are potentially contaminated must be disposed of at a licenced landfill. Under the *Landfill Waste Classification and Waste Definitions 1996* soil and waste stockpiles must be sampled to determine what class of landfill may receive the waste.	materials are then to be disposed of at a suitably licenced facility based upon the composition of the material. E. The proponent maintains records of the source(s), volume(s), disposal location(s) and waste receipts for excavated materials and must provide these to MWPA upon request.
4.1.22.2	1. Any ground disturbing activities where acid sulfate soils are present, must be undertaken to minimise environmental impact in accordance with best practice and management.	A. In the event that acid sulfate soils are discovered in the development area and are likely to be affected by the proposed development, the proponent prepares an acid sulfate soils management plan in accordance with the guidance and requirements of the DWER. A copy of the acid sulfate soils management plan and DWER approval must be provided to MWPA prior to the commencement of site works.
4.1.23 Geotechnical Conditions		
4.1.23.1	1. Ground level geotechnical conditions are sufficient to support the proposed development.	A. All ground level pavements, slabs and hardstand areas are certified by a NPER Registered Professional Engineer to withstand proposed loading of buildings, vehicles, other structures and cargo stacking, where applicable. B. All geotechnical reports and studies carried out in relation to the proposed development are submitted to MWPA in electronic format, and in hard copy format if requested by MWPA. Reports are based on testing undertaken by a NATA accredited provider.
4.1.24 Stakeholder Consultation		

Item	Design Principles	Minimum Development Requirements
4.1.24.1	1. Stakeholders who have a reasonable likelihood of being impacted by the proposed development are properly notified of and consulted on the development prior to determination of the Development Application.	A. Where MWPA considers that the proposed development has the potential to impact upon adjoining leaseholders or land owners, port users, government agencies or the broader community it may at its discretion: i. Refer relevant details of the proposal to in writing to the affected parties, with submissions to be provided within 14 days or such longer period as agreed; ii. Request the proponent erect a sign on the development site with details of the proposal, with the sign to remain in place for a period of no less than 14 days; or iii. Publish relevant details of the proposal in a public format such as on the MWPA website for a period of no less than 14 days; or iv. Take any other measures, or direct the proponent to undertake such other measures, as are considered appropriate to consult with potentially affected parties.

4.2 DEVELOPMENT STANDARDS FOR MARINE DEVELOPMENTS

Maritime structures include, but are not limited to, berths, jetties, wharves, pens, shipping guidance infrastructure (navigation buoys and beacons), berth furniture (bollards, fenders, capstans, etc.), fixed access structures and seawalls. MWPA has published *MWPA 400 – Maritime Structures Technical Guidelines* which includes the technical standards required for marine developments: https://www.midwestports.com.au/Profiles/midwestports/Assets/ClientData/Documents/publications/MWPA400_Maritime_Structures_Guideline.pdf

Additionally, MWPA has produced *MWPA 401 – Guidelines for Protective Coatings* (https://www.midwestports.com.au/Profiles/midwestports/Assets/ClientData/Documents/publications/MWPA401_Guidelines_for_Protective_Coatings.pdf), *MWPA 404 – Cathodic Protection Guidelines* (https://www.midwestports.com.au/Profiles/midwestports/Assets/ClientData/Documents/Publications/MWPA404_Cathodic-Protection-Guideline_Rev-0.pdf) and *MWPA 402 – Rock Structures Guidelines* (https://www.midwestports.com.au/Profiles/midwestports/Assets/ClientData/Documents/publications/MWPA40

2_Rock_Structures_Guideline.pdf). The Rock Structures Guidelines provide standards associated with construction of breakwaters, rock walls and revetments, concrete armour units and slope protection mattresses.

Where particular aspects of a marine development are not covered in the MWPA Technical Guidelines or where conflict between documents exists, the following precedence for standards applies:

1. Statutory Regulations;
2. Design Codes and Standards;
3. Project Specific Specification;
4. MWPA Technical Guidelines; and
5. Other References (e.g. Recognised Industry Best Practice).

Proponents should liaise with MWPA early in the design process in the event of any uncertainty.

4.2.1 Environmental requirements for Marine Developments

Significant marine proposals may require assessment by the EPA (see Section Error! Reference source not found.). MWPA will advise the Proponent as soon as practicable during pre-lodgement discussions if it considers that the proposal could constitute a 'significant proposal'.

All sea dumping activities will require approval from DAWE under the *Environment Protection* (*Sea Dumping) Act 1981.*

The minimum MWPA environmental requirements for marine developments are set out below.

Table 6 – Environmental Requirements for Marine Developments

Item	Design Principles	Minimum Development Requirements
4.2.1 General Environmental Management		
4.2.1.1	1. All necessary environmental and heritage approvals are obtained from local, state, and Commonwealth regulatory bodies, as applicable. 2. All sites of maritime heritage significance with the area to be developed are identified and impacts on significant sites are avoided or minimised to the greatest extent practicable.	A. Applicable regulatory environmental approvals are identified and obtained by the proponent. Copies of all draft (pre-submission) and final approval documents are provided to MWPA. B. The proponent identifies any sites of maritime heritage significance as defined under the Commonwealth *Underwater Cultural Heritage Act 2018* and/or *Maritime Archaeology Act 1973* and obtains all necessary approvals to undertake development. The proponent is responsible to undertake any archaeological surveys, liaison or consultation required by relevant regulatory bodies.
4.2.1.2	1. Potential environmental impacts and risks of the development are adequately managed throughout the construction period and ongoing operations. Impacts must always be acceptable and minimised.	A. Where required by MWPA, the proponent will prepare and submit a Construction Environmental Management Plan (CEMP) prior to construction commencing and / or an Operational Environmental Management Plan (OEMP) prior to operations commencing. The CEMP and/or OEMP must demonstrate that potential environmental impacts have been identified, risks assessed, and measures put in place to prevent or mitigate potential harmful impacts. B. Where a CEMP or OEMP has been requested, it must be approved by

Item	Design Principles	Minimum Development Requirements
		MWPA prior to the commencement of works, with relevant actions thereafter implemented at all times.
4.2.2 Environmental Controls for Marine Works		
4.2.2.1	1. Measures must be put in place to prevent or mitigate potential harmful impacts.	A. As relevant to the activity, the proponent will develop and implement controls/practices for marine fauna interactions, anchor holding and handling, refuelling, waste management, spill prevention and reporting. B. Developments shall prevent the discharge of materials into the marine environment including liquid and solid waste during both construction and operations. C. Chemicals on vessels will be stored within a suitably contained area or use bunding appropriate to the quantity of chemical in use. D. Water quality monitoring measures must be prepared by the Proponent for developments with potential impacts to water quality. E. Noise management measures must be prepared by the Proponent for developments with potential to generate underwater noise impacts during construction or operations. The measures must include use of marine fauna observers, soft-start and stop work procedures.

5 Implementation and Clearance of Development Conditions

5.1 DURATION OF DEVELOPMENT APPROVAL

Development Approvals are issued on a time-limited basis. This will generally be two (2) years from the date of approval, unless the development is of a temporary nature or the approval period is stated otherwise in writing.

If the development is not substantially commenced within the time period specified in the Decision Notice, the Development Approval will lapse and have no further effect. This means that the proponent will need to lodge a new Development Application in order for the works to proceed. This requirement is in place to ensure that the construction of the proposed development will occur in the context in which the Development Application was assessed.

Guidance for what constitutes 'substantial commencement' is set out in Table 7.

Table 7 – Substantial Commencement

Type of Development	Extent of Works	Considered to be 'Substantial Commencement'	
Development involving the construction of a building	Earthworks and the laying of the whole slab or flooring of the ground or basement level	☒ Yes	☐ No
Development involving the use of the land or building	Carrying out the fitting out of premises, where required, and the commencement of the approved activity	☒ Yes	☐ No
Development involving construction or works that does not include a building or where a building is a minor component of the overall project	To be at the discretion of MWPA	To be at the discretion of MWPA	
Development where demolition of existing structures is required prior to new construction or works commencing	Demolition of existing structures only	☐ Yes	☒ No
Any development involving construction or works	Preparatory works such as surveys, investigations, and reports	☐ Yes	☒ No
Any development involving construction or works	Granting of a Building Permit or lodgement of a Certificate of Design Compliance / Engineering Certificates	☐ Yes	☒ No

If the development has not been successfully cleared (Refer 5.3) within 2 months prior to the expiry of approval, MWPA will send a reminder to the proponent. Should the proponent require additional time to substantially commence the development, they may request in writing an extension of time for up to 12 months. Depending on the extent of the pre-development conditions to complete and the circumstances surrounding the development, MWPA may at its absolute discretion grant a request for an extension of time.

5.2 VARIATIONS TO DEVELOPMENT APPROVAL

Should the proponent wish to vary any aspect of an approved development, they must request such variation in writing prior to the expiry of the approval. MWPA will review such requests and in the case of minor variations may consider the changes as part of the clearance of Development Conditions process.

5.3 CLEARANCE OF DEVELOPMENT CONDITIONS

Development Approvals will typically be issued subject to conditions. The proponent is responsible for implementing any conditions associated with the Approval in the timeframe which has been specified. Conditions will generally need to be completed ('cleared') either prior to the commencement of construction, or in some cases prior to occupation of the development.

The proponent will need to demonstrate to MWPA that all pre-construction development conditions have been completed before works commence on site. This is done in the form of a Request for Clearance to Construct ('Clearance Request')

Whilst a diverse range of matters can be incorporated into development conditions, as indicated in the Development Standards set out in Sections 4.1 and 4.2, some information typically required in a Clearance Request is set out below.

5.3.1 Documentation Required for Clearance to Construct

All Clearance Requests need to be accompanied by:

- Request for Clearance to Construct form;
- Issued for Construction Drawings (preferred) or Issued for Tender Drawings (minimum standards in Section 5.3.2);
- Evidence that all pre-development conditions have been complied with, including:
    a. Copies of approvals from regulatory and statutory authorities (common approvals described in Table 8);
    b. Any surveys, studies, reports or management plans requested, with common examples set out in Section 4.1 and minimum standards for spatial data provided in Section 5.3.3;
    c. Certification of drawings, where relevant, by:
        i. An Engineer Registered on the Australian National Professional Engineers Register (NPER) in the relevant general area of practice (i.e. chemical, civil, electrical, mechanical or structural) or specific area of practice; or
        ii. For developments where the National Construction Code applies and a Building Permit is not required, a Building Surveyor listed on the Department of Mines, Industry Regulation and Safety's (DMIRS) Register of Building Surveying Contractors and Practitioners (WA).

- For type 2 and 3 proposals, documentation may also include:
- Updated Project Schedule;
- Updated Basis of Design Report, if applicable;
- All Required Work Method Statements and Construction Management Plans;
- Hazard/Risk Identification Report or HAZOP Study;
- Any additional information that MWPA considers relevant to the clearance of Development Conditions.

Regulatory or Statutory Approvals	Type of Approval
Department of Fire and Emergency Services (DFES) (WA)	Approves fire-fighting resources in new buildings in accordance with Section 4.1.15.1.
Department of Local Government, Sport and Cultural Industries incorporating the Western Australian Museum (WA)	The Western Australian Museum is responsible for the protection of maritime archaeological sites and artefacts on State land and in state waters, Disturbance, removal, or interference of these sites or items is not permitted without prior approval under the *Maritime Archaeology Act 1973* (Section 4.1.20.3)
Department of Mines, Industry Regulation and Safety (WA)	Issues wide range of licences that include (but are not limited to) the storage and handling of dangerous goods, major hazard facilities, petroleum and natural gas pipelines (Section 4.1.19.4)
Department of Planning, Lands and Heritage (WA)	Implements the *Aboriginal Heritage Act 1972* and issues approvals under Section 18 to undertake development that will affect an Aboriginal Heritage Site (Section 4.1.20.1) The Heritage Council provides advice on development proposals that may impact built heritage matters in accordance with the *Heritage Act 2018*. (Section 4.1.20.2).
Department of Agriculture, Water and Environment (Commonwealth)	Assesses proposals with the potential to have significant environmental impact under the *Environmental Protection and Biodiversity Conservation Act 1999* (Section 4.1.19.2) and issues approvals associated with historic shipwrecks in Commonwealth waters (4.1.20.3)
Department of Water and Environmental Regulation (WA)	Implements the *Contaminated Sites Act 2003* and oversees identification, assessment and recording of contaminated sites (Section 4.1.19.4). Issues Native Vegetation Clearing Permits under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Section 4.1.19.3) Issues Environmental Licences and Works Approvals for Prescribed Premises under the *Environmental Protection Regulations 1987* (section 2.3.1 and 4.1.19.2)
Environmental Protection Authority (WA)	Assesses proposals with the potential to have significant environmental impact under the *Environmental Protection Act 1986* (Sections 2.3.1 and

Regulatory or Statutory Approvals	Type of Approval
	4.1.19.2).
Local Government (WA)	Issues Building and Demolition Permits under the *Building Act 2011* (Section 4.1.15.1)
Synergy / Western Power (WA)	Provides connection to electrical power throughout the Mid West On Port land, MWPA purchases power from Western Power and distributes to its customers, therefore the proponent must liaise with MWPA to determine whether its electrical needs can be accommodated within current provision or if any upgrades are required. (Section 4.1.14.3). Should the HV or LV power demand associated with a proposed development exceed the MWPA Contracted Maximum Demand, approval from Western Power will be required.
Water Corporation (WA)	Receives wastewater from the MWPA vacuum sewer system and approves new connections and/or changes in wastewater volumes (Section 4.1.14.5)

Table 8 – Other Regulatory and Statutory Approvals

5.3.2 Minimum Information for Issued For Construction (IFC) Drawings

The proponent must ensure that all Issued for Construction drawings submitted to MWPA are in accordance with the requirements described below. The level of details shown in the drawings will depend on the complexity of the development. All drafting is to be undertaken in compliance with *MWPA200 – Drafting Guidelines and AUTOCAD Standards* (https://www.midwestports.com.au/Profiles/midwestports/Assets/ClientData/Documents/publications/MWPA200__Drafting_Guidelines_and_AutoCAD_Standards.pdf).

The following minimum information shall be provided on all IFC drawings:

- Company Name and contact details;
- Registered Professional Engineer full name, signature and registration number;
- Drawing number;
- Revision number and revision details;
- Drawing date;
- Drawing scale and scale bar;
- North arrow;
- Details of the horizontal and vertical datum, when applicable; and
- Drawing status (“Issued for Construction”).

5.3.2.1 Minimum Information for Site Works Drawings

- Earthworks, including cut and fill volumes;
- Locations and heights of stabilised embankments including gradient;
- Retaining walls;
- Existing stormwater drains, culverts, oil/silt removal;
- Catch pits;
- Pavement details and design or other surface finishes including falls and gradients;
- Identification and size of uses for all areas of the development, e.g. storage, loading, trade display, parking, etc;
- Location and dimensions of areas to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site;
- Fencing - type, location and height;
- Areas of open space, landscaping and screen planting, including materials, plant species, irrigation and irrigation plans;
- Vegetation to be removed;
- Buildings and structures to be installed; and
- Any other item or infrastructure that needs to be relocated or removed.

5.3.2.2 Minimum Information for Road Works Drawings

- Plans and profile;
- Cross sections and grades;
- Verge and road features;
- Streets, locations and names;
- Pedestrian access;
- Road compaction tolerances;
- Subsoil drainage;
- Trenching plan;
- Existing Structures;
- Road signage; and
- Road furniture.

5.3.2.3 Minimum Information for Electrical and Communications Drawings

- Location and plan of all existing and future communications pits and conduit galleries;
- Location plans of electrical and services outlets;

- Line diagrams; and
- Trench details

5.3.2.4 Minimum Infromation for Drainage Drawings

- Drainage plan for site showing catchments areas, directions and volumes of design flow;
- Culvert sections and design;
- Sediment and pollution traps; and
- Existing stormwater drains.

5.3.2.5 Minimum Information for Signage and Line Marking Drawings

- Signage plan showing location of traffic, safety, legislative and lease signs;
- Footing plan and sign heights;
- Line marking plan for all areas including car parks;
- Roadways and turnarounds; and
- Signage layouts for all non-standard signs (advertising etc.).

5.3.3 Minimum Criteria for Digital Spatial Data

Spatial data must be provided to MWPA upon request.

Minimum requirements for digital data format include:

- GIS data – All digital vector data must be provided in ESRI shape file or geo-database format, with accurate and complete feature attributes which should include coordinate reference system (CRS) used and indications of spatial inaccuracies of the data;
- CAD data (where GIS data is not available) – must be provided in geo-referenced Real World Coordinates (RWC) and CRS used (DGN, DWG and DXF formats;
- All data must be organised into a logical, named layer structure to facilitate feature conversion by layer, with only relevant data associated with each layer name;
- All line work is to be continuous and polygons closed wherever possible;
- All CAD files should be purged of unnecessary data before transfer, and all relevant reference files merged into the main file;
- All spatial data must be geo-referenced, preferably projected to GDA94 MGA50 or other known RWC;
- If a local or plant grid is used, all projection parameters must be provided, to facilitate re-projection to GDA2020 MGA zone 50 Raster Data (imagery, elevation models, analysis results) – Raster data must be provided in commonly used format (such as ECW, TIFF, JPEG, DEM) with accurate geo-referencing, e.g. including world file.

5.3.4 MWPA Technical Guidelines

These Development Guidelines exist within a suite of documents that are listed in the Table below. The Technical Guidelines are to be read in conjunction with the Development Guidelines for relevant elements of development. Current Technical Guidelines can be accessed via the MWPA website (**https://www.midwestports.com.au/publications-forms.aspx**) and are subject to periodic review and updating.

It is noted that MWPA may mandate the make and model of any components in any of the works that are not fully contained on lease sites.

Guideline Number	Title
MWPA 100	General Technical Guidelines
MWPA 200	Drafting Guidelines and AutoCAD Standards
MWPA 300	Mechanical Engineering Guidelines
1. MWPA 301	Material Handling Guidelines
MWPA 400	Maritime Structures Guidelines
1. MWPA 401	Guidelines for Protective Coatings
2. MWPA 402	Rock Structures Guidelines
3. MWPA 403	Guidelines for HD Galvanizing
4. MWPA 404	Cathodic Protection Guidelines
MWPA 500	Port Technical Guidelines – Civil Engineering (to be published)
1. MWPA 502	Guidelines for Buried Services
2. MWPA 503	Guidelines for Roads and Pavements
MWPA 600	Port Technical Guidelines – Buildings and Structures (to be published)
MWPA 700	Port Technical Guidelines – Electrical and Instrumentation (to be published)
MWPA 800	Guidelines for Rail Infrastructure
MWPA 900	Additional Technical Guidelines (to be published)

Table 9 – MWPA Guidelines Master List

5.4 CONSTRUCTION AND CLOSE OUT

Once MWPA is satisfied that all pre-construction documentation has been prepared and submitted and all development conditions complied with, it will issue the proponent with a Clearance to Construct. Possession of a Clearance to Construct enables on-site works to commence, subject to the proponent applying for, and receiving, relevant MWPA Permits to Work. It is noted that Permits to Work will not be issued for works that form part of a Development Approval without a Clearance to Construct being issued.

Under the *Port Authorities Regulations 2001*, anyone who erects a building or other structure in a port without approval commits an offense and may be liable for a penalty of up to $12,000. This includes undertaking approved development prior to receiving a Clearance to Construct.

For large and complex projects (generally Type 3), additional arrangements may be made between the proponent and MWPA regarding the management and oversight of construction works. Such arrangements may include, but are not limited to, the submission of a performance bond, regular progress reports, preparation and submission of a Safety, Environmental & Quality Management Plan (SEQMP) and/or a Construction Execution Plan and detailed programme, third party audits, etc.

The need for additional documentation and liaison with MWPA, beyond what is typically required for a Clearance to Construct, will be identified during the Development Application assessment process. In some cases, MWPA may appoint a dedicated Project Manager to oversee large or complex construction projects, or procure assistance from third party reviewers or auditors, with the cost of third-party assistance typically to be borne by the proponent.

5.4.1 Shipping Priority and Shutdowns

Efficiency of shipping operations is paramount to MWPA and all its customers. The port undertakes major maintenance works on its rail unloading and ship loading facilities during fixed quarterly planned maintenance shutdowns. All lease holders must operate within this environment. Shutdowns for the year ahead are identified by 1 July and posted on the MWPA website: https://www.midwestports.com.au/operations/shutdown-timetable.aspx.

All development works that will require interruption of shipping and materials handling services must be scheduled to occur during these shut down periods and will require close liaison with the MWPA operations staff. Refer *COM-PRO-009 – Planned Shutdown and Outage Notification* for the process and requirements.

Other shipping shut downs may be negotiated and approved on a case by case basis as set out in COM-PRO-009, but will generally require a minimum six weeks' notice to all users unless gaps in shipping schedules can be utilised.

All interruption of utility services to other port users must be organised through MWPA and may incur costs to the proponent.

5.4.2 Maritime Construction Areas

Where projects are of a significant size or duration, the Harbour Master, subject to their powers under the PAA, may designate an area bounded by defined coordinates as a Maritime Construction Area. The Harbour Master may designate any area within port limits to be a Maritime Construction Area. The Harbour Master shall consult with Agents, Terminal Operators and Shippers likely to be impacted by these works in order to minimise potential likely disruption to port operations.

The Maritime Construction Area shall not be subject (for the duration of any construction period) to Geraldton Port normal maritime operating procedures or Marine Operating Rules. Outside of the designated Maritime Construction Area, vessel movements to and from the Maritime Construction Area and within the designated waters under the control of MWPA shall be subject to Geraldton normal port maritime operating procedures and Marine Operating Rules.

A Construction Works Marine Safety Management Plan and a Marine Environment Management Plan will be required to control all floating activities of the proponent within the Maritime Construction Area. The Construction Works Marine Safety Management Plan and Marine Environment Management Plans are to be prepared by the proponent to the satisfaction of MWPA.

5.4.3 Inspections, Audits, Testing and Stop Work Orders

During construction, MWPA reserves the right for it and its assigned agents to audit documentation, conduct site inspections, and carry out testing. MWPA further reserves the right to confirm the accuracy of testing processes and procedures at any time.

Proponents undertaking work outside the boundaries of their lease area must ensure that the Works are located and constructed in such a way as to ensure ease of unimpeded access by MWPA or nominated MWPA personnel to current facilities on a 24 hour basis.

MWPA may at any time direct a proponent to stop work if it determines:

- That any part of the works is unsafe;
- That the works are, or have the potential to, cause environmental harm;
- That the works are adversely affecting or interfering with other port-users or port operations;
- That there is non-compliance with Development Conditions or any other agreement with MWPA by the proponent or its contractors;
- That the works are unauthorised.

5.4.4 Handover and Close Out

For Type 3 developments (and some Type 2 developments, at the discretion of MWPA), once construction of the development is completed, occupancy and use will not be permitted until:

- Handover and Commissioning has occurred to MWPA's satisfaction;
- MWPA has inspected the development for compliance with its requirements prior to Practical Completion being awarded by the Proponent;
- Security Retention (i.e. bond) that is required during the Defect Liability Period (generally 48 months) is in place;
- Department of Environment Licence amendments have been issued;
- Local Government Occupancy Permit has been issued (for developments that required a local government Building Permit;
- DMIRS has been notified of commencement of mining operations, in circumstances where a mine site has been established where one otherwise did not exist, or where one was previously suspended.

- Once the above actions have been completed to the satisfaction of MWPA any bond collected as part of the Clearance to Construct can be returned to the Proponent.
- Practical Completion is that stage in the carrying out and completion of the development when:
- The Works are complete except for minor defects:
    a) which do not prevent the development from being reasonably capable of being used for its intended purposes;
    b) which the Proponent determines the Contractor has reasonable grounds for not promptly rectifying; and
    c) the rectification of which will not prejudice the convenient use of the development.
- Those tests which are required by written agreement to be carried out and passed before the development reaches Practical Completion have been carried out and passed; and
- Documents and other information required in the Development Approval to be submitted prior to completion have been supplied.
- Proponents must, at or prior to the Date of Practical Completion of each relevant stage of the development, supply MWPA with copies of the following documents:
- Any maintenance plans and operating procedures for the completed works, including but not limited to any operations and maintenance manuals, (in hardcopy and electronic format) that have been developed or supplied to the developer by the designer, supplier, manufacturer, builder or seller of all or part of the works;
- Third Party Warranties and Defects Liability Obligations in relation to the works;
- Authorisations which are held by the proponent which are necessary to operate, use or maintain the works;
- As-Constructed drawings in reproducible format, clearly marked 'As-Constructed' or 'As-Built' in both PDF and native digital format in a format complaint with *MWPA200 – Drafting Guidelines and AutoCAD standards;*
- As-Built information for underground services supplied as digital spatial data, clearly detailing final location and depth of as-constructed services, as well as minimum level of feature attribution describing the identified services. All underground services mapping should be accompanied by a surveyors report indicating the methodology and accuracy of the survey, and provide details of surrounding existing services where these were identified as part of the construction works;
- Commissioning records, warranties, Operations and Maintenance manuals for all equipment and assets where the ownership of which is to rest with MWPA.

6 Associated Documents

Document	Title
APD-PRO-001	Development in the Port Procedure
APD-PRO-001/ FRM01	Application for Development Approval Form
COM-PRO-002	Potential New Cargo (Customer) Procedure (under review)
HSE-PRO-019	HSE Approvals Process for New Cargoes Procedure (under review)
HSE-PRO-018	Traffic Management – Geraldton Port
MAR-PRO-006	Security Fencing – Geraldton Port
COM-PRO-009	Planned Shutdown and Outage Notification

Location - Mid West Ports Intranet – Document Centre

7 References

Document	Title
MWPA document	Port of Geraldton Master Plan (2020)
Environmental Protection Authority Guidance Statement	Guidance for the Assessment of Environmental Factors - Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses (2005)
City of Greater Geraldton Plan	City of Greater Geraldton Coastal Hazard Risk Management and Adaptation Plan (2019)
WA State Planning Policy	State Planning Policy 2.6 – State Coastal Planning Policy (2013)
Australian Building Codes Board document	National Construction Code
Department of Water and Environmental Regulation Document	Landfill Waste Classification and Waste Definitions 1996 (amended 2019)
Department of Water and Environmental Regulation Document	Water Quality Protection Note 52: Storm Water Management at Industrial Sites (2010)
Department of Water and Environmental Regulation Document	Stormwater Management Manual for Western Australia
Utility Providers Services Committee Document	Utility Providers Code of Practice for Western Australia (2018)
MWPA Techincal Guidelines	Various (Refer Section 5.3.4 of this document.)
Department of Premier and Cabinet Document	Aboriginal Heritage Due Diligence Guidelines (2013)

Document	Title
Australian Standard	AS 1170:2007 – Structural Design Actions
Australian Standard	AS 2890.1:2004- Parking Facilties – Off-Street Parking
Australian Standard	AS 2890.6:2009- Parking Facilties – Off-Street Parking for People with Disabilities
Australian Standard	AS 1744:2015 – Standard Alphabets for Road Signs
Australian Standard	AS 1680.5:2012 – Interior and Workplace Lighting
Australian Standard	AS 4282:2019 - Control of the obtrusive effects of outdoor lighting

Location - SAI Global - https://www.saiglobal.com/online/

Act or Reg	Description
Planning and Development Act 2005	Refer Section 2.1 of this document
Building Act 2011	Refer Section 2.2 of this document
Environmental Protection Act 1986	Refer Section 2.3 of this document
Dangerous Goods Act 2004	Refer Section 2.4.1 of this document
Mines Safety and Inspection Act 1994	Refer Section 2.4.2 of this document
Environmental Protection (Clearing of Native Vegetation) Regulations 2004	Refer Section 4.1.19.3 of this document
Contaminated Sites Act 2003	Refer Section 4.1.19.4 of this document
Environmental Protection (Noise) Regulations 1994	Refer Section 4.1.19.6 of this document
Aboriginal Heritage Act 1972	Refer Section 4.1.20.1 of this document
Native Title Act 1993 (Commonwealth)	Refer Section 4.1.20.1 of this document
Heritage Act 2018	Refer Section 4.1.20.2 of this document
Underwater Cultural Heritage Act 2018 (Commonwealth)	Refer Sections 4.1.20.3 and 4.2.1.1 of this document
Maritime Archaeology Act 1973	Refer Sections 4.1.20.3 and 4.2.1.1 of this document
Environmental Protection (Sea Dumping) Act 1981 (Commonwealth)	Refer Section 4.2.1 of this document

Location:

- Western Australian - https://www.legislation.wa.gov.au/
- Australian - https://www.legislation.gov.au/

8 Monitoring, Evaluation and Review

This document is required to be reviewed every two years from the last scheduled review date.

Minor updates made within this two year period, will not be taken as a *full review*.

The Document Custodian is responsible for conducting the review in accordance with **Controlled Documents Review and Approval Process**.

9 Administration

Document Custodian:	Port Planner
Document Approver:	General Manager - Asset Development & Strategy
Approval Date:	1 March 2021
Document Review Period:	2 yrs