



Department of
Primary Industries and
Regional Development

Digital Library

Reports

Regional development

7-2020

Weaber Plain Development Project Annual Environment Report 2020

Department of Primary Industries and Regional Development, Western Australia

Follow this and additional works at: https://library.dpird.wa.gov.au/rd_reports

Recommended Citation

Department of Primary Industries and Regional Development, Western Australia. (2020), *Weaber Plain Development Project Annual Environment Report 2020*. Department of Primary Industries and Regional Development, Perth. Book.

This book is brought to you for free and open access by the Regional development at Digital Library. It has been accepted for inclusion in Reports by an authorized administrator of Digital Library. For more information, please contact library@dpird.wa.gov.au.



EPBC 2010/5491
Weaber Plain Development Project

Annual Environment Report 2020

1 May 2019 to 30 April 2020

Prepared for
Department of Primary Industries and Regional Development

For submission to the Department of Water and the Environment, in compliance with the requirements of EPBC Approval 2010/5491 issued under the *Environment Protection and Biodiversity Conservation Act 1999*.

July 2020

Prepared for the Department of Primary Industries and Regional Development by –



KIMBERLEY BOAB

C O N S U L T I N G

PO Box 149
KUNUNURRA WA 6743
kimberleyboab@gmail.com
www.kimberleyboabconsulting.com
ABN 74 610 412 836

Dr Debra Pearce BSc MA PhD
Exemplar Global AU – Management systems auditing
Exemplar Global TL – Leading management systems audit teams
Exemplar Global QM – Quality management systems [ISO9001]
Exemplar Global EM – Environmental management systems [ISO14001]
Exemplar Global OH – Occupational Health and Safety management systems [ISO45001]

Disclaimer and Limitation

This report has been prepared for the Department of Primary Industries and Regional Development (DPIRD) in accordance with the agreement between DPIRD and Kimberley Boab Consulting Pty Ltd. The content of this report is limited by the parameters provided by DPIRD including scope and timeframes. Kimberley Boab Consulting Pty Ltd accepts no liability or responsibility whatsoever in respect of any use of or reliance upon this report by any person who is not a party to the agreement.

Audit items deemed completed by other auditors in previous compliance assessments have not been re-assessed, unless a material change has occurred.

Document control

Date	Version	Reviewed by
13 July 2020	DRAFT REV A	DPIRD
23 July 2020	FINAL REV O	For submission

ACRONYMS AND ABBREVIATIONS

AFMP	Aquatic Fauna Management Plan
BMP	Buffer Management Plan
CALIM	Common Area Lease and Infrastructure Management (Agreement)
CAP	Compliance Assessment Plan
CAR	Compliance Assessment Report
CEO	Chief Executive Officer (of the Office of the Environmental Protection Authority)
DAWE	Department of Agriculture, Water and the Environment (formerly Department of Environment and Energy)
DBCA	Department of Biodiversity, Conservation and Attractions
DP	Design Plan
DAFWA	Department of Agriculture and Food Western Australia
DPIRD	Department of Primary Industries and Regional Development (previously DAFWA)
DW1GS	DW1 Gauging Station
DWER	Department of Water and Environmental Regulation
EMIA	Environmental Management Instrument Agreement
EMP	Environmental Management Program (or Plan)
EPA	Environmental Protection Authority
EP Act	Environmental Protection Act 1986
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (Cwth)
FPDP	Final Project Design Plan
GFCP	Gouldian Finch Conservation Plan
Goomig	Goomig farm area, also known as the Weaber Plain farm area
GL	Gigalitres
GMP	Groundwater Management Plan
ha	Hectare
IRG	Independent Review Group
JTSI	Department of Jobs, Tourism, Science and Innovation (formerly Department of State Development - DSD)
KBC	Kimberley Boab Consulting Pty Ltd
KAI	Kimberley Agricultural Investment Pty Ltd
KBR	Kellogg Brown Root
km	Kilometres
MG Corp	Yawoorroong Miriuwung Gajerrong Yirrgab Noong Dawang Aboriginal Corporation
ML	Megalitres
MS938	Ministerial Statement 938
OFA	Ord Final Agreement
OIC	Ord irrigation Cooperative
ORIA	Ord River Irrigation Area
OSWM	Operational Surface Water Model
SEIS	Supplementary Environmental Impact Statement
SGDMP	Stormwater and Groundwater Discharge Management Plan
SPV	Special Purpose Vehicle
TMS	Tailwater Management System
WA	Western Australia
WEMIA	Water and Environmental Management Instrument Agreement

ACKNOWLEDGEMENTS

Mr Wayne Paul from Kimberley Agricultural Investment Pty Ltd was interviewed on multiple occasions and provided data to support the development of this report.

Ms. Renee Zuks and Ms. Jo-Anne Ellis from DPIRD provided evidence and responses to queries on behalf of the proponent.

Statement of Compliance

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed

Full name

EAMONN McCABE

Position (please print)

EXECUTIVE DIRECTOR, INDUSTRY AND ECONOMIC
DEVELOPMENT

Organisation (please print including ABN/ACN if applicable)

DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONAL
DEVELOPMENT

ABN 18 951 343 745

Date

____/____/____

EXECUTIVE SUMMARY

This *Weaber Plain Development Project EPBC Annual Environment Report* for the period 1 May 2019 to 30 April 2020 has been developed in accordance with Condition 3 of the Commonwealth Environmental Approval for the Weaber Plain Development Project, EPBC 2010/5491, issued under the *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*.

The Western Australian Government, Kimberley Agricultural Investment Pty Ltd (KAI) and the Yawoorroong Miriung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation (MG Corp) are completing farm development and conducting irrigated agriculture across the Weaber Plain, north of Kununurra in the eastern Kimberley region of WA.

This report has been prepared for the Proponent, the Department of Primary Industries and Regional Development (DPIRD), for the period May 2019 to April 2020. This report is not an audit report, but nonetheless reviews compliance and ongoing improvement opportunities, and considers the findings of monitoring programs in relation to overall environmental objectives for the Project.

Potential non-compliances

Potential non-compliances are summarised as follows. The issues raised relate predominantly to the application of the monitoring requirements, and do not necessarily point towards declining ecological condition or increased risk to Matters of National Environmental Significance (MNES).

Condition		Is the project compliant?	Status at 30 April 2020
6	Gouldian Finch Conservation Plan	Potentially non-compliant	End of wet-season breeding population counts were not undertaken due to Commonwealth and State travel restrictions associated with the COVID-19 pandemic preventing consultant travel to the Kimberley for the purpose of population counts. Given the travel restrictions, the process to procure a consultant to undertake the population counts was deprioritised in favour of other priority procurements associated with the Department's COVID-19 response. The Department will make best endeavours to arrange a travel exemption for the consultant to undertake non-breeding population counts in September 2020 however it is possible that an exemption will not be supported. DPIRD's former Gouldian Finch expert stated her view that the Gouldian Finch population is stable and will remain so..
11	Stormwater and Groundwater Discharge Management Plan	Potentially non-compliant	The functioning of the project stormwater outlet gauging station, known as the DW1 Gauging Station (DW1GS), remained problematic during 2019. This was being addressed in early 2020 through the engagement of a hydrographer to assess and recommend DW1GS recommissioning requirements. The revised Stormwater and Groundwater Discharge Management Plan (SGDMP) is addressing issues raised over recent years in relation to monitoring requirements and the interpretation of the requirements of Condition 11.
12	Groundwater Management Plan	Potentially non-compliant	The review of groundwater monitoring for the period 2014-2018 identified gaps and inconsistencies in monitoring. The IRG endorsed the review recommendations in full, including recommended revisions to the monitoring program. The recommended monitoring program will be incorporated into

			<p>the revised Groundwater Management Plan (GMP).</p> <p>The review noted groundwater trends are within the range expected at the commencement of the development.</p>
--	--	--	--

Previous recommendations

Recommendations contained in the 2018-19 Annual Environment Report, relating to the SGDMP, GMP, Aquatic Fauna Management Plan, Gouldian Finch Conservation Plan and Buffer Management Plan continue to be addressed by DPIRD.

Overall finding

The majority of conditions have been met, with an overall assessment that there is no evidence to conclude that environmental condition has declined beyond predictions made in the original environmental impact assessments for the Weaber Plain development. However, three conditions contain non-compliance or potential non-compliance findings, based upon inconsistent or inadequate monitoring regimes being implemented. Management has been shown to be occurring but monitoring gaps and inconsistencies exist across a number of conditions. It is recommended that the proponent continues to review all management plans in the context of the actual operational (farming) situation, compared to that which was anticipated when the original 2012 management plans were prepared.

CONTENTS

1.0	INTRODUCTION	8
1.1	DESCRIPTION OF ACTIVITIES	11
1.2	CURRENT STATUS: CLEARING, DEVELOPMENT AND OPERATION	11
1.3	APPROVALS	11
1.4	METHODOLOGY	12
2.0	CURRENT STATUS	13
2.1	ENVIRONMENTAL MANAGEMENT ARRANGEMENTS	13
2.2	FARM DEVELOPMENT	13
3.0	COMPLIANCE ASSESSMENT	15
3.1	INCIDENTS, NON-COMPLIANCES AND ISSUES ARISING	15
3.2	CORRECTIVE MEASURES FOR NON-COMPLIANCES	15
3.2.1	GOULDIAN FINCH CONSERVATION PLAN	15
3.2.2	STORMWATER AND GROUNDWATER DISCHARGE MANAGEMENT PLAN – CONDITION 11	15
3.2.2	GROUNDWATER MANAGEMENT PLAN – CONDITION 12	16
3.3	NEW ENVIRONMENTAL RISKS	16
4.0	COMPLIANCE AND STATUS TABLE	17
5.0	REFERENCES	41
	APPENDIX A – SUPPORTING DOCUMENTATION / EVIDENCE	42
	PART A: EVIDENCE REFERENCED IN TABLE 4	42
	PART B: EVIDENCE TO SUPPORT <i>STATEMENT 938 COMPLIANCE ASSESSMENT REPORT 2019</i>	43
	APPENDIX B – ORD RIVER IRRIGATION AREA STAGE 2 M2 SUPPLY CHANNEL COMPLIANCE ASSESSMENT REPORT 2019	44
	APPENDIX C – GOOMIG WATER REPORT 2019	44
	TABLES	
	Table 1 – Proponent and project details	11
	Table 2 - Approvals	11
	Table 3 - Summary of potential non-compliances.....	15
	Table 4 - EPBC 2010-5491 Annual Environment Report.....	18
	FIGURES	
	Figure 1 - Location map.....	9
	Figure 2 - Development area.....	10
	Figure 3 - Satellite image: Goomig farm area May 2019.....	14
	Figure 4 - Satellite image Goomig farm area April 2020	14
	Figure 5 - Year last burnt 2000-2019.....	21
	Figure 6 - Firescar by month 2019-2020.....	21
	Figure 7 - Gouldian Finch breeding habitat area.....	22

1.0 Introduction

This 2020 Ord EPBC Compliance Report for the period 1 May 2019 to 30 April 2020 has been prepared to meet the requirements of Condition 3 of the Commonwealth Environmental Approval for the Weaber Plain Development Project, EPBC 2010/5491, issued under the *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*.

The Western Australian Government, Kimberley Agricultural Investment Pty Ltd (KAI) and the Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation (MG Corp) are completing farm development and conducting irrigated agriculture across the Weaber Plain, north of Kununurra in the eastern Kimberley region of WA. The land is known as the 'Goomig farm area'.

The Weaber Plain is located immediately northeast of the existing Ord River Irrigation Area (ORIA) (Figure 1), with the development representing the second stage of the ORIA scheme. The development is supplied by a main irrigation channel (the 'M2 channel'). The M2 channel extends from Stock Route Road, part way along the older M1 irrigation channel. It releases irrigation water from Lake Argyle, which is conveyed via the Ord River and Lake Kununurra, and gravity-fed to the Goomig farm area.

The land within and surrounding the Weaber Plain Development (or Goomig) Area is of traditional and current significance to Aboriginal people, who continue to maintain a strong cultural identity and attachment to the land. The Project Area is covered by the Ord Final Agreement (OFA). The traditional owners of land within the Weaber Plain area are the Miriuwung and Gajerrong (MG) peoples. The Weaber Plain development includes the farmland referred to as the Goomig farm area, in line with a naming recommendation from the Traditional Owners. Approximately ten per cent of the Goomig farmlands are held in freehold by the MG Corp. The buffer surrounding the development is also held in freehold by MG Corp (Figure 2).

Figure 1 - Location map

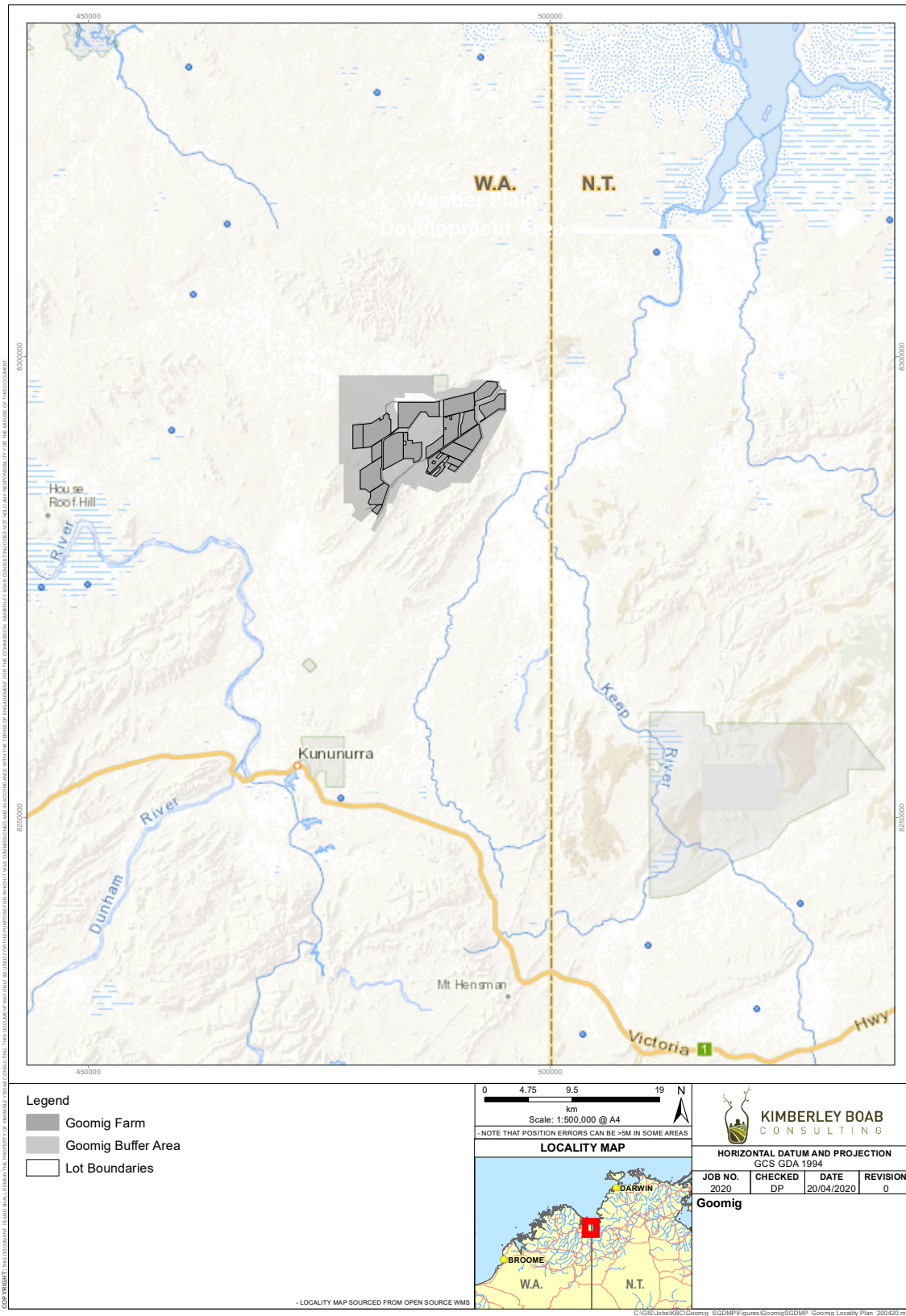
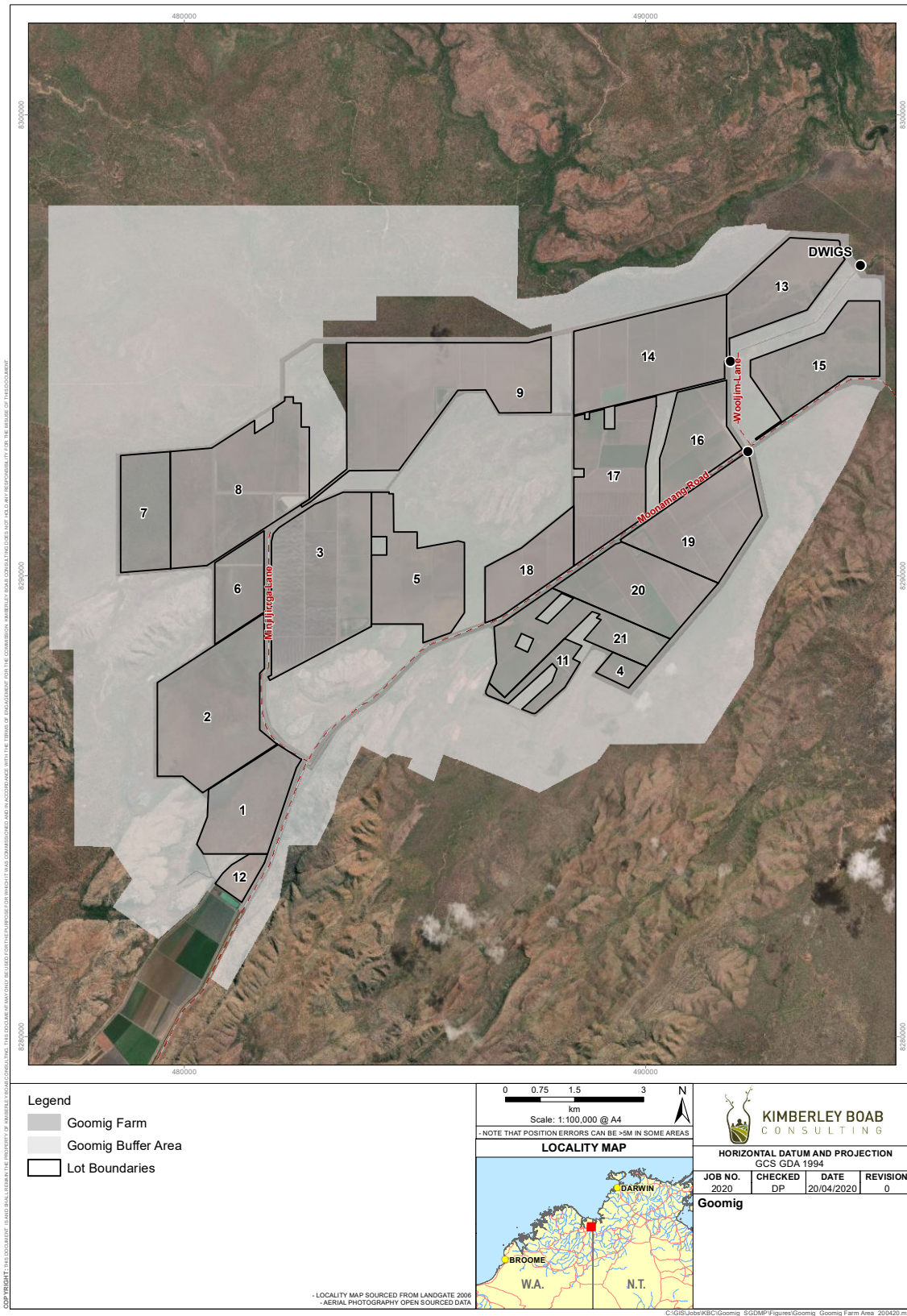


Figure 2 - Development area



1.1 Description of activities

The Goomig farm area has been developed for the purpose of conducting irrigated agriculture.

Table 1 – Proponent and project details

Descriptor / Requirement	Detail
Proponent	Department of Primary Industries and Regional Development
Proponent ABN	18 951 343 745
EPBC Number	Approval 2010/5491
Project name	<i>Weaber Plain Development Project</i>
Project location	North-east of Kununurra, Western Australia
Approval date	13 September 2011
Person accepting responsibility for this report	Eamonn McCabe, Executive Director, Industry and Economic Development
Reporting period dates	1 May 2019 to 30 April 2020
Date of report preparation	May-July 2020

1.2 Current status: clearing, development and operation

Approximately eighty per cent of the Goomig farm area was cropped during the reporting period. The remaining farmland has been cleared (as previously reported) and is at various stages of development, including the 675ha owned by MG Corp (Lots 15 and 16). Cropping commenced on Lot 16 in January 2020. Tailwater recycling dams have been installed on farmed properties.

The Department of Primary Industries and Regional Development (DPIRD) remains the proponent.

1.3 Approvals

Associated and nearby approvals are summarised in Table 2. The approvals cited in Table 2 are not the subject of this CAR but are however referenced where necessary. Where relevant, progress and compliance in relation to overlapping conditions and actions have been assessed in unison in this report and in the associated *Ord River Irrigation Area Stage 2 M2 Supply Channel Compliance Assessment Report 2019* (Kimberley Boab Consulting, 2020), prepared for the proponent in relation to Statement 938.

Table 2 - Approvals

Area	Approval	Approval Authority	Approval Holder (Proponent)	Direct Relevance?
M2 Area	Statement 938	WA Minister for the Environment under EP Act 1986	Department of Primary Industries and Regional Development	Some overlapping requirements with EPBC 2010/5491
Knox Creek Plain	EPBC 2014/7143	Cwth Minister for the Environment under EPBC Act 1999	KAI	Some overlapping requirements with Statement 938 / EMP
Weaber Plain [Goomig]	SWL179228	Surface water licence issued under Rights in Water and Irrigation (RiWI) Act 1914	KAI	Associated Operating Strategy requires compliance with environmental approvals
Knox Creek Plain (north)	EPBC 2017/7856	Cwth Minister for the Environment under EPBC Act 1999	JTSI	'Not a controlled action' assessment for Moonamang Road extension through the northern Knox Creek Plain
Sorby Hills	EPBC 2011/6230	Cwth Minister for the Environment under EPBC Act 1999	Sorby Management Pty Ltd	<i>No direct implications</i> however area overlaps part of M2 area (subject of Statement 938)
Sorby Hills	Ministerial Statement 964	WA Minister for the Environment under EP Act 1986	Sorby Management Pty Ltd	<i>No direct implications</i> however area overlaps part of M2 area (subject of Statement 938)

1.4 Methodology

This report has been prepared in line with the *Annual Compliance Report Guidelines* (2014) prepared by the (former) Department of the Environment and Energy, now DAWE. Items previously reported as complete have not been re-assessed.

This report addresses the 12-month period from 1 May 2019 to 30 April 2020. Review criteria adopted are based on the conditions of approval 2010/5491, and follow the formatting and approach established in previous reports. The 2019 compliance assessment report prepared for the Proponent in relation to WA Ministerial Statement 938 (Kimberley Boab Consulting, 2020) supplements this report.

Incorporated into the review are considerations of -

- The implementation and effectiveness of communication and reporting procedures;
- The controls and procedures in place to ensure the implementation of management actions occurs effectively and in a timely manner; and
- The adequacy and effectiveness of the communication to personnel of matters including environmental procedures and changes to practices.

The relevance and applicability of the approved management actions to the current, post-construction (operational) phase of the Goomig development is considered in line with previous audit recommendations. A concurrent full revision of the associated *Environmental Management Plan* (EMP) approved under Ministerial Statement 938 is being undertaken at the request of the WA Department of Water and Environmental Regulation. The EMP revision is integrated with the IRG-supported review of water-related conditions and management plans established under EPBC 2010/5491.

Observations and evidence gathered during site inspections have informed this report. Site inspections were undertaken in July, November and December 2019, with follow-up visits including an inspection with the Independent Review Group (IRG) in February 2020.

The attached EMP Compliance Assessment Report for 2019 provides further detail on the Proponent's compliance with specific environmental management requirements associated with the development.

2.0 Current Status

2.1 Environmental management arrangements

The Goomig farm area lease and Common Area Lease and Infrastructure Management Agreement executed on 21 November 2017. The Water and Environmental Management Instrument Agreement (WEMIA) has been executed by MG Corporation (as owners of Lots 15, 16 and the buffer) and was awaiting execution by KAI at the time of preparation of this report. The Special Purpose Vehicle (SPV), Goomig Land and Water Pty Ltd, has been established to manage Goomig environmental obligations including obligations under Statement 938, with the company constitution and shareholders agreement agreed and awaiting endorsement from KAI's management¹.

The planned transfer of proponentcy to KAI will occur when the WEMIA and SPV are finalised and approved by the WA Government.

The DPIRD remained the Proponent during the review period.

2.2 Farm development

The reporting period saw KAI continue to prepare (for farming) lands on which clearing had been undertaken in previous years. Tailwater return systems were operated. Cropping commenced on MG Corp's lot 16 in January 2020, with the establishment of rain-fed (wet season) cotton.

Figures 3 and 4 provide satellite imagery of the Goomig area at the beginning and end of the reporting period.

¹ Pers. comm from Jo-Anne Ellis, DPIRD, 11 June 2020

Figure 3 - Satellite image: Goomig farm area May 2019



(Source: Satamap. Sentinel 2).

Figure 4 - Satellite image Goomig farm area April 2020



(Source: Satamap. Sentinel 2).

3.0 Compliance Assessment

3.1 Incidents, non-compliances and issues arising

Potential non-compliances identified during this reporting period relate to the implementation of Condition 6, 11 and 12. The identified issues are summarised in Table 3.

Table 3 - Summary of potential non-compliances

Condition		Is the project compliant?	Status at 30 April 2020
6	Gouldian Finch Conservation Plan	Potentially non-compliant	End of wet-season breeding population counts were not undertaken due to Commonwealth and State travel restrictions associated with the COVID-19 pandemic preventing consultant travel to the Kimberley for the purpose of population counts. Given the travel restrictions, the process to procure a consultant to undertake the population counts was deprioritised in favour of other priority procurements associated with the Department's COVID-19 response. The Department will make best endeavours to arrange a travel exemption for the consultant to undertake non-breeding population counts in September 2020 however it is possible that an exemption will not be supported. DPIRD's former Gouldian Finch expert stated her view that the Gouldian Finch population is stable and will remain so.
11	Stormwater and Groundwater Discharge Management Plan	Potentially non-compliant	<p>The functioning of the project stormwater outlet gauging station, known as the DW1 Gauging Station (DW1GS), remained problematic during 2019. This was being addressed in early 2020 through the engagement of a hydrographer to assess and recommend DW1GS recommissioning requirements.</p> <p>The revised Stormwater and Groundwater Discharge Management Plan (SGDMP) is addressing issues raised over recent years in relation to monitoring requirements and the interpretation of the requirements of Condition 11.</p>
12	Groundwater Management Plan	Potentially non-compliant	<p>The review of groundwater monitoring for the period 2014-2018 identified gaps and inconsistencies in monitoring. The IRG endorsed the review recommendations in full including recommended revisions to the monitoring program. The recommended monitoring program will be incorporated into the revised Groundwater Management Plan (GMP).</p> <p>The review noted groundwater trends are within the range expected at the commencement of the development.</p>

3.2 Corrective measures for non-compliances

3.2.1 Gouldian Finch Conservation Plan

Consultants are being engaged to undertake the required Gouldian Finch habitat and breeding monitoring in 2020-21. Nonetheless, DPIRD will continue with its request to DAWE to amend the frequency of monitoring, given the favourable habitat condition recorded in recent years' monitoring and stable population.

3.2.2 Stormwater and Groundwater Discharge Management Plan – Condition 11

It was previously reported (KBC, 2018) that the Independent Review Group had requested (at its April

2018 meeting) that the Proponent, with the support of IRG members, undertakes a review of the monitoring and management arrangements associated with Condition 11 – Stormwater and Groundwater Discharge Management Plan – and the associated Operational Surface Water Model.

The revision of the SGDMP is near completion at the time of preparation of this report.

Repairs to the DW1GS are being undertaken in 2020.

3.2.2 Groundwater Management Plan – Condition 12

Per the discussion in Table 4, a review of groundwater monitoring data obtained to date identified gaps and inconsistencies in the application of the groundwater monitoring regime. This has resulted in a potential non-compliance being applied to Condition 12. The review did not, however, identify changes exceeding those predicted in the impact analysis and modelling undertaken during the EPBC assessment process. The IRG requested the GMP be revised.

3.3 New environmental risks

No new environmental risks were identified during the reporting period. An extended suite of farm chemicals for routine and event-based monitoring was agreed by the IRG on 7 May 2020 and has been included in the revised SGDMP.

4.0 Compliance and Status Table

Table 4 summarises progress and delivery in relation to EPBC 2010/5491 conditions.

Colour-coding has been applied to the reporting as follows:

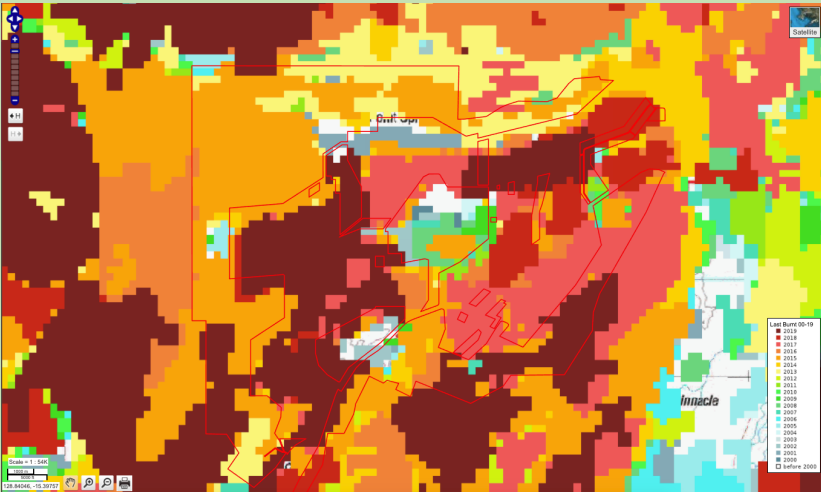
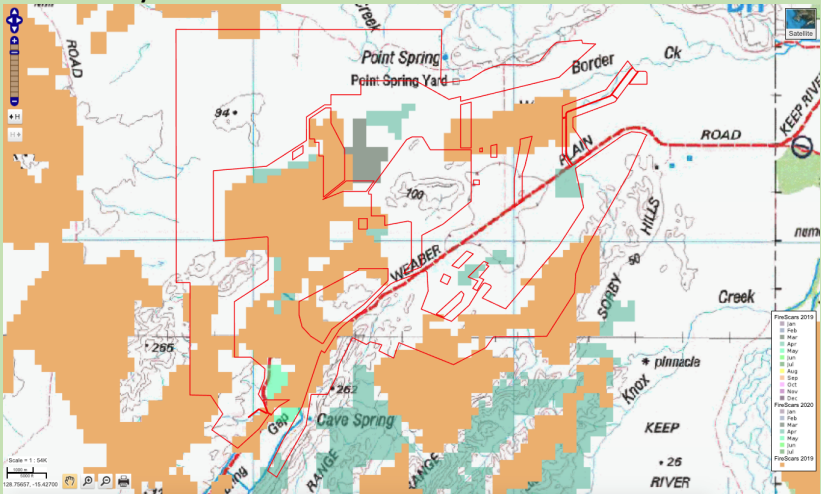
Compliant
Potentially non-compliant
Non-compliant
Completed
Unable to assess
Not Applicable

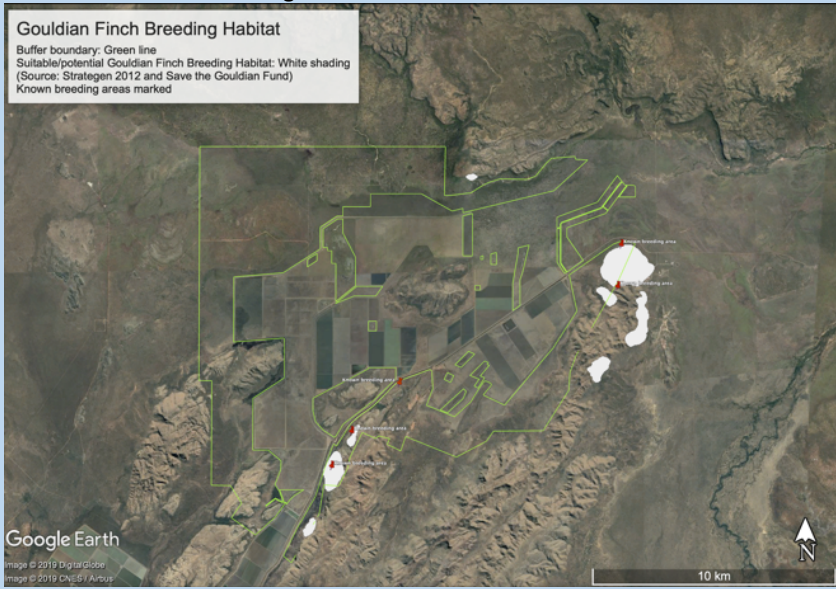
Table 4 - EPBC 2010-5491 Annual Environment Report

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
1	Within 30 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Completed	Completed in a previous reporting period.
2	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Compliant	Records have been retained through DPIRD and KAI. Appendix A summarises evidence utilised to inform this report. In addition to this, Attachment 5 to Appendix B – <i>Statement 938 and EMP Compliance Assessment Report 2019</i> – summarises evidence and reports retained to confirm compliance with the detailed Environmental Management Plan (EMP) required under Statement 938 issued under the WA <i>Environmental Protection Act 1986</i> . EVIDENCE: 2010.5491.1819.001 (also attached as Appendix B)
3	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Compliant	The annual report for the period 1 May 2018 to 30 April 2019 is available at http://www.drd.wa.gov.au/projects/Agriculture/Pages/Ord-East-Kimberley-Expansion.aspx This report was provided to the DAWE on 16 December 2019 and uploaded to the website on or around 17 December 2019. Previous (2016-2017 and 2017-2018) reports remain on the website, as to the EMP annual Compliance Assessment Reports relating to Statement 938. <i>This action did not meet the timing requirement of the condition</i> but was nonetheless completed in 2019, and it is thus considered that the intent has been met, given that previous AER's and the annual EMP compliance reports remained on the DPIRD website for public review. EVIDENCE: 2010.5491.1819.002 2010.5491.1810.003
4	The person taking the action must provide a schedule of works to the Department prior to the commencement of the action.	Completed	Completed in a previous reporting period.
5	To avoid and/or to minimise impacts on listed threatened and migratory species, the person taking the action must:	Not applicable	
5A	Not clear more than 9,375 hectares of vegetation (as described in the Supplementary Environmental Impact Statement);	Compliant	Per Appendix B (refer to page 36), a total of 7,416.21ha on the Weaber Plain have been cleared for irrigated agriculture since commencement of the project, with an additional 914.12ha cleared for infrastructure. Total cleared area is 8,330.33ha. There has been no change since the previous reporting period. EVIDENCE: 2010.5491.1819.001 (also attached as Appendix B)

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
5B	Establish a Buffer Area of at least 11,470 hectares (as shown in Figure 2 of the Supplementary Environmental Impact Statement), to be managed for conservation in perpetuity;	Completed	No change. Buffer was established in a previous reporting period. The former proponent, the Minister for State Development, reported a buffer area of 11,546.1021ha in the 2016-17 Annual Environment Report relating to EPBC 2010/5491. The extent of the buffer can be observed in Figure 2 of this report.
5C	Not clear any Gouldian Finch breeding habitat that is known to have been utilised by the Gouldian Finch	Compliant	No clearing of Gouldian Finch breeding habitat has occurred. No further clearing occurred in 2019-20. EVIDENCE: 2010.5491.1920.004 <i>Refer also to Figure 7 under Condition 6, below.</i>
5D	Use no more than 120 GL of water per water year from the Ord River System for irrigation in the development area;	Compliant	Kimberley Agricultural Investment Pty Ltd (KAI) reported 2019 irrigation water use at 46.01GL, including distribution losses. Of this, 34.24GL was released to farms through offtake meters. Refer to <i>Goomig Surface Water Report 2019</i> (Appendix C) for further information. EVIDENCE: 2010.5491.1920.005 (also attached as Appendix C)
5E	Discharge groundwater only in the K1 pool or downstream in the Keep River estuary (as identified in Figure 5 of the Supplementary Environmental Impact Statement).	Not applicable	Discharge of groundwater is not yet required.
6	In order to protect the Gouldian Finch, the person taking the action must prepare a Gouldian Finch Conservation Plan which must include the following:	Compliant	The Gouldian Finch Conservation Plan was finalised and approved in a previous reporting period. The Plan includes the required elements.
6A	A monitoring program that includes i. baseline surveys of the quality and distribution of Gouldian Finch feeding habitat in the Buffer Area; ii. annual monitoring of breeding populations, including timing and reproductive outputs; iii. annual wet season monitoring of foraging activity in critical wet-season feeding areas in close proximity to breeding areas; iv. mapping and annual monitoring of the phenology and productivity of wet season feeding habitat and assessment of their use by Gouldian Finches.	Potentially non-compliant	i) Baseline surveys were completed in a previous reporting period. ii) The previously contracted scientist, Dr Sarah Pryke of the Save the Gouldian Fund, declined to undertake annual monitoring of breeding populations due to relocation overseas. The tasks were subsequently tendered, with the intention to commence breeding population surveys in the late 2020 wet season (~April 2020). Shortly following the tender release, Commonwealth and State travel restrictions associated with the COVID-19 pandemic restricted travel to the Kimberley. Given the travel restrictions, the process to procure a consultant to undertake the population counts was deprioritised in favour of other priority procurements associated with the Department's COVID-19 response. All three suitable consultants who received tender documentation were located interstate. Only one responded. DPIRD sought and received a revised submission with the intention of completing non-breeding surveys in September 2020 and breeding surveys in early 2021. The Department will make best endeavours to arrange a travel exemption for the consultant to undertake non-breeding population counts in September 2020 however it is possible that an exemption will not be supported. In 2017 the Proponent submitted a request for variation to Condition 6 given stable

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
			<p>populations evidenced by monitoring. In January 2020, DPIRD submitted correspondence between itself and the Department of Biodiversity, Conservation and Attractions (DBCA) to the DAWE, seeking a decision on the variation request. Evidence item 2010.5491.1920.010 provides this request.</p> <p>iii) See item (ii) above. This work was not undertaken due to Covid-19 Kimberley access restrictions.</p> <p>iv) See item (ii) above.</p> <p>EVIDENCE: 2010.5491.1920.004 2010.5491.1920.006 2010.5491.1920.007 2010.5491.1920.008 2010.5491.1920.009 2010.5491.1920.010</p>
6B	A Fire Management Program developed and implemented to protect and enhance Gouldian Finch feeding and breeding habitat. The Fire Management Program must incorporate relevant findings from fire management projects such as, but not limited to, the Ecofire project conducted in the northern and central Kimberley (Rangelands NRM 2011, http://www.rangelandswa.com.au/pages/150/ecofire) and must be developed in close consultation with a Gouldian Finch expert.	Compliant	<p>Fire management throughout the Weaber Plain area has continued in mosaic form through the reporting period. The <i>Goomig Farm Area and Buffer Fire History Report 2000-2019</i> (generated from the Firenorth website) documents the reduction in the frequency and extent of burning in the project area in the last decade. The 'year since last burn' image pasted below (Figure 5), taken from this report, centred on the development area, clearly indicates that 'blanket burns' across the Weaber Plain are not occurring. Figure 6 (Firescar by month 2019-2020) indicates burning distribution during the reporting season. The majority of burns within the project area have occurred as stubble burns on-farm, in both the short and long terms since development began. Minimal buffer burning occurred in 2019-20 per Figure 6.</p> <p>This has contributed to enhanced buffer condition and a resultant increase in Gouldian Finch feeding habitat quality and extent in previous years. Despite the absence of Gouldian Finch monitoring in the 2019-20 period, as noted above, the mosaic burning approach is expected to have sustained the overall positive impact on Gouldian Finches in the buffer area.</p> <p>EVIDENCE: 2010.5491.1920.012 2010.5491.1920.012a-c (provide indicative photographs of Gouldian Finch breeding areas – unburnt – October 2019).</p>

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
			<p>Figure 5 – Year last burnt 2000-2019</p>  <p>Source: www.firenorth.org.au/nafi3/</p> <p>Figure 6 – Firescar by month 2019-2020</p>  <p>Source: www.firenorth.org.au/nafi3/</p>

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
6C	Widening of all vegetation corridors indicated in Figure 2 of the Supplementary Environmental Impact Statement (including between Lots 5 and 18 and Lots 9 and 14) to a minimum width of 400m.	Completed	The widening of vegetation corridors was completed in a previous reporting period. These corridors have been maintained as buffer areas.
6D	Avoidance of clearing any breeding habitat that has been utilised by the Gouldian Finch, as identified in Figure 1 of the Gouldian Finch Management Plan.	Compliant	<p>No clearing of Gouldian Finch breeding habitat has occurred. Breeding habitat is retained in buffers and not cleared, per Figure 7.</p> <p>Figure 7 – Gouldian Finch Breeding Habitat Areas</p>  <p>EVIDENCE: 2010.5491.1920.004</p>
6E	Salvaging of breeding hollows that are cleared for relocation in the Buffer Area and results of their use recorded as part of the monitoring program.	Completed	The salvaging and relocation of breeding hollows for installation as Gouldian Finch nest boxes was undertaken in 2013. Nest box locations are generally not disclosed in order to avoid buffer intrusion by ornithology tourists.
6F	Performance standards in relation to the Gouldian Finch population.	Compliant	Performance standards for Gouldian Finches have been established. Dr Sarah Pryke (Save the Gouldian Fund) advised in October 2018 that:

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
			<p>We [Save the Gouldian Fund] support removing the annual Gouldian finch monitoring in the Goomig area. In my view, the population is stable and will continue to remain so (as long as the breeding areas in the Buffer zones remain undeveloped, and cattle and fire are controlled). We have monitored the population since 2011. Although there was an initial absence of Gouldian finches directly after the development started (land clearing) in 2012, since then the population has been stable and continued to increase in the Buffer zones, despite farming development. Although there are annual fluctuations in population numbers between years, these are in line with those observed in other nearby (undisturbed) populations, and the populations of Gouldians remain present and breeding within the area. Furthermore, after the cattle were removed and strict fire regimes implemented (2012-2013), the seeding grasses used by Gouldian finches returned and they have continued to seed in good numbers for the last five years. As such, both the food and breeding source have remained stable and prospering in the Buffer areas, and are supporting a stable population of Gouldian finches.</p> <p>(Dr Sarah Pryke, pers.comm to DPIRD, 3 October 2018).</p> <p>As such, it is considered that the intent of this sub-condition has been met in the longer term, despite the absence of surveys for the current reporting year.</p> <p>EVIDENCE: 2010.5491.1920.009</p>
6G	Adaptive management triggers should performance standards not be met and contingency measures to be implemented if this occurs.	Unable to assess	<p>As Gouldian Finch monitoring did not occur, performance triggers could not be assessed for the reporting period. However, previous Gouldian Finch monitoring trends (2011-2019) combined with the sustained mosaic fire management approach illustrated in Figure 5, suggest that the threat to the Gouldian population has not increased with the establishment of the development.</p> <p>Refer also to advice from Dr Pryke, per condition 6F.</p>
6H	An annual audit and review of the effectiveness of management measures, operating controls and implementation of any required improvements to management conditions;	Potentially non-compliant due to Covid-19 restrictions	<p>The continued exclusion of cattle from the buffer (exclusion of main competitor), the addition of local watering points such as irrigation channels, and the fire management described under 6C (above) indicates that previous management which has resulted in increasing Gouldian Finch numbers (Save the Gouldian Fund, 2016, 2017, 2018) is being sustained. There is no evidence to suggest management may have contributed to declining habitat condition or finch populations. Refer also to advice from Dr Pryke, per condition 6F.</p>
6I	Protocols and timelines for review and reporting to the Department. The approved Gouldian Finch Conservation Plan must be implemented.	Compliant	<p>Protocols and timelines for reporting to the Department were incorporated into the <i>Gouldian Finch Conservation Plan</i> which was approved in 2012. Management actions from the <i>Gouldian Finch Conservation Plan</i> have continued to be implemented. Buffer management and addition of water to the Goomig environment via irrigation infrastructure continues to support the Gouldian Finch population as evidenced by past monitoring. This assessment is informed by the advice of the Save the Gouldian Fund provided above under 6F.</p>

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
7	In order to protect listed threatened species, the person taking the action must prepare a Buffer Management Plan (BMP), which must include;	Compliant	The <i>Buffer Management Plan</i> was finalised and approved in a previous reporting period. Per Appendix B (Statement 938 and EMP Compliance Assessment Report), the intent of the buffer management and monitoring actions has been met during the reporting period, despite non-conformances relating to the monitoring requirements. The buffer condition has continued to improve with mosaic fire management and the removal of grazing pressures (i.e. cattle). Both of these key actions have contributed to the increase in Gouldian Finches, as reported in previous seasons. EVIDENCE: Refer to Attachment 5 (Evidence register) of 2010.5491.1920.001 for detailed list of evidence relating to buffer monitoring and management.
7A	Vegetation and fauna surveys and mapping of the Buffer Area (shown in Figure 2 of the supplementary Environmental Impact Statement). Fauna surveys must be targeted for EPBC Act listed threatened species that are likely to occur in the Buffer Area. The program must be developed in consultation with WA DEC, with methodologies approved by the Department. The person taking the action must provide results of the survey program to the Department, including maps showing the location of any breeding, nesting or denning habitat identified in the Buffer Area. The survey program must include the endangered Northern Quoll (<i>Dasyurus hallucatus</i>), the vulnerable Red Goshawk (<i>Erythrotriorchis radiates</i>) and the vulnerable Northern Shrike-tit (<i>Falcunculus frontatus whiteii</i>). Surveys must be completed prior to 31 December 2012.	Completed	Completed in a previous reporting period.
7B	Details of tenure and management arrangements of the Buffer Area that provides assurance that the area will be conserved and managed in perpetuity.	Completed	Completed in a previous reporting period.
7C	Ongoing management practices that will be applied to the Buffer Area to maximise benefits to listed threatened species.	Compliant	Ongoing management practices are incorporated into the approved Buffer Management Plan. Detailed compliance with monitoring and management obligations is included in evidence item 2010.5491.1920.001 – annual Compliance Assessment Report prepared in relation to Statement 938. While prescribed monitoring has not been undertaken in all cases, the intent of the BMP has been met.
7D	Methods to control human disturbance of the Buffer Area, including restriction of vehicular access.	Compliant	Methods to control human disturbance in the buffer are included in the approved Buffer Management Plan. Signage remains installed at track entries. Natural and physical barriers (for example, rough terrain and irrigation drains respectively) restrict human access.

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
7E	Regular and ongoing inspection of the Buffer Area for weeds, plant pathogens and pest animals and methods to prevent the introduction and spread and provide for quick control of weeds, plant pathogens and pest animals in the Buffer Area.	Compliant	Regular and ongoing inspections occur during monitoring events including bore monitoring required under Condition 12 (Groundwater Management Plan).
7F	Fire management of the Buffer Area to maximise benefits to listed threatened species.	Compliant	Refer to condition 6B.
7G	Methods to minimise the impacts of construction activities on the Buffer Area.	Compliant	Construction is now entirely undertaken on-farm, with impact on the buffer limited to the last remaining borrow pit (Area 11), which will remain in use for the foreseeable future. Designated tracks and site boundaries are evident.
7H	Rehabilitation of disturbed portions of the Buffer Area to benefit listed threatened species.	Completed	Rehabilitation of construction tracks and the former site compound was completed by LandCorp under the previous proponent.
7I	Responsibilities and provision of resources for the ongoing management of the Buffer Area.	Compliant	DPIRD remains responsible for buffer management as Proponent.
7J	Protocols and timing of review and reporting to the Department.	Compliant	Protocols and timing are included in the approved Buffer Management Plan.
7K	The approved Buffer Management Plan must be implemented. Note: To avoid doubt, if a condition of another approval held by the proponent requires a Buffer Management Plan, the proponent may simultaneously meet the relevant requirements of both conditions by submitting a single plan.	Compliant	The attached <i>Statement 938 and EMP Compliance Assessment Report</i> (Appendix B) identifies potential minor non-conformances with buffer monitoring requirements, however overall the assessment is made that the Proponent is compliant with the Buffer Management Plan. This assessment is made on the basis that vegetation condition monitoring, exclusion of cattle and maintenance of fences has occurred in the buffer. Further, mosaic fire management in the buffer (refer to Condition 6B) has continued in 2019-20, as has pest and weed control (refer to Condition 8). The Proponent and KAI continue to retain photographic and documentary evidence of buffer condition and regular inspections, as listed in Appendix B. Human access remains controlled, with KAI managing the buffer.
8	In order to protect listed threatened species, the person taking the action must undertake the action in accordance with the Weed, Plant pathogen and Pest Management Plan approved under the Environmental Protection Act 1986, and any amendments to that plan. The person taking the action must provide an annual report to the Department on compliance with the plan, with the first report submitted not later than 12 months after commencement of the action.	Compliant	Per Appendix B (Statement 938 and EMP Compliance Assessment Report 2019), weed, plant pathogen and pest management actions have been undertaken in the buffer. EVIDENCE: 2010.5491.1920.001 (attached as Appendix B).
9	The person taking the action must appoint an Independent Review Group to review hydrological aspects of the action and associated impacts on EPBC Act listed threatened	Compliant	The Independent Review Group (IRG) was originally established in 2011. The IRG met on 12 April 2019 (immediately prior to this reporting period), 27 February 2020, and 7 May 2020 (immediately after this reporting period).

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	species. The Independent Review Group must be established prior to the submission of the Aquatic Fauna Management Plan, Stormwater and Groundwater Discharge Management Plan and Groundwater Management Plan (referred to in Conditions 10, 11 and 12) to the Minister for approval. The Independent Review Group must be established according to the following requirements:		EVIDENCE: 2010.5491.1920.013 2010.5491.1920.014 2010.5491.1920.015 2010.5491.1920.016 2010.5491.1920.017 2010.5491.1920.018 2010.5491.1920.020 2010.5491.1920.021
9A	The group must be funded, resourced and managed by the person taking the action.	Compliant	DPIRD resources the IRG.
9B	The group must consist of independent scientific and technical experts, of whom at least one must be a Glyphis and Pristis expert and two must be technical experts with at least 5 years' experience in northern Australian surface water and groundwater hydrology. The members of the group and any subsequent changes must be approved by the Minister.	Compliant	Associate Professor David Morgan from Murdoch University has joined the IRG as the Glyphis and Pristis expert, following the retirement of Dr Helen Larsen. EVIDENCE 2010.5491.1920.019
9C	Terms of Reference for the group must be prepared by the person taking the action and submitted for approval by the Minister. The Terms of Reference must include the frequency of proposed meetings and chairing and quorum arrangements. The Terms of Reference must be approved by the Minister in writing prior to the submission of the Aquatic Fauna Management Plan, Stormwater and Groundwater Discharge Management Plan and Groundwater Management Plan, to the Minister for approval.	Compliant	No changes to the IRG Terms of Reference.
9D	The group must provide advice on any substantive changes to, or reviews of the Aquatic Fauna Management Plan, Stormwater and Groundwater Discharge Management Plan and Groundwater Management Plan (referred to in Conditions 10, 11 and 12).	Compliant	Substantive changes to the <i>Stormwater and Groundwater Management Plan</i> (SGDMP) have been considered by the IRG over the period 2019-20, following extensive review of the current monitoring requirements and management arrangements. The IRG met immediately after the current reporting period (7 May 2020) to review the latest revision of the SGDMP. EVIDENCE: 2010.5491.1920.015 2010.5491.1920.021 2010.5491.1920.024
9E	The group must assess any exceedance of trigger values	Compliant	The IRG reviewed trigger value exceedances at its February and May 2020 meetings.

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	and advise changes as required.		
9F	The Minister may seek advice from the review group at any time. Specific matters identified through such advice may need to be addressed in the Management Plans. Where such advice is sought the proponent would be provided with opportunity to submit information and respond to the specific matters identified, in order to ensure the Management Plans are based on the best available information.	Not applicable	Advice not sought by the Minister during the current reporting period.
10	In order to protect listed threatened species in the Keep River, the person taking the action must prepare an Aquatic Fauna Management Plan (AFMP), in consultation with the WA DEC and the Independent Review Group. The AFMP must be submitted for approval by the Minister. Clearance of farm lots must not be undertaken until the AFMP is approved. The AFMP must include:	Compliant	The <i>Aquatic Fauna Management Plan</i> was approved in a previous reporting period and contains the required elements as stipulated under Condition 10. EVIDENCE: 2010.5491.1920.014 2010.5491.1920.020 2010.5491.1920.021 2010.5491.1920.022 2010.5491.1920.023 2010.5491.1920.024 2010.5491.1920.025
10A	A targeted, non-lethal baseline surveying program for listed threatened species that are likely to occur in the Keep River. This must include the critically endangered Speartooth Shark (<i>Glyphis glyphis</i>), the endangered Northern River Shark (<i>Glyphis garricki</i>), the vulnerable Dwarf Sawfish (<i>Pristis clavata</i>) and the vulnerable Freshwater Sawfish (<i>Pristis microdon</i>). The methodology of the baseline surveying program must be developed in consultation with the Independent Review Group. Surveys must be conducted over a period of 3 years and must be undertaken in the four Keep River pools (K1, K2, K3 and K4) and at least 3 sites in the Keep River Estuary.	Completed	Baseline studies of aquatic fauna in the Keep River were completed in a previous reporting period.
10B	Details of water quality and flow requirements, including relevant downstream environmental quality parameters, in accordance with ANZECC guidelines.	Compliant	The Keep River pools monitoring program has been reviewed and revised, with evidence item 2010.5491.1920.023 (revised draft SGDMP) presented to the IRG for review at its May 2020 meeting. The revised draft SGDMP includes recommended water quality monitoring requirements, and DW1GS flow triggers. Revised ANZECC 99% species protection levels for farm chemicals are being utilised in risk assessment and water quality data reviews. The current revision of the SGDMP follows an outcomes-based approach, in line with the WA

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
			EPA guidelines for environmental management plans.
10C	A monitoring program in the Keep River pools to be undertaken to ensure water quality and flow does not exceed trigger values.	Compliant	The Keep River water quality monitoring program continued to be implemented in 2019-20, as reported in 2010.5491.1920.005 and incident reports (evidence items 026, 027, 028 and 029).
10D	Details of an outcome-based risk assessment which utilises data collected during the baseline monitoring program to determine the potential for risk to listed species at an individual and local population level.	Compliant	An outcomes-based risk assessment was completed in a previous reporting period. The IRG and DPIRD continue to assess risk through annual review of farm chemicals, review of monitoring data and monitoring regimes (e.g. per the SGDMP review).
10E	Details of management objectives, management actions, performance standards and contingency measures to mitigate impacts on listed aquatic fauna species in the Keep River.	Compliant	Management objectives, performance standards and contingency measures have previously been assessed in the existing AFMP as compliant with the requirements of this condition. Proponent and IRG review of monitoring informs ongoing management.
10F	Regular and ongoing inspection of the Border Creek and Keep River for weeds, plant pathogens and pest animals and methods to prevent the introduction and provide for quick control of weeds, plant pathogens and pest animals in the Border Creek and Keep River as a result of the action.	Compliant	Regular inspections for weeds, plant pathogens and pest animals along Border Creek and the Keep River are undertaken during routine water quality monitoring. A previous <i>Parkinsonia</i> weed infestation at the Keep River E1 pool (the origins of which may pre-date the Weaber Plain development) is no longer evident following treatment by KAI on behalf of DPIRD.
10G	A targeted aquatic fauna monitoring program to be undertaken to measure the success of management measures to inform an adaptive management approach.	Compliant	Post-development Keep River aquatic fauna monitoring is required three years after development. At its June 2015 meeting, the IRG agreed that this post-development monitoring could occur when 90% of Goomig (Weaber Plain) farms are irrigated. At its February 2020 meeting, the IRG agreed that post-development Keep River aquatic ecology monitoring should commence in 2020. New IRG member Associate Professor David Morgan reviewed previous reports and methods undertaken. At the time of preparation of this report, DPIRD is procuring suitably qualified aquatic fauna monitoring consultants to undertake this work.
10H	Protocols and timelines for review and reporting to the Department. The approved Aquatic Fauna Management Plan must be implemented.	Compliant	The AFMP includes reporting protocols and timelines. Reporting occurred per evidence items 2010.5491.1920.026 through to 2010.5491.1920.029 and 2010.5491.1920.002.
11	In order to protect listed threatened species in the Keep River, the person taking the action must prepare a <i>Stormwater and Groundwater Discharge Management Plan</i> (SGDMP) in consultation with the Independent Review Group. The SGDMP must be submitted for approval by the Minister. Clearance of farm lots must not be undertaken until the SGDMP is approved. The SGDMP must include:	Compliant	The <i>Stormwater and Groundwater Discharge Management Plan</i> (SGDMP) was approved in a previous reporting period. Baseline monitoring of the Keep River was completed in a previous reporting period. As noted under Condition 9, revision of the SGDMP is being undertaken. The IRG supported the full SGDMP review at its April 2019 meeting. The revised draft SGDMP was presented to the February 2020 and May 2020 IRG meetings. The revised SGDMP addresses this condition and meets the WA EPA requirements for environmental management plans. EVIDENCE: 2020.5491.1920.002

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
			2010.5491.1920.013 2010.5491.1920.014 2010.5491.1920.015 2010.5491.1920.016 2010.5491.1920.020 2010.5491.1920.021 2010.5491.1920.022 2010.5491.1920.023 2010.5491.1920.024 2010.5491.1920.025 2010.5491.1920.026 2010.5491.1920.027 2010.5491.1920.028 2010.5491.1920.029
11A	Details of a Tailwater Management System to be established on each farm to manage runoff and minimise the discharge of pollutants into the Border Creek and Keep River. The Tailwater Management System must be actively managed to minimise the discharge of stormwater into the Border Creek and Keep River. The Tailwater Management Systems must be constructed and operational prior to commencement of irrigation.	Compliant	Tailwater management systems have been installed on Goomig farms. No tailwater flows from Goomig were reported during dry season irrigation. Wet season irrigation and tailwater management is being considered and addressed through the IRG, given the transition to wet season cropping which is occurring on the Goomig farmlands.
11B	Management actions to prevent runoff transporting pollutants downstream should the agreed tailwater retention capacity be reached. This must include diversion of on-farm stormwater to irrigation channels in periods of low flow, where there is capacity, as identified by Conditions 11 .G and 11 .H, to ensure pollutants are not transported into the Border Creek and Keep River in low flow periods.	Potentially non-compliant	Evidence item 2010.5491.1920.026 relates to an incident which occurred following first wet season rains and runoff in November 2020. Farm chemicals were detected in run-off and in the Keep River, however no triggers had been set for the chemicals identified. Following this, the IRG and DPIRD agreed to incorporate additional chemicals for testing in the revised SGDMP.
11C	A baseline monitoring program for water quality and hydrology in the Border Creek and Keep River. This must be completed prior to commencement of irrigation and prior to any release of stormwater or groundwater from farms. Sampling sites must include the Keep River estuary and the four Keep River pools (K4, K3, K2 and K1). Methodologies and sampling locations must be established in consultation	Completed	Baseline monitoring was completed in a previous reporting period.

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	with the Independent Review Group.		
11D	Installation of water quality and flow gauging stations capable of sampling first flush discharges at the stormwater outlet from the Development Area and installation of flow gauging stations at Border Creek and Keep River, in consultation with the Independent Review Group. Sampling must include analytes identified in Condition 11.I and must have the required accuracy to measure low flow rates. Gauging stations must be established prior to the commencement of irrigation. For any release of first flush water, monitoring must be conducted more than once a day and for any other stormwater flows monitoring must be conducted at least once per day. Automated sampling techniques may be utilised.	Potentially non-compliant	<p>The monitoring technologies associated with the DW1GS gauging station (DW1GS) were undergoing independent review at the time of preparation of this report. The functionality of this flow monitoring point was not restored during the reporting period, despite the identification of communications and data flow issues in previous reporting periods. The DW1GS, as the outlet point for stormwater runoff from the development area, is required to function if water flows are to be monitored effectively and efficiently, and dilution calculations (to assess Keep River risks) are to be made in a responsive and timely manner.</p> <p>The DW1GS is currently not capable of sampling first flush discharges, however, on advice from the IRG, samples were taken manually during the first sustained wet season flow to the Keep River in December 2019 and January 2020. The IRG has previously agreed that daily stormwater sampling is not required where there is not a risk to the Keep River.</p>
11E	Seasonal baseline water quality trigger values for the Keep River must be determined in accordance with ANZECC guidelines and agreed by the Independent Review Group. Until these trigger values are agreed by the Independent Review Group, ANZECC guidelines trigger values for systems with high conservation/ecological value (as defined in the ANZECC guidelines) must be used. Sample analytes must be agreed to by the Independent Review Group and in accordance with Condition 11.I.	Compliant	Seasonal baseline water quality triggers were established following the baseline studies, and have been included in the revised SGDMP.
11F	Use of best practice multivariate analyses on species level macro-invertebrate and fish assemblage data, with an adequate experimental design (as defined in the Aquatic Fauna Management Plan required under Condition 10), using multiple indices of 'ecological condition' and a 'weight of evidence' approach, to assess any change in ecological health of Keep River Pools (K1, K2 & K3) relative to baseline and upstream reference sites.	Compliant	This analysis and assessment will be undertaken by the consultant using the data from the field monitoring in September/October.
11G	Updating of the discharge dilution and release timing model (based on Keep River and Border Creek flow monitoring data and water quality characteristics of stormwater from the Development Area). This must be conducted prior to commencement of irrigation and	Compliant	<p>Updating of the dilution and release timing model has been included in the development of the revised SGDMP. Dilution considerations were discussed by the IRG at its 2019 and 2020 meetings, taking into account water quality monitoring.</p> <p>EVIDENCE:</p>

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	annually during operation.		2010.5491.1920.015 2010.5491.1920.020 2010.5491.1920.021 2010.5491.1920.005
11H	An adaptive groundwater and stormwater discharge program to provide for adaptive management of the discharge of stormwater and surplus groundwater that includes:	Compliant	The revision of the SGDMP reflects the adaptive approach to managing stormwater runoff from the Goomig farmlands, within the broader catchment context of the Keep River – including in relation to dilution.
11H i	discharge rules and rates and contingency actions; and	Compliant	Rules, rates and contingency actions in relation to stormwater runoff and tailwater management are included in the revised SGDMP. There is currently no requirement to discharge groundwater.
11H ii	monitoring locations and requirements including infrastructure and setup;	Compliant	Monitoring locations have been determined and adopted following the baseline Keep River water quality assessment. These include the DW1GS, K4, K3, K2, K1, E1, E2 and E3 pools.
11H iii	design and location of dewatering infrastructure;	Not applicable	Dewatering is not yet required.
11H iv	design and location of discharge infrastructure;	Compliant	The DW1GS has been constructed per design in a previous reporting period. Groundwater discharge infrastructure is not yet required.
11H v	written evidence of any Northern Territory Government permits that are required for discharge of groundwater; and management measures that ensure discharge of water will not impact on water quality in Border Creek and Keep River, including erosion protection measures.	Not applicable	Groundwater discharge permits are not yet required.
11I	Establishment of a list of key analytes to be sampled as part of ongoing water quality monitoring in consultation with the Independent Review Group. The list must be updated annually based on monitoring results	Compliant	Key analytes were reviewed in the February and May 2020 IRG meetings – particularly in relation to proposed on-farm actual chemical usage – and incorporated into the draft revised SGDMP. The list will continue to be updated annually. EVIDENCE: 2010.5491.1920.030 2010.5491.1920.031
11J	Discharge of groundwater to the Keep River to occur only if all other strategies have been undertaken and there is sufficient flow as determined by Condition 11 .H. Discharge must be in the K1 pool or downstream in the Keep River estuary (as identified in Figure 5 of the Supplementary Environmental Impact Statement), with discharge timings and rules developed with consideration of ebb tides and in consultation with the Independent Review Group.	Not applicable	Groundwater discharge is not yet required.

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
11K	Contingency actions to dispose of excess groundwater should monitoring results from Condition 10.C and 10.G indicate there are likely to be adverse impacts on listed threatened species as a result of the action.	Not applicable	Groundwater discharge is not yet required.
11L	An Operational Surface Water Model (OSWM) (that incorporates the outcomes of Conditions 11.A, 11.G and 11.H, and the requirements of 11.J and 11.K) to minimise discharges of stormwater and groundwater into the Border Creek and Keep River and ensure that all flow rules are complied with. A framework of the OSWM must be provided prior to commencement of irrigation and a full model, which includes updated monitoring results, provided within 12 months of the commencement of irrigation. The OSWM must be updated on a seasonal basis.	Compliant	A simplified Operational Surface Water Model has been incorporated into the revised SGDMP, along with early warning criteria
11M	Contingency measures should water quality and flow trigger values be exceeded or there are impacts on the health of threatened species as identified in aquatic fauna monitoring results in Condition 10.G. This must include the ceasing of discharge of stormwater and groundwater to Border Creek and Keep River, implementation of a high intensity (at least daily) water quality sampling program, release of fresh irrigation water to flush the system and changes to farm practices such as reducing or ceasing the use of fertilisers and chemicals.	Compliant	Contingency measures are included in the approved and draft revised SGDMP.
11N	Protocols and timelines for reporting to the Department. The approved Stormwater and Groundwater Discharge Management Plan must be implemented. Note: To avoid doubt, if a condition of another approval held by the proponent requires a Stormwater and Groundwater Discharge Management Plan (or a similar plan), the proponent may simultaneously meet the relevant requirements of both conditions by submitting a single plan.	Compliant	Reporting protocols are included in the approved SGDMP. Evidence items 2010.5491.1920.027, 028 and 029 relate to flows to and impacts on the Keep River which <i>did not originate from the Goomig farm area</i> . Nonetheless, DPIRD provided reports on flow events and associated water quality impacts to DAWA as a courtesy, due to the potential outcomes on the Keep River. These items are reported and included here for completeness.
12	In order to protect listed threatened species in the Keep River, the person taking the action must prepare a Groundwater Management Plan (GMP) in consultation with the Independent Review Group. The GMP must be	Compliant	The Groundwater Management Plan (GMP) was approved in 2012. The GMP is to be updated per the IRG meeting held in February 2020.

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	submitted for approval by the Minister. Clearance of farm lots must not be undertaken until the GMP is approved. The GMP must include:		EVIDENCE: 2010.5491.1920.015
12A	Expansion of the existing groundwater monitoring bore network for the collection of baseline and ongoing groundwater data. The expanded bore network must be installed prior to commencing clearance of farm lots and at least 18 months before the commencement of irrigation and must include:	Completed	The GMP includes the expanded bore network as stipulated in the condition.
12A i	At least 20 high intensity regional bores.	Completed	Completed in a previous reporting period.
12A ii	At least 30 low intensity regional bores.	Completed	Completed in a previous reporting period.
12A	The management plan must indicate the locations for the expanded bore network.	Completed	Completed in a previous reporting period. The approved GMP includes bore locations.
12B	Monitoring of the bores established under Condition 12.A to collect baseline and ongoing groundwater data. Baseline monitoring must commence at least 18 months prior to commencement of irrigation. Sampling parameters must be determined in consultation with the Independent Review Group and must include:	Potentially non-compliant	<p>DPIRD has reviewed groundwater monitoring results as recommended by the IRG in October 2018. The report on the analysis of the groundwater monitoring is provided as evidence item 2010.5491.1920.032. The review found gaps in monitoring data and made recommendations on improving quality and consistency in monitoring, data collection and reporting. Gaps and inconsistencies in the monitoring is the reason for the potential non-compliance on this item.</p> <p>Key findings of the review include:</p> <ul style="list-style-type: none"> Groundwater levels have risen in the cleared and irrigated areas (1m over 4 years) and the cleared areas (0.5m over 4 years) relative to reference bores and those in uncleared areas. This is consistent with the rise forecast by modelling undertaken by KBR (2011) during the EPBC assessment process. When compared to the KBR (2011) scenario of 'medium climate, development and control measures', the rate of watertable rise is less than forecast, with KBR modelling predicting 5m over 10 years or 0.5m/year. The DPIRD review indicates this may be due to a slower rate of development or it may be that model parameters may also require assessment. Minimal chemistry response in groundwater was identified. <p>Monitoring recommendations from the review include:</p> <ul style="list-style-type: none"> Reducing monitoring frequency to annual (September each year) Farm bores are no longer required A further review to be undertaken in 5 years, following which the groundwater model should be updated Change to Condition 12E (modelling frequency) is suggested

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
			<ul style="list-style-type: none"> Future monitoring schedule (on a bore by bore basis) is provided <p>Following the DPIRD review of the groundwater data collected to date, the IRG requested an update to the GMP.</p> <p>EVIDENCE: 2010.5491.1920.015 2010.5491.1920.032 2010.5491.1920.033 2010.5491.1920.034 2010.5491.1920.035 2010.5491.1920.036 2010.5491.1920.037 2010.5491.1920.038</p>
12B i	High intensity bores - Daily groundwater levels and temperature monitoring; Seasonal monitoring of Electrical Conductivity (EC), pH, Total Dissolved Solids (TDS), major cations and anions, nutrients and pesticides.	Potentially non-compliant	Monitoring gaps and inconsistencies were detected in the groundwater monitoring review, as noted above.
12B ii	High intensity bores - Seasonal monitoring of EC, pH, groundwater levels, TDS, nutrients and pesticides.	Potentially non-compliant	Monitoring gaps and inconsistencies were detected in the groundwater monitoring review, as noted above.
12C	The establishment of at least one on-farm bore per farm. The on-farm bore network must be installed prior to commencement of irrigation.	Compliant	Bores adjacent to farms are considered 'farm bores' where proximate. The review of groundwater monitoring to date recommends removal of this requirement. The IRG has supported this recommendation. EVIDENCE: 2010.5491.1920.015 2010.5491.1920.032
12D	Monitoring of the on-farm bores established under Condition 12.C to collect baseline and ongoing groundwater data. Parameters for monitoring must be determined in consultation with the Independent Review Group and must include seasonal monitoring of groundwater levels, EC and pH	Potentially non-compliant	The review of groundwater monitoring to date recommends removal of this requirement. The IRG has supported this recommendation. EVIDENCE: 2010.5491.1920.015 2010.5491.1920.032
12E	Updates of the groundwater model and operation of the groundwater management system with monitoring data derived from Conditions 12.B and 12.D to assist in determining an optimal dewatering strategy. Numerical groundwater modelling must be updated prior to commencement of irrigation and in consultation with the	Compliant	DPIRD's groundwater monitoring review recommended that the next groundwater modelling update be undertaken after the next data review, when the development has been completed and at least two more comprehensive chemistry sample sets (high intensity bores) plus 5 years of other data have been collected and analysed. The IRG endorsed the recommendations at its February 2020 meeting.

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	Independent Review Group. Subsequent updates must be conducted every 2-4 years depending on monitoring in Condition 12.D (if worst case scenario indicates a breach in trigger levels, modelling must be updated every 2 years, otherwise every 4 years);		
12F	Monitoring of the bores established under Condition 12.C for physical, chemical and nutrient parameters, if high or low intensity bores exceed groundwater quality or groundwater level triggers. Sampling must include groundwater levels, EC, TDS, major cations and anions, nutrients, pesticides and pH and must be undertaken on a seasonal basis for five years following the exceedance of trigger levels.	Potentially non-compliant	Monitoring gaps and inconsistencies were detected in the groundwater monitoring review, as noted above. EVIDENCE: 2010.5491.1920.015 2010.5491.1920.032
12G	Establishment of baseline groundwater quality monitoring in accordance with ANZECC guidelines (2000). Site specific trigger levels may be determined in consultation with the IRG, within the context of Condition 11.	Completed	Baseline groundwater quality has been established.
12H	Establishment of groundwater management infrastructure, including a network of groundwater abstraction bores in the Development Area and Buffer Area and discharge infrastructure at the K1 pool or downstream in the Keep River estuary designed in consultation with the Independent Review Group. Forecasting of trigger level exceedance must be projected 10 years into the future. Abstraction wells and groundwater discharge infrastructure must be installed and operational prior to any expected breach of trigger levels based on forecasting (incorporating the accuracy of the model into installation timings).	Not applicable	Dewatering is not yet required.
12I	Establishment of a series of high intensity reference bores, at locations agreed to by the Independent Review Group, to define a groundwater reference condition. The reference bores must be installed at least 18 months prior to commencement of irrigation.	Completed	Reference bores were established in a previous reporting period.
12J	Monitoring of the bores established under Condition 12.I to collect reference baseline and ongoing groundwater data. Sampling must include daily groundwater levels and temperature and seasonal EC and pH levels;	Potentially non-compliant	Monitoring gaps and inconsistencies were detected in the groundwater monitoring review, as noted above. Bore monitoring results for 2019-20 have been incorporated into the groundwater database.

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
			EVIDENCE: 2010.5491.1920.015 2010.5491.1920.032
12K	Details of contingency measures should groundwater levels, soil salinity, chemicals or nutrients exceed trigger levels. This must include details of increased monitoring, implementation of a groundwater control program and changes to farm practices such as reducing or ceasing the use of fertilisers and chemicals.	Compliant	The approved GMP contains details of contingency measures (which the review of groundwater monitoring indicated are not yet required).
12L	Details of contingency measures to be implemented should trend analysis of groundwater levels exceed the trend at reference bores by a rate determined in consultation with the Independent Review Group. This must include details of increased monitoring and implementation of a groundwater control program.	Compliant	Contingency measures have been included in the approved GMP.
12M	Protocols and timelines for review and reporting to the Department	Compliant	Protocols and timelines for review and reporting have been included in the approved GMP.
12	The approved Groundwater Management Plan must be implemented. Note: To avoid doubt, if a condition of another approval held by the proponent requires a Groundwater Management Plan, the proponent may simultaneously meet the relevant requirements of both conditions by submitting a single plan.	Compliant	Despite monitoring gaps and inconsistencies highlighted in the review, monitoring data indicates the impact of the development on groundwater is within the originally expected range, and the intent of the GMP has reasonably been met. EVIDENCE 2010.5491.1920.033 2010.5491.1920.034 2010.5491.1920.035 2010.5491.1920.036 2010.5491.1920.037
13	In order to protect listed threatened species, the person taking the action must prepare a Decommissioning Plan (DP), in consultation with the WA DEC. A preliminary DP must be submitted for approval by the Minister not more than 5 years after commencement of the action and a final DP submitted at least 6 months prior to the anticipated date of decommissioning. The DP must include: A. The progressive removal or reuse of infrastructure where operations cease;	Compliant	The preliminary Decommissioning Plan was provided to the Department by the former proponent during a previous reporting period. Implementation of the Decommissioning Plan is not yet required, nor is it envisaged given the long-term nature of farming.

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	<p>B. Establishment of management practices and safeguards to minimise environmental disturbance;</p> <p>C. Measures to ensure Matters of National Environmental Significance are not impacted by progressive decommissioning, or final decommissioning of infrastructure;</p> <p>D. Rehabilitation actions for the infrastructure sites following decommissioning including for:</p> <ul style="list-style-type: none"> i. optimising habitat and habitat connectivity for Matters of National Environmental Significance; ii. enhancing pre-construction environmental quality; and iii. ongoing management during rehabilitation. <p>The approved Decommissioning Plan must be implemented.</p> <p>Note: To avoid doubt, if a condition of another approval held by the proponent requires a Decommissioning Plan, the proponent may simultaneously meet the relevant requirements of both conditions by submitting a single plan.</p>		
14	<p>In order to offset the potential impacts on listed threatened species, including the endangered Gouldian Finch (<i>Erythrura gouldiae</i>), the endangered Northern Quoll (<i>Dasyurus hallucatus</i>), the vulnerable Red Goshawk (<i>Erythrotriorchis radiates</i>), the vulnerable Crested Shrike-tit (<i>Falcunculus frontatus whitei</i>), the critically endangered Speartooth Shark (<i>Glyphis glyphis</i>), the endangered Northern River Shark (<i>Glyphis garricki</i>), the vulnerable Freshwater Sawfish (<i>Pristis microdon</i>) and the vulnerable Dwarf Sawfish (<i>Pristis clavata</i>), the person taking the action must prepare an Offset Management Plan (OMP) in consultation with the WA DEC. The OMP must be submitted for approval by the Minister. The OMP must be submitted to the Department for approval by the Minister no later than 12 months after the date of this approval</p>	Compliant	<p>The Offset Management Plan was approved in 2012. The required vegetation mapping was undertaken in a previous reporting period. The requirements of this Condition have been largely completed.</p> <p>DPIRD continues to provide \$150,000 per year to the CSIRO for the <i>Glyphis</i> and <i>Pristis</i> research program established under this condition.</p>

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	<p>decision. The OMP must include, but should not be limited to:</p> <p>A. Details of the direct offsets proposed in the draft Environmental Impact Statement and how these will deliver long-term conservation benefits for relevant terrestrial listed threatened species that would not otherwise be achieved. This must include:</p> <ul style="list-style-type: none"> i. Mapping of the native vegetation habitat suitable for listed threatened species; ii. Details of the area and characteristics of suitable habitat for listed threatened species; iii. Details of whether the offset site provides the same landscape function and habitat type for the listed species as the habitat cleared or impacted by the proposal; iv. Details of whether the offset site delivers a real conservation outcome that would not have otherwise been achieved (i.e. whether it was to be protected regardless of the action); v. Steps that will be taken to ensure that any direct offset site will be protected in perpetuity for conservation purposes and details of evidence that will be provided to the Department that conservation covenants have been entered into; vi. Provision of ongoing management of the offset site, including details of funding mechanisms. <p>B. Details of alternative direct or indirect offsets if the proposed offsets do not satisfy the requirements listed in Condition 14.A;</p> <p>C. Funding of research activities, agreed by the Department, to an amount of no less than \$150,000 per year for 10 years, for the management, monitoring and/or improved protection of the critically endangered Speartooth Shark (<i>Glyphis glyphis</i>), the endangered Northern River Shark</p>		

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	<p>(<i>Glyphis garricki</i>), the vulnerable Freshwater Sawfish (<i>Pristis microdon</i>) and the vulnerable Dwarf Sawfish (<i>Pristis clavata</i>). The proposed research activities must be developed in consultation with the Sawfish and Glyphis Recovery Team. Payments must be made to a trust fund agreed to by the Department. Research activities must be approved and the first yearly payment must be provided within 18 months of the date of this approval decision.</p> <p>The approved Offset Management Plan must be implemented.</p>		
15	<p>If the person taking the action wishes to carry out any activity otherwise than in accordance with any of the management plans as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management plan, that management plan, must be implemented in place of the management plan originally approved.</p>	Compliant	<p>The Proponent anticipates submitting revised management plans in relation to Conditions 10, 11 and 12 in the forthcoming reporting period (2019-20), addressing issues raised in this report.</p> <p>Variation requests for amendments to Conditions 6, 11 and 12 have been submitted. Variations to Conditions 7 and 10 may also be sought.</p> <p>Where implementation has not occurred wholly in line with a management plan requirement (for example, buffer vegetation monitoring), the Proponent has implemented an alternative monitoring program and continues to ensure no decline in environmental condition which may negatively impact upon Matters of National Environmental Significance. This also relates to aquatic fauna in the Keep River, and the associated monitoring requirements under review by the IRG.</p>
16	<p>If the Minister believes that it is necessary or convenient for the better protection of the listed threatened and migratory species to do so, the Minister may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan must be implemented. Unless the Minister has approved the revised management plan, then the person taking the action must continue to implement the management plan originally approved, as specified in</p>	Not applicable	<p>No requests to amend management plans were received during the reporting period.</p>

Condition number / reference	Condition	Is the project compliant?	Evidence / comments
	the conditions.		
17	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval and any baseline information and monitoring results required by these plans on their website. Each management plan must be published on the website within 1 month of being approved and all baseline information and monitoring results must be published on the website annually, beginning twelve months after the commencement of the action.	Compliant	The management plans referred to in the conditions are available at http://www.drd.wa.gov.au/projects/Agriculture/Pages/Ord-East-Kimberley-Expansion.aspx
18	Prior to the sale of any land the person taking the action must provide evidence to the Department that any relevant conditions (including, but not limited to the requirements of Conditions 6, 7, 8, 10, 11, 12 and 13) have been registered on the title.	Completed	The wording for condition registration on titles was agreed by the Department in November 2012. There have been no land sales to date. KAI leases the majority of the farm lots from the WA Government, and MG Corporation (Traditional owners) are to receive lots 15 and 16 in freehold under the terms of the <i>Ord Final Agreement</i> (the relevant Native Title settlement).
19	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Not applicable	An independent audit was not directed by the Minister during the reporting period.
20	If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Completed	The project has substantially commenced.

5.0 References

Bennett, D & George, R 2014, 'Goomig Farmlands development: baseline water quality in the lower Keep River', Resource management technical report 393, Department of Agriculture and Food, Western Australia, Perth.

Department of the Environment, 2014, *Annual Compliance Report Guidelines*. Commonwealth of Australia, Canberra.

Department of State Development, 2017, *EPBC 2010/5491 Annual Environmental Report 1 May 2016 to 30 April 2017*, Perth. Submitted to the Department of the Environment and Energy, June 2017.

KBR (Kellogg Brown Root), 2011, *East Kimberley Expansion Project: Weaber Plains groundwater modelling report – final (including Stage 4 results)*. Prepared for LandCorp, Perth.

Kimberley Boab Consulting, 2018, *EPBC 2010/5491 Annual Environmental Report 1 May 2017 to 30 April 2018*, Perth. Prepared for the Department of Primary Industries and Regional Development.

Kimberley Boab Consulting, 2019, *Ord River Irrigation Area Stage 2 M2 Supply Channel Compliance Assessment Report 2018*, prepared for the Department of Primary Industries and Regional Development, Kununurra.

Kimberley Boab Consulting, 2019, *EPBC 2010/5491 Annual Environmental Report 1 May 2018 to 30 April 2019*, Perth. Prepared for the Department of Primary Industries and Regional Development.

Kimberley Boab Consulting, 2020, *Ord River Irrigation Area Stage 2 M2 Supply Channel Compliance Assessment Report 2019*, prepared for the Department of Primary Industries and Regional Development, Kununurra.

Lillicrap, AM, George, RJ, Ryder, A & Bennett, D 2015, 'Groundwater chemistry of the Weaber Plain (Goomig Farmlands): baseline results 2010–13', Resource management technical report 392, Department of Agriculture and Food, Western Australia, Perth.

Save the Gouldian Fund, 2017, *Ord-East Kimberley Expansion Project – Weaber Plain Development Area Gouldian Finch Non Breeding Counts (2017)*. Prepared for Department of Regional Development.

Appendix A – Supporting documentation / evidence

PART A: Evidence referenced in Table 4

	2010.5491.1920.001 Statement 938 and EMP Compliance Assessment Report 2019
	2010.5491.1920.002 Submission of AER to Cwth
	2010.5491.1920.003 Upload of 2018-19 AER to website
	2010.5491.1920.004 Gouldian Finch breeding areas.pdf
	2010.5491.1920.005 Goomig-Knox Surface Water Report 2019 SWL179228(2) APPENDIX C.pdf
	2010.5491.1920.006 Declined tender - STGF - Gouldian surveys
	2010.5491.1920.007 DPIRD correspondence- impact of Covid19 on Gouldian surveys
	2010.5491.1920.008 DPIRD Response to DBCA advice re Gouldian Finch.pdf
	2010.5491.1920.009 Email DPIRD to DBCA re Gouldian Finch
	2010.5491.1920.010 Email requestind decision on variation - Condition 6 Gouldian Finch
	2010.5491.1920.011 Fire Report - Broader Goomig Farm Area and Buffer 2010 - 2019.pdf
	2010.5491.1920.012a Gouldian Breeding Area Lot 19 - October 2019.jpg
	2010.5491.1920.012b Gouldian Breeding Area Lot 19 - October 2019.jpg
	2010.5491.1920.012c Gouldian Breeding Area Lot 19 - October 2019.jpg
	2010.5491.1920.013 IRG Record of Meeting 2019-04-12.pdf
	2010.5491.1920.014 IRG visit to Goomig February 27 2020.jpg
	2010.5491.1920.015 IRG Record of Meeting - Weaber Plains Dev Project - 27 February 2020.pdf
	2010.5491.1920.016 IRG meeting with landholders in-field 27 February 2020.jpg
	2010.5491.1920.017 IRG Keep River.jpg
	2010.5491.1920.018 IRG visit Keep River sampling.jpg
	2010.5491.1920.019 Postapprovals approval letter IRG member July19 - David Morgan.pdf
	2010.5491.1920.020 IRG Meeting Agenda - 7 May 2020.pdf
	2010.5491.1920.021 IRG Draft Record of Meeting - 7 May 2020.doc
	2010.5491.1920.022 Keep River aquatic fauna survey scope - DRAFT.pdf
	2010.5491.1920.023 Revised SGDMP - Weaber Plains Development Project - DRAFT.pdf
	2010.5491.1920.024 IRG member advice re. preparation of SGDMP.pdf
	2010.5491.1920.025 New and Revised Guideline Values for Pesticides in Fresh and Marine Waters
	2010.5491.1920.026 Submission of compliance notice to DAWE 2020-02-17
	2010.5491.1920.027 Letter DPIRD to Secretary DEE re tailwater release.pdf
	2010.5491.1920.028 Incident Report - Ord Stage One tailwater release and response - 2019.pdf
	2010.5491.1920.029 Farm chemical detection incident report Nov-Dec 2019.pdf
	2010.5491.1920.030 KAI 2019 Farm Chemical Risk Assessment.pdf
	2010.5491.1920.031 Farm chemicals list and laboratory capabilities.pdf
	2010.5491.1920.032 Goomig Groundwater Monitori...eview EPBC_5491 Condition 12_FINAL_July 2019.pdf
	2010.5491.1920.033 Cave Springs bore data 2011-2019.pdf
	2010.5491.1920.034 Goomig Paleochannel bores data 2011-2019.pdf
	2010.5491.1920.035 M1 Channel bores data 2011-2019.pdf
	2010.5491.1920.036 Knox bore data 2011-2019.pdf
	2010.5491.1920.037 North West Goomig bores data 2011-2019.pdf
	2010.5491.1920.038 Bore monitoring lab data June 2019 19S0043_R0.pdf
	2010.5491.1920.039 Bore monitoring lab data July 2019 19S0255_R0.pdf
	APPENDIX B Statement 938 and EMP Compliance Assessment Report 2019
	APPENDIX C Goomig-Knox Surface Water Report 2019 SWL179228(2).pdf

PART B: Evidence to support *Statement 938 Compliance Assessment Report 2019*

Reference	Title
2019.S1_2.10	Goomig-Knox Surface Water Report 2019 SWL179228(2)
2019.938.M4.3a	Statement 938 and EMP Compliance Assessment Report 2018
2019.938.M4.4a	Submission of compliance notice to DAWE 2020-02-17
2019.938.M4.4b	Letter DPIRD to Secretary DEE re tailwater release
2019.938.M4.4c	Incident report - Ord Stage One tailwater release and response
2019.938.M4.4d	KAI incident report - Keep River flow March 2019
2019.938.M433b	Submission of CAR 6 Nov 2019
2019.938.M6.1a	Knox Creek Plain Final Project Design Plan REV C
2019.938.M6.1b	Knox FPDP REV C Approval Letter May 2020
2019.EMP2a	KAI Induction - environmental management slide
2019.EMP2b	KAI Induction questions
2019.EMP2c	KAI Induction Register 2019
2019.EMP30a	KAI Farm chemical risk assessment
2019.EMP30b	Example spray log record
2019.EMP30c	Example spray log record
2019.EMP30d	Example spray log record
2019.EMP30e	Example spray log record
2019.EMP30f	Example spray log record
2019.EMP40	Lot 14 spill kit
2019.EMP42a	Lot 9 hydrocarbon storage - double bunded tank
2019.EMP42b	Lot 3-5 hydrocarbon storage - double bunded tank
2019.EMP42c	Lot 3-5 oil container holder
2019.EMP42d	Lot 9 pump oil container on concrete
2019.EMP42e	Lot 14 pumpsite oil holder
2019.EMP42f	Lot 14 tailwater pump
2019.EMP69	Moonamang Road and Borrow Pit Environmental Management Guide REV A
2019.EMP77	Volunteer cotton in on-farm drain Lot 5
2019.EMP84a	Goomig Groundwater Monitoring Review EPBC5491 Condition 12 FINAL
2019.EMP84b	North West Goomig bores data 2011-2019
2019.EMP84c	Cave Springs bore data 2011-2019
2019.EMP84d	Goomig Palaeochannel bores data 2011-2019
2019.EMP84e	Knox bore data 2011-2019
2019.EMP84f	M1 Channel bores data 2011-2019
2019.EMP89a	Bore monitoring lab data July 2019 19S0043_R0
2019.EMP89b	Bore monitoring lab data July 2019 19S0255_R0
2019.EMP89c	Dec2019 Goomig bores field data
2019.EMP89d	June-July 2019 datalogger field readings
2019.EMP93a	Revised SGDMP REV 13 Draft
2019.EMP93b	Proposal for a revised water quality monitoring and management approach - April 2019
2019.EMP93c	New and Revised Guideline Values for Pesticides in Fresh and Marine Waters
2019.EMP96	Farm chemical detection incident report Nov-Dec 2019
2019.EMP100a	KAI 2019 Farm chemical risk assessment
2019.EMP100b	Chemical risk and monitoring regime review 2019-04-12
2019.EMP100c	IRG Record of Meeting 2019-04-12
2019.EMP104a	Record of IRG Meeting - Weaber Plains Dev Project - 27 February 2020
2019.EMP104b	IRG Draft Record of Meeting - 7 May 2020
2019.EMP132	Goomig firescar 2019
2019.EMP133a	Buffer north of Lot 5 - Folly Rock 2019-07-19
2019.EMP133b	Buffer between Lots 5 and 18 2019-07-19
2019.EMP133c	Buffer north of Lot 16 2019-07-04
2019.EMP133d	View to buffer from Lot 14 pump 2019-07-19
2019.EMP133e	Gouldian Finch breeding area buffer N of Lot 19 2019-07-19
2019.EMP135	Example Goomig Post-Construction Rehabilitation - Satellite Imagery

*Appendix B – Ord River Irrigation Area Stage 2 M2 Supply Channel
Compliance Assessment Report 2019*

Appendix C – Goomig Water Report 2019