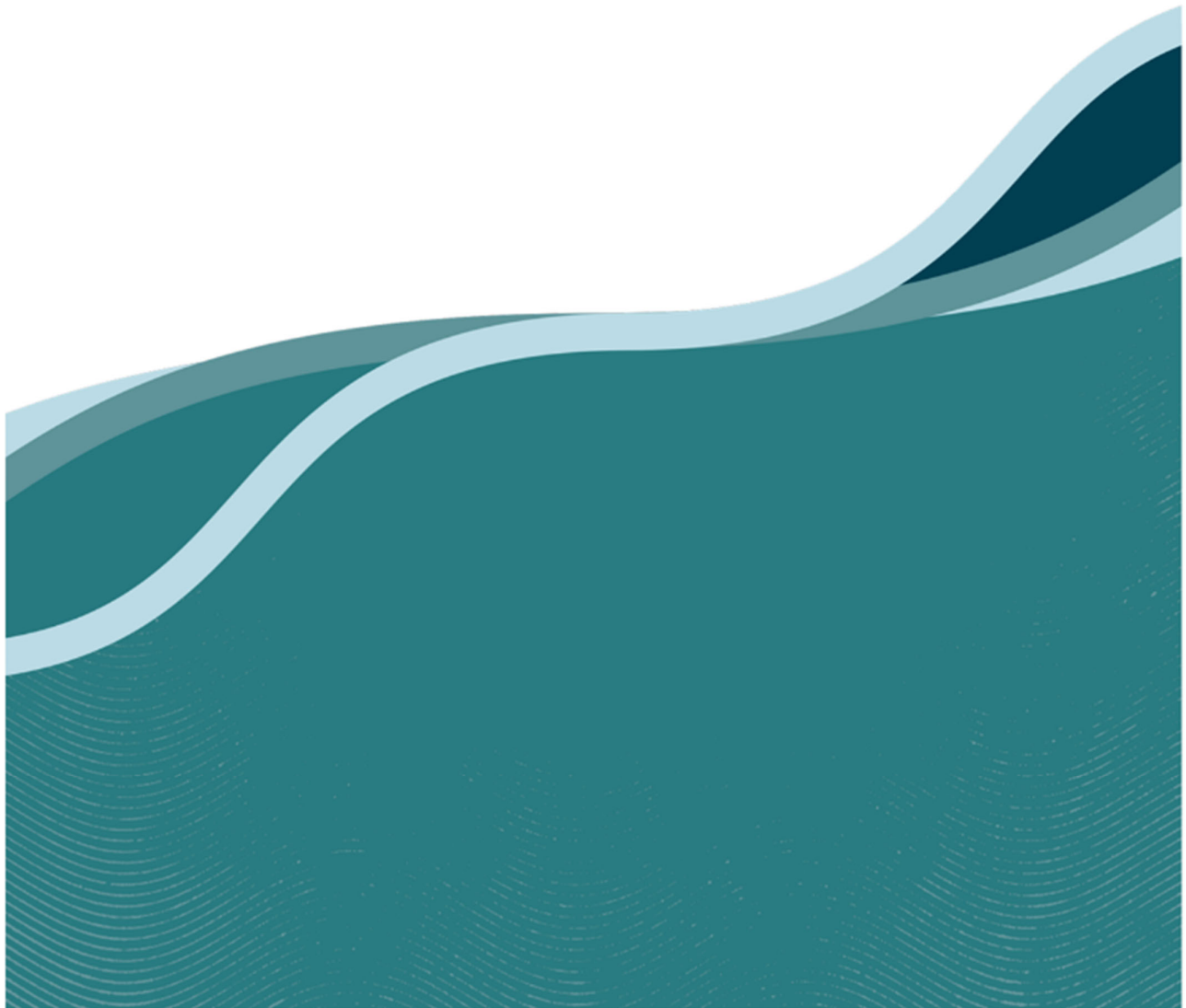




Department of  
Primary Industries and  
Regional Development

Protect  
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Innovate

# Statement 938 Compliance Assessment Report 2023



Date	Version	Prepared by
11 July 2024	1.0	Renee Zuks

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## Acronyms and Abbreviations

Authorisation	Authorisation to take or disturb threatened species, <i>Typhonium</i> sp. Kununurra (Authorisation Number TFL 001-2122 dated 11 April 2021, as amended)
BC Act	<i>Biodiversity Conservation Act 2016</i>
CALIM	Common Area Lease and Infrastructure Management Agreement
CAP	Compliance Assessment Plan
CAR	Compliance Assessment Report
CEO	Chief Executive Officer
DAFWA	(Former) Department of Agriculture and Food Western Australia
DBCA	Department of Biodiversity, Conservation and Attractions
DPIRD	Department of Primary Industries and Regional Development
DW1GS	DW1 Gauging Station
DWER	Department of Water and Environmental Regulation
EMP	Environmental Management Program
EP Act	<i>Environmental Protection Act 1986</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwth)
FPDP	Final Project Design Plan
Goomig	Goomig farm area, also known as the Weaber Plain farm area and Weaber Plain Development Area
GL	Gigalitres
GMP	Groundwater Management Plan
ha	Hectare(s)
IRG	Independent Review Group established in accordance with approval EPBC 2010/5491
JTSI	Department of Jobs, Tourism, Science and Innovation
KAI	Kimberley Agricultural Investment Pty Ltd
KBC	KBC Pty Ltd
km	Kilometres
MG	Miriuwung and Gajerrong (Corporation)
ML	Megalitres
MS938	Ministerial Statement 938
OIC	Ord Irrigation Cooperative
ORIA	Ord River Irrigation Area
OEPA	(Former) Office of the Environmental Protection Authority
Proposal	Ord River Irrigation Area Stage 2 (M2 Supply Channel) proposal
RIWI Act	<i>Rights in Water and Irrigation Act 1914</i>
SGDMP	Stormwater and Groundwater Discharge Management Plan
TsK	<i>Typhonium</i> sp. Kununurra
tpa	Tonnes per annum

## 1. Introduction

Ministerial implementation Statement 938 for the Ord River Irrigation Area Stage 2 (M2 Supply Channel) proposal was published on 12 June 2013 pursuant to section 45 of the EP Act. DPIRD administers MS938 on behalf of the Minister for Regional Development.

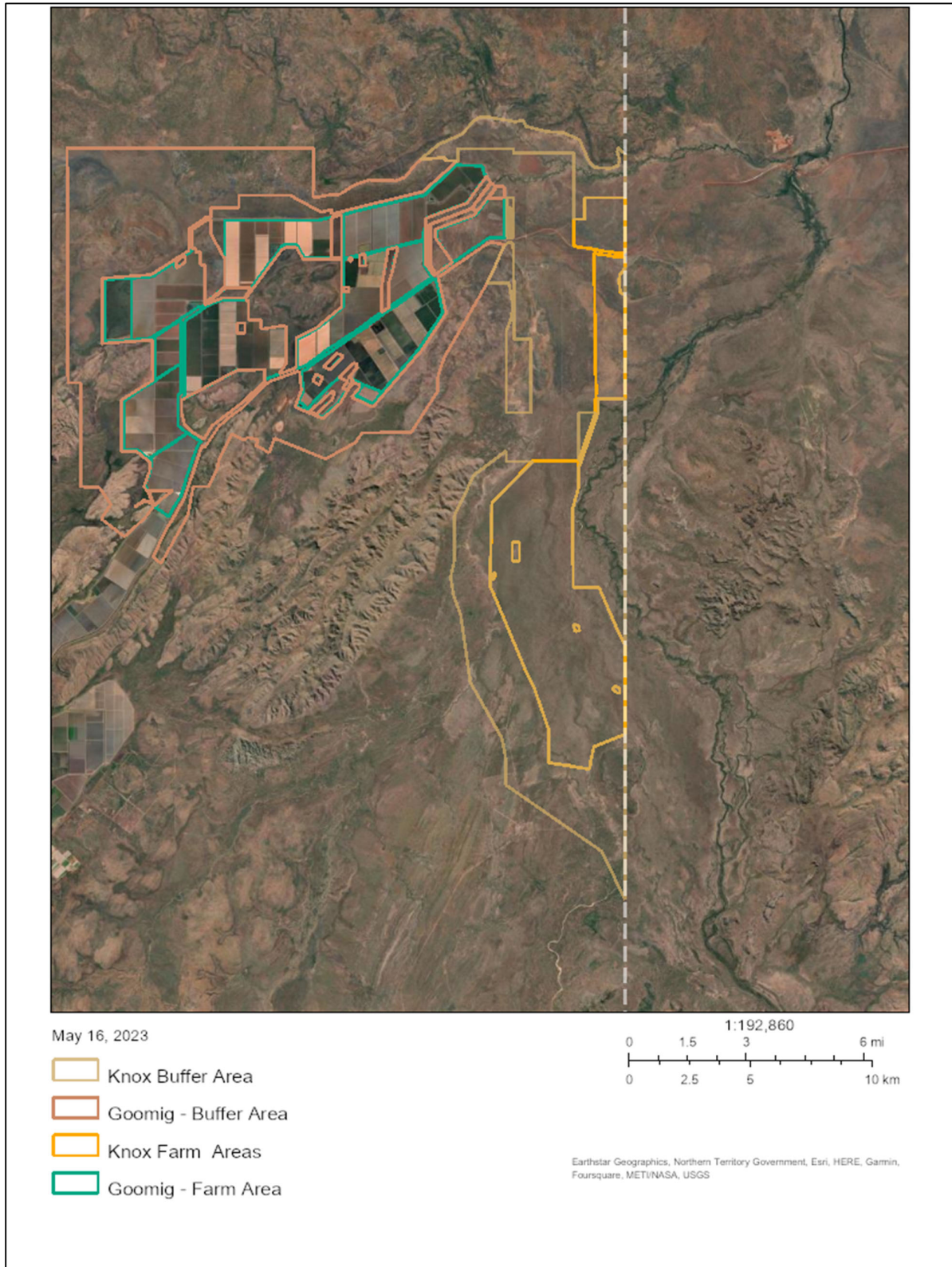
MS938 provides for the construction of the M2 Supply Channel, the development of up to 33,500 ha of land for irrigated agriculture and associated infrastructure, and environmental buffer areas north-east of Kununurra. The 'M2 area' refers to the agricultural land able to be serviced by the M2 Supply Channel. KAI is the developer of the 'M2 area' farms on the Weaber and Knox Creek Plains in accordance with the Ord Development Agreement executed in December 2013.

The M2 area is the second stage of the ORIA. There is no intent to implement, under MS938, that part of the Proposal within the Northern Territory. Figure 1 shows the location of the development and buffer areas on the Weaber (Goomig) and Knox Creek Plains.

Development of the M2 Supply Channel, roads, and farm infrastructure on the Weaber Plain commenced in 2010. The M2 Supply Channel was completed in 2014 and farming at Goomig commenced in 2015. The Goomig farmlands are now fully developed and operational, except for Lots 4, 7, 11, and 15.

Clearing on the Knox Creek Plain commenced and subsequently ceased in 2020 due to presence of the threatened flora species *Typhonium* sp. Kununurra in the area. An authorisation to take or disturb TsK in the Knox Creek Plain development area was granted under section 40 of the BC Act on 2 November 2021 (Authorisation Number TFL 001-2122 dated 11 April 2021, as amended). Clearing recommenced in May 2022 in accordance with an approved works plan under the Authorisation. Clearing of the Knox Creek Plain development area was substantially completed in 2023 and farm infrastructure development commenced.

This Compliance Assessment Report reports on compliance with the conditions set out in MS938 for the period 1 January 2023 to 31 December 2023.



**Figure 1.** Goomig and Knox Creek Plain development and buffer areas

## 2. Project approvals

Table 1 lists the programs and plans approved in accordance with conditions 5 and 6 of MS938. Table 2 lists other relevant and related approvals.

**Table 1.** Project details and status of WA EP Act (1986) approvals for the M2 area

Plan	Description
Final Project Design Plan – Weaber Plain (MS938 Condition 6)	Strategen (2011) Ord River Irrigation Area – Weaber Plain Development Project Phase 2 Final Project Design Plan Approved by letter from the OEPA dated 15 August 2011.
Environmental Management Program – Weaber Plain (MS938 Condition 5)	Ord River Irrigation Area – Weaber Plain Development Project – Environmental Management Program, October 2013
Final Project Design Plan – Knox Creek Plain (MS938 Condition 6)	KBC (2019) Knox Creek Plain Agricultural Development Final Project Design Plan Amended – July 2019 Revision C Approved by letter from the OEPA dated 4 May 2020.
Environmental Management Program – Knox Creek Plain (MS938 Condition 5)	KBC (2015) Ord River Irrigation Area – Knox Creek Plain Environmental Management Program, August 2015.

**Table 2.** Other relevant and related environmental approvals and decisions

Area	Approval /Decision	Approval Authority	Approval Holder	Relevance
Weaber Plain (Goornig)	Approval EPBC 2010/5491 Weaber Plain Development Project	Australian Government Minister for the Environment	Department of Primary Industries and Regional Development	Applies to the Weaber Plain portion of the Proposal and duplicates some MS938 EMP provisions.
Weaber Plain (Goornig)	SWL179228 Surface Water License issued under RIWI Act	DWER under delegation	KAI	The Operating Strategy requires compliance with environmental approvals.
Knox Creek Plain	Approval EPBC 2014/7143 Knox Creek Plain Irrigation Development	Australian Government Minister for the Environment	KAI	Applies to the Knox Creek Plain portion of the Proposal and duplicates some MS938 EMP provisions.



Knox Creek Plain	TFL 001-2122 Authorisation under section 40 of the BC Act	Minister for Environment	Minister for Regional Development	Applies to the Knox Creek Plain development area, part of the larger M2 area.
Northern Knox Creek Plain - Moonamang Road	EPBC 2017/7856 'Not a controlled action' decision	Australian Government Minister for the Environment	JTSI	Moonamang Road realignment is part of the Proposal and is within the approved Knox Creek Plain FPDP
Sorby Hills	EPBC 2011/6230 'Not a controlled action' decision  Sorby Hills Silver Lead Zinc Project, East Kimberley	Australian Government Minister for the Environment	Boab Metals Pty Ltd	Project area overlaps MS938 Proposal area.
Sorby Hills	Ministerial implementation Statement 964, amended by Statement 1097  Sorby Hills Silver Lead Zinc Project, East Kimberley	Minister for Environment	Boab Metals Pty Ltd	Project area overlaps MS938 Proposal area.

### 3. Current Status

#### 3.1. Weaber Plain (Goomig)

No clearing was undertaken in the Goomig development area in 2023. Figure 2 shows a satellite image of the Goomig development area dated 25 December 2023. The Goomig farmlands are now fully developed and operational, except for Lots 4, 7, 11, and 15.

KAI grew maize and cotton on the Goomig farmlands. Cotton was also cropped on MG Corporation's Lot 16. Lots 19, 20 and 21 were sub-leased. The development of MG Corporation's Lot 15 has not been completed although clearing was undertaken in a previous reporting period. KAI (2024) reported that:

- KAI and MG Corporation both continued their cropping programs on the Goomig farmlands in 2023.
- The OIC released 31.59 GL to the Goomig farmlands in 2023 through the M2C3 structure.
- Of this, the offtake meters recorded 23.35 GL delivered to Goomig farms for irrigation during the 2023 irrigation season.

- Tailwater from the Ord Stage 1 D8 drain was discontinued in 2023 with the installation of tailwater recycling infrastructure and Ord Stage 1 farm stormwater was diverted through the Goomig farmland.
- There was no tailwater releases or accidental discharges to Border Creek or the Keep River from the Goomig farmlands during the dry season.
- Development of the Knox Creek Plain has commenced with agreement signed with the Government of Western Australia and will require a water licence in 2024.

DPIRD continues to convene the IRG to oversee the hydrological aspects of the Weaber Plain Development Project in accordance with condition 9 of EPBC 2010/549. The IRG met twice during the compliance assessment period, on 28 March 2023 and 11 July 2023. The IRG's oversight supports compliance with conditions of EPBC 2010/5491 and, in doing so, supports compliance with the surface and groundwater management actions specified in the Weaber Plain EMP under condition 5 of MS938.

### 3.2. Knox Creek Plain

A total of 5,460 hectares of native vegetation has been cleared in the Knox Creek Plain development area to the end of 2023. A total of 2,260 ha was cleared in 2023. Construction of infrastructure, including levees and drains, also commenced on the Knox Creek Plain in 2023.

Figure 3 shows the extent of clearing on Knox Creek Plain up to 31 December 2023. Figure 4 shows the satellite imagery used to assess the clearing extent.

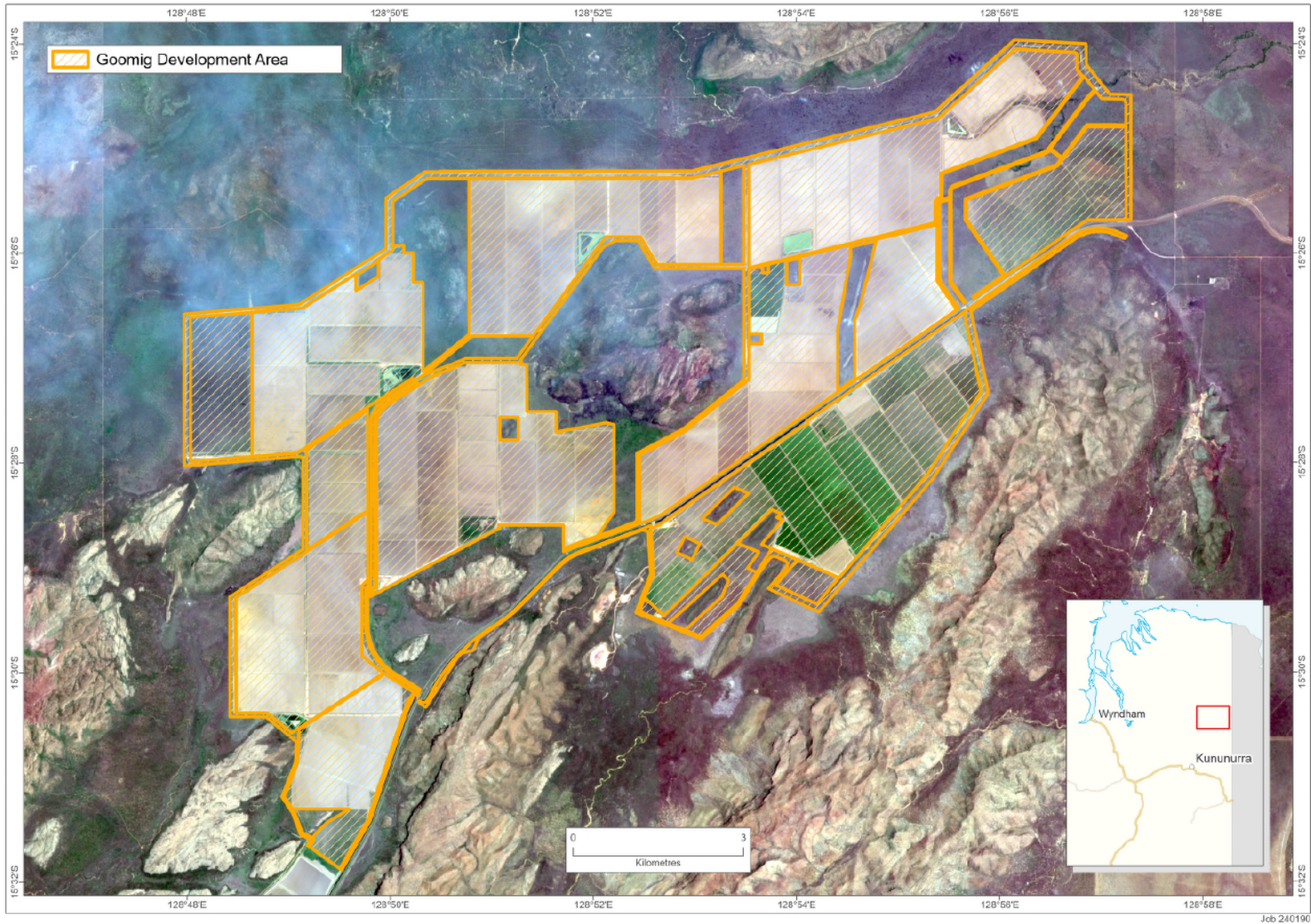
A section 45C amendment application and an amended Knox Creek Plain FPDP will be submitted in the 2024 compliance assessment period to incorporate additional land in the buffer area. This will align the MS938 and the FPDP with the Authorisation.

## 4. Compliance Reporting Requirements

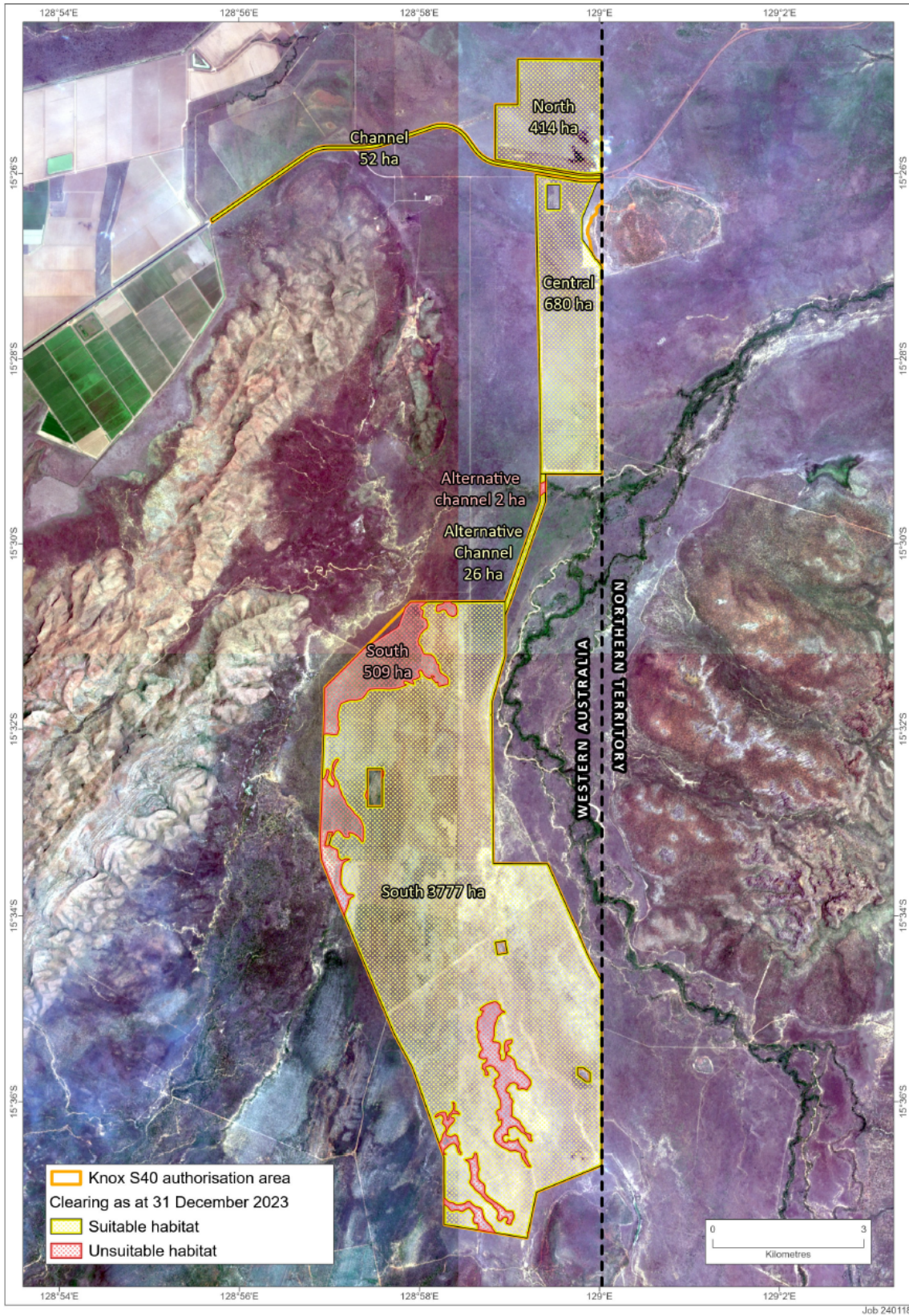
Table 3 lists the requirements of condition 4 (Compliance Reporting) of MS938. The required CAP was approved in 2013. The approved CAP (Strategen 2013) requires the following to be addressed in the CAR in respect to plans required to be implemented in accordance with MS938:

- An overall statement of compliance with the requirement to implement each plan.
- A declaration of compliance status for each of the key requirements and/or objectives of each program/plan including information/documentation which supports/verifies the declared compliance status.
- A review of the performance and effectiveness of each program/plan in achieving the environmental outcomes required, including assessing the results of any required monitoring.

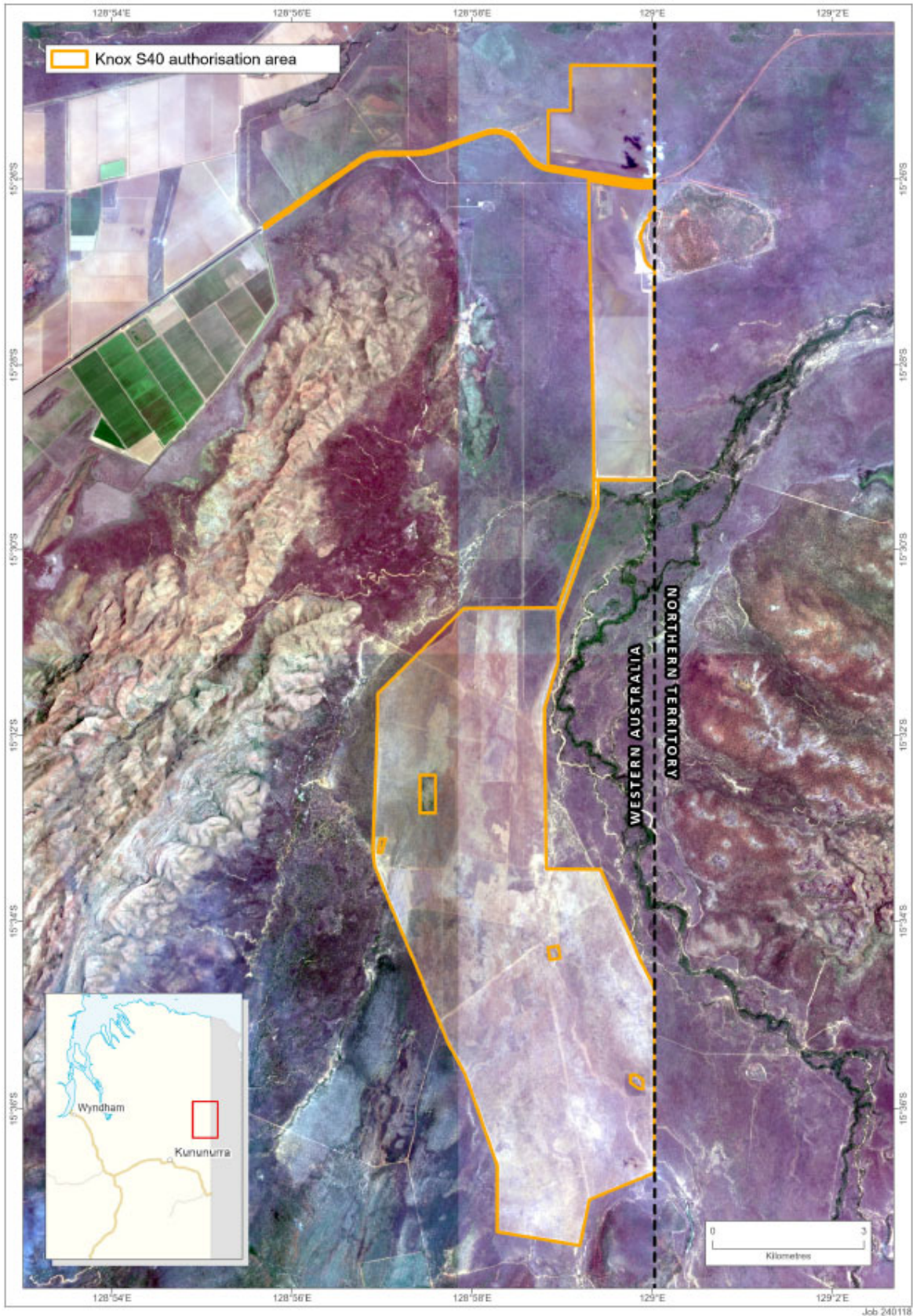
Attachment 1 provides a Statement of Compliance and declaration for the 2023 compliance assessment period. Information and documentation verifying the declared compliance status is identified within the audit tables (Attachments 2, 3 and 4) and provided separately as evidence. The evidence includes monitoring results.



**Figure 2.** Satellite image of Goomig development area (25 December 2023)



**Figure 3.** Knox Creek Plain clearing extent to 31 December 2023 (distinguishing suitable and unsuitable TsK habitat)



**Figure 4.** Satellite imagery of Knox Creek Plain development area (25 December 2023)

**Table 3.** Condition 4 (Compliance Reporting) requirements

<b>4</b>	<b>Compliance Reporting</b>
<b>4.1</b>	The proponent shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO
4.2	The Compliance Assessment Plan shall indicate:
4.2.1	The frequency of compliance reporting
4.2.2	The approach and timing of the compliance assessments
4.2.3	The retention of compliance assessments
4.2.4	Reporting of potential non-compliances and corrective actions taken
4.2.5	The table of contents of compliance reports, and
4.2.6	Public availability of compliance reports.
<b>4.3</b>	The proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by Condition 4-1.
<b>4.4</b>	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by Condition 4-1 and shall make those reports available when requested by the CEO.
<b>4.5</b>	The proponent shall advise the CEO of any potential non-compliance within 7 days.
<b>4.6</b>	The proponent shall submit a compliance assessment report annually from the date of issue of this Statement addressing the previous twelve-month period or other period as accepted by the CEO. The compliance acceptance report shall:
4.6.1	Be endorsed by the proponent's Managing Director or a person delegated to sign on the Managing Director's behalf;
4.6.2	Include a statement as to whether the proponent has complied with the conditions
4.6.3	Identify all potential non-compliances and describe corrective and preventative actions taken
4.6.4	Be made publicly available in accordance with the Compliance Assessment Plan, and
4.6.5	Indicate any proposed changes to the Compliance Assessment Plan as required by Condition 4-1.

## 5. Audit Methodology

This CAR addresses the 12-month period from 1 January 2023 to 31 December 2023. The 2023 audit of compliance with the conditions of MS938 and the associated Environmental Management Programs (condition 5) has been undertaken to meet the requirements of condition 4 of MS938. The audit was undertaken by qualified Auditor, Renee Zuks.

Existing audit tables for auditing compliance with the conditions of MS938, Schedule 1 of MS938, and the EMPs (condition 5) provided the template for the 2023 audit.

The audit table for assessing compliance with the conditions of MS938 addresses each condition by the following elements (i.e., the audit criteria):

- Audit code: Ministerial Statement reference number.
- Subject: The environmental theme/issue.
- Action: What the proponent must do.
- How: The way the requirements of an audit element should be achieved.
- Evidence: Information or data collected to verify compliance, i.e. report/letter/site inspection requirements.
- Phase: Project phase applicable to audit element.
- Timeframe: Specific timing for achieving the requirements of an audit element.
- Status: Notes about the fulfilment of compliance using compliance status terms.
- Further information: Additional comments to support findings, where required.

The audit table for assessing compliance with Schedule 1 of MS938 addresses the key proposal characteristics.

The audit table for assessing compliance with the EMPs approved under condition 5 of MS938 address each management plan provision. Most actions specified in the Knox Creek Plain EMP are the same as the Weaber Plain EMP. Additional audit items are included in the audit table where the Knox Creek Plain EMP differs. These additional items are prefixed 'KEMP'.

In line with the approved CAP, the auditor assessed compliance with each condition, the key proposal characteristics in Schedule 1 and each EMP provision. The auditor used a range of methods including:

- site inspections
- interview with KAI
- collection and review of monitoring data and assessment against criteria
- compilation and review of developer reports and communications
- communications and collection of evidence from relevant contractors, for example aerial spraying contractor
- review of satellite imagery to confirm the extent of clearing and development is within the scope of Schedule 1
- review and consideration of IRG decisions.

The audit tables include a compliance status field that states the auditor’s assessment of compliance with the implementation of the conditions and EMP actions. The auditor has applied the compliance status terms set out in OEPA (2012, p.9).

**Table 4.** Requirement and application

<b>Compliance Status Terms</b>	<b>Acronym</b>	<b>Definition</b>
<b>Compliant</b>	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.
<b>Completed</b>	CLD	A requirement with a finite period of application has been satisfactorily completed.
<b>Not required at this stage</b>	NR	The requirements of the audit element were not triggered during the reporting period.
<b>Potentially non-compliant</b>	PNC	Possible or likely failure to meet the requirements of the audit element.
<b>Non-compliant</b>	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.
<b>In process</b>	IP	Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending.



## 6. Audit findings

### 6.1. Compliance with conditions

The results of the audit of compliance with the conditions of MS938 conditions is provided in Attachment 2 (Audit Table A – Ministerial Statement 938 Conditions). One non-compliance and one potential non-compliance were found by the auditor (Table 5).

**Table 5.** MS938 Conditions – Non-Compliances

Condition No.	Audit code	Condition	Audit Finding
4-5	938:M4.5	The proponent shall advise the CEO of any potential non-compliance within 7 days.	<b>Non-compliant</b> The CEO was not advised of all potential non-compliances with EMP provisions within 7 days. These potential non-compliances are listed in Table 6 of this CAR, and in Attachment 3 - Audit Table C – Statement 938 Environmental Management Program.
5-1	938:M5.1	The proponent shall implement the proposal in accordance with the “Environmental Management Programme”, dated July 2011, or subsequent revisions approved by the CEO.	<b>Potentially non-compliant</b> The Proposal is assessed as potentially non-compliant with condition 5-1 given potential non-compliances and some non-compliances with 36 of 178 EMP provisions.  These 36 potential non-compliances and non-compliances are listed in Table 6 of this CAR, and in Attachment 3 - Audit Table C – Statement 938 Environmental Management Program.

### 6.2. Compliance with Schedule 1

Condition 1 of MS938 requires implementation of the proposal as documented in Schedule 1 of the Statement. The results of the audit of compliance with the Key Proposal Characteristics in Schedule 1 is provided in Attachment 3 (Audit Table B – Schedule 1 of Statement 938). No potential non-compliance with Schedule 1 was identified.

### 6.3. Environmental Management Program Compliance

Condition 5 of MS938 requires the proponent to implement the Proposal in accordance with the approved EMP. The results of the audit of compliance with the approved EMPs is provided in Attachment 4 (Audit Table C – Statement 938 Environmental Management Program). Thirty-six (36) potential non-compliances were found by the auditor. These are listed in Table 6 and Audit Table C.

The auditor notes that the EMPs are unnecessarily prescriptive, wide in scope, addressing all environmental factors and lacking focus on key environmental factors and outcomes. An outcome-based approach would allow for adaptive management to meet specified outcomes for key environmental factors in favour of prescriptive and unnecessarily complex actions.

## **7. Conclusion**

The audit for the 2023 compliance assessment period found 36 non-compliances and potential non-compliances with the 178 provisions of the Weaber and Knox Creek Plain EMPs that are required to be implemented in accordance with condition 5 of MS938.

The auditor's observation is that resources and effort have been directed and weighted towards actions to manage the greatest environmental risk, being the discharge of agricultural stormwater to the Keep River and potential impact to Keep River environmental values. Implementation of a routine weekly water quality monitoring program, educational workshops, rapid response to incidents, and regular communication with catchment growers has demonstrably mitigated risk to this most significant environmental factor.

Less resources and effort have been directed at lower environmental risks, such as risks to buffer area environmental values, and to risks that pre-existed and are not exacerbated by the development, such as the existence of Parkinsonia weed in the buffer area. Potential non-compliances have been recorded in relation to management of these lower risk items.

Twelve (12) non-compliances and potential non-compliances were found with chemical management and monitoring provisions of the EMPs. Corrective actions have commenced to ensure chemicals are appropriately stored, managed and monitored and to avoid future non-compliances.

In June 2024, DPIRD reinstated the Goomig-Knox Management Committee in accordance with the Development Agreement between the State and KAI to systematically address compliance matters and to progress overdue reviews and updates to the environmental manage programs to bring them in line with contemporary outcome and risk-based approaches.

**Table 6.** MS938 Environmental Management Program – Non-Compliance and Potential Non-Compliance 2023

Item	Action	Audit finding for 2022 compliance period	Audit finding for 2023 compliance period	Corrective actions
EMP 21 (Chemical management)	Prospective land managers will be advised of the requirement to comply with procedures for chemical application, and chemical management legislation	<b>Compliant</b>	<b>Potentially non-compliant</b> Inspection of the Knox Development operations centre area on 8 April 2024 found improper storage of hydrocarbons and other chemicals.	Refer to EMP 23
EMP 22 (Chemical management)	Induct personnel on safe use of chemicals and hydrocarbon management measures, including hydrocarbon handling, disposal, and spill response procedures.	<b>Compliant</b>	<b>Potentially non-compliant</b> Inspection of the Goomig operations area on Lot 3 on 22 April 2024 found improper storage of chemicals and improper washdown facilities.  Inspection of the Knox Development operations centre area on 8 April 2024 found improper storage of hydrocarbons and other chemicals.  The above indicates that personnel have not been satisfactorily inducted.	Improvements to be made to personnel inductions.
EMP 23 (Chemical management)	Ensure storage of farm chemicals complies with relevant Australian and	<b>Compliant</b>	<b>Non-compliant</b> Inspection of the Weaber Plain (Goomig) operations area on	<u>Weaber Plain</u> DPIRD requested KAI to remedy the non-compliance at the Goomig

	Western Australian Standards		<p>Lot 3 on 22 April 2024 found improper storage of chemicals.</p> <p>Inspection of the Knox Development operations centre area on 8 April 2024 found improper storage of hydrocarbons and other chemicals.</p>	<p>operations centre. Follow up inspection on 28 June 2024 found agricultural chemicals had been removed from site.</p> <p><u>Knox Creek Plain</u> DPIRD requested Keep Farming Pty Ltd to remedy the non-compliance. DPIRD also wrote to KAI.</p> <p>Follow up inspection on 30 May 2024 found the following corrective actions had been implemented:</p> <ul style="list-style-type: none"> <li>• All agricultural chemicals had been removed from site.</li> <li>• Other chemicals, including oils and lubricants, had been moved to an impervious, bunded area.</li> <li>• The chemical storage area had been roofed.</li> </ul> <p>Upgrade of diesel storage facilities to comply with relevant guidelines will be completed by 30 August 2024 and follow up site visits will be undertaken to confirm and document compliance.</p>
EMP 24 (Chemical management)	<p>All hydrocarbons will be stored in accordance with the following:</p> <ul style="list-style-type: none"> <li>• <i>Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007 (WA)</i></li> </ul>	<b>Compliant</b>	<b>Non-compliant</b>	<p>Upgrade of diesel storage facilities to comply with relevant guidelines will be completed by 30 August 2024 and follow up site visits will be undertaken to confirm and document compliance.</p>

	<ul style="list-style-type: none"> <li>Australian Standard AS 1940-2004: The Storage and Handling of Flammable and Combustible Liquids.</li> </ul>			
EMP 26 (Chemical management)	Maintain appropriate spill response equipment and Material Safety Data Sheet (MSDS) information in all hydrocarbon storage and re-fuelling areas and maintenance areas.	<b>Compliant</b>	<p><b>Potentially non-compliant</b></p> <p>No spill response equipment or MSDSs were observed at Goomig during site inspection on 22 April 2024.</p> <p>No spill response equipment or MSDSs were observed in the diesel storage and refuelling area during site inspection of the Knox operations centre on 8 April 2024.</p>	Follow up inspection on 28 June 2024 found spill response equipment was on site. KAI advised that MSDSs were available to staff in digital format.
EMP 29 (Chemical management)	Notify DWER of hydrocarbon spills in accordance with the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .	<b>Compliant</b>	<p><b>Potentially non-compliant</b></p> <p>Due to small hydrocarbon spills observed during Knox site inspection on 8 April 2024. Site inspection outcomes were reported to DWER on 15 April 2024.</p>	<p>The following further actions are required in addition to those already implemented, as noted at EMP23:</p> <ul style="list-style-type: none"> <li>commencement of ongoing, documented routine inspections in accordance with the EMP: <ul style="list-style-type: none"> <li>Permanent hydrocarbon facilities: Three-monthly</li> <li>Storage, mixing and washdowns areas and surrounds: Monthly (otherwise daily during spray operations)</li> </ul> </li> <li>implementation and documentation of the Environmental Incident Reporting Procedure.</li> </ul>

				Follow up on completion of these actions is scheduled for the first week of September 2024.
EMP 38 (Chemical management)	Design chemical washdown facilities in accordance with Department of Water, Water Quality Protection Notes on: <ul style="list-style-type: none"> <li>Mechanical Equipment Washdown (WQPN No. 68)</li> <li>Chemical Blending (WQPN No. 7).</li> </ul>	<b>Compliant</b>	<b>Potentially non-compliant</b> A washdown area was observed on Goomig Lot 3 during site inspection on 22 April 2024. The washdown area did not appear to be designed in accordance with the relevant guidance note.  Mechanical workshop and (potentially) washdown activities are being undertaken within a concrete-floored shed on site at Knox. A full design assessment of these facilities was not completed.	Follow up inspection of the Goomig Lot 3 operations centre on 28 June 2024 found the washdown area had been removed.  DPIRD has provided Keep Farming with Water quality protection note 68 – Mechanical equipment washdown.
EMP 39 (Chemical management)	All chemical blending and decanting will be undertaken within a fully contained area.	<b>Compliant</b>	<b>Potentially non-compliant</b> Site inspection on 22 April 2024 found that some chemical decanting may occur on Lot 3. This is not a fully contained area.	Follow up inspection of the operations centre on Goomig Lot 3 on 28 June 2024 found agricultural chemicals had been removed from site.
EMP 40 (Chemical management)	Develop emergency response procedures in accordance with Department of Water, Water Quality Protection Note <i>Contaminant spills</i> –	<b>Compliant</b>	<b>Potentially non-compliant</b> There are no emergency spill response procedures in place.	Implementation and documentation of the Environmental Incident Reporting Procedure is a further action required to be undertaken in addition to the actions already implemented, as noted at EMP23.

	<i>emergency response</i> (WQPN No.10).			Follow up on completion of this action is scheduled for the first week of September 2024.
EMP 42 (Chemical use monitoring)	Inspection of permanent hydrocarbon storage facilities Frequency: Three monthly Target: All hydrocarbon storage devices comply with appropriate standards and/or regulations	<b>Compliant</b>	<b>Non-compliant</b> These inspections have not been occurring. Inspection of the Knox operations centre on 8 April 2024 found hydrocarbons storage is non-compliant with relevant standards.	The following further actions are required to be undertaken in addition to those already implemented: <ul style="list-style-type: none"> <li>• commencement of ongoing, documented routine inspections in accordance with the EMP: <ul style="list-style-type: none"> <li>○ Permanent hydrocarbon facilities: Three-monthly</li> <li>○ Storage, mixing and washdowns areas and surrounds: Monthly (otherwise daily during spray operations)</li> </ul> </li> </ul> Follow up on completion is scheduled for the first week of September 2024.
EMP 43 (Chemical use monitoring)	Survey vegetation in the Buffer Area for symptoms of damage typical of chemicals being used in the ORIA Frequency: Annually Target: No detectable impact on the buffer	<b>Potentially non-compliant</b> Due to some signs of impact to portions of the Weaber Plain buffer area requiring further investigation.	<b>Non-compliant</b> Buffer condition assessment was not undertaken in 2023.	Buffer vegetation condition assessment was undertaken in June 2024. A report is being prepared.
EMP 44 (Chemical use monitoring)	Inspect storage facilities and mixing and washdown areas and surrounds for chemical spills. Frequency: Monthly	<b>Compliant</b>	<b>Potentially non-compliant</b> There was evidence of minor diesel and lubricant spills found during site inspection on 8 April 2024.	Refer to EMP 42

	Target: No chemical spills			
EMP 56 (Weed, plant pathogen and pest animal management)	Develop and undertake a weed control program in Priority Areas except roads.	<b>Potentially non-compliant</b> Refer to EMP 55	<b>Potentially non-compliant</b> A weed control program has not been undertaken in Priority Areas.	DPIRD has discussed this with KAI. A proposal for mechanical control of weeds in priority areas is being prepared. This may require consultation with regulators to ensure compliance with clearing restrictions in the buffer area.
EMP 71 (Weed, plant pathogen and pest animal management)	Ensure that waste that may attract pest animals is properly disposed of in as far as is practicable.	<b>Compliant</b>	<b>Non-compliant</b> There is a landfill at the Knox operations centre observed during site inspection on 8 April 2024.	DPIRD undertook follow up inspection on 30 May 2024 and confirmed that: <ul style="list-style-type: none"> <li>• All waste has been removed from the landfill.</li> <li>• Waste is now being disposed to a tipper trailer for removal when full.</li> </ul>
EMP 72 (Weed, plant pathogen and pest animal management)	Undertake pest eradication program within Buffer Area.	<b>Compliant</b>	<b>Potentially non-compliant</b> Due to the significant number of cattle observed in the buffer in August 2023.	Ongoing destocking by KAI, fencing maintenance and diligence in closing gates.
EMP 78 (Weed, plant pathogen and pest animal monitoring)	[Monitor] Feral animals (including stock) in the buffer area. Target: No new pest animals or sightings of feral animals	<b>Compliant</b>	<b>Potentially non-compliant</b> Due to the significant number of cattle observed in the buffer in August 2023.	Continue to monitor opportunistically for presence of stock in the buffer area. Ongoing destocking by KAI, fencing maintenance and diligence in closing gates.
KEMP 83 (Groundwater)	Expand the groundwater monitoring bore network to include:	<b>Compliant</b>	<b>Potentially non-compliant</b> KAI advised that monitoring of existing bores in the Knox and	KAI is reviewing the existing bore network and data to determine its



management and monitoring)	<ul style="list-style-type: none"> <li>• 'high intensity' regional bores (i.e. auto loggers installed)</li> <li>• 'low intensity' regional bores (i.e. no auto loggers installed but monitored manually).</li> </ul>		adjacent Spirit Hills (Northern Territory) areas commenced after receipt of the EPBC Act approval for the Knox development (EPBC 2014/7143) in 2015. KAI physically located these bores after receiving location details from DPIRD (DAFWA at the time). These bores are additional to the Goomig (EPBC 2010/5491) reference bores located in the Knox area. KAI is reviewing this existing bore network and data to determine its adequacy for groundwater monitoring and management. Until then, this item is assessed as potentially non-compliant.	adequacy for groundwater monitoring and management.
EMP 84 (Groundwater management and monitoring)	Undertake monitoring of required parameters in the expanded groundwater monitoring bore network.	<p><b>Potentially non-compliant</b></p> <p>Manual depth measurements were not taken at the low intensity bores. The groundwater monitoring program requires manual depth measurements to be taken annually at all bores, both high and low intensity, and</p> <p>Five bores are damaged and out of operation because of flood damage.</p>	<p><b>Potentially non-compliant</b></p> <p>Five bores were out of operation because of previous damage.</p> <p>Groundwater level data loggers were missing at six high intensity bores.</p> <p>Reference bore KC3PB has a pump installed and is supplying water to the Knox operations centre,</p>	<p>The five bores were re-installed in May 2024.</p> <p>KAI is replacing data loggers at high intensity bores.</p> <p>DPIRD has advised KAI that of the need to remove the pump from KC3PB, although the ongoing validity of this bore as a Goomig reference bore may be lost with the development of the Knox Creek Plain.</p> <p>Given the analytical gaps in the September 2023 groundwater monitoring program, DPIRD repeated</p>

			Some parameters, including major cations and anions, were not included in the analytical suite.	the program in May 2024 ensuring all required data was collected.
EMP 91 (Groundwater management and monitoring)	Update groundwater model and operation of groundwater management system with monitoring data derived from monitoring data derived from Item 2, 7 and 8 in consultation with the IRG.  Prior to commencement of irrigation and subsequently every 2 to 4 years depending on monitoring trends.	<b>Compliant</b>  This assessment was based on the IRG's acceptance of the recommendations of Bennett et al (2019) including that (p.24-25):  'The next groundwater modelling update be undertaken after the next 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.'	<b>Potentially non-compliant</b>  The groundwater model has not been updated since the commencement of irrigation, which is inconsistent with the requirement that modelling must be updated every 2 to 4-years.  The Goomig project is assessed as potentially non-compliant with EMP 91 given the specified timeframe which has not been formally amended following the IRG's endorsement of Bennett et al (2019)'s recommendations.	The matter of updating the groundwater model will be addressed on completion of the Goomig detailed groundwater review expected to be completed and reported to the Goomig IRG in September 2024.
EMP 94 (Groundwater contingency actions)	Groundwater levels, soil salinity and quality exceed or are likely to exceed trigger levels	<b>Potentially non-compliant</b>  An assessment of 2022 groundwater level and quality data has not been completed.	<b>Potentially non-compliant</b>  An assessment of 2023 groundwater level and quality data has not been completed therefore this item is assessed as potentially non-compliant.	A review and analysis of groundwater monitoring data collected since 2019 has commenced and is expected to be completed and reported to the Goomig IRG in September 2024  The need for any corrective action will be determined following completion of the review.
EMP 95	Levels of chemicals and nutrients exceed scenarios that show:	<b>Potentially non-compliant</b>	<b>Potentially non-compliant</b>  Refer to EMP 94	Refer to EMP 94

(Groundwater contingency actions)	<ul style="list-style-type: none"> <li>• an increasing trend in the concentration of any chemical (at statistical confidence levels)</li> <li>• an exceedance of the site-specific triggers for a particular chemical over two consecutive years.</li> </ul>	For the same reasons given in relation to EMP 94.		
EMP 101 (Discharge management actions)	Install a water quality and flow gauging station capable of sampling, on a flow proportional basis (at least sub-daily when required) at the stormwater outlet from the Development Area.	<p><b>Potentially non-compliant</b></p> <p>A water quality and flow gauging station was installed during the Weaber Plain development construction phase. The gauging station is collecting data via a Troll logger. However, the flow gauging station is not functioning as designed as it is not transmitting data on a continual basis through telemetry.</p>	<p><b>Potentially non-compliant</b></p> <p>A water quality and flow gauging station was installed during the construction phase. The flow gauging station was not functioning and transmitting data during the compliance period.</p>	KAI has restored DW1GS function and telemetry. The float well housing the Troll logger requires removal of sediment to ensure reliable function and accurate flow monitoring. The data dashboard also requires some improvements to aid interpretation, use as a management tool and for reporting.
EMP 104 (Discharge management actions)	Monitor water flow at the stormwater outlet from the Development Area, Border Creek and the Keep River, determined in consultation with IRG, DPIRD, DWER and DBCA.	<p><b>Potentially non-compliant</b></p> <p>Refer to EMP 101 regarding the gauging station at the stormwater outlet.</p> <p>Flow gauging stations are operational on the Border Creek and Keep River.</p>	<p><b>Non-compliant</b></p> <p>The flow gauging station at the stormwater outlet was not functioning and transmitting data during the compliance period.</p> <p>Flow gauging stations are operational on the Border Creek</p>	Refer to EMP 101

			and Keep River during the compliance period.	
EMP 109 (Discharge monitoring regime)	Telemetered flow monitoring at development gauge, existing gauging stations along Border Creek and the Keep River and in groundwater discharge pipe.	<b>Potentially non-compliant</b> Refer to EMP 101 regarding the gauging station at the stormwater outlet. Flow gauging stations are operational on the Border Creek and Keep River.	<b>Non-compliant</b> The flow gauging station at the stormwater outlet was not functioning and transmitting data during the compliance period. Flow gauging stations were operational on the Border Creek and Keep River during the compliance period.	Refer to EMP 101
EMP 131 (Buffer management actions)	Maintain the Buffer Area perimeter fencing, where required, to minimise stock invasion, remove introduced livestock, and continue to remove any subsequent invading livestock, as required, to protect native vegetation condition	<b>Compliant</b>	<b>Potentially non-compliant</b> Due to required fence maintenance in some locations.	Fencing will be inspected in August or September 2024 and maintenance requirements reported to KAI.
EMP 132 (Buffer management actions)	Implement the Fire Management Sub-plan.	<b>Compliant</b> The auditor was unable to assess whether the Proposal is compliant with the detailed provisions of the Fire Management Sub-plan. However, the auditor considered	<b>Potentially non-compliant</b> The Goomig project is non-compliant with the strategies listed in the Fire Management Plan (Strategen 2012). The Fire Management Plan is being implemented in part as follows:	The Fire Management Plan is prescriptive, out of date, and requires review, including review of the environmental outcome(s) being sought from implementation of buffer area fire management.

		<p>that the purpose of the sub-plan is being met. In forming this judgement, the auditor had regard to the following:</p> <ul style="list-style-type: none"> <li>• fire breaks have been established and are being maintained by KAI,</li> <li>• fire breaks were established in association with the clearing undertaken on the Knox Creek Plain in 2022.</li> <li>• permits are obtained from the local government prior to conducting controlled burns,</li> <li>• fires that occurred in the Goomig buffer area in November 2022 originated outside the buffer area to the north, following the commencement of wet season rain, thus avoiding adverse impacts associated with late dry season wildfire,</li> <li>• the auditor observed regrowth and recovery in the fire area while conducting TsK surveys over the 2022-2023 wet season,</li> <li>• no infrastructure was impacted by the November fire,</li> </ul>	<ul style="list-style-type: none"> <li>• Fire breaks are being maintained and inspected,</li> <li>• Four-wheel drive access around the perimeter of the buffer is available where fencing is installed,</li> <li>• The western part of the Goomig Project environmental buffer area is subject to controlled burns implemented by DBCA in the adjacent Goomig Conservation Park which forms part of a landscape contiguous with the buffer,</li> <li>• The fire scar, including extent and timing of fires, is monitored through the North Australia &amp; Rangelands Fire Information service.</li> </ul>	
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		<ul style="list-style-type: none"> <li>Gouldian Finch habitat located in the buffer area to the south of the Goomig farmland remained unburnt in 2022.</li> </ul>		
KEMP 132 (Buffer management actions)	Prepare Knox Creek Plain fire management plan in compliance with Shire of Wyndham East Kimberley (SWEK) and Department of Fire and Emergency Services (DFES) requirements.	Not assessed	<b>Potentially non-compliant</b> The auditor understands that a Knox Creek Plain fire management plan has not been prepared.	Refer to EMP 132
EMP 133 (Buffer monitoring regime)	Assess vegetation condition using the Keighery (1994) rating scale and update vegetation condition map.	<p><b>Potentially non-compliant</b></p> <p>DPIRD conducted vegetation condition assessment at observation sites within the Weaber Plain and Knox Creek Plain buffer areas in 2022 and early 2023, however, the vegetation condition map has not been updated.</p> <p>The auditor also observed buffer vegetation condition while undertaking the 2022 CALIM audit. There appeared to be some signs of spray drift impact in some of the elongated and small sections of the buffer area that are surrounded by farm lots. Altered hydrology (inundation) in some of these parts of the buffer</p>	<p><b>Non-compliant</b></p> <p>DPIRD undertook vegetation/habitat condition assessment at some sites in the north-west of the Goomig buffer and parts of the Knox buffer as part of surveys of a proposed offset conservation area for TsK under the Authorisation. The assessment did not cover the whole buffer and the vegetation condition map has not been updated, therefore this item was assessed as non-compliant.</p>	Buffer vegetation condition assessment was undertaken in June 2024. A report is being prepared.

		was also considered to be a factor. These observations were made at the tail end of the dry season thus a seasonal effect was also likely to be at play.		
EMP 135 (Rehabilitation management actions)	Survey reference sites identified in Item 1 [EMP 134] to determine indicator species, density of native species, % cover of native species, native species richness and % weed cover as outlined in the monitoring procedures.	<p><b>Potentially non-compliant</b></p> <p>Rehabilitation activities were completed by Leighton Contractors or others for LandCorp at the completion of construction (~2012-14), including the construction compound area in the Weaber Plain buffer area adjacent to Moonamang Road.</p> <p>The current auditor inspected the construction compound rehabilitation area and assessed the area to be in good to very good condition. However, the current auditor notes the previous auditor's recommendation that [the rehabilitation actions] be assessed for closure, and that a botanical assessment may be required to close this item.</p>	<p><b>Potentially non-compliant</b></p> <p>Rehabilitation activities have been undertaken however the success of these activities has not been formally assessed. Consequently, this item and the related items EMP 136, 138, 139, 162, 163 and 164 have been assessed as potentially non-compliant.</p>	DPIRD engaged an environmental consultant in March 2024 to survey rehabilitated areas, identify, and select appropriate reference sites; and provide a procedure for field monitoring and rehabilitation assessment. The outputs are due from the consultant in July 2024. DPIRD will use these procedures to assess the success of the rehabilitation activities.
EMP 136 (Rehabilitation management actions)	Determine parameters and targets for each indicator species as appropriate. e.g. density of indicator			

	species, % cover of indicator species, etc.
EMP 138 (Rehabilitation management actions)	Develop a species list for seed collection based on species known to germinate from seed and/or that can be propagated by nurseries.
EMP 139 (Rehabilitation management actions)	Contract experienced seed collector licensed by the DPW AND/OR DER to undertake a seed collection program of plant species endemic to the project area following <i>Florabank Guidelines</i> (Greening Australia 2009).
EMP 162 (Rehabilitation monitoring regime)	[Monitor] native species richness, density and % cover within rehabilitation sites as outlined in the monitoring procedures.
EMP 163 (Rehabilitation monitoring regime)	[Monitor] indicator species in rehabilitation sites.
EMP 164 (Rehabilitation monitoring regime)	[Monitor] exotic species richness and % cover within rehabilitation sites as



outlined in the monitoring procedures.

EMP 143 (Rehabilitation management actions)	Control stock within buffer area in accordance with the Weed, Plant Pathogen and Pest Management Sub-plan.	<b>Compliant</b>	<b>Potentially non-compliant</b> Due to the significant number of cattle observed in the buffer in August 2023.	Fencing will be inspected in August or September 2024 and maintenance requirements reported to KAI.
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## 8. References

ANZG (2018), *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*. Australian and New Zealand Governments and Australian state and territory governments, Canberra ACT, Australia.

Bennett, D L, and George, R J. (2014), *Goomig Farmlands development Baseline water quality in the lower Keep River*. Department of Primary Industries and Regional Development, Western Australia, Perth. Report 393.

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Botanical North (2011), *Assessment and mapping of vegetation condition within the Weaber Plain Development Project Buffer Area*, Botanical North 2011.

Botanical North (2012a), *Ord River Irrigation Area Expansion – Stage Two, Weed Monitoring Program*, Botanical North, September 2012.

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KBC (2019), *Knox Creek Plain, Agricultural Development, Final Project Design Plan*, Revision C, KBC, June 2019.

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McMullen Nolan Group (2013), *Ord-East Kimberley Expansion Project Goomig Farm Area – M2S Channel Reserve*, Revision Y, April 2013.

Ord Land and Water (2015), *Vegetation Condition Assessment and Weed Survey for the Knox Creek Farmland Buffer Area 2015*, Ord Land and Water 2015.

Strategen (2010), *Ord River Irrigation Area – Weaber Plain Development Project – Phase 1 Final Project Design Plan*, Strategen Environmental Consultants Pty Ltd., Perth, May 2010.

Strategen (2011), *Ord River Irrigation Area - Weaber Plain Development Project - Phase 2 Final Project Design Plan*, Strategen Environmental Consultants Pty Ltd., Perth, July 2011.

Strategen (2013a), *Ord River Irrigation Area Stage 2 (M2 Supply Channel), Compliance Assessment Plan – Statement 938*, Revision 2, Strategen Environmental Consultants Pty Ltd., Perth, September 2013.

Strategen (2013b), *Ord River Irrigation Area – Weaber Plain Development Project – Phase 2 Weed Control Program*, Revision F, Strategen Environmental Consultants Pty Ltd., Perth, May 2013.

Strategen (2016), *Ord River Irrigation Area Stage 2 (M2 Supply Channel), Compliance Assessment Report – Statement 938, Revision O*, Strategen Environmental Consultants Pty Ltd., Perth, May 2016.

# Attachment 1 Statement of Compliance

## 1. Proposal and Proponent details

Proposal Title	Ord River Irrigation Area Stage 2 (M2 Supply Channel)
Statement Number	938
Proponent Name	Minister for Regional Development
Proponent's Australian Company Number	Not applicable

## 2. Statement of Compliance Details

Reporting Period	1 January 2023 to 31 December 2023
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Implementation phase(s) during reporting period							
Pre-construction		Construction	✓	Operation	✓	Decommissioning	

Audit Tables for Statement 938 addressed in this Statement of Compliance is provided at Attachments:	2, 3 and 4
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Were all implementation conditions and/or procedures of the Statement complied with within the reporting period?			
No (proceed to Section 3)	✓	Yes (proceed to Section 4)	

## 3. Details of Non-compliance(s) and/or Potential Non-compliance(s)

Which implementation condition or procedure was non-compliant or potentially non-compliant? #
<p><u>Conditions</u></p> <p>Condition 4-5 and Condition 5-1</p> <p><u>Environmental Management Program</u></p> <p>EMP21, EMP22, EMP23, EMP24, EMP26, EMP29, EMP38, EMP39, EMP40, EMP42, EMP43, EMP44, EMP56, EMP71, EMP72, EMP78, KEMP 83, EMP84, EMP91, EMP94, EMP95, EMP101, EMP104, EMP109, EMP131, EMP132, KEMP132, EMP133, EMP135, EMP136, EMP138, EMP139, EMP 143, EMP162, EMP163, EMP164.</p>
Was the implementation condition or procedure non-compliant or potentially non-compliant? #
<b>Condition 4-5 Non-compliant</b>

The CEO was not advised of all potential non-compliances with EMP provisions within 7 days. These potential non-compliances are listed in Table 6 of this CAR, and in Attachment 3 - Audit Table C – Statement 938 Environmental Management Programme

**Condition 5-1** Potentially non-compliant

The audit assessed that the Proposal was potentially non-compliant with condition 5-1 given potential non-compliances and some non-compliances with 36 of 178 EMP provisions. These 36 potential non-compliances and non-compliances are listed in Table 6 of this CAR, and in Attachment 3 - Audit Table C – Statement 938 Environmental Management Program.

On what date(s) did the non-compliance or potential non-compliance occur (if applicable)? #

Not applicable

Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?

<p>Yes (in part)</p>	<p>Reported to DWER verbally Date _____ Reported to DWER in writing Date: 15 April 2024 The report to DWER related to non-compliance and potential non-compliance with EMP items 23, 24, 29, 39, 40, 42 and 71.</p>	
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What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?

Tables 5 and 6 and Audit Tables A (Attachment 2) and C (Attachment 4) provide details of the non-compliances and potential non-compliances.

What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)?

Weaber and Knox Creek Plains

What was the cause(s) of the non-compliance or potential non-compliance?

Tables 5 and 6 and Audit Tables A (Attachment 2) and C (Attachment 4) provide details of the non-compliances and potential non-compliances.

What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?

Refer to Table 6

What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?

The auditor's observation is that resources and effort have been directed and weighted towards actions to manage the greatest environmental risk, being the discharge of agricultural stormwater to the Keep River and potential impact to Keep River environmental values. Implementation of a routine weekly water quality monitoring program, educational workshops, rapid response to incidents, and regular communication with catchment growers has demonstrably mitigated risk to this most significant environmental factor.

Less resources and effort have been directed at lower environmental risks, such as risks to buffer area environmental values, and to risks that pre-existed and are not exacerbated by the development, such as the existence of Parkinsonia weed in the buffer area. Potential non-compliances have been recorded in relation to management of these lower risk items.

Twelve (12) non-compliances and potential non-compliances were found with chemical management and monitoring provisions of the EMPs. Corrective actions have commenced to ensure chemicals are appropriately stored, managed, and monitored and to avoid future non-compliances.

In June 2024, DPIRD reinstated the Goomig-Knox Management Committee in accordance with the Development Agreement between the State and KAI to systematically address compliance matters and to progress overdue reviews and updates to the environmental manage programs to bring them in line with contemporary outcome and risk-based approaches.

Provide information/documentation collected and recorded in relation to this implementation condition or procedure:

- in the reporting period addressed in this Statement of Compliance, and
- as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance

Refer to audit tables (Attachment 2, 3 and 4) and the Evidence folder.

#### 4. Proponent Declaration

I, ... **Eamonn McCabe, Executive Director, Regional Business Development**  
(Full name and position title)

declare that I am authorised on behalf of Dept of Primary Industries and Regional Development  
(Being the person responsible for the proposal) to submit this form and that the information contained in this form is true and not misleading.

Signature:  Date: 15.7.24

Please note that:

- it is an offence under section 112 of the Environmental Protection Act 1986 for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- the Chief Executive Officer of the DWER has powers under section 47(2) of the Environmental Protection Act 1986 to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

**Attachment 2      Audit Table A – Conditions of Ministerial Statement 938**

Audit code	Subject	Action	How	Evidence	Phase	Timeframe	Status	Further information
938:M1.1	Implementation	The proponent shall implement the proposal as documented and described in Schedule 1 of this Statement, subject to the conditions and procedures of this Statement.	Implement Proposal as described in Schedule 1	Refer to Table 1.2	Overall	Ongoing	C	Refer to Table 1.2
938:M2.1	Contact details	The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within 28 days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.	Submit written notification to the CEO of OEPA	Not applicable	Overall	Within 28 days of change of contact details.	C	Minister for Regional Development nominated as proponent on 12 December 2017.
938:M3.1	Time limit for Proposal Implementation	The proponent shall not commence implementation of the proposal after the expiration of 5 years from the date of this Statement, and any commencement, within this 5-year period, must be substantial.	Commence substantial implementation of Proposal by 12 June 2018	Not applicable	Overall	By 12 June 2018	CLD	Item assessed as complete in previous auditing period.
938:M3.2	Time limit for Proposal Implementation	Any commencement of implementation of the proposal, within 5 years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of 5 years from the date of this Statement.	Provide written evidence of substantial commencement of implementation on or before 12 June 2018	Not applicable	Overall	By 12 June 2018	CLD	Item assessed as complete in previous auditing period.
938:M4.1	Compliance reporting	The proponent shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO.	Prepare a Compliance Assessment Plan and submit to the CEO of OEPA for approval	Not applicable	Overall	Ongoing	CLD	Strategen (2013a) Ord River Irrigation Area Stage 2 (M2 Supply Channel), Compliance Assessment Plan – Statement 938  Approved by letter from OEPA dated 2 October 2013.

Audit code	Subject	Action	How	Evidence	Phase	Timeframe	Status	Further information
								Item assessed as complete in a previous audit period.
938:M4.2	Compliance reporting	The Compliance Assessment Plan shall indicate: (a) the frequency of compliance reporting, (b) the approach and timing of compliance assessments, (c) the retention of compliance assessments, (d) reporting of potential non-compliances and corrective actions taken, (e) the table of contents of compliance reports, and (f) public availability of compliance reports.	Prepare a Compliance Assessment Plan addressing all requirements	Not applicable	Overall	Prior to implementation	CLD	Item assessed as complete in a previous audit period.
938:M4.3	Compliance reporting	The proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by Condition 4-1.	Undertake annual compliance assessments in accordance with the approved Compliance Assessment Plan	This Compliance Assessment Report	Overall	Ongoing	C	-
938:M4.4	Compliance reporting	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by Condition 4-1 and shall make those reports available when requested by the CEO.	Prepare and retain Annual Compliance Assessment Reports in accordance with the approved Compliance Assessment Plan Make compliance assessment reports available to CEO of OEPA on request	Not applicable  Reports of all compliance assessments are retained in DPIRD's Objective ECM records keeping system.  Reports are also published here: <a href="http://www.wa.gov.au">Ord East Kimberley Expansion - Western Australian environmental approval documents (www.wa.gov.au)</a>	Overall	Ongoing	C	-



Audit code	Subject	Action	How	Evidence	Phase	Timeframe	Status	Further information
938:M4.5	Compliance reporting	The proponent shall advise the CEO of any potential non-compliance within 7 days.	Written correspondence to CEO of OEPA within 7 days of any potential non-compliance	2023.938.M4.5 Ministerial Statement 938 – Notification of potential non-compliance	Overall	Within 7 days of a potential non-compliance being known	NC	The CEO was not notified of all potential non-compliances with the EMPs prior to submission of this Compliance Assessment Report 2023.
9388:M4.6	Compliance reporting	The proponent shall submit a compliance assessment report annually from the date of issue of this Statement addressing the previous twelve-month period or other period as accepted by the CEO. The compliance assessment report shall: <ul style="list-style-type: none"> <li>• be endorsed by the proponent’s Managing Director or a person delegated to sign on the Managing Director’s behalf,</li> <li>• include a statement as to whether the proponent has complied with the conditions,</li> <li>• identify all potential non-compliances and describe corrective and preventative actions taken,</li> <li>• be made publicly available in accordance with the approved Compliance Assessment Plan, and</li> <li>• indicate any proposed changes to the Compliance Assessment Plan required by Condition 4-1.</li> </ul>	Submit Annual Compliance Assessment Reports addressing all requirements annually to OEPA	2023.938.M4.6 Submission of 2022 Compliance Assessment Report	Overall	By June 2014 and annually thereafter	C	
938:M5.1	Environmental Management Program	The proponent shall implement the proposal in accordance with the “Environmental Management Programme”, dated July 2011, or subsequent revisions approved by the CEO.	Implement approved Environmental Management Programme	Refer to Part C Audit Table	Overall	Ongoing	PNC	The Proposal is assessed as potentially non-compliant with condition 5-1 given potential non-compliances and some non-compliances with 36 of 178 EMP provisions. These 36 potential non-compliances and non-compliances are listed in Table 6 of this CAR, and in Audit Table C in Attachment 3.

Audit code	Subject	Action	How	Evidence	Phase	Timeframe	Status	Further information
938:M6.1	Final Project Design	The proponent shall implement the proposal in accordance with the "Final Project Design Plan", dated July 2011, or subsequent revisions approved by the CEO.	Implement approved Final Project Design Plan	<p>2023.938.M6.1a Knox development area – Showing development boundary and satellite image dated 25 December 2023</p> <p>2023.938.M6.1b Knox development area – Satellite image dated 25 December 2023</p> <p>2023.938.M6.1c Knox development area – Clearing footprint to 31 December 2023</p> <p>2023.938.M6.1d Goomig development area – Showing development boundary and satellite image dated 25 December 2023</p>	Overall	Ongoing	C	<p>Strategen (2010) Ord River Irrigation Area – Weaber Plain Development Project Phase 1 Final Project Design Plan</p> <p>Strategen (2011) Ord River Irrigation Area – Weaber Plain Development Project Phase 2 Final Project Design Plan</p> <p>Approved by letter from the Office of the Environmental Protection Authority dated 15 August 2011.</p> <p>KBC (2019) Knox Creek Plain Agricultural Development Final Project Design Plan Amended – July 2019 Revision C</p> <p>Approved by letter from the Office of the Environmental Protection Authority dated 4 May 2020.</p> <p>The Knox Creek Plain FPDP will be updated in 2024 to be consistent with the section 40 authorisation to take/disturb Typhonium sp. Kununurra (Ref: TFL 001-2122)</p>

Audit code	Subject	Action	How	Evidence	Phase	Timeframe	Status	Further information
938:M7.1	Final Decommissioning Plan	<p>At least six months prior to the anticipated date of decommissioning, or at a time accepted by the CEO, the proponent shall prepare a Final Decommissioning Plan designed to ensure that the site is left in a suitable condition, with no liability to the State. The Final Decommissioning Plan shall be prepared in accordance with "Preliminary Decommissioning Plan", approved as part of the "Environmental Management Programme" dated July 2011 and required by Condition 5-1, or subsequent revisions approved by the CEO.</p> <p>The Final Decommissioning Plan shall address:</p> <ul style="list-style-type: none"> <li>• removal or, if appropriate, retention of plant and infrastructure,</li> <li>• rehabilitation of all disturbed areas to a standard suitable for the accepted new land use(s), and</li> <li>• identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities.</li> </ul>	Prepare a Final Decommissioning Plan addressing all requirements and submit to CEO of OEPA for approval in accordance with timeframe	Not applicable	Overall	At least six months prior to the anticipated date of decommissioning or at a time accepted by the CEO	NR	There is currently no intention to decommission the proposal.
938:M7.2	Final Decommissioning Plan	The proponent shall implement the Final Decommissioning Plan required by Condition 7-1 until such time as the CEO determines that decommissioning is complete.	Implement Final Decommissioning Plan	Not applicable	Decommissioning	Until such time as the CEO determines that decommissioning is complete	NR	There is currently no intention to decommission the proposal.
938:M7.3	Final Decommissioning Plan	The proponent shall make the Final Decommissioning Plan required by Condition 7-1 publicly available, to the requirements of the CEO.	Make Final Decommissioning Plan available to stakeholder or public upon request and within 7 days of the receipt of the request	Not applicable	Overall	To the requirements of the CEO	NR	There is currently no intention to decommission the proposal.

**Attachment 3      Audit Table B - Schedule 1 of Statement 938**

Audit Code	Element	Description	Evidence	Status	Comments
S1_2.1	Land within the Project Area	Project Area 76,000 ha	2023.938.M6.1a Knox development area – Showing development boundary and satellite image dated 25 December 2023  2023.938.M6.1b Knox development area – Satellite image dated 25 December 2023  2023.938.M6.1c Knox development area – Clearing footprint to 31 December 2023	C	Clearing to date is as follows: <ul style="list-style-type: none"> <li>• Weaber Plain – farm area: 7,416 ha within farm lot area of 7,643 ha (no change in 2023)</li> <li>• Weaber Plain – infrastructure: 943.02 ha, including Moonamang Road realignment (no change in 2023)</li> <li>• Knox Plain – 5,460 hectares, including 52 ha for the Knox Supply Channel (2,260 ha was cleared in 2023)</li> </ul> TOTAL: 13,819 ha
S1_2.2		Land managed as buffer 42,500ha	2023.938.M6.1d Goomig development area – Showing development boundary and satellite image dated 25 December 2023	C	The established Weaber Plain buffer area is 11,545 ha (Lot 425 on Plan 400992 and Lot 404 on Plan 75732). This is consistent with the approved Phase 2 (Weaber Plain) FPDP that designates a buffer area of approximately 11,470 ha (Strategen 2011).  The Knox Creek Plain buffer area is 6,896 ha with the incorporation of avoidance areas for the threatened species, Typhonium sp. Kununurra, into the buffer. A section 45C amendment application under the EP Act and an amended Knox Creek Plain FPDP will be submitted in the 2024 compliance assessment period to formally incorporate the additional land in the buffer area. This will align MS938 and the associated FPDP with the Authorisation.
S1_2.3		Land for irrigable development 30,500ha		C	As above, a total of 7,416 ha of has been cleared for farms and ancillary infrastructure (i.e., irrigable development) within established farm lots in the Weaber Plain development area totalling 7,643 ha.  A further 809.2 ha of farm lots (Lots 4, 7, and 11) remained uncleared by the end of the 2024 compliance assessment period.  The approved Knox Creek Plain FPDP provides for 5,568 ha of farms (land for irrigable development). An amended FPDP will be submitted in the 2023 compliance assessment period as mentioned above.
S1_2.4		Infrastructure area 3,000ha		C	A total of 995.02 ha has been cleared for infrastructure to date on the Weaber and Knox Creek Plains, including 52 ha cleared in 2022 for construction of the Knox Supply Channel.
S1_2.5		Land outside the Project Area	M2 Channel (lake Kununurra to project area) 690 ha	Not applicable	NR
S1_2.6	Wyndham Port Facilities 1ha		Not applicable	NR	No activity associated with Wyndham Port Facilities occurred in the compliance assessment period.

S1_2.7	Production	Raw sugar 400,000tpa	2023.S1_2.7 Goomig-Knox Surface Water Report 2023 (KAI 2024)	NR	No sugar has been grown in the Project Area since commencement, including the 2023 compliance assessment period.  Cotton, hay, and maize were grown during the 2023 compliance assessment period.
S1_2.8		Molasses 160,000tpa	2023.S1_2.7 Goomig-Knox Surface Water Report 2023 (KAI 2024)	NR	As above
S1_2.9	Infrastructure	Irrigation Channels 160km	2023.938.M6.1c Knox development area – Clearing footprint to 31 December 2023	C	37 km of main supply channels have been constructed to date. An 8.5 km corridor (52 ha) of native vegetation was cleared in 2022 to provide for the construction of the Knox Supply Channel consistent with the Knox Creek Plain FPDP. The Knox Supply Channel is an extension of the M2 supply channel.
S1_2.10		Annual water requirements 740GL	2023.S1_2.7 Goomig-Knox Surface Water Report 2023 (KAI 2024)	C	The annual Goomig-Knox Surface Management report 2023 advises that OIC released 31.59 GL to the Goomig farmlands in 2023 through the M2C3 structure. Of this, the offtake meters recorded 23.35 GL delivered to Goomig farms for irrigation during the 2023 irrigation season.
S1_2.11		Drains 153km	Refer to evidence listed at S1_2.1 to 2.4	C	51 km of major drains had been constructed prior to commencement of the Knox Creek Plain development. Keep Farming Pty Ltd commenced development of levees and drains in the Knox Creek Plain development area in 2023. All drains are within the approved development area.
S1_2.12		Flood protection levees 142km	Refer to evidence listed at S1_2.1 to 2.4	C	48 km of flood protection levees had been constructed prior to the commencement of the Knox Creek Plan development. Keep Farming Pty Ltd commenced development of levees and drains in the Knox Creek Plain development area in 2023. All levees are within the approved development area.
S1_2.13		Balancing storage dams (operating volume) 5.6GL	Not applicable	C	No changes to balancing storage infrastructure was made in the 2023 compliance assessment period. As noted by the previous auditor (KBC 2022), balancing storage for the Weaber Plain development is contained within the M2 channel between the M2C3 and M2C4 structures. The reach of the M2 channel between the M2C3 and M2C4 structures holds up to 390 ML, of which 100 ML is considered 'operational storage' (i.e., balancing storage).
S1_2.14		Roads 161km	Not applicable	C	No roads were constructed in the 2022 compliance assessment period. 49.2 km of roads have been constructed to date: Moonamang Road – Public Road Minjiljirrga Lane – Lot 420 on Plan 75732 Wooljim Lane – Lot 421 on Plan 75732 Jandami Lane – Lot 422 on Plan 75732
S1_2.15		Power lines 165km	Not applicable	C	No power lines have been constructed to date.
S1_2.16		Wyndham Port	Raw sugar store 180,000t	2023.S1_2.7	NR

			Goomig-Knox Surface Water Report 2023 (KAI, 2023)		Cotton, hay, and maize were grown during the 2023 compliance assessment period.
S1_2.17		Molasses store 75,000	2023.S1_2.7 Goomig-Knox Surface Water Report 2023 (KAI, 2023)	NR	No sugar was grown for molasses production occurred in the compliance assessment period. Cotton, hay, and maize were grown during the 2023 compliance assessment period.

## Attachment 4      Audit Table C – Statement 938 Environmental Management Program

### Soil conservation management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 1	<p>Provide an Information Package to the owner/leaseholder, which outlines:</p> <ul style="list-style-type: none"> <li>the susceptibility of soil from disturbed areas to erosion from high intensity rainfall during the wet season.</li> <li>soil erosion prevention measures.</li> <li>irrigation strategies to reduce potential impacts of sodicity and salinity.</li> <li>procedures to monitor soil salinity and sodicity.</li> </ul>	To reduce the potential for agricultural practices to result in erosion by ensuring prospective landowners are aware of the appropriate risks and management measures.	At sub-lease/sale of lots	Not applicable	CLD	CLD	<p><u>Weaber Plain</u> Item assessed as completed in a previous audit period (KBC 2018).</p> <p><u>Knox Creek Plain</u> Item assessed as completed in a previous audit period (KBC 2022).</p>
EMP 2	Induct construction personnel on soil erosion control management measures.	To reduce the potential for construction activities to result in erosion by ensuring construction personnel are aware of appropriate management measures.	Within one week of personnel commencing work on-site	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	C	C	KAI confirmed at the audit interview that this is addressed in the new personnel inductions for both Weaber and Knox Creek Plain development areas.
EMP 3	Maintain records of ground disturbing activities that include the date that the boundary of clearing was delineated, the date of clearing and location of topsoil storage.	To provide data to inform management.	During construction of shared infrastructure	<p>2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024</p> <p>2023.EMP2b Example of boundary marker 20240228</p> <p>2023.EMP2c Knox South clearing compliance site visit – 2 October 2023</p>	CLD	C	<p><u>Weaber Plain</u> Construction of shared infrastructure on the Weaber Plain was completed in 2014.</p> <p><u>Knox Creek Plain</u> KAI confirmed at the compliance audit meeting that clearing continued to be managed as follows in 2023:</p> <ul style="list-style-type: none"> <li>The development boundaries were surveyed by a licensed surveyor (SML Land Surveyors).</li> <li>Boundaries were marked with star pickets and tape.</li> <li>The surveyor marked the boundary ahead of the dozer.</li> <li>Boundaries were cleared first.</li> </ul> <p>KAI also confirmed at the audit meeting that there are no disturbed areas that will require rehabilitation (therefore topsoil has not been stored).</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 4	Restrict ground-disturbing activities to the dry season wherever practicable.	To prevent ground-disturbing activities when the risk of erosion is high.	During construction of shared infrastructure	Not applicable	CLD	C	<p><u>Weaber Plain</u> Construction of shared infrastructure on the Weaber Plain was completed in 2014.</p> <p><u>Knox Creek Plain</u> Clearing on the Knox Creek Plain commenced in May 2023 and concluded in November 2023, prior to the commencement of 2023-2024 wet season rainfall.</p>
EMP 5	Ensure a drainage management system that includes a sediment trap is in place around all borrow pits.	To reduce the potential for erosion of borrow pits to result in adverse environmental impacts.	Prior to ground disturbance	<p>2023.EMP5a Area 11 Photo 1 – southern borrow area</p> <p>2023.EMP5b Area 11 Photo 2 – northern borrow area</p>	C	C	The is only one borrow pit within the Ord Stage 2 area. This site is referred to as the Area 11 raw materials extraction area. Area 11 is in the Goomig environmental buffer area. Area 11 is established and operates to reduce the potential for erosion to causing adverse environmental impacts as evidenced from the photos provided as evidence.
EMP 6	Delineate the boundaries of the vegetation to be cleared for construction in the field with flagging tape, signage or fencing.	To minimise erosion by preventing unauthorised ground disturbance.	Prior to ground disturbance	<p>2023.938.M6.1c Knox development area – Clearing footprint to 31 December 2023</p> <p>2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024</p>	NR	C	<p><u>Weaber Plain</u> No clearing was undertaken in the Weaber Plain development area in 2023.</p> <p><u>Knox Creek Plain</u> KAI confirmed at the audit interview that clearing continued to be managed as follows in 2023:</p> <ul style="list-style-type: none"> <li>• The development boundaries were surveyed by a licensed surveyor (SML Land Surveyors).</li> <li>• Boundaries were marked with star pickets and tape.</li> <li>• The surveyor marked the boundary ahead of the dozer.</li> <li>• Boundaries were cleared first.</li> </ul>
EMP 7	Stage clearing of vegetation so that areas are cleared only as required	To reduce the potential for erosion by minimising the area of ground surface exposed at any one time, to allow native animals the chance to move on.	During construction of shared infrastructure	<p>2023.EMP7 Knox development area – Clearing footprint to 31 December 2022</p> <p>2023.938.M6.1c Knox development area – Clearing</p>	C	C	<p>Clearing and development of the M2 area has progressed in stages. Development of the M2 supply channel, roads, and farm infrastructure on the Weaber Plain, commenced in 2010. The M2 supply channel was completed in 2014 and farming at Goomig commenced in 2015. The Goomig farmlands are now fully developed and operational, except for Lots 4, 7, 11, and 15.</p> <p>Clearing of the Knox Creek Plain commenced on 26 May 2020 following approval of an amended Knox Creek Plain FPDP (Revision C) (KBC 2019).</p>



Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
				footprint to 31 December 2023			Clearing ceased that same year due to the presence of TsK in the area. Clearing recommenced in 2022 following the grant of the Authorisation mentioned earlier. A total of 3,200 ha was cleared by the end of 2022 and a further 2,260 ha was cleared in 2023 as shown in the evidence documents.
EMP 8	Restrict movement of construction machinery and equipment to designated tracks and roads.	To prevent unauthorised ground disturbance.	During construction of shared infrastructure	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	NR	C	<u>Weaber Plain</u> The construction phase is complete on the Weaber Plain  <u>Knox Creek Plain</u> DPIRD staff regularly inspected the Knox Creek Plain development area in 2023. Machinery was always located on designated tracks or otherwise within the development area. KAI also confirmed this at compliance audit interview.
EMP 9	Maintain records of topsoil stockpiles that include the location of stockpile and location of where topsoil was removed from.	To ensure topsoil is utilised in the most appropriate locations.	During construction of shared infrastructure	2023.EMP5a Area 11 Photo 1 – southern borrow area  2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	CLD	C	<u>Weaber Plain</u> The construction phase is complete on the Weaber Plain. Top-soil stockpiles are located on high ground in the Area 11 raw materials extraction area. This is evident in the photo provided as evidence item 2023.EMP5a.  <u>Knox Creek Plain</u> Top-soil stockpiles are located on high ground in the Area 11 raw materials extraction area. This is evident in the photo provided as evidence item 2023.EMP5a.  Topsoil from the cleared Knox Supply Channel corridor has been absorbed into supply channel construction.  KAI confirmed at the audit interview that there are no disturbed areas that will require rehabilitation (therefore topsoil has not been stored).
EMP 10	Remove topsoil from: <ul style="list-style-type: none"> <li>all areas to be excavated,</li> <li>all areas where spoil from excavation is to be stored.</li> </ul>	To provide a natural source of seed, organic matter and microorganisms for areas to be rehabilitated.	During construction of shared infrastructure	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	CLD	C	Refer to EMP 9

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 11	Stockpile cleared topsoil and subsoil separately, away from irrigation channels, for later use in rehabilitation in accordance with the Rehabilitation Management Sub-plan	To provide a natural source of seed, organic matter and microorganisms for areas to be rehabilitated.	During construction of shared infrastructure	Refer to EMP 9	CLD	C	Refer to EMP 9
EMP 12	Install topsoil containment measures such as sediment fencing around stockpiles.	To reduce potential for erosion of topsoil stockpiles.	During construction of shared infrastructure	Refer to EMP 9	CLD	C	Refer to EMP 9
EMP 13	Install signage to prevent unauthorised access to the buffer in accordance with the Buffer Management Sub-plan.	To prevent damage to the buffer from unauthorised access.	Prior to ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	C	C	KAI advised during at the compliance audit meeting on 7 February 2024 that there is no signage in place however the intent is achieved because the buffer areas are practically difficult to access. It is also felt that signage may attract unauthorised access rather than hinder it. No unauthorised access to the buffer area was observed by DPIRD during multiple site visits to the Goomig and Knox buffer areas over the course of the compliance period.
EMP 14	Rehabilitate areas disturbed as a result of construction that are no longer required post-construction in accordance with the Rehabilitation Management Sub-plan.	To maximise the potential for successful rehabilitation.	As specified in the Rehabilitation Management Sub-plan	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	CLD	C	<u>Weaber Plain</u> Item assessed as completed in a previous audit period. Refer to Rehabilitation management and monitoring audit tables regarding assessment of rehabilitation success.  <u>Knox Creek Plain</u> KAI confirmed at the compliance audit meeting on 7 February 2024 that there are no disturbed areas that will require rehabilitation.

## Soil monitoring regime

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 15	Soil erosion within 50 m of construction activities.	Weekly during construction of shared infrastructure	No soil erosion occurring as a result of construction activities.	<ul style="list-style-type: none"> <li>Investigate cause of erosion.</li> <li>Investigate ways to minimise erosion and increase landform stability.</li> <li>Implement remedy.</li> <li>Monitor success of remedy.</li> </ul>	<p>2023.EMP15a – Photo showing no erosion outside development boundary (Knox NW) - 20240228</p> <p>2023.EMP15b – Photo showing no erosion outside development boundary (Knox NE) - 20231206</p> <p>2023.EMP15c – Photo showing no erosion outside development boundary (Knox NE) - 20231206</p> <p>2023.EMP15d – Photo showing no erosion during construction of infrastructure (Knox NE) - 20231206</p>	CLD	C	<p><u>Weaber Plain</u> Construction of shared infrastructure on the Weaber Plain was completed in 2014.</p> <p><u>Knox Creek Plain</u> There was no erosion evident.</p>
EMP 16	Management of topsoil stockpiles.	Weekly during construction of shared infrastructure	Topsoil stockpiles are being managed appropriately, including no indication of erosion present.	<ul style="list-style-type: none"> <li>Investigate cause of erosion.</li> <li>Investigate ways to minimise erosion and increase landform stability.</li> <li>Implement remedy.</li> <li>Monitor success of remedy.</li> </ul>	2023.EMP5a Area 11 Photo 1 – southern borrow area	CLD	NR	Refer to EMP 9
EMP 17	Extent of clearing and ground disturbance along pre-defined boundaries.	Weekly during construction of shared infrastructure	No clearing or disturbance outside of pre-defined boundaries (Figure 2).	<ul style="list-style-type: none"> <li>Report as Environmental Incident and initiate Incident Procedure</li> </ul>	Refer to EMP 3	NR	C	Refer to EMP 3

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 18	Soil erosion within 50 m of infrastructure (including roads, channels, sediment basins and hillside drains).	As required after construction, for example after significant rainfall events.	Landform is safe and stable with no soil erosion occurring as a result of runoff from infrastructure.	<ul style="list-style-type: none"> <li>Investigate cause.</li> <li>Identify ways to reduce erosion from infrastructure such as reducing runoff velocity, diverting runoff and application of hydromulch to areas identified as susceptible to erosion from runoff.</li> <li>Implement remedy.</li> <li>Monitor success of remedy.</li> </ul>	Refer to evidence provided at EMP 15	C	C	<p><u>Weaber Plain</u> The auditor conducted regular inspections in the Weaber Plain development area in 2023 including in conducting the 2023 CALIM audit. No significant erosion was observed during these inspections.</p> <p><u>Knox Creek Plain</u> Refer to EMP 15</p>
EMP 19	Surface and subsoil electrical conductivity within the project area, with a specific focus on areas with Aquitaine clay soils, including: <ul style="list-style-type: none"> <li>at least one sample from each lot</li> <li>a representative spread of sites throughout the Buffer Area.</li> </ul>	Twelve monthly, commencing prior to clearing and at the end of each dry season during operation of irrigation infrastructure.	Salinity levels do not exceed 400 mS/m in surface or subsurface soils.	<ul style="list-style-type: none"> <li>Map the distribution of soil with salinity exceeding target levels.</li> <li>Investigate cause (which could include determining if salinity is due to a rise in the groundwater or whether the soil chemical status is deteriorating from insufficient irrigation).</li> <li>Verify the adequacy of the estimated leaching rate (approximately 100 mm/a) in controlling sodicity in accordance with the Groundwater Management Sub-plan.</li> <li>Identify whether remedial action is required, such as installation of field drains in accordance with the Groundwater Management Sub-plan.</li> <li>Implement remedial action on a trial basis in areas identified from mapping.</li> <li>Monitor success of remedy, increasing the frequency of soil monitoring if salinity exceeds target levels.</li> </ul>	2023.EMP19 Soil sampling results and compliance assessment	C	C	Refer to evidence document.

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment																		
EMP 20	Surface and subsoil ESP and pH within the project area, with a specific focus on areas with Aquitaine clay soils, including: <ul style="list-style-type: none"> <li>at least one sample from each lot</li> <li>a representative spread of sites throughout the Buffer Area.</li> </ul>	Twelve monthly, commencing prior to clearing and at the end of each dry season during operation of irrigation infrastructure.	Sodicity levels five years after commencement of irrigation do not exceed an ESP of 6 in surface soils or 15 in subsurface soils.	<ul style="list-style-type: none"> <li>Map the distribution of soil with sodicity exceeding target levels.</li> <li>Investigate cause (which could include determining if changes are consistent with the anticipated initial response to land use change, or whether the soil chemical status is deteriorating as a result of insufficient irrigation).</li> <li>Verify the adequacy of the estimated leaching rate (approximately 100 mm/a) in controlling sodicity in accordance with the Groundwater Management Sub-plan.</li> <li>Identify whether remedial action is required, such as application of gypsum or sulphur.</li> <li>Implement remedial action on a trial basis in areas identified by mapping.</li> <li>Monitor success of remedy, increasing the frequency of soil monitoring if salinity exceeds target levels.</li> </ul>	2023.EMP19 Soil sampling results and compliance assessment	C	C	<p><u>Weaber Plain</u> Refer to evidence document.</p> <p><u>Knox Creek Plain</u> Testing found the target levels exceeded at two sites despite that irrigation has not yet commenced on the Knox Creek Plain. The target applies five years after the commencement of irrigation therefore this item is assessed as compliant.</p> <table border="1"> <thead> <tr> <th>Site</th> <th>Lab No.</th> <th>Date</th> <th>Depth (cm)</th> <th>Target</th> <th>Result %</th> </tr> </thead> <tbody> <tr> <td>Knox 1</td> <td>M5S23046</td> <td>23/7/23</td> <td>0-10</td> <td>6</td> <td>18.6</td> </tr> <tr> <td>Knox 3</td> <td>M5S23051</td> <td>23/7/23</td> <td>0-60</td> <td>15</td> <td>18.3</td> </tr> </tbody> </table>	Site	Lab No.	Date	Depth (cm)	Target	Result %	Knox 1	M5S23046	23/7/23	0-10	6	18.6	Knox 3	M5S23051	23/7/23	0-60	15	18.3
Site	Lab No.	Date	Depth (cm)	Target	Result %																					
Knox 1	M5S23046	23/7/23	0-10	6	18.6																					
Knox 3	M5S23051	23/7/23	0-60	15	18.3																					

## Chemicals management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 21	<p>Prospective land managers will be advised of the requirement to comply with procedures for chemical application, and chemical management legislation including:</p> <ul style="list-style-type: none"> <li>• <i>Agricultural and Veterinary Chemicals Code Act 1994 (Cwth)</i> and associated acts and regulations</li> <li>• <i>Health (Pesticides) Regulations 2011</i></li> <li>• <i>Aerial Spraying Control Act 1966 (WA)</i></li> <li>• <i>Agricultural Produce (Chemical Residues) Act 1983 (WA)</i></li> <li>• <i>Poisons Act 1964 (WA)</i></li> <li>• <i>Veterinary Preparations and Animal Feeding Stuffs Act 1976 (WA)</i></li> <li>• <i>Agriculture and Related Resources (Spraying Restriction) Regulations 1979.</i></li> </ul>	To reduce the potential for contamination of the environment by farm chemicals by ensuring that farm owners/managers are aware of the specified procedures for chemical application in the project area and informed of their rights and responsibilities under the relevant Acts and Regulations.	At sub-lease of lots.	<p>2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)</p> <p>2023.EMP21b – Email communication requiring rectification of improper chemical management (A12406494)</p> <p>2023.EMP21c – Letter to KAI regarding environmental site inspection – 8 April 2024 (A12406491)</p>	CLD	PNC	<p><u>Weaber Plain</u> Item assessed as completed in a previous audit period (Strategen 2015).</p> <p><u>Knox Creek Plain</u> Inspection of the Knox operations centre area on 8 April 2024 found improper storage of hydrocarbons and other chemicals (refer to 2023.EMP21a).</p> <p>The above indicates that Keep Farming has not been satisfactorily advised of the requirements.</p> <p>DPIRD requested Keep Farming Pty Ltd remedy the non-compliance (refer to 2023.EMP21b). DPIRD also wrote to KAI (refer to 2023.EMP21c).</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 22	Induct personnel on safe use of chemicals and hydrocarbon management measures, including hydrocarbon handling, disposal, and spill response procedures.	To reduce the risk of contamination of the environment.	Within one week of personnel commencing work on site	<p>2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024</p> <p>2023.EMP22b – Email to KAI re. non-compliance</p> <p>2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)</p> <p>2023.EMP21b – Email communication requiring rectification of improper chemical management (A12406494)</p> <p>2023.EMP21c – Letter to KAI regarding environmental site inspection – 8 April 2024 (A12406491)</p>	PNC	PNC	<p><u>Weaber Plain</u> Inspection of the Goomig operations area on Lot 3 on 22 April 2024 found improper storage of chemicals and improper washdown facilities. (refer to 2023.EMP22a). DPIRD sought that KAI remedy the non-compliance by 24 June 2024 (refer to 2023.EMP22b).</p> <p><u>Knox Creek Plain</u> Inspection of the Knox Development operations centre area on 8 April 2024 found improper storage of hydrocarbons and other chemicals.</p> <p>The above indicates that personnel have not been satisfactorily inducted.</p>
EMP 23	Ensure storage of farm chemicals complies with relevant Australian and Western Australian Standards, including AS 2507-1998 “ <i>The storage and handling of agricultural and veterinary chemicals</i> ” and Department of Water Toxic and Hazardous Substances – Storage and Use WQPN No. 65.	To prevent potential contamination of the environment and harm to individuals by ensuring appropriate storage and handling of chemicals.	Ongoing from commencement of ground disturbance	Refer to evidence provided in relation to EMP 21 and EMP 22	NC	NC	<p>Inspection of the Weaber Plain (Goomig) operations area on Lot 3 on 22 April 2024 found improper storage of chemicals.</p> <p>Inspection of the Knox Development operations centre area on 8 April 2024 found improper storage of hydrocarbons and other chemicals.</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 24	<p>All hydrocarbons will be stored in accordance with the following:</p> <ul style="list-style-type: none"> <li>• <i>Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007</i> (WA)</li> <li>• Australian Standard AS 1940-2004: The Storage and Handling of Flammable and Combustible Liquids.</li> </ul>	To minimise the potential for hydrocarbon contamination of the environment.	Ongoing from commencement of ground disturbance	<p>2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024</p> <p>2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)</p> <p>2023.EMP21b – Email communication requiring rectification of improper chemical management (A12406494)</p> <p>2023.EMP21c – Letter to KAI regarding environmental site inspection – 8 April 2024 (A12406491)</p>	C	NC	<p><u>Weaber Plain</u> Refer to photos 8 to 12 in 2023.EMP22a evidencing compliance with hydrocarbon storage standards at Goomig.</p> <p><u>Knox Creek Plain</u> Non-compliant due to improper storage of hydrocarbons at the Knox operations centre recorded during inspection on 8 April 2024 (refer to 2023.EMP21a). DPIRD requested Keep Farming Pty Ltd remedy the non-compliance as soon as possible (refer to 2023.EMP21b). DPIRD also wrote to KAI (refer to 2023.EMP21c).</p>
EMP 25	Generators will be located on bunded platforms to contain any fuel leaks.	To minimise the potential for spills and leaks to contaminate the environment.	Ongoing from commencement of ground disturbance	<p>2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024</p> <p>2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)</p>	C	C	<p><u>Weaber Plain</u> Refer to photo 8 in the File Note provided as evidence item 2023.EMP22a.</p> <p><u>Knox Creek Plain</u> Refer to photos 10 and 14 in the File Note provided as evidence item 2023.EMP21a.</p>



Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 26	Maintain appropriate spill response equipment and Material Safety Data Sheet (MSDS) information in all hydrocarbon storage and re-fuelling areas and maintenance areas.	To minimise the potential for spills and leaks to contaminate the environment.	Ongoing from commencement of ground disturbance	<p>2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024</p> <p>2023.EMP2a File Note of compliance audit meeting with KAI - 7 February 2024</p> <p>2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)</p>	PNC	PNC	<p><u>Weaber Plain</u> No spill response equipment or MSDSs were observed onsite during site inspection on 22 April 2024.</p> <p>KAI advised at the compliance audit meeting that spill response equipment is stored off-site in bulk storage at KAI offices on Weaber Plain Road. KAI considers the risk of spill is low however KAI has the means and capability to respond to a spill should this ever occur.</p> <p><u>Knox Creek Plain</u> No spill response equipment or MSDSs were observed in the diesel storage and refuelling area during inspection of the Knox operations centre on 8 April 2024.</p>
EMP 27	Persons designated as responsible for the storage and handling of fertiliser on farms be provided with appropriate training and instruction	To prevent potential contamination of the environment by ensuring appropriate storage and handling of fertilisers.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	C	C	<p>KAI advised at the compliance audit meeting that staff who handle fertilisers and other chemicals receive AUSCHEM training.</p> <p>Irrigated cropping has not yet commenced in the Knox Creek Plain.</p>
EMP 28	Transport dangerous goods in accordance with the <i>Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007</i> (WA).	To ensure dangerous goods are stored appropriately during transport (e.g. on absorbent material, provision of spill kit, well-ventilated, appropriate documentation and provision of personnel protection equipment for safe handling).	Ongoing from commencement of ground disturbance	Not applicable	Not assessed	Not assessed	This item deals with an activity outside the Project Area.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 29	Notify the DPW AND/OR DER of hydrocarbon spills in accordance with the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .	To ensure potential spills are appropriately assessed and remediated according to the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> as hydrocarbons are a Schedule 1 Material in these Regulations.	In accordance with Incident Response Procedure	2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024  2023.EMP21a – File Note of site inspection – Knox – 8 April 2024  2023.938.M4.5 Ministerial Statement 938 – Notification of potential non-compliance	C	PNC	<u>Weaber Plain</u> There was no evidence of hydrocarbon spills observed during site inspection on 22 April 2024.  <u>Knox Creek Plain</u> Small hydrocarbon spills were observed during site inspection (2023.EMP21a). Site inspection outcomes were reported to DWER on 15 April 2024 (refer to 2023.938.M4.5).
EMP 30	Maintain registers of all chemicals applied on-site as required under applicable chemical usage legislation.	To provide data for review if monitoring indicates unacceptable impacts to the environment.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024  2023.EMP30 KAI 2023 aerial spray records	C	NR	<u>Weaber Plain</u> KAI advised at the compliance audit meeting that it maintains a register of chemicals applied on site, including through aerial spraying operations.  KAI provided its spray records 2023.  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.
EMP 31	Restrict chemical and fertiliser use when the tailwater retention capacity is unavailable	To prevent the transporting of nutrients and chemicals downstream	Ongoing from commencement of ground disturbance	Refer to EMP 97	C	NR	<u>Weaber Plain</u> Refer to EMP 97  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 32	Commercial pesticide and herbicide spraying will be undertaken only by operators with the appropriate level of ChemCert accreditation.	To minimise spray drift.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024  2023.EMP32a CASA Air Operator's Certificate  2023.EMP32b Spray safe Pilot Accreditation	C	NR	<u>Weaber Plain</u> KAI advised that staff who handle fertilisers and other chemicals receive AUSCHEM training. Aerial spraying is undertaken by a contractor who holds a current Spraysafe Accreditation certificate.  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.
EMP 33	Ensure agricultural chemicals are not directly applied to dedicated on-farm access tracks.	To prevent off-site transportation of chemicals in dust lift-off from access tracks.	Ongoing from commencement of ground disturbance	Refer to file notes and audit documents in evidence package, evidencing regular visits to site by the auditor.	C	NR	<u>Weaber Plain</u> The auditor saw no evidence of agricultural chemicals being directly applied to on-farm access tracks during inspections and visits undertaken throughout 2023.  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.
EMP 34	Chemicals will be applied in accordance with the product label.	To prevent potential contamination of the environment by ensuring appropriate application of chemicals.	Ongoing from commencement of ground disturbance	Refer to EMP 93 and 102	C	NR	<u>Weaber Plain</u> The auditor did not assess this item directly. Refer to EMP 93 and EMP 102 which deal with water quality outcomes. The Goomig project is assessed as compliant with EMP 34 because of the water quality outcomes achieved.  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.
EMP 35	Maintain a register of all aerial spraying operations.	To minimise potential for environmental impacts by ensuring aerial spraying is carried out in an acceptable manner.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024  2023.EMP30 KAI 2023 aerial spray records	C	NR	<u>Weaber Plain</u> KAI advised at the compliance audit meeting that it maintains a register of chemicals applied on site, including through aerial spraying operations. KAI provided its spray records for 2023.  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 36	Use accredited operators (e.g. by operators and pilots accredited under the Aerial Agricultural Association of Australia (AAAA) "Spraysafe" program)	To minimise potential for environmental impacts by ensuring aerial spraying is carried out in an acceptable manner, to determine extent of required spray fall-out monitoring.	Ongoing from commencement of ground disturbance	2023.EMP32a CASA Air Operator's Certificate  2023.EMP32b Spray safe Pilot Accreditation	C	NR	<u>Weaber Plain</u> Aerial spraying is undertaken by a contractor who holds a current Spraysafe Accreditation certificate.  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.
EMP 37	Notify neighbours within: <ul style="list-style-type: none"> <li>• 1500 m of an area to be sprayed with ultra-low volume,</li> <li>• 750 m of an area to be sprayed with emulsifiable concentrate by air.</li> </ul> Consideration should be given to provide a range of dates in case conditions are not conducive to safely apply the pesticide and to minimise spray drift.	To minimise the risk of adverse health effects caused by spray fall-out.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	C	NR	<u>Weaber Plain</u> KAI advised at the compliance audit meeting that the operator of Goomig Lot 16 and Goomig sub-lessees are notified of spray activities and that those operators reciprocate.  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 38	Design chemical washdown facilities in accordance with Department of Water, Water Quality Protection Notes on: <ul style="list-style-type: none"> <li>Mechanical Equipment Washdown (WQPN No. 68)</li> <li>Chemical Blending (WQPN No. 7).</li> </ul>	To minimise potential for environmental impacts by ensuring appropriate siting (location), design and construction of chemical wash down facilities.	Prior to commencement of planting of crops	2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024  2023.EMP22b – Goomig environmental site inspection – 22 April 2024 (A12377324)  2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)  2023.EMP21b – Email communication requiring rectification of improper chemical management (A12406494)  2023.EMP21c – Letter to KAI regarding environmental site inspection – 8 April 2024 (A12406491)	PNC	PNC	<u>Weaber Plain</u> A washdown area was observed on Lot 3 during site inspection on 22 April 2024. The washdown area did not appear to be designed in accordance with the relevant guidance note. DPIRD requested KAI remedy this by 24 June 2024 (refer to 2023.EMP22b).  <u>Knox Creek Plain</u> Mechanical workshop and (potentially) washdown activities are being undertaken within a concrete-floored shed on site. A full design assessment of these facilities was not completed. This is an outstanding action.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 39	All chemical blending and decanting will be undertaken within a fully contained area.	To minimise potential for environmental impacts by ensuring chemical spills are contained.	Ongoing from commencement of irrigation	<p>2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024</p> <p>2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024</p> <p>2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)</p>	PNC	NR	<p><u>Weaber Plain</u> KAI advised at the compliance audit meeting that a dedicated mobile chemical batching plant is used on site. This is a bunded plant that mitigates direct human exposure to chemicals. Farm chemical application machinery self-cleans in the field.</p> <p>It appears from site inspection on 22 April 2024 that some chemical decanting may occur on Lot 3. This is not a fully contained area, therefore the Goomig project is assessed as potentially non-compliant with EMP39.</p> <p><u>Knox Creek Plain</u> It was evident at site inspection on 8 April 2024 that chemicals were being decanted, and possibly blended, outside fully contained areas. While irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023, the Knox project is assessed as potentially non-compliant with EMP because of the findings of the 8 April 2024 site inspection.</p>
EMP 40	Develop emergency response procedures in accordance with Department of Water, Water Quality Protection Note <i>Contaminant spills – emergency response</i> (WQPN No. 10).	For determining the appropriate level of response according to the degree (or classification) of the spill.	Prior to commencement of planting of crops	<p>2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024</p> <p>2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024</p> <p>2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)</p>	PNC	PNC	<p>KAI advised at the compliance audit meeting that chemical storage is off-site, except diesel tanks located at pump sites and small quantities stored temporarily prior to use on farm. KAI considers the risk of spill is low but that it has the means and capability to respond to a spill should this ever occur.</p> <p>However, the Goomig and Knox sites inspections undertaken in April 2024 found significant quantities of chemical stored on site.</p> <p>There are apparently no emergency spill response procedures in place.</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 41	Dispose empty chemical containers in accordance with the AgSafe guidelines for disposal of containers.	To minimise potential for environmental impacts by minimising chemical residue in disposed chemical containers.	Ongoing from commencement of irrigation	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	C	NR	<u>Weaber Plain</u> KAI uses the recycling program at the Ord River District Cooperative (ORDCO).  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.

### Chemical use monitoring regime

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 42	Inspection of permanent hydrocarbon storage facilities	Three monthly	All hydrocarbon storage devices comply with appropriate standards and/or regulations	<ul style="list-style-type: none"> <li>Non-compliant hydrocarbon storage devices to be replaced/repared as appropriate.</li> </ul>	2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024  2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)	C	NC	<u>Weaber Plain</u> Hydrocarbon storage facilities at Goomig are compliant with relevant standards as noted at site inspection on 22 April 2024.  <u>Knox Creek Plain</u> Hydrocarbon storage facilities at Knox are non-compliant, as noted at site inspection on 8 April 2024. Inspections of these facilities have not been occurring.
EMP 43	Survey vegetation in the Buffer Area for symptoms of damage typical of chemicals being used in the ORIA	Annually	No detectable impact on the buffer	<ul style="list-style-type: none"> <li>Investigate the cause.</li> <li>Investigation opportunities to prevent re-occurrences.</li> <li>Inform farm owners of outcomes of the survey.</li> <li>In the event of chemical discharge contrary to <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>, report to DPW AND/OR DER.</li> </ul>	-	NC	NR	<u>Weaber Plain</u> Buffer vegetation condition assessment was not undertaken in 2023.  <u>Knox Creek Plain</u> Irrigated cropping had not yet commenced in the Knox Creek Plain development area in 2023.

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 44	Inspect storage facilities and mixing and washdown areas, and surrounds for chemical spills	Daily during spray operations Monthly at other times	No chemical spills	<ul style="list-style-type: none"> <li>Implement emergency response.</li> <li>Classify appropriate response.</li> <li>Notify authorities if High or Moderate incident impact classifications.</li> <li>Review Emergency Response Plan (for High and Moderate incident impact classes).</li> <li>Prepare and implement follow-up environmental monitoring (in consultation with DPW AND/OR DER and DoW as required).</li> </ul>	<p>2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024</p> <p>2023.EMP21a File Note of site inspection – Knox operations centre – 8 April 2024 (A12406500)</p>	C	PNC	<p><u>Weaber Plain</u> Inspection of the Goomig operations area on Lot 3 on 22 April 2024 found no evidence of chemical spills.</p> <p><u>Knox Creek Plain</u> There was evidence of minor diesel and lubricant spills found during site inspection of the Knox operations centre on 8 April 2024.</p>



## Dust and particulate management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 45	Burning of vegetation will occur only at times when prevailing winds direct smoke and ash away from residential areas	To minimise the potential for smoke and ash to affect nearby residents	Ongoing from commencement of ground disturbance	Not applicable	C	C	There are no residential areas nearby the Weaber and Knox Creek Plain development areas.
EMP 46	Provide prospective farm owners/lessees documentation on practices to prevent dust emissions	To reduce the potential for dust generation by minimising ground disturbance	At time of sub-lease	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	C	C	KAI advised at the compliance audit meeting that regular dust suppression is undertaken to protect crops and to maintain a safe, clean working environment.  There was no evidence of significant dust impacts to the environment outside the development area from multiple visits to the Goomig and Knox development areas in 2023.
EMP 47	Proponent shall notify the nearby residences of construction activities and the predicted nature and duration of proposed burning activities	To reduce the potential for community impact by ensuring effective communication	As required	Not applicable	C	C	There are no residential areas nearby the Weaber and Knox Creek Plain development areas.
EMP 48	Cleared construction surfaces and stockpiles will be watered and/or stabilised where practicable to reduce dust lift-off	To reduce the potential for environmental and community impacts by reducing the potential for dust generation	During construction of shared infrastructure	Not applicable	NR	C	<u>Weaber Plain</u> This item as assessed as NR for the Goomig development because no shared infrastructure was constructed in 2023.  <u>Knox Creek Plain</u> There was no evidence of significant dust impacts to the environment outside the development area from multiple site visits to the Knox development area in 2023.
EMP 49	Speed limits will be sign-posted and implemented in the project area and will reflect local conditions	To reduce the potential for environmental impacts by reducing the potential for dust generation	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	C	C	Speed limits are not sign-posted. KAI advised at the compliance audit meeting that speed limits are addressed at staff induction. There was no evidence of significant dust impacts to the environment outside the development area from multiple visits to the Goomig and Knox development areas during 2023. Given the environmental outcomes is being met, the Goomig and Knox developments are assessed as being compliant with this item.

## Dust and particulate monitoring regime

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 50	Visual monitoring	Daily during construction of shared infrastructure	No offsite impact on amenity	<ul style="list-style-type: none"> <li>Investigate cause.</li> <li>Implement additional dust control measures, as appropriate.</li> </ul>	Refer to photos at EMP 15	NR	C	<p><u>Weaber Plain</u> This item as assessed as not required for the Goomig development because no shared infrastructure was constructed in 2023.</p> <p><u>Knox Creek Plain</u> There was no evidence of significant dust impacts to the environment outside the development area from multiple site visits by DPIRD to the Knox development area in 2023.</p> <p>In addition, there are no residential areas nearby the Knox Creek Plain development areas therefore no risk of impact to residential amenity.</p>
EMP 51	Monitor community issues associated with dust/burning	During construction of shared infrastructure	No public complaints relating to dust generated by the project	Public complaints will be recorded and responded to in accordance with the Community Issues Management Sub-plan.	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	NR	C	<p><u>Weaber Plain</u> This item as assessed as not required for the Goomig development because no shared infrastructure was constructed in 2023.</p> <p><u>Knox Creek Plain</u> KAI advised at the compliance audit meeting that no complaints have been received by KAI or Keep Farming regarding dust emission or burning. The farming community maintains open communication regarding any burning being undertaken.</p>

## Weed, plant pathogen and pest animal management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 52	<p>Conduct a weed survey in the common user infrastructure areas and adjoining areas (up to 100 m) within the Weaber Plain Buffer Area to establish baseline information (i.e. weed species and density/cover/distribution of weeds) and identify Priority Areas for management and control. Priority Areas will be defined by:</p> <ul style="list-style-type: none"> <li>• weed infested areas (e.g. monocultures of neem trees, weed density/cover greater than 50%)</li> <li>• areas that have declared noxious weed species and Weeds of National Significance (WONS)</li> <li>• areas declared as local priority in consultation with DPW AND/OR DER and DAFWA</li> </ul>	To provide data to inform management.	Prior to ground disturbance	Not applicable	CLD	-	<p><u>Weaber Plain</u> Item assessed as completed in 2012 (Strategen 2013b). Refer to Botanical North (2012a), and Botanical North (2012b).</p> <p><u>Knox Creek Plain</u> Refer to KEMP 52</p>
KEMP 52	<p>Conduct a weed survey to establish baseline information (i.e. weed species and density/cover/distribution of weeds) and identify Priority Areas for management and control. Priority Areas will be defined by:</p> <ul style="list-style-type: none"> <li>• weed infested areas (e.g. monocultures of neem trees, weed density/cover greater than 50%)</li> <li>• areas that have declared noxious weed species and Weeds of National Significance (WONS)</li> <li>• areas declared as local priority in consultation with DPaW, DAFWA and Ord Land and Water Inc.</li> </ul>	To provide data to inform management.	Prior to ground disturbance	Not applicable	-	CLD	Item assessed as completed in 2015 (Strategen 2016). Refer to Ord Land and Water (2015).

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 53	Establish permanent weed survey transects within 100 m into the Weaber Plain Buffer Area.	To ensure repeatability of ongoing weed monitoring.	Prior to ground disturbance	2023.EMP53a Goomig Project – 2023 Weed Monitoring Program  2023.EMP53b – 2023 Weed Monitoring Program	C	C	DPIRD re-established the permanent weed transects in September and October 2023.
EMP 54	Conduct weed surveys along permanent weed survey transects (and opportunistically between permanent weed survey transects) to establish baseline information (i.e. weed species and density/cover/distribution of weeds) and identify and update Priority Areas for management and control. Priority Areas will be defined by: <ul style="list-style-type: none"> <li>weed infested areas (e.g. monocultures of neem trees, weed density/cover greater than 50%)</li> <li>areas that have declared noxious weed species and Weeds of National Significance (WONS)</li> <li>areas declared as local priority in consultation with DPW AND/OR DER, DAFWA and Ord Land and Water Inc.</li> </ul>	To provide data to inform management.	Annually, from commencement of ground disturbance	2023.EMP53a Goomig Project – 2023 Weed Monitoring Program  2023.EMP53b – 2023 Weed Monitoring Program	C	C	Weed surveys were conducted along permanent weed transects in September and October 2023.
EMP 55	Update the extent of Priority Areas which will be defined by: <ul style="list-style-type: none"> <li>weed infested areas (e.g. monocultures of neem trees, weed density/cover greater than 50%)</li> <li>areas that have declared noxious weed species and Weeds of National Significance (WONS)</li> <li>areas declared as local priority in consultation with DPW AND/OR DER, DAFWA and Ord Land and Water Inc.</li> </ul>	To provide data to inform management.	Annually, from commencement of ground disturbance	2023.EMP53a Goomig Project – 2023 Weed Monitoring Program  2023.EMP53b – 2023 Weed Monitoring Program	C	C	Priority Areas have been identified to inform management.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 56	Develop and undertake a weed control program in Priority Areas, except roads.	To ensure effective control of weeds by the appropriate parties.	Prior to ground disturbance	Not applicable	PNC	PNC	A weed control program has not been undertaken in Priority Areas. KAI advised at the compliance audit meeting that Parkinsonia control has been undertaken on farm and within the intersecting buffer areas.
EMP 57	Implement an induction program for personnel which contains information on: <ul style="list-style-type: none"> <li>hygiene procedures for all vehicles, machinery and equipment upon entering and leaving the Weaber Plain Development Area and/or Priority Areas</li> <li>specific soil management requirements in Priority Areas</li> <li>requirement to remain within designated clearing areas.</li> </ul>	To reduce the risk of construction activities introducing and/or spreading weeds and plant pathogens by ensuring construction personnel are aware of appropriate management measures and requirements.	Within one week of personnel commencing work on-site	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	C	C	<p>KAI advised that it implements an induction program for new staff.</p> <p>No unauthorised access to the buffer area was observed by DPIRD during multiple site visits over the compliance period.</p> <p>Priority weed management areas are located within the buffer and therefore separated from the Knox development area and not accessed by construction personnel.</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 58	<p>Prepare guidelines for prospective farmers/lessees that contains information on:</p> <ul style="list-style-type: none"> <li>• vehicle hygiene measures (e.g. issues of using machinery from southern WA or interstate)</li> <li>• identification, control and reporting of weeds (e.g. weed control in tail water ditches, use of fire)</li> <li>• identification and reporting of pest animals, declared noxious weed species and signs of plant pathogens</li> <li>• obligations under the Agricultural and Related Resources Protection Act 1976 (WA) (including the requirement for the occupier of any private land to control declared plants and declared animals on and in relation to that land)</li> <li>• selection of pet animals (e.g. discourage cat ownership)</li> <li>• selection of crops (e.g. no declared noxious weed species)</li> <li>• irrigation and drainage of land (i.e. no water from farming allotments directed into the Weaber Plain Buffer Area).</li> </ul>	To reduce the risk of agricultural activities introducing and/or spreading weeds, plant pathogens and pest animals by ensuring farm owners/managers are aware of appropriate management measures and requirements.	At time of sub-lease	Not applicable	CLD	CLD	This item was assessed as completed in a previous audit period (refer to Strategen 2015).

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 59	Develop and supply an information package to prospective farm owners/lessees/managers within the project area that contains: <ul style="list-style-type: none"> <li>• a weed identification key for all species known to occur in the area (key to be developed in consultation with DPW AND/OR DER, DAFWA and Ord Land and Water)</li> <li>• possible control techniques (information on controlling declared noxious weed species can be obtained from DAFWA [2003])</li> <li>• general soil management and hygiene requirements for farms</li> <li>• reporting requirements.</li> </ul>	To reduce the risk of agricultural activities introducing and/or spreading weeds, plant pathogens and pest animals by ensuring farm owners/managers are aware of appropriate management measures and requirements.	At time of sub-lease	Not applicable	CLD	N/A	<u>Weaber Plain</u> This item was assessed as completed in a previous audit period (refer to Strategen 2015).  <u>Knox Creek Plain</u> Item not included in Knox EMP
EMP 60	Topsoil from areas with known declared weed species will be managed in accordance with DAFWA requirements.	To reduce the risk of declared weed species being introduced into/ spread throughout the Buffer Area.	During clearing of farm lots	Not applicable	NR	N/A	<u>Weaber Plain</u> There was no clearing and no topsoil removed from the Weaber Plain development area in 2023.  <u>Knox Creek Plain</u> Item not included in Knox EMP

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 61	Aquatic weed control shall be undertaken consistent with industry standards	To reduce the risk of aquatic weeds being introduced into/ spread throughout natural watercourses and wetlands near the project area.	Ongoing from commencement of irrigation	2023.EMP61 Photographic record of water quality sampling program – 8 January 2024	C	NR	<p><u>Weaber Plain</u> Aquatic weed control is undertaken in the M2 irrigation channel. The auditor saw no evidence of aquatic weeds in the Border Creek or Keep River during the 2023-2024 wet season water quality monitoring program.</p> <p>Evidence of aquatic weeds is monitored in conjunction with the water quality monitoring program which is undertaken from the commencement of discharge of stormwater from the Development Area until the commencement of the subsequent dry season. Photographic records are taken during every sampling round at every sample site. The record for 8 January 2024 is provided as an example (2023.EMP61).</p> <p><u>Knox Creek Plain</u> Irrigation has not yet commenced in the Knox Creek Plain development area.</p>
EMP 62	Restrict movement of vehicles and machinery to the limits of the areas to be cleared (thus not affecting the Weaber Plain Buffer Area) by delineating the Weaber Plain Buffer Area (e.g. fence, flags and signs) prior to clearing.	To reduce the risk of weeds being introduced into/ spread throughout the Buffer Area by limiting access.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	NR	C	<p><u>Weaber Plain</u> There was no clearing in the Weaber Plain development area in 2023.</p> <p><u>Knox Creek Plain</u> KAI confirmed at the audit meeting that clearing continued to be managed as follows in 2023:</p> <ul style="list-style-type: none"> <li>• The development boundaries were surveyed by a licensed surveyor (SML Land Surveyors).</li> <li>• Boundaries were marked with star pickets and tape.</li> <li>• The surveyor marked the boundary ahead of the dozer.</li> <li>• Boundaries were cleared first.</li> </ul>



Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 63	Access into the Weaber Plain Buffer Area will be via designated access tracks only.	To reduce the risk of weeds being introduced into/ spread throughout the Buffer Area by limiting access.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	C	C	No unauthorised access to the buffer area was observed by DPIRD during multiple site visits over the course of the compliance period.  KAI confirmed during the audit meeting on 7 February 2024 that access to the buffer area is restricted and that all staff are aware of buffer access restrictions.  DPIRD staff accompanied KAI on its annual bore in late September 2023 to retrieve data from groundwater data loggers and take water quality samples. Access was via designated tracks only.
EMP 64	Establish clean down site/s at access points to the Weaber Plain Buffer Area, rehabilitation areas (outside of the Buffer Area) and Priority Areas. The clean down site/s will be designed to ensure soil is collected and disposed of in a manner that does not allow the introduction or spread of weeds or plant pathogens. At each permanent clean down site there will be a sign describing the hygiene procedure/s required to be implemented.	To prevent the introduction/ spread of weeds and plant pathogens in the Weaber Plain Buffer Area, rehabilitation areas and Priority Areas.	During construction of shared infrastructure	Not applicable	CLD	N/A	<u>Weaber Plain</u> This item was assessed as completed in a previous audit period.  <u>Knox Creek Plain</u> Item not included in Knox EMP
EMP 65	Clean down all machinery entering the Weaber Plain Development Area to remove vegetative matter, seeds and soil.	To prevent the introduction/ spread of weeds and plant pathogens in the project area.	During construction of shared infrastructure	Not applicable	CLD	-	<u>Weaber Plain</u> Construction of shared infrastructure in the Weaber Plain Development area was completed in a previous audit period.  <u>Knox Creek Plain</u> Refer to KEMP 65
KEMP 65	Clean down all large machinery entering the Knox Creek Plain Development Area for the first time, to remove vegetative matter, seeds and soil. Each vehicle will be given a 'hygiene sticker' indicating that they have been checked and assessed for hygiene performance.	To prevent the introduction/ spread of weeds and plant pathogens in the project	During construction of shared infrastructure	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	-	C	KAI confirmed during the audit meeting on 7 February 2024 that this is undertaken according to Australian Quarantine and Inspection Service rules.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 66	Undertake a vehicle hygiene check for all vehicles/machinery entering the construction site for the first time. Each vehicle will be given a 'hygiene sticker' indicating that they have been checked and assessed for hygiene performance.	To prevent the introduction/ spread of weeds and plant pathogens in the project area.	During construction of shared infrastructure	Not applicable	CLD	N/A	<u>Weaber Plain</u> Construction of shared infrastructure in the Weaber Plain Development area was completed in a previous audit period.  <u>Knox Creek Plain</u> Item not included in Knox EMP
EMP 67	Record in a hygiene logbook (located at all clean-down sites) the: <ul style="list-style-type: none"> <li>time and date of clean down of machinery/ vehicle/equipment</li> <li>method of cleaning machinery and vehicles</li> <li>signature of the driver (and vehicle hygiene inspector if first inspection).</li> </ul>	To provide hygiene data to inform management.	During construction of shared infrastructure	Not applicable	CLD	N/A	<u>Weaber Plain</u> Construction of shared infrastructure in the Weaber Plain Development area was completed in a previous audit period.  <u>Knox Creek Plain</u> Item not included in Knox EMP
EMP 68	Certify all soil and fill material sourced from outside the project area as disease and weed free in accordance with DAFWA and DPW AND/OR DER requirements. If certificates cannot be obtained a risk assessment will be carried out on the soil material and only material that is evaluated as a very low risk of having environmental or declared noxious weeds or plant pathogens will be permitted for use.	To prevent the introduction/ spread of weeds and plant pathogens in the project area.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.  2023.EMP68a – Photo taken at Area 11 – 22 April 2024  2023.EMP68b – Photo taken at Area 11 – 22 April 2024	C	C	KAI advised at the audit meeting on 7 February 2024 that no fill material is sourced outside the project area.  Fill material for the Knox project is from the Area 11 raw material extraction area located in the Goomig Project environmental buffer area. This same extraction area was used for the development of Goomig.  Baseline weed survey of the Goomig Project buffer areas was undertaken by Botanical North in 2012 and did not record any weeds in the Area 11 area.  DPIRD found no evidence of weeds during inspection of Area 11 on 22 April 2024 (2024.EMP.68a and b). Area 11 is accessed by one road in and out minimising risk of spread of weeds.
EMP 69	Inspect borrow pits and borrow pit access tracks prior to disturbance to ensure weed species are not present. If any weeds are present, they will be cleared and controlled (e.g. physical removal, spray, disposal off-site, burning) from the affected areas prior to commencement of borrow extraction.	To prevent the introduction/ spread of weeds and plant pathogens in the project area.	Prior to ground disturbance	Refer to EMP 68	C	C	Refer to EMP 68

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 70	Rehabilitate disturbed areas that are not to be utilised post-construction in accordance with the Rehabilitation Management Sub-plan.	To re-establish native vegetation and reduce and control weed cover.	During construction of shared infrastructure	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	CLD	C	<p><u>Weaber Plain</u> As noted by the previous auditor (KBC 2022), rehabilitation activities were completed by Leighton Contractors or others for LandCorp at the completion of construction (~2012-14). This includes the construction compound area in the Weaber Plain buffer area adjacent to Moonamang Road.</p> <p>Monitoring of rehabilitation success is addressed later in this report at EMP 162 to 165.</p> <p><u>Knox Creek Plain</u> There are no areas proposed for rehabilitation in the Knox Creek Plain area.</p> <p>The Main Roads rehabilitation sites associated with construction of Moonamang Road have been absorbed into the Knox farm and Knox irrigation supply channel corridor.</p> <p>KAI confirmed at the audit meeting on 7 February 2024 that there are no new areas requiring rehabilitation.</p>
EMP 71	Ensure that waste that may attract pest animals is properly disposed of in as far as is practicable.	To prevent the encouragement of pest animals by ensuring effective waste disposal.	Ongoing from commencement of ground disturbance	<p>2023.EMP22a – File Note of site inspection – Goomig – 22 April 2024</p> <p>2023.EMP21a – File Note of site inspection – Knox – 8 April 2024</p> <p>2023.EMP21c – Letter to KAI regarding environmental site inspection</p>	C	NC	<p><u>Weaber Plain</u> Photo 1 within 2023.EMP22a shows proper disposal of waste in a covered bin at the Goomig operations area.</p> <p><u>Knox Creek Plain</u> DPIRD observed an open landfill during site inspection on 8 April 2024 (2023.EMP21a). For this reason, DPIRD recorded a potential non-compliance with EMP 71. DPIRD wrote to KAI requiring that the waste and any contaminated soil be removed (2023.EMP21c).</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 72	Undertake pest eradication program within Buffer Area.	To reduce the risk of pest animals becoming established within the Buffer Area.	Ongoing from commencement of ground disturbance	<p>2023.EMP72a Notes from meeting on 24 August 2023 at KAI offices</p> <p>2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.</p> <p>2023.EMP72b – survey data from 2023-2024 wet season baseline monitoring program</p>	PNC	NR	<p><u>Weaber Plain</u> DPIRD observed a significant number of cattle in the Goomig buffer area while conducting fencing and firebreak inspections the week of 14 August 2023, primarily in the north-west section of the Goomig buffer. DPIRD requested KAI to destock as soon as possible.</p> <p>KAI advised at the audit meeting on 7 February 2024 that destocking was undertaken in both the Goomig and Knox buffer areas in 2023. Despite this advice, this item is assessed as potentially non-compliant due to the significant number of cattle observed in the buffer in August 2023.</p> <p><u>Knox Creek Plain</u> The Knox buffer area has not yet been established. However, Typhonium habitat condition assessment at monitoring sites within the Knox buffer area found habitat to be in Very Good to Excellent condition and low grazing impact across all monitoring sites (2023.EMP72). Typhonium habitat condition assessment is undertaken in accordance with the Management Plan approved under condition 3 of the Authorisation (TFL 001-2122).</p>
EMP 73	Install signs at the entry point to any access tracks in the Weaber Plain Buffer Area to discourage people from entering the area.	To reduce the risk of feral cats and dogs becoming established in the Buffer Area.	Prior to commencement of planting of crops	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	C	C	<p>KAI advised at the audit meeting on 7 February 2024 that there is no signage in place however the intent is achieved because the buffer areas are practically difficult to access. It is also felt that signage may attract unauthorised access rather than hinder it.</p> <p>No unauthorised access to the buffer area was observed by DPIRD during multiple site visits over the course of the compliance period.</p>
EMP 74	Ensure stock are removed from the Buffer Area.	To remove stock as an ongoing source of land degradation and a vector for introducing and spreading weeds throughout the Buffer Area.	Ongoing from commencement of ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	C	C	<p>KAI advised at the audit meeting on 7 February 2024 that destocking was undertaken in both the Goomig and Knox buffer areas in 2023.</p> <p>Typhonium habitat condition assessment at monitoring sites within the Knox buffer area found habitat to be in Very Good to Excellent condition and low grazing impact across all monitoring sites (2023.EMP72).</p>

## Weed, plant pathogen and pest animal monitoring regime

Item	Activity and location	Frequency*	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 75	Weed species found along permanent weed survey transects in the buffer	Annually	No new plant pathogens or weed species observed or recorded in the mapped area during construction. No new Priority Areas during construction.	<ul style="list-style-type: none"> <li>Map the extent of any new Priority Areas.</li> <li>Map the distribution of the newly introduced species.</li> <li>Identify activities that may have potentially introduced the species.</li> <li>Plan and implement a monitoring or control treatment program.</li> <li>Re-educate contractors/farm owners/managers of the importance of hygiene control measures.</li> </ul>	Refer to EMP 53 and EMP 54	C	C	Refer to EMP 53 and EMP 54
EMP 76	Density/cover/distribution of weed species in the permanent weed survey transects and common use infrastructure areas.	Annually	No more than a 10% statistical increase in weed species density/cover/distribution compared to the results of initial weed survey. No new Priority Areas	<ul style="list-style-type: none"> <li>Map the extent of any new Priority Areas.</li> <li>Map the revised extent of the specific weed species within the site.</li> <li>Identify activities that may have potentially spread the weed species.</li> <li>Plan and implement a weed control treatment program.</li> <li>Apply hygiene control and education measures.</li> </ul>	Refer to EMP 53 and EMP 54	C	C	Refer to EMP 53 and EMP 54
EMP 77	Presence of declared weeds in farm lots.	As required	No declared weed species present.	<ul style="list-style-type: none"> <li>Notify DAFWA if required.</li> <li>Investigate cause.</li> <li>Undertake weed control in accordance with DAFWA requirements.</li> <li>Monitor success of weed control.</li> </ul>	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	C	NR	<p><u>Weaber Plain</u> KAI advised at the compliance audit meeting that Parkinsonia control has been undertaken on farm and within the intersecting buffer areas.</p> <p>Refer to the separate items EMP 53 and 54 regarding monitoring of weeds along permanent weed transects, and EMP 56 regarding management of weeds in Priority Areas.</p> <p><u>Knox Creek Plain</u> Farm lots have not yet been established in the Knox Creek Plain development area.</p>

Item	Activity and location	Frequency*	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 78	Feral animals (including stock) in the buffer area	As required	No new pest animals or sightings of feral animals	<ul style="list-style-type: none"> <li>Investigate cause.</li> <li>Undertake eradication program as required.</li> <li>Undertake intervention or remediation works (e.g. reduce bins, trapping, re-education).</li> </ul>	2023.EMP72a Notes from meeting on 24 August 2023 at KAI offices	PNC	NR	<p><u>Weaber Plain</u> The presence of feral animals (including stock) in the Goomig Project buffer area is monitored opportunistically by the DPIRD and KAI.</p> <p>Presence of stock is also monitored in parallel with other monitoring programs, including fencing and firebreak inspection, the weed monitoring program, and the Gouldian Finch monitoring program undertaken in accordance with EPBC 2010/5491.</p> <p>DPIRD observed a significant number of cattle in the Goomig buffer area while conducting fencing and firebreak inspections the week of 14 August 2023, primarily in the north-west section of the Goomig buffer. DPIRD requested KAI to destock as soon as possible.</p> <p>KAI advised at the audit meeting on 7 February 2024 that destocking was undertaken in both the Goomig and Knox buffer areas in 2023. Despite this advice, this item is assessed as potentially non-compliant due to the significant number of cattle observed in the buffer in August 2023.</p> <p><u>Knox Creek Plain</u> The Knox buffer area is not yet established.</p>

## Surface water management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 79	Induct personnel on surface water management measures, including: <ul style="list-style-type: none"> <li>M2 channel may receive effluent from the Kununurra Wastewater Treatment Plant</li> <li>the potential risks from <i>Burkholderia pseudomallei</i>, which is found dormant in soils and the potential for its dispersion through irrigation processes.</li> </ul>	To reduce the potential for activities to adversely affect surface water values by ensuring construction personnel are aware of appropriate management measures.	Within one week of personnel commencing work on-site	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	Not assessed	-	<p><u>Weaber Plain</u> KAI advised that it implements an induction program for new staff. DPIRD has not assessed whether the induction program addresses environmental health matters.</p> <p><u>Knox Creek Plain</u> Refer to KEMP 79</p>
KEMP 79	Induct personnel on surface water management measures.	To reduce the potential for activities to adversely affect surface water values by ensuring construction personnel are aware of appropriate management measures.	Within one week of personnel commencing work on-site	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	-	Not assessed	KAI advised that it implements an induction program for new staff. DPIRD has not assessed whether the induction program addresses environmental health matters.
EMP 80	Construct levees at the perimeter of farmland adjacent to Border Creek to protect them from 1 in 20-year ARI flooding.	To protect farmland, prevent sedimentation of farm soil in Border Creek or the Keep River system.	Prior to commencement of planting of crops	Not applicable	CLD	NR	<p><u>Weaber Plain</u> Item assessed as completed in a previous audit period.</p> <p><u>Knox Creek Plain</u> Construction of levees and other infrastructure in the Knox development area commenced in 2023. Construction of the levee along the northern boundary of the development area, in parallel with Border Creek, had not yet commenced in 2023.</p>
EMP 81	Locate all drains on less permeable soils to minimise seepage to groundwater where possible. Where deeper drains are required, the excavated surface of the drain will be compacted to reduce seepage.	To reduce accessions to groundwater.	Prior to commencement of planting of crops	2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024.	CLD	C	<p><u>Weaber Plain</u> Item assessed as completed in a previous audit period. Drains are sited in accordance with the approved Weaber Plain Phase 2 FPDP (Strategen 2011).</p> <p><u>Knox Creek Plain</u> KAI previously advised that this is achieved through consideration of data from test holes and the utilisation of experienced personnel.</p>

## Surface water monitoring regime

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 82	Inspect areas along the banks of channels, watercourses and drainage devices downstream and adjacent to the project area for evidence of erosion.	Ongoing from commencement of ground disturbance	No exposed surfaces outside the channel from which erosion could occur	<ul style="list-style-type: none"> <li>Investigate cause.</li> <li>Implement erosion protection measures, such rock armouring or application of hydromulch to areas identified.</li> <li>Monitor the effectiveness of remedy.</li> </ul>	<p>2023.EMP82a – Erosion protection at stormwater outlet to Border Creek</p> <p>2023.EMP82b – Keep River catchment land use map</p>	C	NR	<p><u>Weaber Plain</u> Channels and drains are inspected annually as part of the CALIM audit.</p> <p>There is one stormwater drainage discharge point from the Goomig development area. Rock armour has been installed downstream of the discharge point (2023.EMP82a).</p> <p>Erosion is evident along the Keep River, however, erosion was present prior to implementation of the Goomig development. Pastoral land uses abut most of the length of the river and its tributaries (2023.EMP82b).</p> <p><u>Knox Creek Plain</u> Construction of levees and infrastructure was in progress in 2023.</p>



## Groundwater management and monitoring actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 83	<p>Expand the groundwater monitoring bore network to include:</p> <ul style="list-style-type: none"> <li>at least 20 'high intensity' regional bores</li> <li>at least 30 'low intensity' regional bores.</li> </ul> <p>Regional bore locations shown in Appendix 3</p>	To allow the collection of baseline and ongoing groundwater data to guide management.	Install prior to commencement of clearing of farm lots and at least 18 months before the commencement of irrigation.	Item assessed as completed in previous auditing period	CLD	-	<p><u>Weaber Plain</u> Figure 1.1 (p. 3) in Bennett et al. (2019) illustrates the expanded monitoring bore network.</p> <p><u>Knox Creek Plain</u> Refer to KEMP 83</p>
KEMP 83	<p>Expand the groundwater monitoring bore network to include:</p> <ul style="list-style-type: none"> <li>'high intensity' regional bores (i.e. auto loggers installed)</li> <li>'low intensity' regional bores (i.e. no auto loggers installed but monitored manually).</li> </ul>	To allow the collection of baseline and ongoing groundwater data to guide management.	Install prior to commencement of clearing of farm lots, a minimum of 18 months prior to irrigation.	Not applicable (refer to comments)	-	PNC	KAI advised that monitoring of existing bores in the Knox and adjacent Spirit Hills (Northern Territory) areas commenced after receipt of the EPBC Act approval for the Knox development in 2015. KAI physically located these bores after receiving location details from DPIRD (DAFWA at the time). These bores are additional to the Goomig (EPBC 2010/5491) reference bores located in the Knox area. KAI is reviewing this existing bore network and data to determine its adequacy for groundwater monitoring and management. Until then, this item is assessed as potentially non-compliant.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 84	Undertake monitoring of the parameters determined under Item 2 in bores established under Item 1 [EMP 83].	To collect baseline and ongoing groundwater data to determine any adverse effects to the receiving environment as a result of the Proposal.	<p>Commencing 18 months prior to commencement of irrigation.</p> <p>High intensity bores:</p> <ul style="list-style-type: none"> <li>groundwater levels and</li> <li>temperature (automatic, daily)</li> <li>EC, pH, TDS, major cations and anions, nutrients, and pesticides seasonally.</li> </ul> <p>Low intensity bores:</p> <ul style="list-style-type: none"> <li>groundwater levels, EC, pH, TDS, nutrients and</li> <li>pesticides seasonally.</li> </ul>	<p>2023.EMP84a Groundwater quality database – September 2023</p> <p>2023.EMP84b Groundwater levels database – September 2023</p> <p>2023.EMP84c ALS Environmental – Certificate of Analysis – October 2023</p>	PNC	-	<p><u>Weaber Plain</u></p> <p>On 27 February 2020, the IRG endorsed changes to the groundwater monitoring program, as recommended by Bennett et al (2019). The revised monitoring program is illustrated and tabulated in Bennett <i>et al</i> (2019) – Figure 1.1 (page 3) and Tables 4.1 and 4.2 (pages 27 to 29).</p> <p>Monitoring was undertaken late September 2023.</p> <p>This item is assessed as potentially non-compliant because:</p> <ul style="list-style-type: none"> <li>five bores were out of operation because of previous damage: <ul style="list-style-type: none"> <li>11CS10RD (high intensity)</li> <li>11CS10RS (high intensity)</li> <li>11WP51S (high intensity)</li> <li>11WP4R (low intensity)</li> <li>11WP53S (low intensity)</li> </ul> </li> <li>groundwater level data loggers were missing at the following high intensity bores: <ul style="list-style-type: none"> <li>11WP11RS</li> <li>11WP52D</li> <li>11WP9RS</li> <li>CG1 (ORD5)</li> <li>CG4 (ORD8)</li> <li>KC3PB</li> </ul> </li> <li>reference bore KC3PB has a pump installed and is supplying water to the Knox operations centre,</li> <li>some parameters, including major cations and anions, were not included in the analytical suite.</li> </ul> <p>Bores 11CS10RD, 11CS10RS, 11WP51S, 11WP4R, and 11WP53S were reinstalled in May 2024. Three of these bores are high intensity bores requiring installation of groundwater level data loggers.</p> <p>DPIRD and KAI repeated the bore monitoring program in May 2024 and included major anions and cations in the analytical suite.</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
KEMP 84	Undertake monitoring of the parameters below for bores established under Item 1 [KEMP 83] High intensity bores: <ul style="list-style-type: none"> <li>groundwater levels and temperature (automatic, daily)</li> <li>EC, pH, TDS, nutrients and pesticides seasonally</li> </ul> Low intensity bores: <ul style="list-style-type: none"> <li>Groundwater levels, EC, pH, TDS, nutrients, and pesticides seasonally</li> </ul>	To collect baseline and ongoing groundwater data to determine any adverse effects to the receiving environment from the Proposal.	Commencing 18 months prior to commencement of irrigation.	Not applicable	-	NR	Irrigation has not yet commenced on the Knox Creek Plain.
EMP 85	Undertake monitoring of the chemical and nutrient parameters determined by DWER licence conditions in bores established under Item 1	To collect baseline and ongoing groundwater data.	Annually at commencement of dry season commencing 12 months prior to operation of irrigation infrastructure.	Refer to EMP 84	N/A	N/A	<u>Weaber Plain</u> A licence under the RIWI Act is not required. The groundwater bores are monitoring bores, not abstraction bores.  Stategen (2016) auditors recommended deletion of this action as a licence is not required. This recommendation is retained.  <u>Knox Creek Plain</u> Item not included in Knox EMP
EMP 86	Expand the groundwater monitoring bore network with the establishment of at least one 'on-farm' bore per farm.	To allow the collection of baseline and ongoing groundwater data to inform management.	Install after clearing of farm lots but prior to commencement of irrigation.	Bennett et al. (2019)  2023.EMP91a EPBC 2010/5491 – Goomig IRG Record of Meeting - 27 February 2020	CLD	C	<u>Weaber Plain</u> At its meeting on 27 February 2020, the IRG accepted the recommendations of Bennett et al. (2019) including that (p.22):  'We do not believe that the installation and monitoring of the extra "farm bores", as proposed in the EPBC conditions (at the time when it was envisaged that there could be multiple land managers within the Goomig Farmlands), is required or necessary.'  <u>Knox Creek Plain</u> Refer to KEMP 87

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 87	Determine sampling parameters for 'on farm' bores in consultation with the IRG including: <ul style="list-style-type: none"> <li>groundwater levels</li> <li>EC</li> <li>pH</li> </ul>	To inform management.	Prior to commencement of irrigation and annually after the commencement of irrigation.	Evidence as per EMP 86	NR	-	<u>Weaber Plain</u> Refer to EMP 86  <u>Knox Creek Plain</u> Refer to KEMP 87
KEMP 87	Determine sampling parameters for 'on farm' bores including: <ul style="list-style-type: none"> <li>groundwater levels</li> <li>EC</li> <li>pH</li> </ul>	To inform management.	Prior to commencement of irrigation and annually after the commencement of irrigation.	Not applicable	-	C	Irrigation has not yet commenced on the Knox Creek Plain. It would be appropriate for KAI, as proponent of the Knox Creek Plain Agricultural Development under the EPBC Act, to seek the Knox IRG's endorsement for the removal of the requirement for on-farm bores given the Goomig IRG's endorsement of the same in respect to the Weaber Plain (Goomig).
EMP 88	Undertake monitoring of the bores established under [EMP 86] for physical, chemical, and nutrient parameters as determined by DWER licence conditions if regional bore ground water quality exceeds triggers.	To increase the monitoring spatial intensity to help determine location and reasons for exceedance. To assist with development of appropriate contingency action.	Annually at commencement of dry season once trigger has been exceeded.	Not applicable	N/A	N/A	<u>Weaber Plain</u> A licence under the RIWI Act is not required. The groundwater bores are monitoring bores, not abstraction bores. Strategen (2016) recommended that this item be deleted.  <u>Knox Creek Plain</u> As above
EMP 89	Maintain a database of groundwater levels and groundwater quality data based on monitoring results.	To provide data to inform management. To be used in combination with high and low intensity bores where exceedances of triggers are defined.	Ongoing – database to be updated at least every six months with the database to be established prior to June 2013.	2023.EMP84a Groundwater quality database  2023.EMP84b Groundwater levels database	C	C	Refer to evidence documents.
EMP 90	Establish and maintain a database of groundwater chemical and nutrient parameters.	To provide data to inform management.	Ongoing – database to be updated annually.	2023.EMP84a Groundwater quality database  2023.EMP84b Groundwater levels database	C	C	Refer to evidence documents.

EMP 91	Update groundwater model and operation of groundwater management system with monitoring data derived from Item 2, 7 and 8 in consultation with the <b>IRG</b> .	To assist in determining an optimal dewatering strategy and to forecast potential breaches of trigger values within a ten-year period.	Prior to commencement of irrigation and subsequently every 2–4 years depending on monitoring trends. If worst case scenario indicated a breach in trigger levels, modelling must be updated every two years.	<p>2023.EMP91a EPBC 2010/5491 – Goomig IRG Record of Meeting - 27 February 2020</p> <p>2023.EMP91b Record of IRG meeting held on 28 March 2023</p> <p>2023.EMP91c – 2024 Goomig groundwater review scope</p>	PNC	-	<p>The groundwater model has not been updated since the commencement of irrigation, which is inconsistent with the requirement that the groundwater model be updated every 2 to 4-years.</p> <p>The Goomig project is assessed as potentially non-compliant with EMP 91 given the specified timeframe which has not been formally amended following the IRG’s endorsement of Bennett et al (2019)’s recommendations.</p> <p>Bennett et al. (2019) stated that:</p> <p><i>...as the modelling schedule was predicated on clearing and development occurring at a faster rate, and the modelled response was forecast to be greater than to that observed, we consider a change in Condition 12E is also warranted. The modelling update should also follow the next water level and chemistry review – such that at least another four years of water level data and two more comprehensive chemistry samples (from high intensity bores) and two more selective chemistry samples (from low intensity bores) can be collected and analysed.</i></p> <p>At its meeting on 27 February 2020 (2023.EMP91a), the IRG accepted the recommendations of Bennett et al. (2019) including that (p.24-25):</p> <p><i>The next groundwater modelling update be undertaken after the next [detailed groundwater] 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.</i></p> <p>The following IRG decision was recorded at its meeting on 28 March 2023 (2023.EMP91b):</p> <p><i>The IRG:</i></p> <ol style="list-style-type: none"> <li>1) <i>agreed that a review and analysis of groundwater monitoring data collected since 2019 must be completed after the collection of 2023 comprehensive data and reported as soon as practicable following that review, guided by the scope and content of the previous review completed by DPIRD in 2019 (Bennett et al. 2019),</i></li> <li>2) <i>agreed that a scope for the review and analysis will be approved by the IRG out-of-session prior to the commencement of the review and analysis,</i></li> </ol>
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Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
							<p>3) agreed that the question of whether the groundwater model should be updated be revisited after the groundwater review and analysis,</p> <p>4) noted that DPIRD will review and update the Groundwater Management Plan (GMP) in consultation with KAI and the IRG and request amendments to Condition 12 of the Approval, being an outstanding action from the IRG's meeting of 27 February 2020,</p> <p>5) agreed that the environmental need and consequent requirement to continue undertaking groundwater quality monitoring be considered and determined as part of the GMP review.</p> <p>Comprehensive groundwater data was collected in September 2023 and, in November 2023, the IRG endorsed a scope for the groundwater review (2023.EMP91c). This review is in progress and will be reported to the next meeting of the IRG, expected to be in September 2024.</p>
KEMP 91	Update groundwater model and operation of groundwater management system with monitoring data.	To assist in determining an optimal dewatering strategy and to forecast potential breaches of trigger values within a ten-year period.	Prior to commencement of irrigation and subsequently every 2–4 years depending on monitoring trends. If worst case scenario indicated a breach in trigger levels, modelling must be updated every two years.	Not applicable	-	NR	Irrigation has not commenced in the Knox Creek Plain development area.
EMP 92	Define the conditions at which various irrigation methods can be utilised for the leased farms on the Weaber Plain development, based on the outcomes of future modelling undertaken.	To maximise water use efficiency and minimise potential environmental impacts of shallow groundwater levels by managing irrigated agriculture and/or cropping systems where required, e.g. on leased farms.	Review every five years in association with modelling from the commencement of irrigation.	Not applicable	NR	-	<p><u>Weaber Plain</u> To be determined following the outcomes of future modelling (refer to comments in relation to EMP 91).</p> <p><u>Knox Creek Plain</u> See KEMP 92</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
KEMP 92	Define the conditions at which various irrigation methods can be utilised for the Knox Creek Plain farms, based on the outcomes of modelling undertaken.	To maximise water use efficiency and minimise potential environmental impacts of shallow groundwater levels by managing irrigated agriculture and/or cropping systems where required, e.g. on leased farms.	Review every five years in association with modelling from the commencement of irrigation.	Not applicable	-	NR	Irrigation has not commenced in the Knox Creek Plain development area.
EMP 93	Adopt ANZECC guidelines trigger values for a 'high conservation/ecological value system' for three years then adopt appropriate site-specific trigger levels for chemicals and nutrients in accordance with ANZECC & ARMCANZ guidelines (2000).	To ensure monitoring and management responses relate to appropriate trigger levels.	For the initial three years, after which site-specific triggers will be adopted.	2023.EMP93 Keep River 2023-2024 Water Quality Monitoring and Management Report - DRAFT	C	-	As noted by the previous auditor, KBC (2022), this item relates to the adoption of water quality trigger values for the Keep River which is the receiving environment for agricultural stormwater from the Weaber Plain and, in future, the Knox Creek Plain Agricultural Development.  Site specific criteria for physicochemical stressors were derived from the baseline water quality monitoring program (Bennett and George, 2014). ANZG (2018) default guideline values are adopted for toxicants at PC99 <sup>1</sup> The approved Stormwater and Groundwater Discharge Management Plan (SGDMP) under EPBC 2010/5491 adopts PC99 (termed 99% ANZECC in the SGDMP) as an 'early detection indicator'.  Exceedances of trigger values are reported in the Keep River 2023-2024 Water Quality Monitoring and Management Report (2023.EMP93).
KEMP 93	Adopt water quality trigger values established under the requirements of EPBC Approval 2010/5491	To ensure monitoring and management responses relate to appropriate trigger levels.	Ongoing	2023.EMP93 Keep River 2023-2024 Water Quality Monitoring and Management Report - DRAFT	-	C	Refer to EMP 93

<sup>1</sup> **protective concentration (PC)** the concentration of a substance that is predicted to protect a specified percentage of species from adverse effects (Australian & New Zealand Guidelines for Fresh & Marine Water Quality (ANZG) 2019). PC99 is the concentration protective of 99% of species. The approved Surface and Groundwater Discharge Management Plan (EPBC 2010/5491) applies PC99 as an 'early detection indicator'. This protective concentration is applicable to **high conservation/ecological values systems**.

**Groundwater contingency actions**

Item	Trigger	Corrective action	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 94	Groundwater levels, soil salinity and quality exceed or are likely to exceed trigger levels	<ul style="list-style-type: none"> <li>Investigate cause.</li> <li>Implement actions consistent with Groundwater Management Plan Appendix 3 (e.g. modify land use/irrigation strategies, groundwater extraction).</li> <li>Document changes in Annual Environmental Report (AER).</li> </ul>	Refer Groundwater Management Plan Appendix 3	2023.EMP91c – 2024 Goomig groundwater review scope	PNC	NR	<p><u>Weaber Plain</u> An assessment of 2023 groundwater level and quality data has not been completed therefore the auditor has assessed the Goomig project as potentially non-compliant with EMP 94.</p> <p>A review and analysis of groundwater monitoring data collected since 2019 has commenced in accordance with the scope endorsed by the IRG (2023.EMP91c).</p> <p>The need for any corrective action will be determined following completion of the review. The question of whether the groundwater model should be updated will also be addressed after the review.</p> <p><u>Knox Creek Plain</u> Irrigation has not commenced in the Knox Creek Plain development area</p>



Item	Trigger	Corrective action	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 95	<p>Levels of chemicals and nutrients exceed scenarios that show:</p> <ul style="list-style-type: none"> <li>an increasing trend in the concentration of any chemical (at statistical confidence levels)</li> <li>an exceedance of the site-specific triggers for a particular chemical over two consecutive years.</li> </ul>	<ul style="list-style-type: none"> <li>Implement Item 8 and 9 (Table 14) to better map the distribution of groundwater exceeding target levels.</li> <li>Investigate cause.</li> <li>In consultation with the IRG, identify remedial action required, which could include the modification of irrigation and agricultural practices, reducing or ceasing the use of fertiliser and/or chemicals, groundwater abstraction or a combination of these measures.</li> <li>Implement remedial action immediately after trigger levels are exceeded or, in consultation with the IRG, at an appropriate time.</li> <li>Monitor success of remedy quarterly for 12 months or, following consultation with the IRG and in accordance with the advice from the IRG.</li> <li>Document changes in Annual Environmental Report (AER).</li> </ul>	Refer Groundwater Management Plan Appendix 3	2023.EMP91c – 2024 Goomig groundwater review scope	PNC	NR	<p><u>Weaber Plain</u> Refer to EMP 94</p> <p><u>Knox Creek Plain</u> Irrigation has not commenced in the Knox Creek Plain development area.</p>

## Discharge management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 96	Construct a tailwater retention area on each farm lot sufficient to retain stormwater runoff during the periods most critical (low flow periods) to the Keep River system in consultation with DAFWA and the Office of the Environmental Protection Agency.	Capacity to manage runoff to avoid transporting chemicals downstream.	Prior to commencement of irrigation	2023.EMP96 Goomig Farmland stormwater retention areas – planned and constructed	C	NR	<p><u>Weaber Plain</u> Water retention areas are constructed across the Goomig farm area sufficient to capture 25 mm of stormwater run-off. Retention area locations are shown in evidence item 2023.EMP96. Farm Lot 15 has is yet to be developed. The Lot 15 stormwater retention area will be constructed upon farm development. Lots 4, 7, 11 and 15 remain uncleared and not yet in operation.</p> <p><u>Knox Creek Plain</u> Refer to KEMP 96</p>
KEMP 96	Construct a tailwater retention area on each farm lot sufficient to retain stormwater runoff during the periods most critical (low flow periods) to the Keep River system.	Capacity to manage runoff to avoid transporting chemicals downstream.	Prior to commencement of irrigation	Not applicable	-	NR	Irrigation has not commenced in the Knox Creek Plain development area.
EMP 97	No usage of chemicals and fertilisers when the tailwater retention capacity is unavailable.	To prevent the transporting of nutrients and chemicals downstream.	Ongoing from commencement of farming	2023.EMP93 Keep River 2023-2024 Water Quality Monitoring and Management Report - DRAFT	C	NR	<p>On-farm tailwater recycling avoids discharge of tailwater to the environment.</p> <p>Chemicals are used during the wet season having regard for rainfall, rainfall/weather forecasts, and environmental flows.</p> <p>The Keep River 2023-2024 Water Quality Monitoring and Management Report (2023.EMP93) details Keep River water quality outcomes.</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 98	Provide an Information Package to prospective landowners/lessees, which: <ul style="list-style-type: none"> <li>• outlines the susceptibility of soil to erosion from high intensity rainfall during the wet season,</li> <li>• encourages maintenance of crop cover during the wet season to reduce soil erosion,</li> <li>• outlines optimal irrigation strategies to reduce potential impacts of sodicity and salinity,</li> <li>• includes information regarding identification of salinity and sodicity and mechanisms to report this to the Proponent.</li> </ul>	To minimise the potential for agricultural practices to result in erosion by ensuring prospective landowners are aware of the risks and appropriate management measures.	At sublease of farm lots	Not applicable	CLD	CLD	<u>Weaber Plain</u> Item assessed as completed in a previous audit period (Strategen 2015)  <u>Knox Creek Plain</u> Item assessed as completed in the 2021 audit period (KBC 2022).
EMP 99	Determine AUSRIVAS trigger score levels for aquatic macro-invertebrates in consultation with the IRG.	To manage the discharge of stormwater and surplus groundwater to protect the downstream environment and EPBC listed species.	Prior to commencement of irrigation	2023.EMP99 Variation to approval conditions (EPBC 2010/5491) – 28 March 2014	CLD	-	Condition 11F of EPBC 2010/5491 was amended on 28 March 2014 to require the following in place of AUSRIVAS trigger score levels:  11F. Use of best practice multivariate analyses on species level macro-invertebrate and fish assemblage data, within 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.
KEMP 99	Adopt water quality trigger levels, as developed in consultation with the IRG under EPBC Approval 2010/5491 and EPBC 2014/7143.	To manage the discharge of stormwater and surplus groundwater to protect the downstream environment and EPBC listed species.	Prior to commencement of irrigation	Refer to EMP 93	-	C	Refer to EMP 93

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 100	Establish and update annually, a list of key analytes (chemicals and nutrients) to be sampled, based on-farm practices as part of ongoing water quality monitoring in consultation with DPIRD, DWER and the IRG.	To ensure key chemicals and nutrients are included in water quality monitoring.	Prior to commencement of planting of crops, then ongoing annually	2023.EMP100a 2023 farm chemical update – November 2023  2023.EMP100b Example Certificate of Analysis from laboratory	C	-	Annual farm chemical (pesticide) updates are undertaken in consultation with the IRG.  Refer to evidence item 2023.EMP100a for details of the latest annual farm chemical update.  Farm chemical analytes are analysed by the laboratory within larger chemical analysis suites therefore monitoring results are delivered for more than 100 chemical analytes, including the list endorsed by the IRG. Refer to evidence item 2023.EMP100b for an example laboratory Certificate of Analysis.  Nutrients and physicochemical stressors are always included the water quality monitoring program.
KEMP 100	Establish and update annually, a list of key analytes (chemicals and nutrients) to be sampled, based on-farm practices as part of ongoing water quality monitoring	To ensure key chemicals and nutrients are included in water quality monitoring.	Prior to commencement of planting of crops, then ongoing annually	Refer to EMP 100	-	C	Refer to EMP 100
EMP 101	Install a water quality and flow gauging station capable of sampling, on a flow proportional basis (at least sub-daily when required) at the stormwater outlet from the Development Area.	To determine flow rate from the Project Area to inform management.	Prior to commencement of planting of crops	2023.EMP101 – DW1GS Flow dashboard	PNC	-	<u>Weaber Plain</u> A water quality and flow gauging station was installed during the construction phase. The flow gauging station was not functioning and transmitting data for during the compliance period.  Flow monitoring and data transmission recommenced in May 2024 (2023.EMP101).  <u>Knox Creek Plain</u> See KEMP 101
KEMP 101	Install a water quality and flow gauging station at the stormwater outlet from the Development Area.	Install a water quality and flow gauging station at the stormwater outlet from the Development Area.	To determine flow rate from the Project Area to inform management.	Not applicable	-	NR	Irrigation has not commenced in the Knox Creek Plain development area.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 102	Monitor water quality at the stormwater outlet from the Development Area, in consultation with DPIRD, DWER and DBCA.	To determine salinity and nutrient contribution from the Project Area to inform management.	On a flow proportional basis (with the ability to sample sub-daily as required)	2023.EMP93 Keep River 2023-2024 Water Quality Monitoring and Management Report - DRAFT	C	-	<u>Weaber Plain</u> Refer to the Keep River 2023-2024 Water Quality Monitoring and Management Report (2023.EMP93).  Monitoring is conducted weekly while there is flow at the stormwater outlet. Sub-daily monitoring capacity for EC and nutrients is not in place. Nutrients are assessed in the laboratory. EC is assessed weekly in field.
KEMP 102	Monitor water quality at the stormwater outlet from the Development Area	To determine salinity and nutrient contribution from the Project Area to inform management.	On a flow proportional basis (with the ability to sample sub-daily as required)	Not applicable	-	NR	Irrigation has not commenced in the Knox Creek Plain development area.
EMP 103	Ensure the flow gauging stations at Border Creek and the Keep River have the required accuracy to measure low flow rates in consultation with the Northern Territory NRETAS and IRG.	To provide flow data to manage the discharge of stormwater and surplus groundwater.	Prior to commencement of planting of crops	Refer to the Northern Territory Government Water Data Portal: <a href="#">Data - The NT Water Data Portal (aquaticinformatics.net)</a>  Gauging Stations: G8100225 – Keep River – Legune Rd Xng, and  G8100106 – Border Crk – Weaber Range	C	-	A service agreement with associated technical specifications was established with the Northern Territory Government in October 2013 and extended in 2018.  Refer to the Northern Territory Government Water Data Portal for evidence of the Northern Territory Government's continued delivery of these services.
EMP 104	Monitor water flow at the stormwater outlet from the Development Area, Border Creek and the Keep River, determined in consultation with IRG, DPIRD, DWER and DBCA.	To preserve and protect the water quality of the Keep River and EPBC listed species, prevent erosion of the banks of the Keep River and provide maximum mixing potential.	Ongoing from commencement of irrigation	Refer to EMP 101 and EMP 103	NC	-	The flow gauging station (DW1GS) at the stormwater outlet was not functioning and transmitting data during the compliance period.  Flow monitoring and data transmission recommenced in May 2024 (2023.EMP101).  Flow gauging stations were operational on the Border Creek and Keep River during the compliance period (refer to EMP 103).

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
KEMP 104	Monitor water flow at the stormwater outlet from the Development Area and the Keep River to preserve and protect the water quality of the Keep River	To preserve and protect the water quality of the Keep River and EPBC listed species, prevent erosion of the banks of the Keep River and provide maximum mixing potential.	Ongoing from commencement of irrigation	Not applicable	-	NR	Irrigation has not commenced in the Knox Creek Plain development area.
EMP 105	<p>Develop and implement an adaptive groundwater and stormwater discharge program that addresses:</p> <ul style="list-style-type: none"> <li>design and location of dewatering infrastructure,</li> <li>design and location of discharge infrastructure,</li> <li>discharge rates, rules, and contingency actions,</li> <li>monitoring locations and requirements including infrastructure and setup,</li> <li>written evidence of any Northern Territory Government permits that are required for discharge of</li> <li>groundwater, management measures that ensure discharge of water will not impact on water quality in Border Creek/Keep River; this includes erosion protection measures.</li> </ul>	To provide information for adaptive management of the discharge of stormwater and surplus groundwater.	Ongoing after sale/lease of farmland and prior to the commencement of stormwater and groundwater discharge from operational farms	<p>2023.EMP105 – Keep River catchment land use map (focus area).</p> <p>2023.EMP82c – Keep River catchment land use map</p>	C	-	<p><u>Weaber Plain</u></p> <p>Design and location of dewatering infrastructure has not commenced as groundwater discharge is not yet required.</p> <p>There is only one stormwater outlet from the development area, where the DW1 gauging station is located. The gauging station and monitoring site locations are shown in the maps provided as evidence.</p> <p>The 2023-2024 Surface Water Quality Monitoring and Management Report describes the water quality monitoring program associated with stormwater discharge.</p> <p><u>Knox Creek Plain</u></p> <p>Irrigation has not yet commenced in the Knox Creek Plain development area.</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 106	Refine the discharge dilution model/relationship based on river flow monitoring data and water quality history from the Ord Stage 1 D4 drain and available water quality data from the Keep River system.	To determine when flow rates at Border Creek and the Keep River fall below a minimum flow rate to enable flushing.	Prior to commencement of irrigation	2023.EMP106 Romero (2023) Managing Water Quality to Enable Future Irrigation Development in the Kimberley Region  2023.EMP93 Keep River 2023-2024 Water Quality Monitoring and Management Report - DRAFT	C	-	<p>An improved understanding of the discharge dilution relationship was achieved through commissioning of GHD to update the Keep River hydrodynamic model and run discharge scenarios for select farm chemical analytes using flow monitoring data from the Development Area, Border Creek, and Keep River gauging stations (2023.EMP106).</p> <p>In practice, the minimum river flow rates to enable flushing, depend on the chemical (each have different mobilities, degradation rates and PC99 levels) and its concentration at a given location. DPIRD assesses chemical presence and concentrations through implementation of a water quality monitoring program when stormwater discharge is occurring during the wet season (refer to 2023.EMP93). Therefore, DPIRD knows with certainty whether flow rates have fallen below a minimum to enable flushing.</p> <p>It is not possible to cease stormwater discharge once on-farm storage capacity has been exceeded, therefore an understanding of minimum flow rate, as such, cannot trigger any feasible action to cease discharge. The management options at this point include:</p> <ul style="list-style-type: none"> <li>• Consideration of weather and rainfall forecast to assess whether flows may increase and naturally flush concentrations from the river,</li> <li>• Release of fresh irrigation water from the M2 irrigation water supply channel,</li> <li>• Cessation of further farm chemical application.</li> <li>• Farm practice improvement going forward.</li> </ul> <p>DPIRD's monitoring has detected only one chemical in the Keep River at a concentration exceeding the PC99 trigger level. This is the herbicide, metolachlor. Exceedances have been temporary and confirmed as no longer detected at the commencement of the dry season. Refer to 2023.EMP93 for further detail.</p>
KEMP 106	Refine the discharge dilution model/relationship based on river flow monitoring data	To determine when flow rates at the Keep River fall below a minimum flow rate to enable flushing.	Prior to commencement of irrigation	Not applicable	-	NR	Irrigation has not commenced in the Knox Creek Plain development area.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 107	Refine the discharge dilution model/relationship based on flow monitoring data from the Development Area and the Keep River system and water quality characteristics of stormwater from the Development Area.	To determine when flow rates at the Keep River fall below a minimum flow rate to enable flushing.	On a seasonal basis, commencing 12 months after commencement of irrigation	Refer to EMP 106	C	NR	Refer to EMP106
EMP 108	Refine flow trigger values for the Keep River and Border Creek gauging station based on the refined discharge dilution model and Operational Surface Water Model.	To determine when flow rates at Border Creek and the Keep River fall below a minimum flow rate to enable flushing.	Ongoing after sale/lease of farm lots or commencement of farming activity	Refer to EMP106	C	-	Refer to EMP106
KEMP 108	Review/refine trigger values for the Keep River pools.	To update discharge model.	Annually	Not applicable	-	NR	Irrigation has not commenced in the Knox Creek Plain development area



Discharge monitoring regime and corrective actions

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 109	Telemetered flow monitoring at development gauge, existing gauging stations along Border Creek and the Keep River and in groundwater discharge pipe.	Continuous (hourly) flow monitoring when stormwater or groundwater discharge occurs.	No discharge of surplus groundwater to the Keep River unless there is sufficient threshold natural flow. No significant impact on the health of aquatic ecosystems from stormwater and surplus groundwater.	<ol style="list-style-type: none"> <li>Investigate cause. This could include examining management practices and identifying instances where water may have been unnecessarily discharged during low flow periods.</li> <li>Conduct an intensive water quality sampling program upstream and downstream of the discharge point.</li> <li>Immediately initiate processes to identify whether remedial action is required, in consultation with the IRG. Remedial actions could include: <ul style="list-style-type: none"> <li>releasing irrigation water from the M2 channel into Border Creek</li> <li>increasing groundwater pumping into the Ord Stage 1 or 2 supply channel during periods of low river flow</li> <li>installing additional erosion protection</li> <li>educating farm owners/managers</li> <li>revision of management practices (including groundwater discharge rules).</li> </ul> </li> <li>Implement remedial action/s.</li> <li>Monitor success of remedial action/s quarterly for a period of 12 months</li> <li>Report on any findings as a result of monitoring.</li> </ol>	<p>Refer to the Northern Territory Government Water Data Portal:  <a href="#">Data - The NT Water Data Portal (aquaticinformatics.net)</a></p> <p>Gauging Stations:  G8100225 – Keep River – Legune Rd Xng, and  G8100106 – Border Crk – Weaber Range</p> <p>2023.EMP101 – DW1GS Flow dashboard</p>	NC	-	<p>The flow gauging station at the stormwater outlet was not functioning and transmitting data during the compliance period.</p> <p>Flow monitoring and data transmission recommenced in May 2024 (2023.EMP101).</p> <p>Flow gauging stations were operational on the Border Creek and Keep River during the compliance period (refer to EMP 103)</p>

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
KEMP 109	Telemetered flow monitoring at the development gauge, and the existing gauging station on the Keep River and in groundwater discharge pipe.	Continuous (hourly) flow monitoring when stormwater or groundwater discharge occurs.	No discharge of surplus groundwater to the Keep River unless there is sufficient threshold natural flow. No significant impact on the health of aquatic ecosystems from stormwater and surplus groundwater.	<ol style="list-style-type: none"> <li>1. Investigate cause. This could include examining management practices and identifying instances where water may have been unnecessarily discharged during low flow periods.</li> <li>2. Conduct an intensive water quality sampling program upstream and downstream of the discharge point.</li> <li>3. Immediately initiate processes to identify whether remedial action is required, in consultation with the IRG. Remedial actions could include: <ul style="list-style-type: none"> <li>• releasing irrigation water from the M2 channel into Knox Creek</li> <li>• increasing groundwater pumping into the Ord Stage 1 or 2 supply channel during periods of low river flow</li> <li>• installing additional erosion protection</li> <li>• educating farm owners/managers</li> <li>• revision of management practices (including groundwater discharge rules).</li> </ul> </li> <li>4. Implement remedial action/s.</li> <li>5. Monitor success of remedial action/s quarterly for a period of 12 months</li> <li>6. Report on any findings as a result of monitoring.</li> </ol>	Not applicable	-	NR	Irrigation and farm stormwater discharge has not yet commenced on the Knox Creek Plain.

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 110	Aquatic ecology monitoring (including aquatic invertebrates and fish) in the Keep River pools (K1, K2, K3 and K4) and threatened aquatic ecology monitoring at three sites in the Keep River estuary (EST1, EST2, EST3).	Annually in the late dry season from the commencement of the action. Initially for three years to establish a baseline, and then for a further three years post-development. If there is no detectable effect on any of the species included in the aquatic monitoring program, then frequency is reduced to three-yearly, or in response to known events that may result in exceedances of site-specific trigger values for water quality Keep River.	No detrimental change in the AUSRIVAS macroinvertebrate category and in fish assemblage composition that is caused by the action. This can be resulting from stormwater, surplus groundwater and groundwater seepage increases, as compared against reference sites that reflect natural variability in ecosystem health.	<ol style="list-style-type: none"> <li>1. Immediately investigate cause over a period of at least 12 months through reviewing management practices and determining whether ecological health of aquatic fauna has deteriorated.</li> <li>2. Identify remedial action required. Remedial actions could include: <ul style="list-style-type: none"> <li>• releasing irrigation water from the M2 channel in Border Creek</li> <li>• increasing the pumping rates of the eastern bores to reduce groundwater seepage.</li> <li>• increasing groundwater pumping into the Ord Stage 1 or 2 supply channel during periods of low river flow</li> <li>• potentially, pending analysis, discharging groundwater into the lower Keep River estuary</li> <li>• installing additional erosion protection</li> <li>• educating farm owners/managers</li> <li>• revision of management practices (including groundwater discharge rules)</li> <li>• review flow monitoring data.</li> </ul> </li> <li>3. Implement remedial action/s, as required, immediately or at a time determined with the IRG to be appropriate.</li> <li>4. Monitor success of remedial action/s at least quarterly for 12 months.</li> <li>5. Report on any findings in Annual Environmental Report (AER) as a result of monitoring.</li> </ol>	<p>2023.EMP110 IRG agenda Item 6 of 28 March 2023 – Keep River Aquatic Ecology and Targeted Sawfish Survey 2022</p> <p>2023.EMP91b Record of IRG meeting held on 28 March 2023</p>	C	-	<p>Baseline monitoring was undertaken in 2011, 2012 and 2013.</p> <p>Monitoring was undertaken for a further three years post development in 2020, 2021 and 2022.</p> <p>Both baseline and post-development monitoring programs were conducted in the Keep River pools and estuary sites and at five reference locations.</p> <p>The outcomes of the post development surveys indicate the Goomig project has not caused any adverse change to Keep River ecological health.</p> <p>DPIRD reported the 2022 survey outcomes to the IRG in March 2023 (2023.EMP110). The IRG made the following decision on that item:</p> <ol style="list-style-type: none"> <li>1) <i>noted the outcomes of the 2022 aquatic ecology and threatened fauna survey as detailed in the Survey Report,</i></li> <li>2) <i>noted IPE's recommendations for future surveys,</i></li> <li>3) <i>agreed that the frequency of survey can be reduced to three-yearly with the next survey to be undertaken in 2025.</i></li> <li>4) <i>on the advice of IRG member David Morgan, requested that consideration be given to the collection of the following additional information in future surveys:</i> <ol style="list-style-type: none"> <li>a) <i>genetic information, by taking and analysing tissue samples,</i></li> <li>b) <i>sawfish movements, through acoustic tracking.</i></li> </ol> </li> </ol> <p>Refer to 2023.EMP91b for the record of the IRG meeting held on 28 March 2023 (refer to page 5 of the meeting record).</p>

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
KEMP 110	Utilise the aquatic ecology monitoring conducted under EPBC Approval 2010/5491 as an indicator of the outcomes of the combined Weaber and Knox management.	Ongoing	No detrimental change in the AUSRIVAS macroinvertebrate category and in fish assemblage composition that is caused by the action. This can be resulting from stormwater, surplus groundwater and groundwater seepage increases, as compared against reference sites that reflect natural variability in ecosystem health.	<ol style="list-style-type: none"> <li>1. Immediately investigate cause over a period of at least 12 months through reviewing management practices and determining whether ecological health of aquatic fauna has deteriorated.</li> <li>2. Identify remedial action required. Remedial actions could include: <ul style="list-style-type: none"> <li>• releasing irrigation water from the M2 channel into Border Creek to flush fresh water to the Keep River</li> <li>• increasing the pumping rates of the eastern bores to reduce groundwater seepage</li> <li>• increasing groundwater pumping into the Ord Stage 1 or 2 supply channel during periods of low river flow</li> <li>• potentially, pending analysis, discharging groundwater into the lower Keep River estuary</li> <li>• installing additional erosion protection</li> <li>• educating farm owners/managers</li> <li>• revision of management practices (including groundwater discharge rules)</li> <li>• review flow monitoring data.</li> </ul> </li> <li>3. Implement remedial action/s, as required, immediately or at a time determined with the IRG to be appropriate.</li> <li>4. Monitor success of remedial action/s at least quarterly for 12 months.</li> <li>5. Report on any findings in Annual Environmental Report (AER) as a result of monitoring.</li> </ol>	Refer to EMP 110	-	C	Refer to EMP 110

## Biodiversity and habitat management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 111	Induct personnel on biodiversity and habitat management measures	To minimise potential for adverse environmental impacts by ensuring personnel are informed of appropriate environmental management procedures.	Within one week of personnel commencing work on-site	2023.EMP111 KAI Environment Induction 2023	C	C	Refer to the evidence document.
EMP 112	Ensure development maps clearly delineate the Buffer Area and Development Area.	To prevent unauthorised clearing by ensuring clearing boundaries are appropriately documented.	Prior to ground disturbance	2023.EMP105 – Keep River catchment land use map (focus area).  2023.EMP82c – Keep River catchment land use map	C	C	Refer to the evidence document.
EMP 113	Delineate the boundaries of the vegetation to be cleared for construction in the field with flagging tape, signage or fencing.	To prevent unauthorised clearing by ensuring clearing boundaries are appropriately marked in the field.	Prior to ground disturbance	Refer to EMP 6	NR	C	Refer to EMP 6
EMP 114	Restrict movement of construction machinery and equipment to designated tracks and roads.	To minimise disturbance by consolidating vehicle access to designated areas.	Ongoing from commencement of ground disturbance	Refer to EMP 8	C	C	Refer to EMP 8
EMP 115	Stage clearing of vegetation so that areas are cleared only as required.	To minimise the area of exposed surfaces at any one time and to allow native animals the chance to move on.	During construction of shared infrastructure	Refer to EMP 7	C	C	Refer to EMP 7
EMP 116	Manage topsoil in accordance with the Soil Management Sub-plan	To provide a natural source of seed, organic matter, and microorganisms for areas to be rehabilitated.	During construction of infrastructure	Refer to EMP 9	Refer to EMP 9	Refer to EMP 9	Refer to EMP 9
EMP 117	Give native animals encountered on-site the opportunity to move on if there is no threat to personnel safety in doing so.	To prevent injury or death to native animals.	Ongoing from commencement of ground disturbance	2023.EMP111 KAI Environment Induction 2023  2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	C	C	Refer to evidence documents.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 118	Call the nominated carer or Wildlife Hotline to rescue sick or injured native animals if they are encountered.	To prevent loss of native animals.	Ongoing from commencement of ground disturbance	2023.EMP111 KAI Environment Induction 2023  2023.EMP2a File Note of compliance audit meeting with KAI, 7 February 2024	C	C	Refer to evidence documents.

### Biodiversity and habitat monitoring regime

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 119	Compliance of marked clearing boundary with development maps.	Daily	No clearing adjacent to areas where clearing boundaries are not defined.	Report as Environmental Incident and initiate Incident Procedure which shall include: <ul style="list-style-type: none"> <li>investigating the cause of the incident,</li> <li>redefining boundaries.</li> </ul>	Refer to S1_2.1, EMP 3, and EMP 6	NR	C	Refer to S1_2.1, EMP 3, and EMP 6
EMP 120	Extent of clearing and ground disturbance along pre-defined boundaries.	Daily	No clearing or disturbance outside of pre-defined boundaries (Figure 1).	Report as Environmental Incident and initiate Incident Procedure which shall include: <ul style="list-style-type: none"> <li>investigating the cause of the incident</li> <li>redefining boundaries if due to inadequate boundary marking,</li> <li>rehabilitating affected area as required in accordance with the Rehabilitation Management Sub-plan,</li> <li>monitoring the success of remedial action.</li> </ul>	Refer to S1_2.1, EMP 3, and EMP 6	NR	C	Refer to S1_2.1, EMP 3, and EMP 6

## Buffer management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 121	Control vehicle access to the buffer through designated tracks, and provision of signage to inform of restrictions to areas, including speed restrictions, hygiene protocols, and to advise that no off-track driving is permitted.	To minimise impacts to the buffer by consolidating and restricting access	At all times	Refer to 63	C	-	Refer to EMP 63
KEMP 121	Control vehicle access to the buffer through designated tracks, and provision of signage to inform of restrictions to areas.	To minimise impacts to the buffer by consolidating and restricting access	At all times	Refer to EMP 8, EMP 62 and EMP 63	-	C	Refer to EMP 8, EMP 62 and EMP 63
EMP 122	Control human access to the buffer through provision of and signage at entry points to Buffer Area advising of restrictions and no unauthorised access.	To minimise impacts to the buffer by restricting access	At all times	Refer to EMP 13	C	-	Refer to EMP 13
EMP 123	Induct all personnel constructing or utilising infrastructure within the Buffer Area, including roads, channels, groundwater bores and the phone tower, to advise on protocols for hygiene, wildlife encounters, prohibited activities etc.	To minimise potential for adverse environmental impacts by ensuring personnel are informed of environmental management procedures	Within one week of commencing work on-site	Refer to comments.	C	-	<p>No infrastructure was constructed in the Goomig buffer area in 2023 other than to reinstate the temporary tailwater storage dam north of Lot 7 by reinstating the earthen wing wall at the southern end. This located is adjacent to the development boundary, therefore presenting low risk to the buffer area.</p> <p>The phone tower is located adjacent to the access track to the DW1 gauging station, therefore access to the tower for maintenance purposes presents low risk to the buffer area.</p> <p>Broader access to Goomig the buffer area in 2023 was for routine monitoring groundwater bores and other environmental compliance monitoring activities. These activities are undertaken by experienced DPIRD and KAI staff aware of protocols.</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
KEMP 123	Induct all personnel constructing or utilising infrastructure within the Buffer Area, including roads and groundwater bores.	To minimise potential for adverse environmental impacts by ensuring personnel are informed of environmental management procedures	Within one week of commencing work on-site	2023.EMP111 KAI Environment Induction 2023	-	C	No infrastructure was constructed in the Knox buffer area in 2023, other than the re-establishment of weed monitoring transects and <i>Typhonium</i> sp. Kununurra monitoring sites in accordance with the approved Management Plan under the Authorisation (TFL 001-2122).  Monitoring of groundwater bores was also conducted. These activities are undertaken by experienced DPIRD and KAI staff aware of protocols.
EMP 124	Assess and map vegetation condition within the buffer according to the Keighery (1994) Vegetation Condition rating scale.	To provide data to inform management.	Prior to ground disturbance	Not applicable	CLD	CLD	<u>Weaber Plain</u> Item assessed as completed in a previous audit period. Baseline vegetation condition assessment and mapping was undertaken in 2011 (Botanical North 2011).  <u>Knox Creek Plain</u> Item assessed as completed in a previous audit period. Baseline vegetation condition assessment and mapping was undertaken in 2015 (Ord Land and Water 2015).
EMP 125	Stabilise and revegetate areas identified as containing vegetation below a rating of 'Very Good' in accordance with species lists and planting procedures determined in consultation with DPW AND/OR DER.	To better enable the Buffer Area to fulfil its intended role and purpose by restoring ecological integrity and function to degraded areas.	Within 12 months of completion of construction of infrastructure	Not applicable	CLD	-	Item assessed as completed in a previous audit period (KBC 2022).
KEMP 125	Stabilise and spread topsoil (if available) in areas identified as containing vegetation below a rating of 'Very Good' in accordance with species lists and planting procedures determined in consultation with DPW.	To better enable the Buffer Area to fulfil its intended role and purpose by restoring ecological integrity and function to degraded areas.	Within 12 months of completion of construction of infrastructure	Refer to EMP 70	-	C	Topsoil is unavailable for this purpose.  Refer to EMP 70



Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 126	In consultation with the DPW AND/OR DER and DoW, revegetate areas within the buffer with species selected specifically for their ability to lower the groundwater table, given the local soil, water and solute settings. Species used in such revegetation will be agreed with the DPW AND/OR DER and DoW.	To improve the ability of the buffer to reduce the potential impacts of elevated groundwater levels and minimise diffuse groundwater discharge (including salts) to downstream watercourses.	Within 12 months of completion of construction of infrastructure and as determined to be required in consultation with DPW AND/OR DER and DoW	Not applicable	CLD	-	Item assessed as completed in a previous audit period.
KEMP 126	If required for degraded areas, revegetate areas within the buffer with species selected specifically for their ability to lower the groundwater table, given the local soil, water and solute settings.	To improve the ability of the buffer to reduce the potential impacts of elevated groundwater levels and minimise diffuse groundwater discharge (including salts) to downstream watercourses.	Within 12 months of completion of construction of infrastructure and as determined to be required in consultation with DPW.	Not applicable	-	NR	Construction of infrastructure is not yet complete.
EMP 127	Undertake weed control in areas identified as containing vegetation below a rating of 'Very Good', focusing on the most degraded areas first and in accordance with procedures detailed in the Weed, Plant Pathogen and Pest Animal Management Sub-plan.	To better enable the Buffer Area to fulfil its intended role and purpose by restoring ecological integrity and function to degraded areas.	Within 12 months of completion of construction of infrastructure and ongoing		PNC	NR	<p><u>Weaber Plain</u> KAI advised at the compliance audit meeting that Parkinsonia control has been undertaken on farm and within the intersecting buffer areas.</p> <p>Refer to the separate items EMP 53 and 54 regarding monitoring of weeds along permanent weed transects, and EMP 56 regarding management of weeds in Priority Areas.</p> <p><u>Knox Creek Plain</u> Construction of infrastructure is not yet complete.</p>
EMP 128	Liaise with DPW with regard to their plans for implementation of the State Cane Toad Strategy (DEC 2009) in the Development Area.	To reduce the potential effect of cane toads on the Buffer Area.	As required	Not applicable	CLD	N/A	Item assessed as completed in a previous audit period (refer to Strategen 2015).
EMP 129	Provide information to land owners and Traditional Owners, on the Cane Toad Strategy for Western Australia (DEC 2009).	To reduce the potential effect of cane toads on the Buffer Area	At sublease of farm lots	Not applicable	CLD	N/A	Item assessed as completed in a previous audit period (refer to Strategen 2015).

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 130	Investigate the possibility of extending the DPW AND/OR DER Traditional Owner Ranger Program (Kununurra based) into the Buffer Area or incorporating other Indigenous management initiatives – consult with MG Corporation regarding shared responsibilities for maintenance of the Buffer Area.	To maximise opportunities for involvement of Traditional Owners in ongoing management of the Buffer Area	Ongoing	Not applicable	CLD	NA	Item assessed as completed in a previous audit period (refer to Strategen 2015).
EMP 131	Maintain the Buffer Area perimeter fencing, where required, to minimise stock invasion, remove introduced livestock, and continue to remove any subsequent invading livestock, as required, to protect native vegetation condition	To ensure species and habitats within the Buffer Area are not adversely affected by stock grazing	Ongoing	2023.EMP131 Goomig Fencing and Firebreak Inspection – August 2023	PNC	NR	<p><u>Weaber Plain</u> DPIRD inspected buffer perimeter fencing and firebreaks in August 2023. The inspection report and associated photos are included as evidence. The Goomig project has been assessed as potentially non-compliant with EMP131 due to required fence maintenance in some locations. The inspection report was provided to KAI in August 2023 for the implementation of maintenance activities. Follow up inspection will be undertaken in the 2024 dry season.</p> <p><u>Knox Creek Plain</u> The Knox Creek Plain buffer area is not yet been established by fencing, destocking and installation of signage. The buffer area will be established in parallel with infrastructure and farm development.</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 132	Implement the Fire Management Sub-plan.	To reduce the potential for impacts of fire on the buffer, infrastructure, MNES populations and habitats	Ongoing	2023.EMP132 Fire Scar Map 2023	PNC	-	<p>The Fire Management Plan (Strategen 2012) is being implemented in part as follows:</p> <ul style="list-style-type: none"> <li>• Fire breaks are being maintained and inspected (2023.EMP131),</li> <li>• Four-wheel drive access around the perimeter of the buffer is available where fencing is installed,</li> <li>• The western part of the Goomig Project environmental buffer area is subject to controlled burns implemented by DBCA in the adjacent Goomig Conservation Park which forms part of a landscape contiguous with the buffer (2023.EMP132 Goomig Fire Scar Map 2023),</li> <li>• The fire scar, including extent and timing of fires, is monitored through the North Australia &amp; Rangelands Fire Information service.</li> </ul> <p>The Goomig project is non-compliant with the strategies listed in the Fire Management Plan.</p>
KEMP 132	Prepare Knox Creek Plain fire management plan in compliance with Shire of Wyndham East Kimberley (SWEK) and Department of Fire and Emergency Services (DFES) requirements.	To identify fire risk areas, prevention, and control strategies.	Prior to ground disturbance	2023.EMP132 Fire Scar Map 2023	-	PNC	The auditor understands that a Knox Creek Plain fire management plan has not been prepared.
	Firebreak and buffer management access construction and annual maintenance in compliance with SWEK and/or DFES requirements.	To assist in fire containment in the event of wildfire or controlled burns.	Ongoing from commencement of ground disturbance		-		
	Inspect fuel hazards within various zones and implement fire hazard reduction.	To minimise risk of uncontrollable fire outbreak.	Annually		-		
	Ensure correct storage and isolation of flammable substances.	To reduce risk of fire.	Ongoing		-		
	Obtain fire permits for controlled burns.	To ensure compliance with local government requirements and to restrict burning to when climatic conditions are such that risk of wildfire is minimised.	Ongoing		-		

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
	Investigate all fires originating in the Knox Creek Plain.	To prevent re-occurrence where possible.	Ongoing				

### Buffer monitoring regime

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 133	Assess vegetation condition using the Keighery (1994) rating scale and update vegetation condition map.	Annually commencing within 12 months of the commencement of the action.	All areas within buffer to be in 'Very Good' or better condition.	Investigate cause, e.g. cattle intrusion, loss of seed through heavy rains. Take appropriate remedial actions, e.g. feral animal eradication programs, stabilise and revegetate area. Monitor success of remedy (annually at time of regular monitoring).	2023.EMP133 Buffer vegetation condition assessment – February 2023	NC	NC	DPIRD undertook vegetation/habitat condition assessment at some sites in the north-west of the Goomig buffer and parts of the Knox buffer as part of surveys of a proposed offset conservation area for TsK under the Authorisation (TFL 001-2122) (2023.EMP133a). The assessment did not cover the whole buffer and the vegetation condition map has not been updated.  DPIRD undertook buffer vegetation condition assessment in June 2024. DPIRD is also investing in the Landgate Capture WA Program that captured high resolution (0.2m iRGB) aerial imagery over the buffer area in May 2024. The contractor is processing the imagery and Capture WA expects to receive the processed imagery before the end of June 2024.

## Rehabilitation management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 134	Select reference sites in buffer and conservation areas containing landforms and vegetation comparable (or likely to have been comparable) to those of planned disturbance areas not required post-construction.	To locate suitable sites against which to compare rehabilitation success.	Prior to ground disturbance	2023.EMP134 Rehabilitation reference site selection and preparation of assessment procedures	CLD	NR	<p><u>Weaber Plain</u> This item was assessed as completed in a previous audit period.</p> <p>Despite the outcome of previous assessment, DPIRD engaged an environmental consultant in March 2024 to identify and select reference sites, survey rehabilitated areas and provide a procedure for field monitoring and rehabilitation assessment. The outputs are due from the contactor in July 2024.</p> <p><u>Knox Creek Plain</u> There are no areas proposed for rehabilitation in the Knox Creek Plain area.</p> <p>The Main Roads rehabilitation sites associated with construction of Moonamang Road have been absorbed into the Knox farm and Knox irrigation supply channel corridor.</p> <p>KAI confirmed at the audit meeting on 7 February 2024 that there are no new areas requiring rehabilitation.</p>
EMP 135	Survey reference sites identified in Item 1 [EMP 134] to determine indicator species, density of native species, % cover of native species, native species richness and % weed cover as outlined in the monitoring procedures.	To provide data against which rehabilitation success can be measured.	Prior to ground disturbance and quarterly throughout the rehabilitation process	<p>2023.EMP135 File Note – Site inspection – Weaber Plain rehabilitation site</p> <p>2023.EMP134 Rehabilitation reference site selection and preparation of assessment procedures</p>	PNC	NR	<p>This action has not been taken therefore the Goomig project is assessed as potentially non-compliant with this item.</p> <p>DPIRD inspected the rehabilitated former construction compound area in June 2023, however, did not complete a full survey (2023.EMP134a).</p> <p>DPIRD engaged an environmental consultant in March 2024 to survey rehabilitated areas, identify, and select appropriate reference sites; and provide a procedure for field monitoring and rehabilitation assessment. The outputs are due from the consultant in July 2024. In the meantime, the auditor assessed that the Goomig project is potentially non-complaint with this item.</p>
EMP 136	Determine parameters and targets for each indicator species as appropriate. e.g. density of indicator species, % cover of indicator species, etc.	To enable specific aspects of rehabilitation success to be measured.	Prior to ground disturbance	Refer to EMP 134 and EMP 135	PNC	NR	Refer to EMP 134 and EMP 135

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 137	Undertake a weed survey of the project area to establish baseline information in accordance with the Weed, Plant Pathogen and Pest Animal Management Sub-plan.	To provide data to inform management.	As specified in the Weed, Plant Pathogen and Pest Animal Management Sub-plan	Not applicable	CLD	CLD	Item assessed as completed in a previous audit period. Refer to Botanical North (2011), Botanical North (2012a), Botanical North (2012b) and Ord Land and Water (2015).
EMP 138	Develop a species list for seed collection based on species known to germinate from seed and/or that can be propagated by nurseries (may require consultation with nurseries and rehabilitation specialists in the area).	To maximise potential for rehabilitation success by ensuring appropriate species are used in seeding/planting.	As required for rehabilitation	Refer to EMP 134 and 135	PNC	NR	Refer to EMP 134 and 135
EMP 139	Contract experienced seed collector licensed by the DPW AND/OR DER to undertake a seed collection program of plant species endemic to the project area following <i>Florabank Guidelines</i> (Greening Australia 2009) including: <ul style="list-style-type: none"> <li>gathering information and targeting certain species</li> <li>undertaking seed collection in the optimum season for the species</li> <li>collecting only mature seed</li> <li>determining seed collection method (e.g. natural seed fall, collection by hand, mechanical harvesting, etc.</li> <li>maintaining detailed record sheets to provide evidence that the seed is local provenance, e.g. date of collection, time of collection, person undertaking collection etc.</li> <li>preparing material for transportation.</li> </ul>	To maximise potential for rehabilitation success by ensuring seed collection is undertaken in accordance with appropriate guidelines and procedures.	As required for rehabilitation	Refer to EMP 134 and 135	PNC	NR	Refer to EMP 134 and 135

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 140	Ensure all seed to be used in rehabilitation is sourced from species that are endemic to the area/local provenance (unless otherwise authorised by the DPW AND/OR DER).	To ensure species used in rehabilitation have adaptations to suit local conditions.	As required for rehabilitation	Refer to EMP 134	NR	NR	There were no sites under rehabilitation in 2023
EMP 141	Monitor the progress of seed collection and store and process seed in accordance with the seed collection and direct seeding procedure.	To maximise potential for rehabilitation success by ensuring seed collection is undertaken appropriately.	As required for rehabilitation	Refer to EMP 134	NR	NR	There were no sites under rehabilitation in 2023
EMP 142	Implement hygiene management actions as outlined in the Weed, Plant Pathogen and Pest Animal Management Sub-plan.	To maximise potential for rehabilitation success by preventing the introduction and/or spread of weeds and plant pathogens into rehabilitation areas.	As specified in the Weed, Plant Pathogen and Pest Animal Management Sub-plan	2023.EMP135 File Note – Site inspection – Weaber Plain rehabilitation site	C	NR	<u>Weaber Plain</u> There was no access to rehabilitated sites in 2023, other than for environmental inspection purposes on 28 June 2023. There was one weed species recorded in low numbers at inspection – <i>Stylosanthes hamata</i> (stylo). This species is not declared, or a weed of national significance.  <u>Knox Creek Plain</u> Refer to EMP 134
EMP 143	Control stock within buffer area in accordance with the Weed, Plant Pathogen and Pest Management Sub-plan.	To maximise potential for rehabilitation success by preventing stock from entering rehabilitation areas.	As specified in the Weed, Plant Pathogen and Pest Animal Management Sub-plan	Refer to EMP 72 and EMP 78	PNC	NR	<u>Weaber Plain</u> Refer to EMP 72 and EMP 78  <u>Knox Creek Plain</u> The Knox Creek Plain buffer area is not yet been established by fencing, destocking an installation of signage. The buffer area will be established in parallel with infrastructure and farm development.
EMP 144	Ensure all foreign material is removed from the site to be recycled or reused where practicable, or disposed of off-site before rehabilitation is carried out.	To enable rehabilitation to commence.	Prior to rehabilitation	2023.EMP135 File Note – Site inspection – Weaber Plain rehabilitation site	NR	NR	<u>Weaber Plain</u> There were no areas under rehabilitation or requiring rehabilitation in the 2023 compliance assessment period. The Area 11 material extraction area is still active.  <u>Knox Creek Plain</u> There are no areas proposed for rehabilitation in the Knox Creek Plain area.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 145	Areas suspected to be contaminated by spills or leaks of hydrocarbons and/or inappropriate disposal of wastes will be investigated to determine the presence and/or level of contamination.	To determine whether rehabilitation areas are required to be remediated.	Prior to rehabilitation	Not applicable	NR	NR	Refer to EMP 144
EMP 146	Remediate any soils that are determined to be contaminated.	To maximise potential for rehabilitation success by ensuring rehabilitation areas are not contaminated.	Prior to rehabilitation	Not applicable	NR	NR	Refer to EMP 144
EMP 147	Disturbed areas will be stabilised through a combination of contouring and slope stabilisation as required.	To minimise erosion of rehabilitated landforms.	Progressively as disturbed areas are no longer required	Not applicable	NR	NR	Refer to EMP 144
EMP 148	All rehabilitation areas will be reshaped and contoured to blend with adjacent relief and drainage as far as practicable. This will include: <ul style="list-style-type: none"> <li>the removal of impediments to run-off</li> <li>diversion of surface run-off around borrow pits to prevent flooding and potential instability of pit walls</li> <li>where necessary filling of borrow pits with subsoil to level of natural ground surface.</li> </ul>	To minimise erosion of rehabilitated landforms.	During the rehabilitation process	Not applicable	NR	NR	Refer to EMP 144
EMP 149	All tracks to be rehabilitated will be ripped or scarified to minimise compaction.	To maximise potential for rehabilitation success by allowing roots and water to penetrate the soil profile.	During the rehabilitation process	Not applicable	NR	NR	Refer to EMP 144
EMP 150	Remove topsoil from cleared areas and manage in accordance with the Biodiversity and Habitat Management Sub-plan.	To provide a natural source of seed, organic matter and microorganisms for areas to be rehabilitated.	During construction of shared infrastructure	Not applicable	NR	NR	Refer to EMP 144
EMP 151	Ensure material to be used for rehabilitation (e.g. topsoil, cleared vegetation, etc.) does not contain declared weeds.	To maximise potential for rehabilitation success by preventing the introduction and/or spread of declared weeds into rehabilitation areas.	Prior to rehabilitation	Not applicable	NR	NR	Refer to EMP 144



Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 152	Relocate stripped topsoil and (if applicable) cleared vegetation directly to areas required to be rehabilitated, where possible.	To maximise the benefits of using topsoil and mulch by minimising storage time.	During construction of shared infrastructure	Not applicable	NR	NR	Refer to EMP 144  There are no areas requiring future rehabilitation on the Knox Creek Plain therefore topsoil has not been relocated.
EMP 153	Spread stripped topsoil evenly across areas to be rehabilitated (to a nominal depth of approximately 100–150 mm). Work parallel with the contours as far as practicable, to minimise the creation of preferential drainage pathways.	To provide a natural source of seed, organic matter and microorganisms for areas to be rehabilitated.	During rehabilitation process	Not applicable	NR	NR	Refer to EMP 144
EMP 154	Rake rehabilitation areas to minimise potential impacts from compaction.	To maximise potential for rehabilitation success by allowing roots and water to penetrate the soil profile.	After spreading of topsoil and prior to placement of cleared vegetation	Not applicable	NR	NR	Refer to EMP 144
EMP 155	Where direct replacement of rehabilitation material (e.g. topsoil, cleared vegetation, etc.) is not possible, stockpile material for later use in rehabilitation activities.	To provide a natural source of seed, organic matter and microorganisms for areas to be rehabilitated.	During construction of shared infrastructure	Not applicable	NR	NR	Refer to EMP 144
EMP 156	Locate stockpiles of rehabilitation material (e.g. topsoil, cleared vegetation, etc.) within already disturbed areas wherever possible.	To minimise disturbance.	Ongoing from commencement of ground disturbance	Not applicable	NR	NR	Refer to EMP 144
EMP 157	Restrict topsoil stockpile height to less than 2 m.	To conserve native seed banks for direct propagule return, reduce the risk of self-composting and provide opportunities for the roots of temporary vegetation growing on the topsoil stockpile to reach the deepest parts of the stockpile, thereby sustaining many microorganisms.	Ongoing from commencement of ground disturbance	Not applicable	NR	NR	Refer to EMP 144
EMP 158	Where topsoil is not available, import topsoil in consultation with the Department of Parks and Wildlife (DPW) Kununurra office.	To provide a natural source of seed, organic matter and microorganisms for areas to be rehabilitated.	Prior to rehabilitation	Not applicable	NR	N/A	Refer to EMP 144
EMP 159	Provide temporary fencing and signage around rehabilitation areas.	To minimise disturbance to rehabilitation areas by restricting access.	During rehabilitation process	Not applicable	NR	NR	Refer to EMP 144

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 160	Inspect borrow pits no longer required following construction to ensure all pits are backfilled and rehabilitated such that they are free draining.	To ensure timely and appropriate rehabilitation of borrow pits.	As required	Not applicable	NR	NR	<p><u>Weaber Plain</u></p> <p>The Area 11 material extraction area is still active. A pit is not expected to form from this operation as the borrow sites are elevated above the surrounding landscape.</p> <p><u>Knox Creek Plain</u></p> <p>There are no areas proposed for rehabilitation in the Knox Creek Plain area.</p>
EMP 161	<p>Where there is insufficient subsoil for backfilling:</p> <ul style="list-style-type: none"> <li>import material for backfilling in consultation with DPW if applicable,</li> <li>ensure pits are rehabilitated to minimise standing shallow water as much as possible.</li> </ul>	To minimise the creation of mosquito breeding habitat.	As required	Not applicable	NR	NR	Refer to EMP 160

### Rehabilitation monitoring regime

Item	Activity and location	Frequency/timing	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 162	Native species richness, density and % cover within rehabilitation sites as outlined in the monitoring procedures.	Twice annually (in May and October).	<p>Mean native species richness, plant density and % cover in the rehabilitation site after five years (including at least two wet seasons where &gt;75% of the long-term average rainfall has fallen) is greater than:</p> <ul style="list-style-type: none"> <li>70% of the mean % cover of natives in the reference sites</li> <li>70% of the mean native species richness in the reference sites.</li> </ul>	<ol style="list-style-type: none"> <li>Identify cause.</li> <li>Implement approach to remedy cause, which could include: <ul style="list-style-type: none"> <li>application of fertilisers or wetting agents etc. if applicable</li> <li>implement supplementary direct seeding or seedling planting program in accordance with procedures</li> <li>review rehabilitation process and amend if appropriate.</li> </ul> </li> <li>Monitor success of approach.</li> </ol>	Refer to EMP 134 and EMP 135	PNC	NR	Refer to EMP 134 and EMP 135

Item	Activity and location	Frequency/timing	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 163	Indicator species in rehabilitation sites.	Twice annually (in May and October).	As determined in accordance with Table.	<ol style="list-style-type: none"> <li>1. Identify cause.</li> <li>2. Implement approach to remedy cause, which could include: <ul style="list-style-type: none"> <li>• application of fertilisers or wetting agents etc. if applicable</li> <li>• implement supplementary direct seeding or seedling planting program in accordance with procedures.</li> <li>• review rehabilitation process and amend if appropriate.</li> </ul> </li> <li>3. Monitor success of approach.</li> </ol>	Refer to EMP 134 and EMP 135	PNC	NR	Refer to EMP 134 and EMP 135
EMP164	Exotic species richness and % cover within rehabilitation sites as outlined in the monitoring procedures.	Twice annually (in May and October).	<p>Exotic flora species: no greater than 10% increase in weed species density/cover/distribution compared to reference sites</p> <p>no Declared Plants present on-site six months following completion of construction.</p> <p>no infested areas as defined in the Weed, Plant Pathogen and Pest Animal Management Sub-plan</p> <p>no local priority areas as defined in the Weed, Plant Pathogen and Pest Animal Management Sub-plan</p> <p>no new weed species present.</p>	<ol style="list-style-type: none"> <li>1. Identify cause.</li> <li>2. Identify the weeds, their location and coverage.</li> <li>3. Implement remedy which could include: <ul style="list-style-type: none"> <li>• implementing a weed control program</li> <li>• reinforcing management actions in the Weed, Plant Pathogen and Pest Animal Management Sub-plan and Rehabilitation Management Sub-plan.</li> </ul> </li> <li>4. Monitor success of control.</li> </ol>	Refer to EMP 134 and EMP 135	PNC	NR	Refer to EMP 134 and EMP 135

Item	Activity and location	Frequency/timing	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 165	Erosion within and adjacent to rehabilitation sites.	Opportunistically following heavy rainfall events.	Ensure landform is safe and stable with no erosion occurring 18 months after rehabilitation. Reconstructed landform can withstand exceedance of average rainfall occurrences for a period of 10 years.	<ol style="list-style-type: none"> <li>1. Identify cause of erosion.</li> <li>2. Consult expert to determine appropriate remedy which may include: <ul style="list-style-type: none"> <li>• Installing culverts</li> <li>• Installing stormwater diversion structures.</li> </ul> </li> <li>3. Implement remedy.</li> <li>4. Monitor success of remedy.</li> </ol>	Refer to EMP 134 and EMP 135	C	NR	Refer to EMP 134 and EMP 135

## Aboriginal heritage management actions

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 166	Implement an induction program for personnel and contractors/consultants, and an information package for farm owners/managers, both of which containing information on: <ul style="list-style-type: none"> <li>significance of Aboriginal heritage and the potential impacts of the project</li> <li>procedures to report potential new sites</li> <li>obligations under the <i>Aboriginal Heritage Act 1972 (WA)</i></li> <li>requirements for the protection of known Aboriginal sites.</li> </ul>	To ensure protection of known sites of Aboriginal heritage significance in accordance with the requirements of the <i>Aboriginal Heritage Act 1972 (WA)</i> , to improve knowledge of Aboriginal cultural heritage in non-indigenous people associated with the project.	Within one week of personnel commencing work on-site	2023.EMP111 KAI Environment Induction 2023	C	C	
EMP 167	Document the location of protected areas on development design plans and make available to planners, agents, contractors, and relevant personnel.	To ensure protection of known sites of Aboriginal heritage significance in accordance with the requirements of the <i>Aboriginal Heritage Act 1972 (WA)</i> , to improve knowledge of Aboriginal cultural heritage in non-indigenous people associated with the project.	Prior to ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI – 7 February 2024	CLD	C	<p><u>Weaber Plain</u> Item assessed as completed in a previous audit period. Refer to McMullen Nolan Group (2013).</p> <p><u>Knox Creek Plain</u> KAI's Knox Creek Plain Final Project Design Plan (Revision C) (KBC 2019) confirms that heritage sites are retained in the buffer areas.</p> <p>KAI confirmed at the compliance audit meeting that clearing continued to be managed as follows in 2023:</p> <ul style="list-style-type: none"> <li>The development boundaries were surveyed by a licensed surveyor (SML Land Surveyors).</li> <li>Boundaries were marked with star pickets and tape.</li> <li>The surveyor marked the boundary ahead of the dozer.</li> <li>Boundaries were cleared first.</li> </ul>
EMP 168	Flag the boundaries of project areas to ensure activities do not intrude into areas where Aboriginal sites are present.		Prior to ground disturbance	Not applicable	CLD	C	<p><u>Weaber Plain</u> Item assessed as completed in a previous audit period.</p> <p><u>Knox Creek Plain</u> Refer to EMP 167</p>

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 169	Place 'No Go' signage along boundaries immediately adjacent to Buffer Areas around protected Aboriginal sites.		Prior to ground disturbance	Not applicable	CLD	C	<u>Weaber Plain</u> Item assessed as completed in a previous audit period.  <u>Knox Creek Plain</u> Refer to EMP 167
EMP 170	If a suspected heritage site is detected follow procedures as outlined in the Heritage Site Detection Procedure. Potential heritage sites include stone/shell scatters (middens), stone tools, rock paintings and engravings, grinding patches, scar trees, ochre sites/quarries, and skeletal remains.	To ensure protection of previously unrecorded Aboriginal heritage sites detected during construction/clearing activities in accordance with the <i>Aboriginal Heritage Act 1972 (WA)</i> .	Ongoing from commencement of ground disturbance	2023.EMP111 KAI Environment Induction 2023	C	C	<u>Weaber Plain</u> No clearing was undertaken in the Weaber Plain development area in 2023.  <u>Knox Creek Plain</u> Refer to evidence document.
EMP 171	Site heritage monitors from MG Corporation issued with a permit under Section 16 of the <i>Aboriginal Heritage Act 1972 (WA)</i> will be on-site to monitor clearing and earthworks activities.		Ongoing from commencement of ground disturbance	Not applicable	C	N/A	<u>Weaber Plain</u> No clearing was undertaken in the Weaber Plain development area in 2023.  <u>Knox Creek Plain</u> Item not included in Knox EMP
EMP 172	A qualified archaeologist issued with a permit under Section 16 of the <i>Aboriginal Heritage Act 1972 (WA)</i> will be available to come to site if a suspected heritage site is uncovered.		As required	Not applicable	C	N/A	<u>Weaber Plain</u> No clearing was undertaken in the Weaber Plain development area in 2023.  <u>Knox Creek Plain</u> Item not included in Knox EMP
EMP 173	The MG Corporation will be briefed on proposed works and work schedules and informed of detailed aspects of the project.	Ensure regular ongoing involvement of the Miriwung and Gajerrong people in heritage management throughout the life of the project, in accordance with the OFA and OES.	Prior to ground disturbance	2023.EMP2a File Note of compliance audit meeting with KAI – 7 February 2024	C	C	KAI confirmed that it engages with MG Corporation.
EMP 174	The MG Corporation will be involved in inspections of the Project Area throughout construction (with supporting briefing).		Quarterly and as required	2023.EMP2a File Note of compliance audit meeting with KAI – 7 February 2024	C	C	KAI confirmed that it engages with MG Corporation.

Item	Action	Purpose	Timing	Evidence	Status Weaber	Status Knox	Comment
EMP 175	Meet with MG Corporation to discuss broader issues of Aboriginal cultural heritage and heritage protection in and around the buffer, and associated social impact.		Annually and as required	2023.EMP2a File Note of compliance audit meeting with KAI – 7 February 2024	C	C	KAI confirmed that it engages with MG Corporation.
EMP 176	Establish cultural heritage database with GIS records of site locations in the project area.	Establish and maintain up-to-date records on Aboriginal heritage sites within the project area.	Prior to ground disturbance	Refer to McMullen Nolan Group (2013)	C	N/A	<u>Weaber Plain</u> Refer to McMullen Nolan Group (2013)  <u>Knox Creek Plain</u> Item not included in Knox EMP

## Aboriginal heritage monitoring regime and corrective actions

Item	Activity and location	Frequency	Target	Corrective action	Evidence	Status Weaber	Status Knox	Comment
EMP 177	Signage or temporary fencing/ tape showing heritage site locations.	Daily during clearing and construction .	No disturbance to sites not approved to be disturbed under Section 18 of the <i>Aboriginal Heritage Act 1972</i> (WA).	<p>Report as Environmental Incident and initiate Incident Procedure, including:</p> <ul style="list-style-type: none"> <li>stopping work in the vicinity of the boundary investigating the cause of the disturbance</li> <li>redefining boundaries if due to inadequate boundary marking</li> <li>rehabilitating vegetation in the area as required in accordance with the Rehabilitation Management Sub-plan</li> <li>restore the 'site' (e.g. scatters or middens could have been buried, rock art altered, skeletal remains exposed) – develop a remedial plan in consultation with appointed archaeologist and MG Corporation</li> <li>monitoring the success of remedial action.</li> </ul> <p>Consult with the Department of Aboriginal Affairs and MG Corporation to determine actions required to restore the site to its original condition.</p>	Not applicable	C	C	<p><u>Weaber Plain</u> No clearing was undertaken in the Weaber Plain development area in 2023.</p> <p><u>Knox Creek Plain</u> KAI's Knox Creek Plain Final Project Design Plan (Revision C) prepared by Kimberley Boan Consulting confirms that heritage sites are retained in the buffer areas.</p> <p>KAI confirmed at the compliance audit meeting that clearing continued to be managed as follows in 2023:</p> <ul style="list-style-type: none"> <li>The development boundaries were surveyed by a licensed surveyor (SML Land Surveyors).</li> <li>Boundaries were marked with star pickets and tape.</li> <li>The surveyor marked the boundary ahead of the dozer.</li> <li>Boundaries were cleared first.</li> </ul>
EMP 178	Aboriginal monitors to check ground-disturbance work areas.	For each new area to be disturbed.	To identify new sites before clearing occurs.	Refer to Heritage Site Detection Procedure.	Not applicable	C	N/A	<p><u>Weaber Plain</u> No clearing was undertaken in the Weaber Plain development area in 2023.</p> <p><u>Knox Creek Plain</u> Item not included in Knox EMP</p>



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