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Published on: 15 April 2019

Statement No. 1095

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(*Environmental Protection Act 1986*)

STATE BARRIER FENCE ESPERANCE EXTENSION

Proposal: Construction of an approximately 660 km long, 1.35 m high barrier fence in the Goldfields-Esperance Region of Western Australia for the purpose of limiting impacts of wild dogs, dingos, emus and kangaroos on agriculture.

Proponent: Department of Primary Industries and Regional Development
Australian Business Number 18 951 343 745

Proponent Address: 3 Baron-Hay Court
SOUTH PERTH WA 6161

Assessment Number: 2088

Report of the Environmental Protection Authority: 1626

Pursuant to section 45 of the *Environmental Protection Act 1986* it has been agreed that the proposal described and documented in Table 1 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

1 Proposal Implementation

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.

2 Contact Details

2-1 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 twenty-eight (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.

3 Time Limit for Proposal Implementation

- 3-1 The proponent shall not commence implementation of the proposal after five (5) years from the date on this Statement, and any commencement, prior to this date, must be substantial.
- 3-2 Any commencement of implementation of the proposal, on or before five (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 five (5) years from the date of this Statement.

4 Compliance Reporting

- 4-1 The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.
- 4-2 The Compliance Assessment Plan shall indicate:
 - (1) the frequency of compliance reporting;
 - (2) the approach and timing of compliance assessments;
 - (3) the retention of compliance assessments;
 - (4) the method of reporting of potential non-compliances and corrective actions taken;
 - (5) the table of contents of Compliance Assessment Reports; and
 - (6) public availability of Compliance Assessment Reports.
- 4-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.
- 4-4 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.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 4-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.

5 Public Availability of Data

5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

5-2 If any data referred to in condition 5-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

6 Flora and Vegetation

6-1 The proponent shall ensure that the impacts to flora and vegetation during construction and post construction of the proposal are minimised.

6-2 Prior to construction the proponent shall:

- (1) undertake contemporary dieback mapping within vulnerable areas of the alignment identifying infested and uninfested areas; and
- (2) undertake contemporary weed mapping for the entire alignment identifying the species of weed and the area(s) they infest.

6-3 During construction of the proposal the proponent shall:

- (1) implement hygiene protocols, consistent with the *Management of Phytophthora cinnamomi for Biodiversity Conservation in Australia, Part 2 National Best Practice Guidelines* and the DBCA *Phytophthora Dieback Management Manual: Forest and Ecosystem Management* as amended or replaced from time to time; and
- (2) implement weed control and management to minimise the introduction of new species of weeds and ensure there is no net increase in the current extent of weeds identified in the development envelope in consultation with the DBCA.

6-4 Within two (2) months after completion of construction the proponent shall provide a report to the CEO which demonstrates that the proposal:

- (1) is designed and constructed consistent with the authorised extent(s) as referred to in Table 2 of Schedule 1 and includes:
 - (a) a calculation of the actual area cleared;
 - (b) a map and spatial data showing the final alignment;
 - (c) dimensions and location of maintenance tracks; and
 - (d) any other areas disturbed in the development envelope;
- (2) has been constructed in accordance with the *Management of Phytophthora cinnamomi for Biodiversity Conservation in Australia, Part 2 National Best Practice Guidelines* and the DBCA *Phytophthora Dieback Management Manual: Forest and Ecosystem Management*; and
- (3) has met the requirements of condition 6-3(2) through a weed survey.

6-5 During maintenance of the proposal the proponent shall:

- (1) implement hygiene protocols, consistent with the *Management of Phytophthora cinnamomi for Biodiversity Conservation in Australia, Part 2 National Best Practice Guidelines* and the DBCA *Phytophthora Dieback Management Manual: Forest and Ecosystem Management* as amended or replaced from time to time; and
- (2) undertake weed control and management to prevent the introduction of weeds and ensure there is no net increase in the current extent of weeds identified in the development envelope in consultation with the DBCA.

7 Terrestrial Fauna (Western Ground Parrot (*Pezoporus flaviventris*))

7-1 The proponent shall ensure that implementation of the proposal achieves the following objective:

- (1) avoid where possible, and not increase risk of direct and indirect impacts greater than that presented by the existing farm fencing to the western ground parrot (*Pezoporus flaviventris*) along the 115 km section of the proposal, as shown in Figure 2 of Schedule 1.
- 7-2 To meet the objective required by condition 7-1 the proponent shall ensure, in consultation with the DBCA, that:
 - (1) the design, construction, and maintenance of the fence along the 115 km section of the proposal, as shown in Figure 2 of Schedule 1, shall include but not be limited to the following additional measures:
 - (a) no clearing during the dispersal time of 1 December to 31 May;
 - (b) no use of barbed or electrified wire;
 - (c) mechanisms to increase visibility of the fence for the parrot; including but not limited to the use of equine tape and fluorescent fence droppers at regular intervals between star pickets. These mechanisms shall be regularly monitored and replaced when deterioration is detected;
 - (2) management of introduced predators is conducted within known and potential habitat for the western ground parrot, as shown in Figure 2 of Schedule 1, twice a year for three (3) years from the completion of construction of this section; and
 - (3) prior to clearing and construction submit details of the measures required by condition 7-2(1) and 7-2(2), on advice of the DBCA, to meet the objective of condition 7-1 above.

[signed on 15 April 2019]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

Table 1: Summary of the Proposal

Proposal Title	State Barrier Fence Esperance Extension
Short Description	Construction of an approximately 660 km long, 1.35 m high barrier fence in the Goldfields-Esperance Region of Western Australia for the purpose of limiting impacts of wild dogs, dingos, emus and kangaroos on agriculture.

Table 2: Location and authorised extent of physical and operational elements

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Fence, maintenance track, fire break, water turnouts, stock grids and access gates	Figure 1	Clearing and disturbance of up to 816 ha of native vegetation within four separate development envelopes with a width of up to 200 m, totalling an area of up to 8,139 ha.
Firebreak	Figure 1	Ongoing chaining every 4 to 6 years including: <ul style="list-style-type: none"> • 373.8 ha in existing firebreaks • 146 ha in previously uncleared areas.

Spatial coordinates for the boundaries of the proposal (MGA Zone 51)

Coordinates defining the boundaries shown in Figure 1 are held by the Department of Water and Environmental Regulation, Document Reference Number DWERDA041027.

Table 3: Abbreviations and Definitions

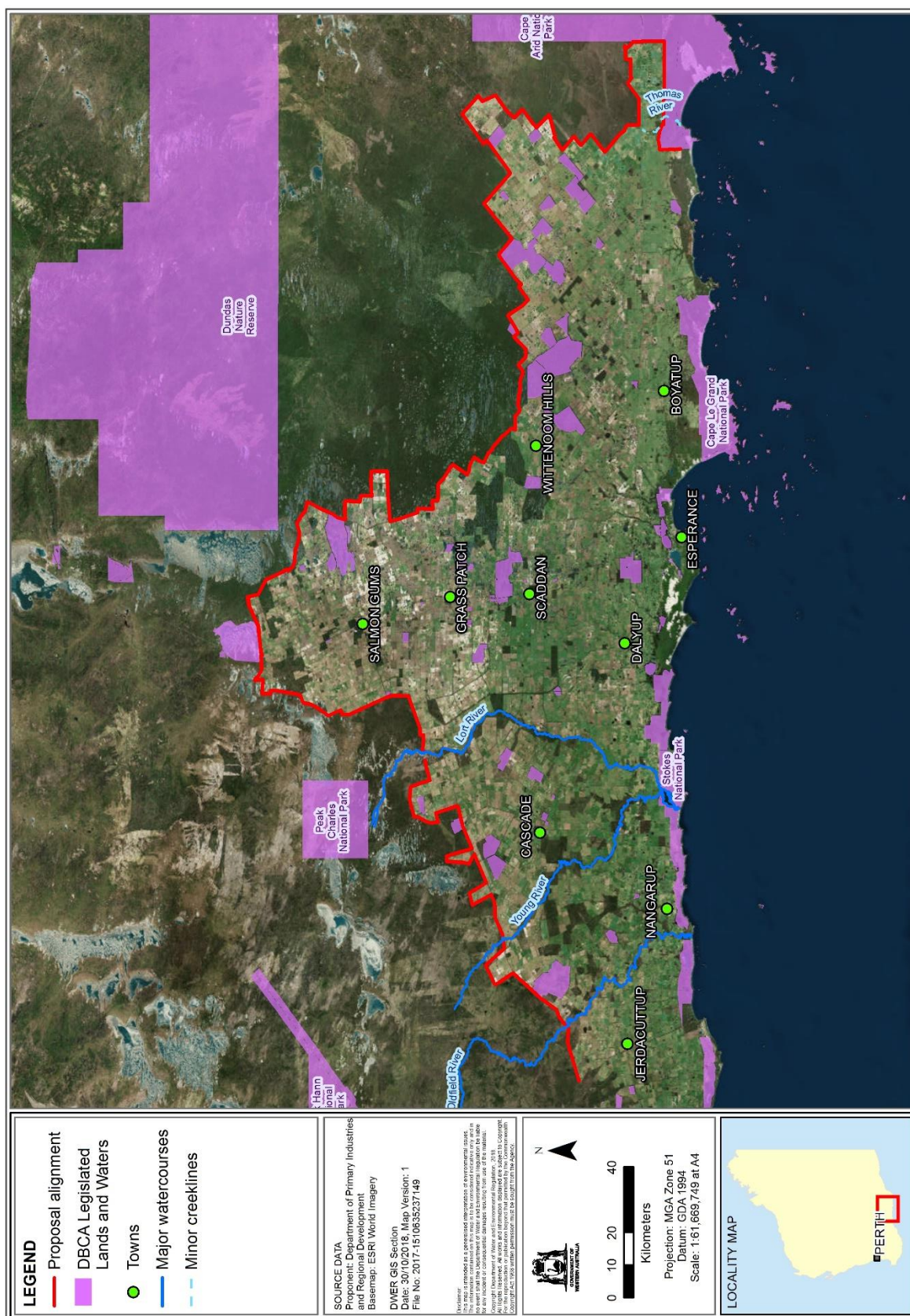
Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
DBCA	Department of Biodiversity, Conservation and Attractions
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
equine tape	Non-electrified, highly visibility tape to be used at the top of the fence instead of wire.
ha	hectare
introduced predators	Red fox (<i>Vulpes vulpes</i>), wild dog (<i>Canis dingo</i> , <i>Canis lupus familiaris</i> (feral) and <i>Canis dingo</i> x <i>Canis lupus familiaris</i>) and feral cat (<i>Felis catus</i>)
km	kilometres
m	metres

Acronym or Abbreviation	Definition or Term
Vulnerable areas	Areas in which susceptible native plants occur in conjunction with the environmental factors required for <i>Phytophthora</i> pathogens to establish and persist. Namely areas that receive mean annual rainfall greater than 400mm isohyet and areas and water gaining sites such as granite outcrops, streams and soaks.
Weed	Any plant declared under section 22(2) of the <i>Biosecurity and Agriculture Management Act 2007</i> , Weeds of National Significance and Priority weeds identified in the <i>Great Western Woodlands Draft Strategic Weed and Feral Animal Management Plan</i> , as amended or replaced from time to time.

Figures (attached)

Figure 1 State Barrier Fence Esperance Extension alignment

Figure 2 Proposed alignment adjacent to western ground parrot habitat



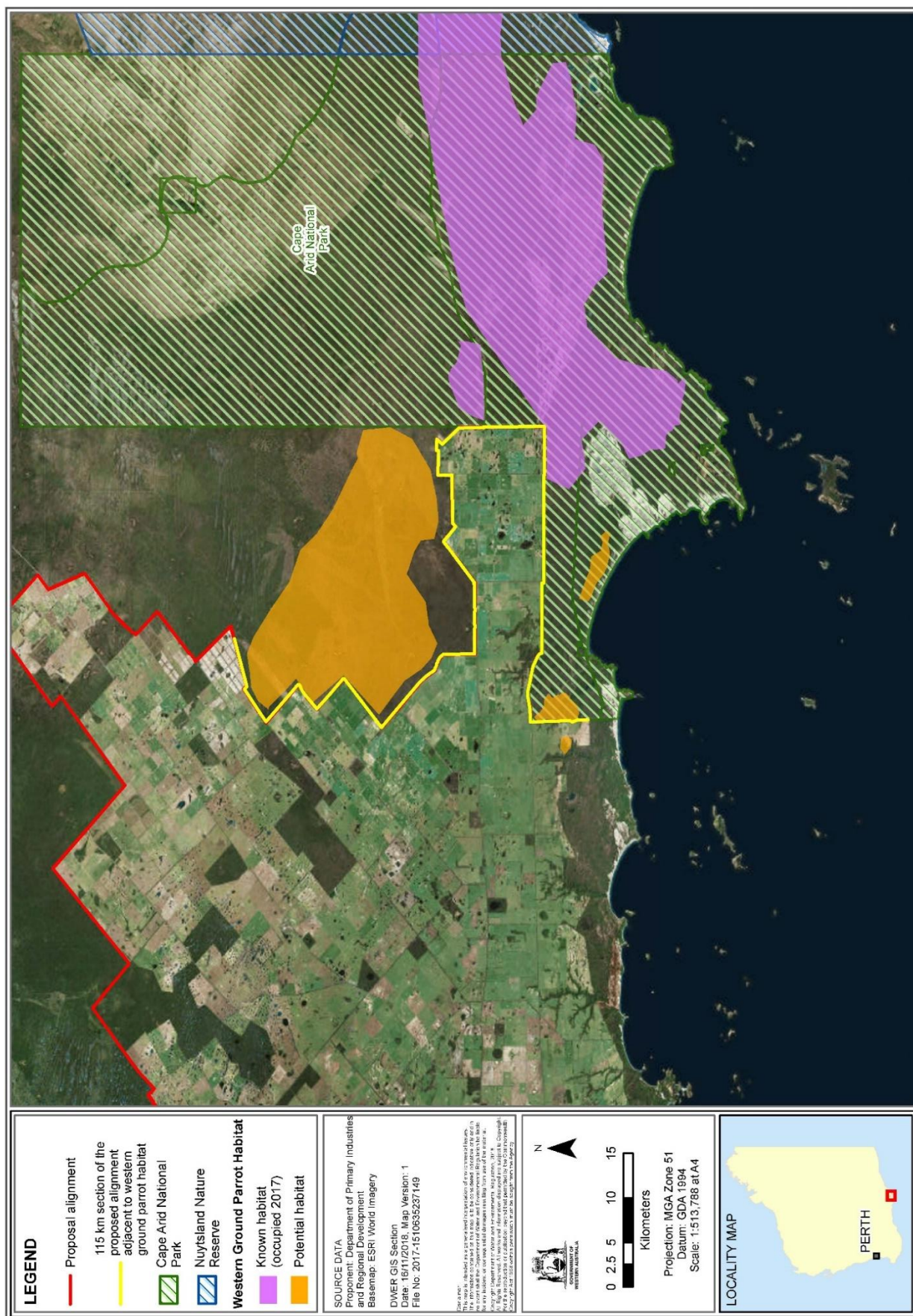


Figure 2 Proposed alignment adjacent to western ground parrot habitat