



Hon Mark McGowan MLA
Minister for Environment;
Racing and Gaming

Statement No.

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**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

**TROPICAL TIMBER PLANTATION, BEAGLE BAY
DAMPIER PENINSULA, SHIRE OF BROOME**

Proposal: The establishment of a tropical timber plantation of approximately 900 hectares of productive timber forest, and approximately 70 hectares of clearing for infrastructure, at Beagle Bay, Dampier Peninsula, 120 kilometres north of Broome, as described in schedule 1 of this statement.

Proponent: Tropical Timber Plantations Pty Ltd.

Proponent Address: PO Box 2415, BROOME WA 6725

Assessment Number: 1483

Report of the Environmental Protection Authority: Bulletin 1200

The proposal referred to above may be implemented by the Proponent subject to the following conditions and procedures:

1 Implementation

1-1 The Proponent shall implement the proposal as documented in schedule 1 of this statement subject to the conditions and procedures of this statement.

2 Proponent Commitments

2-1 The Proponent shall fulfil the environmental management commitments contained in schedule 2 of this statement.

Published on

31 AUG 2006

3 Proponent Nomination and Contact Details

- 3-1 The Proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that Proponent and nominate another person as the Proponent for the proposal.
- 3-2 If the Proponent wishes to relinquish the nomination, the Proponent shall apply for the transfer of Proponent and provide a letter with a copy of this statement endorsed by the proposed replacement Proponent that the proposal will be carried out in accordance with this statement. Contact details and appropriate documentation on the capability of the proposed replacement Proponent to carry out the proposal shall also be provided.
- 3-3 The nominated Proponent shall notify the Department of Environment and Conservation of any change of contact name and address within 60 days of such change.

4 Commencement and Time Limit of Approval

- 4-1 The Proponent shall substantially commence the proposal within five years of the date of this statement or the approval granted in this statement shall lapse and be void.
- 4-2 The Proponent shall make application for any extension of approval for the substantial commencement of the proposal beyond five years from the date of this statement to the Minister for the Environment, prior to the expiration of the five-year period referred to in condition 4-1.

The application shall demonstrate that:

- 1. the environmental factors of the proposal have not changed significantly;
- 2. new, significant, environmental issues have not arisen; and
- 3. all relevant government authorities have been consulted.

5 Compliance Audit

- 5-1 The Proponent shall prepare an audit program and submit compliance reports to the Department of Environment and Conservation which address:
 - 1. the status of implementation of the proposal as defined in schedule 1 of this statement;
 - 2. evidence of compliance with the conditions and commitments; and
 - 3. a review of the performance and revisions of the environmental management plans and programs required by the conditions, procedures and commitments.

6 Significant Flora

- 6-1 Prior to commencement of ground-disturbing activities, in consultation with the Department of Environment and Conservation, the Proponent shall prepare a Significant Flora Management Plan.

The objective of this Plan is to ensure the conservation of significant flora species and communities which occur within the project area shown in figure 1 of schedule 1.

This Plan shall address:

1. the management, monitoring and reporting of impacts on Declared Rare Flora and priority flora species and restricted plant communities, within the plantation area;
 2. targeted surveys to provide further information on the conservation status of each of the species and/or communities referred to in item 1 above; and
 3. any management or mitigation actions required, including modification to the plantation layout to provide for retention of significant flora.
- 6-2 The Proponent shall implement the Significant Flora Management Plan required by condition 6-1.
- 6-3 The Proponent shall make the Significant Flora Management Plan required by condition 6-1 publicly available.

7 Plantation Layout

- 7-1 Prior to commencement of ground-disturbing activities, the Proponent shall provide a Plantation Implementation Plan to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority and the Department of Environment and Conservation.

The objective of this Plan is to ensure that the layout design provides for the protection of the native vegetation from edge effects from threatening processes, such as weed invasion, herbicide spray drift, fertiliser application, access tracks, and maintenance and repair activities.

This Plan shall set out measures or programs to:

1. define the overall "footprint" and width of ecosystem corridors and buffer zones;
2. define the threatening processes;
3. monitor the condition of vegetation remnants within the plantation area; and
4. take corrective action to address the outcomes of the monitoring program if the results indicate that vegetation condition is declining as a result of the threatening processes.

7-2 The Proponent shall implement the Plantation Implementation Plan required by condition 7-1.

7-3 The Proponent shall make the Plantation Implementation Plan required by condition 7-1 publicly available.

8 Threatening Processes Management Strategy

8-1 Prior to commencement of ground-disturbance, the Proponent shall prepare a Threatening Processes Management Strategy to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.

The purpose of the Threatening Processes Management Strategy is to set out measures for the ongoing management of fire, feral animals (including donkeys and cats) and weeds.

8-2 The Proponent shall implement the Threatening Processes Management Strategy required by condition 8-1.

8-3 The Proponent shall make the Threatening Processes Management Strategy required by condition 8-1 publicly available.

9 Closure and Rehabilitation

9-1 The Proponent shall prepare a Closure and Rehabilitation Plan, within five years following the issuing of the notice to the decision-making authorities under section 45 (7) of the *Environmental Protection Act 1986*, prepared to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority, the Department of Environment and Conservation, the Beagle Bay Community Inc and the Aboriginal Lands Trust.

The objective of this Plan is to establish whether further tree crops are to be re-planted or alternative uses can be implemented for the cleared land, or whether to revegetate those areas within the plantation area which have been cleared, including those areas used for firebreaks, access tracks and accommodation.

The Plan shall set out a program of consultation to identify and decide upon the most suitable land use for the cleared areas or, if a suitable land use cannot be identified for those areas, the plan shall set out measures or programs for:

1. rehabilitation of the disturbed areas;
2. derivation of completion criteria;
3. rehabilitation schedule;
4. restoration and revegetation requirements;

5. weed management measures;
 6. monitoring and maintenance of all rehabilitated areas until the completion criteria are achieved;
 7. remedial actions; and
 8. community involvement and consultation.
- 9-2 In the circumstance that further tree crops are not re-planted or alternative uses can not be implemented for the cleared land, then the Proponent shall implement the Closure and Rehabilitation Plan required by condition 9-1 until such time as the Minister for the Environment determines, on advice of the Environmental Protection Authority, the Beagle Bay Community Inc and the Aboriginal Lands Trust, that the Proponent's rehabilitation responsibilities have been fulfilled.
- 9-3 The Proponent shall make a draft Closure and Rehabilitation Plan available for a public review period of two weeks in a manner approved by the Environmental Protection Authority, and shall provide copies of any submissions received together with any modifications to the draft Plan proposed in response to those submissions to the Environmental Protection Authority when submitting the draft Plan to fulfil the requirements of condition 9-1.
- 9-4 The Proponent shall review and revise the Closure and Rehabilitation Plan required by condition 9-1 every five years.

10 Full Cost-Recovery Performance Bond

- 10-1 As security for the due and punctual observance and performance by the Proponent of the requirements of condition 9-1, to be observed, performed and complied with, the Proponent shall lodge with the Chief Executive Officer of the Department of Environment and Conservation prior to implementation of the proposal and on demand, an irrevocable, full cost-recovery Performance Bond as nominated and approved by the Chief Executive Officer in his sole unfettered discretion to a cash value and in a form acceptable to the Chief Executive Officer ("the Security"), which Security at the date hereof being a pro-rata amount, proportional to the area disturbed of the approximately 970 hectares of the proposal to be disturbed, to a maximum of \$1,350,000.
- 10-2 The Chief Executive Officer may review the Security required by condition 10-1 at any time or times and if, on such review, the Chief Executive Officer considers that a Security has ceased to be acceptable to the Chief Executive Officer, then the Chief Executive Officer may, with the approval of the Minister for the Environment, require the Proponent to furnish replacement or additional security for performance by the Proponent of its obligations under the conditions of this statement.
- 10-3 The Proponent shall within 30 days after the additional security being finally determined and upon the written request by the Chief Executive Officer furnish replacement or additional security in such sum as the Chief Executive Officer shall

nominate, in a form and upon terms and conditions approved by the Chief Executive Officer, which approval shall not be unreasonably withheld. On receipt of approved replacement security the Chief Executive Officer shall release and discharge the original security.

10-4 If the Proponent has paid all moneys and has observed performed and complied with all and singular the agreements covenants terms conditions stipulation and obligations herein on the part of the Proponent, the Chief Executive Officer shall:

1. Give written notice that the Proponent's liability is released to the Security provider;
2. Return all agreements, certificates, documents and things relating to the security to the Proponent or security provider.

11 Site Weed Management Strategy

11-1 Prior to ground disturbing activities the Proponent shall prepare a Site Weed Management Strategy to the requirements of the Minister for the Environment on advice of the Department of Environment and Conservation and the Department of Agriculture and Food.

The objective of the Strategy is to ensure that:

- the implementation of the proposal and its operation does not result in the introduction of new weed species into the region;
- the condition of adjacent uncleared native vegetation is maintained; and
- weeds that already exist on site are appropriately managed and/or controlled.

This Strategy shall set out procedures to:

1. identify the location, approximate number and type of each weed species recorded within the project area during previous vegetation surveys, while having regard for weed species outside the project area;
2. identify weeds of environmental significance in the project area as target weeds in collaboration with the Department of Environment and Conservation and the Department of Agriculture and Food
3. control and eradicate target weeds;
4. monitor the distribution and success of weed control;
5. identify vectors for the introduction of weeds and introduced flora that may be associated with the implementation of the proposal and its ongoing operation;
6. prevent the introduction of new weeds and introduced flora;
7. monitor the success of weed management; and
8. report on the weed management actions and monitoring results.

11-2 The Proponent shall implement the Site Weed Management Strategy required by condition 11-1.

11-3 The Proponent shall make the Site Weed Management Strategy required by condition 11-1 publicly available.

Notes

1. Where a condition states "to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority", the Environmental Protection Authority will provide that advice to the Department of Environment and Conservation for the preparation of written notice to the Proponent.
2. The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment and Conservation.
3. Where a condition lists advisory bodies, it is expected that the Proponent will obtain the advice of those listed agencies as part of its compliance reporting to the Department of Environment and Conservation.
4. The Minister for the Environment will determine any dispute between the Proponent and the Environmental Protection Authority or the Department of Environment and Conservation over the fulfilment of the requirements of the conditions.

A handwritten signature in dark ink, appearing to read 'Mark McGowan', with a long horizontal flourish extending to the right.

**HON MARK MCGOWAN MLA
MINISTER FOR THE ENVIRONMENT;
RACING AND GAMING**

31 AUG 2006

Schedule 1

The Proposal (Assessment No. 1483)

The proposal is for the establishment of a tropical timber plantation of approximately 970 hectares of disturbed area within a 5000 hectare lease area of the Aboriginal Community of Beagle Bay on Dampier Peninsula, Shire of Broome.

The Key Proposal Characteristics are shown in Table 1.

Table 1 – Key Proposal Characteristics

Element	Quantities/Description
Proposal location	Within the 5000 hectare lease area of the Beagle Bay Aboriginal Reserve, Dampier Peninsula, 120 kilometres north of Broome.
Total disturbance	Approximately 970 hectares, which includes plantation forest and infrastructure.
Species to be cultivated	Teak Indian Rosewood Indian Sandalwood
Plantation layout	Planting will be undertaken in three stages of approximately 300 hectares each.
Project life span	Approximately 20 years.
Water supply	Approximately 4.5 Giga litres per annum.

Figure (attached)

Figure 1 - Location of proposal

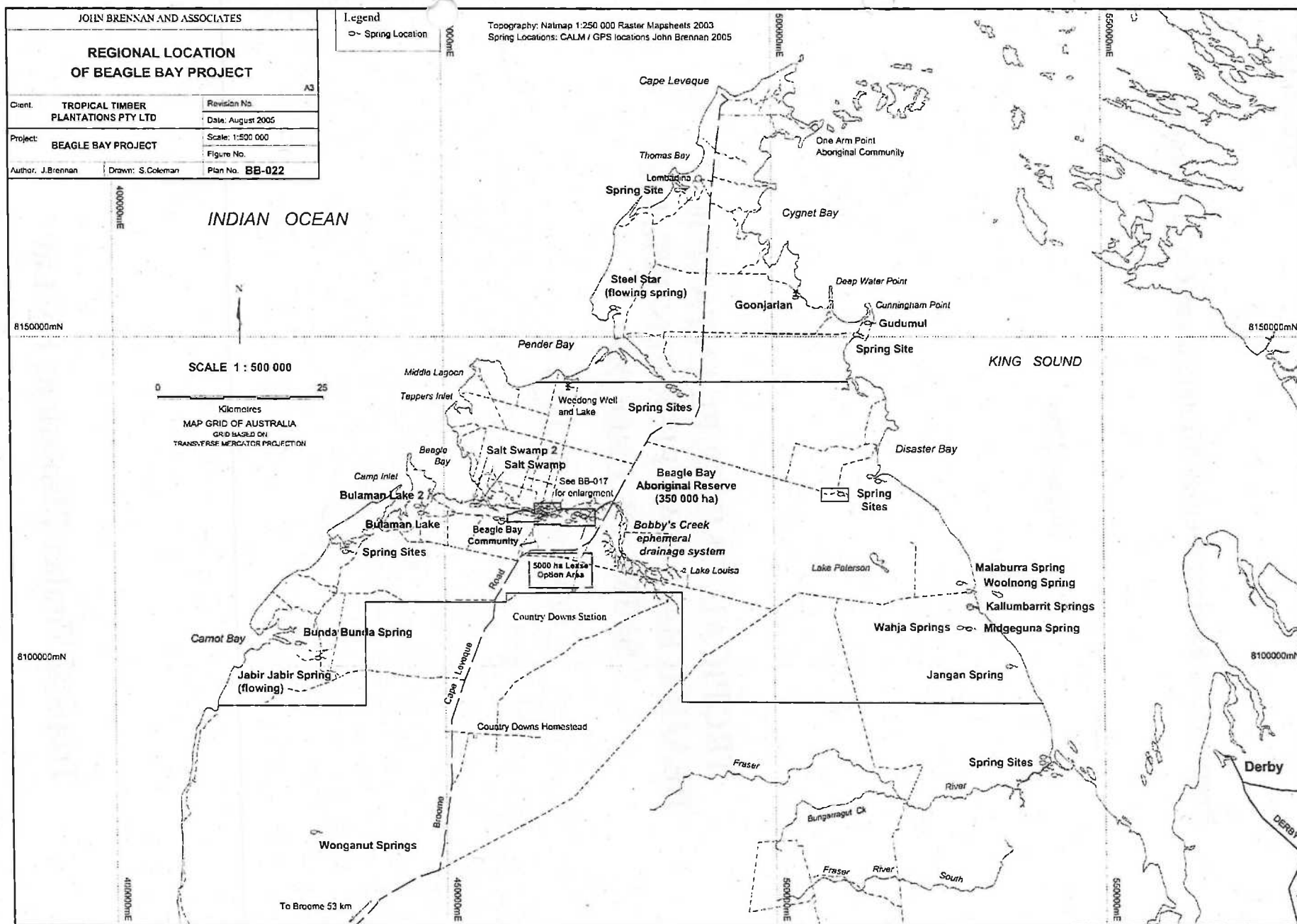


Figure 1: Location of proposal

Proponent's Environmental Management Commitments

August 2006

**TROPICAL TIMBER PLANTATION
BEAGLE BAY, DAMPIER PENINSULA
SHIRE OF BROOME**

(Assessment No. 1483)

Tropical Timber Plantations Pty Ltd

**TROPICAL TIMBER PLANTATION, BEAGLE BAY, DAMPIER PENINSULA,
SHIRE OF BROOME (Assessment No. 1483)**

COMMITMENT	OBJECTIVE	TIMING
<p>1. <i>Dust</i></p> <p>The Proponent will develop and implement a dust management plan for activities which have the potential to generate dust.</p> <p>This Plan will include a dust monitoring program.</p>	<p>Ensure that particulate/dust emissions meet appropriate criteria and do not cause an environmental or human health problem.</p>	<p>Developed prior to ground disturbance</p>
<p>2. <i>Aboriginal Site Survey</i></p> <p>The Proponent will ensure that surveys of the project area are conducted prior to clearing. The surveys will involve the Aboriginal custodians of the Beagle Bay Community including Aboriginal people from the Beagle Bay and Wider Aboriginal Community within the Beagle Bay Reserve who have an interest in, knowledge of, or rights to and responsibilities and obligations under the <i>Aboriginal Heritage Act 1972</i>.</p>	<p>To ensure the protection of Aboriginal heritage sites within the project area should they be identified at any stage prior to or during the implementation and operation of the proposal.</p>	<p>Prior to ground disturbance</p>
<p>3. <i>Public availability of water monitoring information</i></p> <p>The Proponent will ensure that all water monitoring information obtained from its water monitoring programme, to be implemented as a requirement of its abstraction licence which will be issued by the Department of Water in accordance with the <i>Rights in Water Irrigation Act 1914</i>, is made publicly available.</p>	<p>To ensure that water monitoring information is available for public review.</p>	<p>Ongoing for life of proposal.</p>
<p>4. <i>Integrated Wetland Management Program</i></p> <p>The Proponent will assist in the development and implementation of an integrated wetland management programme in consultation with relevant agencies and communities within the Dampier Peninsula and in accordance with the <i>Beagle Bay Tree Country Tropical Timber Plantation - Environmental Offsets Package</i>, dated June 2006. The Program will aim to identify, map and conserve wetlands and springs of the greater Beagle Bay region. The Program will include the development of a Memorandum of Understanding with the Department of Environment and Conservation to provide funding and resources to manage the Bobby's Creek and Bunda Bunda Springs.</p>	<p>To ensure that the conservation values of important wetland ecosystems located within the Beagle Bay Region are appropriately managed.</p>	<p>Ongoing for life of proposal.</p>

