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Published on 30 May 2008

Statement No. 769

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

**JANSZ FEED GAS PIPELINE
BARROW ISLAND NATURE RESERVE**

Proposal: The Jansz feed gas pipeline is proposed to supply natural gas from the Jansz/Io field located in Commonwealth waters approximately 200km off the Pilbara coast of Western Australia and pipe it across the Barrow Island Nature Reserve to the Gorgon Gas Treatment Plant on Barrow Island.

Proponent: Mobil Australia Resources Company Pty Ltd (ACN 000 113 217).

Proponent Address: Level 30 QV1 Building
250 St Georges Tce
Perth WA 6000

Assessment Number: 1716

Report of the Environmental Protection Authority: 1278

Ministerial appeal decision: 207/07

The Proposal may be implemented. The implementation of the Proposal is subject to the following Conditions and Schedules.

Conditions**1. Proposal Implementation**

1. The Proponent shall implement the Proposal as documented and described in Schedule 1 of this statement subject to the conditions of this statement.

2. Proponent Nomination and Contact Details

1. The Proponent for the time being nominated by the Minister under sections 38(6) or 38(7) of the EP Act is responsible for the implementation of the Proposal.
2. The Proponent shall notify the CEO of any change of the name and address of the Proponent for the serving of a notice or other correspondence within 30 days of such change.

Published on

3. Time Limit of Authorisation

1. The authorisation to implement the Proposal provided for in this statement shall lapse and be void within five years after the date of this statement if the Proposal to which this statement relates is not substantially commenced.
2. The Proponent shall provide the CEO with written evidence which demonstrates that the Proposal has substantially commenced on or before the expiration of five years from the date of this statement.

4. Compliance Reporting

1. The Proponent shall submit annually an audit compliance report, for the previous twelve-month period. The date of the first compliance report shall be 12 months from the date of formal authority issued to the decision-making authorities under section 45(7) of the EP Act.
2. The audit compliance report shall:
 - i. Be endorsed by the Proponent's Managing Director or a person, approved in writing by the Department of Environment and Conservation, delegated to sign on the Proponent's Managing Director's behalf;
 - ii. Include a statement as to whether the Proponent has complied with the Conditions, procedures, commitments and actions within the management plans, reports, systems, and programs referred to in the Conditions;
 - iii. Identify all non-compliances and describe the related corrective and preventative actions taken;
 - iv. Review the effectiveness of all corrective and preventative actions taken;
 - v. Provide verifiable evidence of compliance with the Conditions;
 - vi. Describe the state of implementation of the Proposal; and
 - vii. Be prepared in accordance with an audit program and in a format acceptable to the CEO.

5. Environmental Performance Reporting

1. The Proponent shall submit annually to the Minister an Environmental Performance Report covering the topics listed in Condition 5.2, covering the previous 12 month period as determined by the Minister. The date of the first Environmental Performance Report (the Report) shall be 15 months from the date of formal authority issued to the decision-making authorities under section 45(7) of the EP Act, with each subsequent report 12 months from the date of the previous report.
2. The Report shall cover the following topics:
 - i. Terrestrial and subterranean environment baseline state;
 - ii. Fire management;
 - iii. Spill management.

3. Every five years from the date of the first annual Environmental Performance Report the Proponent shall submit to the Minister an Environmental Performance Report covering the previous five year period, comprising:
 - i. The topics listed in Condition 5.2;
 - ii. A five year overview of environmental performance; and
 - iii. Proposed environmental management improvements.

6. Terrestrial and Subterranean Baseline State and Environmental Impact Report

1. Prior to commencement of construction of terrestrial facilities on Barrow Island, as defined in Condition 6.3, the Proponent shall submit to the Minister a Terrestrial and Subterranean Baseline State and Environmental Impact Report (the Report) that meets the purposes set out in Condition 6.4, as determined by the Minister. The report shall cover the following ecological elements:
 - i. flora;
 - ii. vegetation;
 - iii. fauna (including subterranean fauna and short range endemics);
 - iv. habitat;
 - v. ecological communities;
 - vi. groundwater;
 - vii. surface water landforms; and
 - viii. other significant landforms.
2. The Proponent shall consult with DEC in the preparation of the Report required by Condition 6.1, including the methodology to be used to survey, collect and collate the baseline data and information for all ecological elements identified in Condition 6.1.
3. The terrestrial facilities referred to in Condition 6.1 are:

Onshore Feed-gas Pipeline System and terrestrial component of the Shore Crossing, as defined in Schedule 1.
4. The purposes of the Report are to:
 - i. Define and map the pre-development baseline state for the ecological elements within the areas that are expected to, or may be at risk of Material or Serious Environmental Harm due to any works associated with the terrestrial facilities listed in Condition 6.3;
 - ii. Define and map the ecological elements within the Terrestrial Disturbance Footprint; and
 - iii. Define and map the ecological elements which are at risk of Material or Serious Environmental Harm due to construction or operation of the terrestrial facilities listed in Condition 6.3.
 - iv. Define and map the ecological elements of reference sites to be used as part of Condition 8, which are not at risk of Material or Serious Environmental Harm due to construction or operation of the terrestrial facilities listed in Condition 6.3.

5. The Report shall include:

- i. A review of the results of the existing qualitative ecological risk assessments of the likelihood and consequence of Proposal impacts on the ecological elements identified in Condition 6.1;
- ii. Details of the methodology that was used to survey, collect and collate the baseline data and information for all ecological elements identified in Condition 6.1;
- iii. A description and map of the ecological elements within the Terrestrial Disturbance Footprint;
- iv. A description and map of the ecological elements which are at risk of Material or Serious Environmental Harm outside the Terrestrial Disturbance Footprint due to construction and operation of the terrestrial facilities listed in Condition 6.3;
- v. A review of the results to include existing areas of disturbance, including clearing, existing non-indigenous species (including weeds) and disturbed landscapes;
- vi. Spatially accurate (e.g. rectified and geographically referenced) maps showing the baseline data and information for the ecological elements identified in Condition 6.1;
- vii. Discussion of the data on the baseline biological, physical and chemical variables including any significant relationships, for the ecological elements identified in Condition 6.1;
- viii. Significant ecological elements to be protected in areas of risk - e.g. DRF, threatened ecological communities, Threatened Species under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), habitats of rare fauna;
- ix. An analysis of, and procedures to address reasonable data and information gaps associated with the baseline data for the areas identified in iv. above for the ecological elements identified in Condition 6.1 and associated relationships; and
- x. A description and map of the ecological elements of reference sites in locations which are not at risk of Material or Serious Environmental harm due to construction and operation of the terrestrial facilities listed in Condition 6.3.

6. The Proponent shall not cause or allow Material or Serious Environmental Harm outside the Terrestrial Disturbance Footprint.

7. Terrestrial and Subterranean Environment Protection Plan

1. Prior to commencement of construction of any of the terrestrial facilities identified in Condition 6.3, the Proponent shall submit a Terrestrial and Subterranean Environment Protection Plan (the Plan) that meets the objectives identified in Condition 7.4 and the requirements of Condition 7.5 as determined by the Minister, unless otherwise allowed in Condition 7.2.
2. In the event that any portions of the Plan related to specific elements or sub-elements (Schedule 1) is not submitted as required by Condition 7.1, the Proponent

shall submit the portions of the Plan relevant to that element or sub-element to the Minister prior to the commencement of construction of that element or sub-element. All portions of the Plan shall meet the objectives identified in Condition 7.4 and the requirements of Condition 7.5 as determined by the Minister.

3. The Proponent shall consult with DEC in the preparation of the Plan.
4. The objectives of the Plan are:
 - i. To reduce the adverse impacts from the construction and operation of the terrestrial facilities within the Terrestrial Disturbance Footprint as far as practicable; and
 - ii. To ensure that construction and operation of the terrestrial facilities does not cause Material or Serious Environmental Harm outside and below the Terrestrial Disturbance Footprint.
5. The Plan shall include the following:
 - i. Management measures to reduce the adverse impacts from the construction and operation of the terrestrial facilities on the Terrestrial Disturbance Footprint as far as practicable; and
 - ii. Management measures to ensure that construction and operation of the terrestrial facilities does not cause Material or Serious Environmental Harm outside and below the Terrestrial Disturbance Footprint.
6. The measures required by 7.5.i. and ii. shall address but not be limited to:
 - i. Vegetation Clearing Audit Procedures to determine the extent of clearing and rehabilitation on an annual basis;
 - ii. Procedures in relation to and protocols for capturing, relocating, handling, housing and caring for significant fauna found within the Terrestrial Disturbance Footprint that are not required by DEC for translocation to other islands;
 - iii. Procedures to avoid secondary impacts to fauna as a consequence of risks such as animals being trapped in construction trenches or subject to vehicle strike;
 - iv. Measures including detailed drainage and containment designs for all works and infrastructure that control stormwater run-off outside the Terrestrial Disturbance Footprint with the aim of ensuring that runoff is consistent with the pre-development runoff regime as far as practicable, and any recharge does not cause pollution; and
 - v. Measurable limits which specify the performance standards to be met when undertaking actions controlled by the Plan.
7. The Proponent shall report any Material or Serious Environmental Harm outside the Terrestrial Disturbance Footprint to DEC within 48 hours of their detection.
8. The Proponent shall implement the Plan.

8. Terrestrial Environment Monitoring Program

1. Prior to commencement of construction of the terrestrial facilities listed in Condition 6.3 the Proponent shall prepare and submit a Terrestrial Environment Monitoring Program (the Program) to the Minister that meets the aim set out in Condition 8.3 and the requirements of Condition 8.4 as determined by the Minister, unless otherwise allowed in Condition 8.2.
2. In the event that any portion of the Program related to specific elements or sub-elements (Schedule 1) is not submitted as required by Condition 8.1, the Proponent shall submit the portion of the Program relevant to that element or sub-element to the Minister prior to the commencement of construction of that element or sub-element. All portions of the Plan shall meet the objectives identified in Condition 8.3 and the requirements of Condition 8.4 as determined by the Minister
3. The objective of this Program is to establish a statistically valid ecological monitoring program to detect any Material or Serious Environmental Harm to the ecological elements outside the Terrestrial Disturbance Footprint.
4. The Program shall include:
 - i. Indicators, parameters and /or criteria to be used in measuring changes on the ecological elements identified in Condition 6.1 that are at risk of Material or Serious Environmental Harm as identified in Condition 6.3.
 - ii. Protocols for on-going reporting of adverse changes to the ecological elements identified in Condition 6.1;
 - iii. Protocols for identifying additional areas not originally identified that are at risk of sustaining Material or Serious Environmental Harm from the proposal, and for adding monitoring sites to include these additional locations if required;
 - iv. Establishing an ecological monitoring program with the ability to detect at a statistical power of 0.8 or greater, or an alternative statistical power as determined by the Minister, any environmental harm to the ecological elements listed in Condition 6.1;
 - v. Location of monitoring sites in areas that are at risk of Material or Serious Environmental Harm due to construction and operation of terrestrial facilities listed in Condition 6.3; and
 - vi. Location of reference sites (see Condition 6.4iv.).
5. The Proponent shall implement the Program.

9. Advice from a Quarantine Expert Panel

1. Prior to commencement of construction of the terrestrial facilities listed in Condition 6.3, the Proponent shall demonstrate it has access to the advice of a Quarantine Expert Panel (QEP) with the roles set out in Condition 9.2 with membership as described in Condition 9.3.

2. The role of the QEP is to provide advice to the Proponent and the Minister on Proposal related terrestrial and marine quarantine matters including:
 - i. Development and implementation of the Terrestrial and Marine Quarantine Management System (QMS) as required by Condition 10;
 - ii. Preventing the introduction of Non-indigenous Terrestrial Species and Marine Pests to Barrow Island through all Proposal attributable introduction pathways;
 - iii. Detecting the presence of introduced species and detecting environmental change caused by the presence of introduced species;
 - iv. Control and eradication measures in the event that an introduced species is detected;
 - v. Improvements to effectiveness of the QMS;
 - vi. Biological baselines and surveys conducted for quarantine management;
 - vii. Source of Non-indigenous Terrestrial Species and Marine Pests;
 - viii. Auditing the effectiveness of the QMS;
 - ix. Review and recommend quarantine studies; and
 - x. Any other Proposal-related quarantine matters as requested by the Proponent or the Minister.
3. The membership of the QEP shall include :
 - i. Independent Chair to be appointed by the Minister (NOTE: the Minister may seek advice from any source, including DEC, on nominees for Independent Chair);
 - ii. invitation to DEC, Western Australian Department of Agriculture and Food (DAF) and Western Australian Department of Fisheries (DoF) to nominate suitably qualified subject matter expert(s) to participate in the QEP; and
 - iii. independent expert(s) as required to fulfil the roles set out in Condition 9.2, to be appointed by the Minister (NOTE: the Minister may seek advice from any source, including DEC, on nominees for independent expert(s)).
4. The Terms of Reference for the QEP shall be consistent with the roles as set out in Condition 9.2 in consultation with the Minister and the Independent Chair.

Note: Subject to its agreement, the Gorgon QEP established by Condition 9 of Ministerial Statement No. 748 may be engaged by the Proponent in respect of this condition.

10. Terrestrial and Marine Quarantine Management System

1. Prior to commencement of construction of any terrestrial facilities listed in Condition 6.3 and the marine facilities listed in Condition 12.3, the Proponent shall submit the QMS to the Minister, taking into account the advice of the QEP that meets the aim and objectives set out in Condition 10.3 and the requirements of Condition 10.4, as determined by the Minister, unless otherwise allowed in Condition 10.2.

2. In the event that any portions of the QMS related to specific elements or sub-elements (Schedule 1) of the Proposal are not submitted as required by Condition 10.1, the Proponent shall submit the QMS portions relevant to that element or sub-element to the Minister prior to the commencement of construction of that element or sub-element, taking into account the advice of the QEP that meets the aim and objectives set out in Condition 10.3 and the requirements of Condition 10.4, as determined by the Minister.

3. The overall aim of the QMS is that the Proponent shall not introduce or proliferate Non-indigenous Terrestrial Species and Marine Pests to or within Barrow Island or the water surrounding Barrow Island, as a consequence of the Proposal. The specific objectives of the QMS are:
 - i. To prevent the introduction of Non-indigenous Terrestrial Species and Marine Pests;
 - ii. To detect Non-indigenous Terrestrial Species (including weed introduction and/or proliferation) and Marine Pests;
 - iii. To control and, unless otherwise determined by the Minister, eradicate detected Non-indigenous Terrestrial Species (including weeds) and Marine Pests; and
 - iv. Mitigate adverse impacts of any control and eradication actions taken against detected Non-indigenous Terrestrial Species (including weeds) and Marine Pests.

4. The QMS shall address the following topics.:
 - i. Risk Assessment, Supply Chain Management, Vessel Management and Inspection;
 - ii. Detection, Control and Eradication Program;
 - iii. Mitigation (of introductions or weed proliferations and any Control and Eradication) Program;
 - iv. Reporting and Recording;
 - v. Integrating with whole of Island Quarantine Management;
 - vi. Reviewing and further studies; and
 - vii. Measurable limits which specify the performance standards to be achieved by the QMS within the Terrestrial and Marine Quarantine Controlled Access Zones and Terrestrial and Marine Quarantine Limited Access Management Zones.

5. The Proponent shall implement the QMS required by Condition 10.1.

6. The Proponent shall review and update the QMS required by Condition 10-1 annually during the construction phase of the Proposal and then at least every five years thereafter unless varied by the Minister.

11. Fire Management Plan

1. Prior to commencement of construction of any terrestrial facilities identified in Condition 6.3 the Proponent shall prepare and submit a Fire Management Plan (the

Plan) that meets the aim and objectives set out in Condition 11.4 and the requirements of Condition 11.5, as determined by the Minister, unless otherwise allowed in Condition 11.2, consistent with the requirements of the *Occupational Safety and Health Act 1984* (WA).

2. In the event that any portions of the Plan related to specific elements or sub-elements (Schedule 1) of the Proposal are not submitted as required by Condition 12.1, the Proponent shall submit the portion of the Plan relevant to that element or sub-element to the Minister prior to the planned commencement of construction of that element or sub-element. All portions of the Plan shall meet the objectives identified in Condition 11.4 and the requirements of Condition 11.5 as determined by the Minister.
3. The Proponent shall consult with DEC, Conservation Commission, the BICC Participants, DOCEP and DoIR in the preparation of the Plan.
4. The specific objectives of the Plan are to ensure that:
 - i. The Proposal does not cause Material or Serious Environmental Harm outside the Terrestrial Disturbance Footprint due to fire; and
 - ii. Fire risk reduction measures are built into the design of the facilities to protect the Proponent's assets from the impact from fire on Barrow Island.
5. The Plan shall include the following:
 - i. A fire risk assessment of all terrestrial project infrastructure identified in Condition 6.3 and measures to protect infrastructure and the surroundings from fires on Barrow Island; and
 - ii. On-going management of infrastructure for fire prevention, suppression and management including incident control systems so that fires do not escape from the Terrestrial Disturbance Footprint.
6. The Proponent shall implement the Plan.
7. The Proponent shall review the Plan at least every five years unless otherwise determined by the Minister.
8. In the event that a fire attributable to the Proposal occurs outside the Terrestrial Disturbance Footprint and the Conservation Commission requires that site to be rehabilitated, the Proponent shall develop and implement rehabilitation measures in consultation with DEC, BICC and the Conservation Commission.

12. Coastal and Marine Baseline State and Environmental Impact Report

1. To establish the methodology to be used in the Report required by Condition 12.2, the Proponent shall submit to the Minister a Scope of Works reporting the methodologies to be used in the preparation of the Report that covers the following:
 - i. Survey methods for each of the ecological elements;

- ii. Location and establishment of survey sites;
 - iii. Timing and frequency of surveys;
 - iv. Habitat classification schemes;
 - v. Mapping methodologies;
 - vi. Treatment of survey data; and
 - vii. Method for hydrodynamics data acquisition and reporting.
- 2. Prior to commencement of construction of marine facilities, as defined in Condition 12.3, the Proponent shall submit a Coastal and Marine Baseline State and Environmental Impact Report (the Report) that meets the purposes set out in Condition 12.5, as determined by the Minister, unless otherwise allowed in Condition 12.4. The report shall cover the following ecological elements:
 - i. Hard and soft corals;
 - ii. Macro algae;
 - iii. Non-coral benthic macro-invertebrates;
 - iv. Seagrass;
 - v. Demersal fish; and
 - vi. Surficial sediment characteristics
 - vii. As well, water quality (turbidity and light) and deposited surficial sediment characteristics will be required where the construction of marine facilities will adversely affect the environment.
- 3. The facilities to which this condition apply are:
 - i. Offshore Feed-gas Pipeline System and marine component of the shore crossing.
- 4. In the event that any portions of the Report related to specific elements or sub-elements (Schedule 1) of the Proposal are not submitted as required by Condition 12.2, the Proponent shall submit the portion of the Report relevant to that element or sub-element to the Minister prior to the commencement of construction of that element or sub-element. All portions of the Plan shall meet the purposes identified in Condition 12.6 and the requirements of Condition 12.7 and 12.8 as determined by the Minister.
- 5. In preparing this Report the Proponent shall consult with DEC, DPI, DoF and DEW.
- 6. The purposes of this Report are to:
 - i. Define and map the ecological elements within the Marine Disturbance Footprint;
 - ii. Define and map the ecological elements which are at risk of Material or Serious Environmental Harm due to construction or operation of the marine facilities listed in Condition 12.3; and
 - iii. Define and map the ecological elements of reference sites which are not at risk of Material or Serious Environmental Harm due to construction or operation of the marine facilities listed in Condition 12.3, including water quality (turbidity and light).

7. The geographic extent of the Report shall be:
 - i. The facilities and locations listed in Condition 12.3
 - ii. Benthic habitats within 200m of the facilities listed in Condition 12.3 in State Waters.

8. The Report shall:
 - i. Contain spatially accurate (e.g. rectified and geographically referenced) maps showing the locations and spatial extent of the marine facilities in Condition 12.3;
 - ii. Present the results of the surveys described in Condition 12.1;
 - iii. Record the existing dominant and sub-dominant hard and soft coral species and the dominant species of macro algae non-coral benthic macro-invertebrates, seagrass, and demersal fish assemblages that characterise these communities;
 - iv. Record the population structure, as size class frequency distributions, and other population statistics of recruitment, survival and growth, of dominant hard coral species and selected other key indicator species that characterises these communities;
 - v. Contain a description and map of the ecological elements within the Marine Disturbance Footprint;
 - vi. Contain a description and map of the ecological elements which are at risk of Material or Serious Environmental Harm due to construction and operation of the marine facilities listed in Condition 12.3;
 - vii. Present data in an appropriate Geographic Information System (GIS) format;
 - viii. Establish background water quality (turbidity and light) where the consequences of sea bed disturbance may affect the environment;
 - ix. Report on the distribution and characteristics of surficial sediments where the consequences of sea bed disturbance may affect the environment; and
 - x. Report on the natural rates and spatial patterns of sediment deposition, and the physical characteristics of the deposited sediment where the consequences of sea bed disturbance may affect the environment.

9. To meet the requirements of Condition 12.8, the Proponent shall collect water quality data, data on metocean conditions if considered useful by the proponent and data on natural rates, and spatial patterns of sediment deposition for at least one full annual cycle prior to the construction of the marine facilities listed in 12.3.

13. Horizontal Directional Drilling Management and Monitoring Plan

1. Prior to the commencement of construction of the Feed Gas Pipeline System Shoreline Crossing on the west coast of Barrow Island, the Proponent shall prepare and submit to the Minister a Horizontal Directional Drilling (HDD) Management and Monitoring Plan (the Plan) for the management of HDD activities associated with the construction of the shoreline crossing on the west coast of Barrow Island that meets the objectives set out in Condition 13.3 and the requirements set out in Condition 13.4, as determined by the Minister.

2. The Proponent shall consult with the DEC, DoF and DoIR in the preparation of the Plan.
3. The objectives of the Plan are to:
 - i. Reduce the impacts of HDD activities on the Terrestrial and Marine Disturbance Footprints as far as practicable; and
 - ii. Ensure that HDD activities do not cause Material or Serious Environmental Harm outside the Terrestrial and Marine Disturbance Footprints or result in coral loss beyond the Marine Disturbance Footprint.
4. The Plan shall include:
 - i. Management measures to reduce the impacts from HDD activities as far as practicable; and
 Management measures to ensure that HDD activities do not cause Material or Serious Environmental Harm outside the Terrestrial and Marine Disturbance Footprints or result in coral loss beyond the Marine Disturbance Footprint.
 - ii. The measures required by 13.4.i. and 13.4.ii. shall address:
 - a. The generation and dispersion of turbidity associated with discharge of drill cuttings and fluids to the marine environment;
 - b. Noise and percussion;
 - c. Direct disturbance of habitat;
 - d. Preventing harm to, or fatalities of turtles;
 - e. The use of low toxicity polymer drilling fluids unless otherwise authorised by the Minister;
 - f. Management and disposal of drill cuttings and fluids returned to the surface by circulation to prevent pollution; and
 - g. A marine monitoring program to detect changes to ecological elements outside the Marine Disturbance Footprint identified in Condition 12.
5. The extent of mortality of coral assemblages for the HDD activities associated with the construction of the shoreline crossing on the west coast of Barrow Island shall not, in combination with the Gorgon proposal, exceed 1.2ha.
6. The Proponent shall implement the Plan.

14. Offshore Gas Pipeline Installation Management Plan

1. Prior to commencement of installation of the Feed Gas Pipeline System the Proponent shall submit to the Minister an Offshore Gas Pipeline Installation Management Plan (the Plan) that meets the objectives set out in Condition 14.3 and the requirements of Condition 14.4 as determined by the Minister.
2. In preparing the Plan the Proponent shall consult with DEC, DEW and DoIR.

3. The objectives of the Plan are to:
 - i. Reduce the impacts of pipeline installation activities on the Marine Disturbance Footprint as far as practicable; and
 - ii. Ensure that pipeline installation activities do not cause Material or Serious Environmental Harm outside the Marine Disturbance Footprints.

4. The Plan shall include:
 - i. Management measures to reduce the impacts from pipeline installation activities as far as practicable; and
 - ii. Management measures to ensure that pipeline installation activities do not cause Material or Serious Environmental Harm outside the Marine Disturbance Footprint.

The measures required by Conditions 14.4.i. and 14.4.ii. shall address:

- iii. The generation and dispersion of turbidity associated with pipeline installation activities;
- iv. Direct disturbance of habitat;
- v. Preventing harm to, or fatalities of turtles;
- vi. Program for pre and post pipeline installation seafloor survey of the Marine Disturbance Footprint and the areas at risk of Material or Serious Environmental Harm due to the construction of the pipeline in State waters;
- vii. Detail mooring pattern design, range and bearing from fairleads of individual anchor drops to show how the mooring pattern has been designed to limit impacts in significant benthic habitat areas within State waters;
- viii. Detail a typical mooring pattern design for other than significant benthic habitat areas within State waters;
- ix. Procedures to minimise as far as practicable the impacts resulting from anchoring, wire and chain sweep, and wash from thrusters and propellers, on benthic communities;
- x. Details of proposed hydrotest water discharge and how this will be managed to avoid Material or Serious Environmental Harm to the marine environment; and
- xi. A marine monitoring program to detect changes to ecological elements outside the Marine Disturbance Footprint for the Offshore Gas Pipelines identified in Condition 12.

5. The Proponent shall implement the Plan.

15. Post-Development Coastal and Marine State and Environmental Impact Report

1. Within three months following completion of offshore pipe laying, the Proponent shall repeat the surveys of marine habitats consistent with Condition 12.2 to determine the initial impacts on marine ecological elements consistent with the scope of works required by Condition 12.1.

2. Within 3 months of completion of the surveys required by Condition 15.1, the Proponent shall report the results of the survey to the Minister including detected changes to marine ecological elements.
3. The Proponent shall repeat the survey annually for at least three years following completion of pipe laying, unless otherwise determined by the Minister and within 3 months of completion of each survey report the results to the Minister including detected changes to marine ecological elements.
4. The report of the third and subsequent surveys shall contain a recommendation as to the need of continuing the surveys and reporting.

16. Solid and Liquid Waste Management Plan

1. Prior to commencement of construction of the terrestrial facilities listed in Condition 6.3, the Proponent shall submit a Solid and Liquid Waste Management Plan (the Plan) to the Minister that meets the objectives of Condition 16.2 and the requirements of Condition 16.3 as determined by the Minister to cover all solid and liquid wastes.

The objective of the Plan is to insure all Proposal-related solid and liquid wastes are either removed from Barrow Island or, if not, that all practicable means are used to ensure that waste disposal does not cause Material or Serious Environmental Harm to Barrow Island and its surrounding waters;

2. The Plan shall include a description of the facilities to be provided and management measures to be implemented to ensure wastes are managed to meet the objective set in Condition 16.2.

17. Aboriginal Cultural Heritage Management Plan

1. Prior to commencement of construction of terrestrial facilities listed in Condition 6.3 the Proponent shall submit an Aboriginal Cultural Heritage Management Plan (the Plan) that meets the requirements of Condition 17.3 as determined by the Minister.
2. In preparing the Plan, the Proponent shall consult with the Department of Indigenous Affairs and Indigenous stakeholders.
3. The Plan shall include:
 - i. Surveys for potential cultural heritage sites within the Terrestrial Disturbance Footprint; and
 - ii. The retrieval and relocation of any heritage material which lies within the Terrestrial Disturbance Footprint in consultation with the Indigenous stakeholders.

4. The Proponent shall implement the Plan.

18. Project Site Rehabilitation Plan

1. Within five years following commencement of Operations the Proponent shall submit a draft Project Site Rehabilitation Plan (the Plan) for review by the DEC. The draft plan shall be informed by the monitoring, results of any ongoing studies and experience. The Plan shall meet the objectives set in Condition 18.3 and the requirements of Condition 18.4 as determined by the Minister.
2. In preparing the draft Plan the Proponent shall consult with DEC and DoIR.
3. The objectives of the Plan are to:
 - i. Ensure that the rehabilitation of terrestrial areas following decommissioning is properly planned in a manner which promotes self-sustaining ecosystems able to be managed as part of their surroundings consistent with the conservation objectives of a class 'A' Nature Reserve;
 - ii. Design rehabilitation of native vegetation to ultimately develop into sustainable ecological systems which are comparable and compatible with surrounding native vegetation and its land uses, and restores as closely as practicable the pre-disturbance biodiversity and functional values;
 - iii. Ensure planning, implementation and reporting on rehabilitation is carried out in a manner consistent with industry best practice; and
 - iv. Ensure management of rehabilitation continues until affected areas are self sustaining.
4. The Plan required by Condition 18.1 shall address the requirements as set out below for final rehabilitation purposes:
 - i. Objectives for rehabilitation, including site-specific variation;
 - ii. Plans for topsoil management;
 - iii. Targets for completion criteria including nutrient cycling and self sustainability of ecosystems;
 - iv. Targets for flora and fauna recruitment, including specific targets for:
 - a. the return of recalcitrant species,
 - b. the return of key fauna habitat,
 - c. the translocation of viable specimens of long-lived species required for fauna habitat,
 - d. the re-colonisation of invertebrate fauna, and
 - e. the re-colonisation of mycorrhizal fungi;
 - v. Hydrological function;
 - vi. Integration with island-wide management;
 - vii. Monitoring, and adaptive management including climate change;
 - viii. Identification of knowledge gaps and on-going studies to address lack of knowledge;
 - ix. Plant species composition including consideration of species vulnerability to and dependence on fire;

- x. Rehabilitation following Proposal-attributable fires;
 - xi. Reporting protocols including peer review; and
 - xii. Completion criteria agreed with DEC.
5. Within 12 months following receipt of formal advice from the DEC on the draft Plan, the Proponent shall prepare and submit the revised Plan, taking into account comments and recommendations (if any) received from DEC, to the Minister that meets the objectives set in Condition 18.3 and the requirements of Condition 18.4 as determined by the Minister.
 6. The Proponent shall revise the Plan as required and submit the final Plan no less than five years prior to the anticipated date of decommissioning and closure, informed by the results of any studies, monitoring and experience. In preparing the revised Plan the Proponent shall consult with DEC.
 7. The Proponent shall implement the Plan upon project closure and decommissioning.

19. Decommissioning and Closure Plan

1. At least four years prior to the anticipated date of decommissioning and closure, or at a time otherwise agreed by the Minister, the Proponent shall prepare a Decommissioning and Closure Plan (the Plan) for terrestrial and marine infrastructure facilities, that meets the requirements of Condition 19.3 as determined by the Minister.
2. In preparing the Plan the Proponent shall consult with DEC and DoIR.
3. The Plan shall include:
 - i. Removal or, if appropriate, retention of plant and infrastructure;
 - ii. The rationale for the siting and design of plant and infrastructure to be retained as relevant to environmental protection;
 - iii. Identification of contaminated areas, including provision of evidence of notification and proposed management measures to relevant statutory authorities; and
 - iv. Relationship to and consistency with the Project Site Rehabilitation Plan.
4. The Proponent shall implement the Plan.

20. Public availability of Plans, Programs etc.

1. Management plans, reports, systems, and programs referred to in the following conditions shall be made publicly available as determined by the Minister: 5.1, 6.1, 7.1, 8.1, 10.1, 11.1, 12.2, 13.1, 14.1, 15.2, 16.1, 17.1, 18.1 and 19.1.

21. Submission of Plans, Programs etc

1. Where a Condition requires that a plan, report, system or program meet certain aims, objectives or purposes and certain requirements 'as determined by the Minister', the plan, report, system or program is not deemed to have met the Condition unless and until the Minister finds that the aims, objectives or purposes and certain requirements have been met.
2. In the event that following the approval of a document (plan, report, system or program referred to in Condition 21.1) the document is found by the Proponent to no longer meet the requirements set out in Condition 21.1 or the Proponent has identified elements of works not appropriately covered by the document or the Proponent identifies measures to improve the document, an amendment or addendum to the approved document may be developed and submitted to the Minister.
3. All supplementary plans, reports, systems or programs submitted under Condition 21.2 are subject to Condition 21.1, and if agreed by the Minister, to constitute an approved amendment or addendum to the plan, report, system or program.

David Templeman MLA
MINISTER FOR THE ENVIRONMENT; CLIMATE CHANGE; PEEL

Schedule 1

Summary of key characteristics – Jansz proposal

| Element | Description |
|--|--|
| Feed gas pipeline offshore | Single, 864mm nominal outside diameter carbon steel line 5.5km long in State waters; 30ha footprint in common ~54m wide corridor with Gorgon feed gas pipeline |
| Feed gas pipeline shore crossing | Horizontal directional drilled shore crossing, 150m setback from high tide level, emerging at ~12m depth contour |
| Feed gas pipeline onshore | Single, 864mm nominal outside diameter carbon steel, buried line; 14km across Barrow Island, 42ha footprint, in common 30m wide easement with Gorgon feed gas pipeline; not more than 2km of trench to be open at any one time |
| Feed gas composition | <1% CO ₂ , 2% N ₂ , no detectable H ₂ S, balance hydrocarbons, almost no condensate |
| Mono ethylene glycol (MEG) supply pipeline | 219mm nominal outside diameter |
| Utility pipeline | 219mm nominal outside diameter |
| Electro/ hydraulic umbilicals | Well control and chemical injection (scale prevention, pH stabiliser, acids) |
| Commissioning | ~2014 |
| Decommissioning | Year 40+ |

Schedule 2

Definitions

Words used in these conditions have the following meaning:

“AQIS” means the Australian Quarantine Inspection Service;

“As far as practicable”, “where practicable” and “practicable” all mean reasonably practicable having regard to, among other things, local conditions and circumstances (including costs) and to the current state of technical knowledge;

“BICC” means the Barrow Island Coordination Council as established under Schedule 1 of the *Barrow Island Act 2003*;

“CEO” means the chief executive officer of the DEC;

“Construction” includes any Proposal-related construction and commissioning activities within the Terrestrial and Marine Disturbance Footprints, excluding investigatory works such as, but not limited to, geotechnical, geophysical, biological and cultural heritage surveys, baseline monitoring surveys and technology trials;

“Construction Period” means the period from the date on which the Proponent first commences construction of the Proposal until the date on which the Proponent issues a notice of acceptance of work under the EPCM, or equivalent contract entered into in respect of the pipeline;

“DAF” means the Western Australian Department of Agriculture and Food;

“DEC” means the Western Australian Department of Conservation and Environment;

“DOCEP” means the Western Australian Department of Consumer and Employment Protection;

“DoIR” means the Western Australian Department of Industry and Resources;

“DoF” means the Western Australian Department of Fisheries;

“Dominant coral species” means species with the highest relative percentage cover, with percentage cover is expressed as the proportion of total coral cover;

“DPI” means the Western Australian Department for Planning and Infrastructure;

“DRF” means flora declared to be rare within the meaning of the *Wildlife Conservation Act 1950*;

“Ecological Community” refers to all the interacting organisms living together in a specific habitat;

“Endemic” means unique to an area; found nowhere else;

“Environmental Harm” has the meaning given by Part 3A of the EP Act;

“EP Act” means the *Environmental Protection Act 1986*;

“EPCM” means Engineering, Procurement and Construction Management;

“GIS” means Geographic Information System;

“Gorgon proposal” means the proposal approved under Ministerial Statement 748;

“HDD” means Horizontal Directional Drilling;

“Introduced Terrestrial Species” means non-indigenous terrestrial species (including weeds);

“LNG” means liquefied natural gas;

“Marine Disturbance Footprint” means the area of the seabed to be disturbed by construction or operations activities associated with the Marine Facilities listed in Condition 12.3;

“Marine Pests” means species other than the native species known or those likely to occur in the waters of the Indo-West Pacific region and the Pilbara Offshore (PIO) marine bioregion in Interim Marine and Coastal Regionalisation for Australia: An Ecosystem Based Classification for Marine and Coastal Environments (IMCRA, 1997), of which Barrow Island is a part, that do or may threaten biodiversity in the Pilbara Offshore (PIO) marine bioregion. As a minimum, the National Introduced Pest Information System Database (NIMPIS, Dept Environment and Water Resources, Commonwealth Government), National Priority Pests listed in the document National Priority Pests, Part II, Ranking of Australian Marine Pests (CSIRO Marine Research, 2005) will guide the interpretation of this definition. Additional species may be added on the advice of experts from the WA Department of Fisheries and the Quarantine Expert Panel;

“Marine Quarantine Controlled Access Zone” means the zone that extends from 500m offshore from the Barrow Island MHHW mark and encapsulates the entire coastline of Barrow Island and 500m from all marine facilities contiguous with Barrow Island.

“Marine Quarantine Limited Access Management Zone” means the zone that commences at the outer boundary approximately 2.5 km from the Barrow Island shoreline (MHHW Mark) up to the 500 metre mark from the shoreline;

“Marine Turtles” means flatback, green and hawksbill turtles nesting on Barrow Island;

“Material Environmental Harm” has the same meaning as the EP Act;

“Minister” means the Minister vested with the administration of the EP Act;

“Ministerial Statement 748” means the Statement approving the Gorgon Gas Development published on 6 September 2007 pursuant to section 45 of the EP Act;

“Native” in relation to non-indigenous species means species that are naturally occurring in a region (ref: State of the Environment Advisory Council (1996). Australia: State of the Environment 1996);

“Non-indigenous terrestrial species” means any species of plant, animal or micro-organism not native to Barrow Island.

“Operations” in relation to the pipeline means the period from the date on which the Proponent issues a notice of acceptance of work under the Engineering, Procurement and Construction Management (EPCM) contract, or equivalent contract entered into in respect of that pipeline; until the date on which the Proponent commences decommissioning of that pipeline;

“Porites” means an important genus of long-lived, reef building corals;

“QEP” means the Quarantine Expert Panel;

“QMS” Quarantine Management System;

“Serious Environmental Harm” has the same meaning as the EP Act;

- “Short-Range Endemics” means a taxonomic group of invertebrates that are unique to an area; found nowhere else and have naturally small distributions (i.e. <10,000km²);
- “Statistical Power” means the probability of detecting a meaningful difference, or effect, if one were to occur;
- “Sub-dominant coral species” means species, excluding dominant coral species, which have greater than or equal to 5% cover, with percentage cover being expressed as the proportion of total coral cover.
- “Substantially Commenced” means physical construction activities for, and progress of an important or essential element or elements of the Proposal scope.
- “Terrestrial Disturbance Footprint” means the area to be disturbed by construction or operations activities associated with the terrestrial facilities listed in Condition 6.3.
- “Terrestrial Quarantine Controlled Access Zone” means the zone encompassing the following points of entry to Barrow Island:
- a. Quarantine Approved Premises (marine offloading facility, warehouse, remedial facility, quarantine washdown bay and first stage laydown);
 - b. Airport; and
 - c. WAPET Landing;
- “Terrestrial Quarantine Limited Access Management Zone” means the zone encompassing areas of the Terrestrial Disturbance Footprint which are used for intensive, long-term development activities on Barrow Island:
- a. Gas Treatment Plant
 - b. Construction Village and Barrow Island Oil Joint Venture Camp
 - c. Administration and Operations Complex
 - d. Onshore Feed Gas Pipeline System and Carbon Dioxide Injection System corridors
- “Waters Surrounding Barrow Island” means the waters of the Barrow Island Marine Park and Barrow Island Marine Management Area (approximately 4,169 ha and 114,693 ha respectively) as well as the port of Barrow Island representing the Pilbara Offshore Marine Bioregion which is dominated by tropical species that are biologically connected to more northern areas by the Leeuwin Current and the Indonesian Throughflow resulting in a diverse marine biota is typical of the Indo-West Pacific flora and fauna.

ATTACHMENT 1 TO MINISTERIAL STATEMENT 769

Section 46C
Environmental Protection Act 1986

NOTICE OF CHANGE TO IMPLEMENTATION CONDITIONS MINISTERIAL STATEMENT 769

JANSZ FEED GAS PIPELINE
BARROW ISLAND NATURE RESERVE

Pursuant to section 46C(1)(a) of the *Environmental Protection Act 1986*, the implementation conditions applying to the above proposal are changed in accordance with the Schedule to this Notice. I consider this change to be of a minor nature which is necessary to standardise the implementation conditions applying to different proposals.

HON BILL MARMION MLA
MINISTER FOR ENVIRONMENT; WATER

4 May 2012

Schedule

1. Delete existing conditions 4, 5 and 21 and replace with the following.

Changes to conditions 4, 5, 21 and an addition of schedule 3.

4. Compliance Reporting

4.1 The Proponent shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO.

4.2 The Proponent shall submit to the CEO, the Compliance Assessment Plan required by Condition 4.1 within 6 months of the date of approval of this Amendment to the Statement. The Compliance Assessment Plan shall indicate:

- i. the frequency of compliance reporting;
- ii. the approach and timing of compliance assessments;

- iii. the retention of compliance assessments;
- iv. reporting of non-compliances and corrective actions taken;
- v. the table of contents of Compliance Assessment Reports; and
- vi. public availability of compliance reports.

4.3 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 non-compliance as soon as practicable.

4.6 The Proponent shall submit to the CEO a Compliance Assessment Report annually addressing the same twelve month period as required for the Compliance Assessment Report under Ministerial Statement No. 800 as amended or replaced from time to time, or other period as agreed by the CEO. The Compliance Assessment Report submitted in 2012 shall cover the period from 25 April 2011 to the last day of the twelve month period as required for the Compliance Assessment Report under Ministerial Statement No. 800. The date of each Compliance Assessment Report shall be the same date for which the Compliance Assessment Report is required under Ministerial Statement No. 800 as amended or replaced from time to time, or other date as agreed by the CEO. The Compliance Assessment Report shall:

- i. be endorsed by the Proponent's Managing Director or a person, approved in writing by the Department of Environment and Conservation, delegated to sign on the Managing Director's behalf;
- ii. include a statement as to whether the Proponent has complied with the conditions;
- iii. identify all non-compliances and describe corrective and preventative actions taken;
- iv. be made publicly available in accordance with the approved Compliance Assessment Plan; and
- v. indicate any proposed changes to the Compliance Assessment Plan required by Condition 4.1.

5. Environmental Performance Reporting

5.1 The Proponent shall submit annually to the Minister an Environmental Performance Report covering the topics listed in Condition 5.2, and the specific details shown in Schedule 3, addressing the same 12 month period as required for the Environmental Performance Report (the Report) under Ministerial Statement No. 800 as amended or replaced from time to time, or other period as agreed by the Minister. The Environmental Performance Report submitted in 2012 shall cover the period from 25 April 2011 to the last day of the twelve month period as required for the Environmental Performance Report under Ministerial Statement No. 800. The date of the Environmental Performance Report shall be the same date for which the Environmental Performance Report is required under Ministerial Statement No. 800 as amended or replaced from time to time, or other date as agreed by the Minister.

5.2 The Report shall cover the following topics:

- i. Terrestrial and subterranean environment state;
- ii. Fire management; and
- iii. Spill management.

5.3 Every five years from the date of the first Environmental Performance Report required under Ministerial Statement No. 800 as amended or replaced from time to time, or other date as agreed by the Minister, the Proponent shall submit to the Minister an Environmental Performance Report, covering the previous five year period, comprising:

- i. The topics listed in Condition 5.2;
- ii. Specific details shown in Schedule 3;
- iii. A five year overview of environmental performance;
- iv. Proposed environmental management improvements; and
- v. A review of whether there are any reasonably practicable management measures, operating controls or design features that can be implemented to reduce or eliminate the alteration of the light horizon on the east coast beaches of Barrow Island as a result of the implementation of the Proposal.

5.4 The Proponent shall, if required by the Minister, update Management Plans, Programs, Systems or Reports in accordance with Condition 21 to include any reasonably practicable improvements identified as part of the Environmental Performance Report referred to in Condition 5.3.iv.

21. Submission of Plans, Programs etc

- 21.1 Where a Condition requires that a plan, report, system or program meet certain aims, objectives or purposes and certain requirements 'as determined by the Minister', the plan, report, system or program is not deemed to have met the Condition unless and until the Minister finds that the aims, objectives or purposes and certain requirements have been met.
- 21.2 In the event that following the approval of a document (plan, report, system or program referred to in Condition 21.1) the document is found by the Proponent or the Minister to no longer meet the requirements set out in Condition 21.1 or the Proponent or the Minister has identified elements of works not appropriately covered by the document or the Proponent or the Minister identifies measures to improve the document, an amendment or addendum to the approved document may be developed by the Proponent in accordance with the following:
- i. If the amendment or addendum is not a substantial change to management measures within the document and will not result in the document being inconsistent with its objectives, the Proponent may implement the amendment or addendum as if that amendment or addendum were approved and subsequently submit the amendment or addendum to the Minister within five business days of implementation. If approval is later refused, the Proponent will cease to implement the amendment or addendum, but will not have been in breach of the conditions during the period of implementation; or
 - ii. If the amendment or addendum is a substantial change to any management measures or any other change the Proponent shall submit the amendment or addendum to the Minister.
- 21.3 All supplementary plans, reports, systems or programs submitted under Condition 21.2 are subject to Condition 21.1, and if agreed by the Minister, to constitute an approved amendment or addendum to the plan, report, system or program.

Schedule 3 – Details of Annual Environmental Performance Reporting

The annual Environmental Performance Report referred to in Condition 5.1 shall report on the following environmental aspects of the Proposal, relevant management and associated studies:

1. Terrestrial and subterranean environment state

- i. Results of monitoring and any measurable impacts from the Proposal including any changes from the baseline;
- ii. Conclusions as to the Project stressors (if any) causing the impacts identified;
- iii. Any mitigation measures applied and results of that mitigation; and
- iv. Any changes to monitoring sites.

2. Fire management

- i. Incidence of fires caused by the Proposal, and fires that impact on the Proponent's facilities including details of cause, lesson learned and recommended actions;
- ii. Material or Serious Environmental Harm caused by fire directly attributable to the Proposal; and
- iii. Changes to management plan including:
 - a. Management responses to address Material or Serious Environmental Harm caused by fire directly attributable to the Proposal; and
 - b. Improvement to fire management practices.

3. Spill management

- i. Incidence of spills caused by the Proposal, and spills that impact on the Proponent's facilities including details of cause and recommended actions.