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Published on 21 January 2008

Statement No. 760

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

**MULLERING 3D SEISMIC SURVEY
WITHIN PETROLEUM EXPLORATION LEASE EP432
LOCALITY OF CATABY, SHIRE OF DANDARAGAN**

Proposal: The preparation of seismic lines; including related flora, vegetation and fauna survey activities; deployment and use of seismic impulse generation and reception equipment; acquisition of seismic data; and access line closure and rehabilitation, as documented in schedule 1 of this statement.

Proponent: Empire Oil Company (WA) Limited

Proponent Address: Suites 7 and 8
154 Hampden Road
NEDLANDS WA 6009

Assessment Number: 1699

Report of the Environmental Protection Authority: Bulletin 1266

The proposal referred to in the above report of the Environmental Protection Authority may be implemented. The implementation of that proposal is subject to the following conditions and procedures:

1 Proposal Implementation

1-1 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.

2 Proponent Nomination and Contact Details

- 2-1 The proponent for the time being nominated by the Minister for the Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.
- 2-2 The proponent shall notify the Chief Executive Officer of the Department of Environment and Conservation (CEO) of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

3 Time Limit of Authorisation

- 3-1 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.
- 3-2 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

- 4-1 In addition to any other reporting requirements under this statement, the proponent shall submit to the CEO an environmental compliance report within three months after completion of the seismic survey, and thereafter submit environmental compliance reports annually reporting on the previous twelve-month period, unless required by the CEO to report more frequently.

Compliance reporting shall continue until such time as the CEO determines that the proponent's compliance responsibilities have been fulfilled.

- 4-2 The environmental compliance reports shall address each element of an audit program approved by the CEO and shall be prepared and submitted in a format acceptable to the CEO.

The environmental compliance reports shall:

1. be endorsed by signature of the proponent's Executive Director or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's Executive Director;
2. state whether the proponent has complied with each condition and procedure contained in this statement;
3. provide verifiable evidence of compliance with each condition and procedure contained in this statement;

4. state whether the proponent has complied with each key action contained in any environmental management plan or program required by this statement;
5. provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by this statement;
6. identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance; and
7. review the effectiveness of all corrective and preventative actions taken.

4-3 The proponent shall make the environmental compliance reports required by condition 4-1 publicly available in a manner approved by the CEO.

5 Rehabilitation Performance Bond

5-1 As security for the due and punctual observance and performance by the proponent of the requirements of condition 11 to be observed, conformed and complied with, the proponent shall lodge with the CEO on demand prior to commencement of vegetation rolling, an irrevocable Performance Bond as nominated and approved by the CEO in his sole unfettered discretion to a cash value and in a form acceptable to the CEO (“the Security”) which Security at the date hereof being \$70,000.

5-2 The CEO may review the Security required by condition 5-1 at any time or times and if, on such review, the CEO considers that a security has ceased to be acceptable to the CEO, then the CEO 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 regarding rehabilitation under condition 11.

5-3 The proponent shall within 14 days after written request by the CEO furnish replacement or additional security in such sum as the CEO shall nominate, in a form and upon terms and conditions approved by the CEO, which approval shall not be unreasonably withheld. On receipt of approved replacement security the CEO shall release and discharge the original security.

Note: In the preparation of advice to the CEO in relation to conditions 5-1, 5-2 and 5-3, the Environmental Protection Authority expects that the advice of the following agency will be obtained:

- Department of Industry and Resources.

6 Environmental Coordinator

6-1 Prior to commencement of vegetation rolling, the proponent shall appoint and employ a full-time professional Environmental Coordinator to the requirements of the Minister for the Environment on advice of the CEO.

The qualifications of the Environmental Coordinator shall include:

1. a tertiary degree in Environmental Science, Environmental Engineering, Land Management or other appropriate discipline; and
2. a minimum of five years' professional experience relevant to environmental management of exploration projects.

The duties of the Environmental Coordinator shall include the following:

1. surveillance of the initiation of all vegetation rolling actions and supervision of works to ensure best practice environmental performance;
2. monitoring and preparation of reports on matters of potential environmental concern;
3. liaison with relevant State Government professionals of the Department of Industry and Resources, the Department of Water and the Department of Environment and Conservation;
4. communication of potential or perceived environmental problems to the project manager;
5. notification of appropriate government agencies of any environmental problems; and
6. enhancement of environmental knowledge of employees generally at the project site by means of talks, discussions, seminars, brochures, operational methods and training.

7 Flora and Fauna Management

7-1 Prior to commencement of vegetation rolling, the proponent shall implement the Flora and Fauna Management Plan contained within the proponent's Assessment on Referral Information document submitted for the proposal.

7-2 The proponent shall report from the commencement of vegetation rolling to the Department of Environment and Conservation, any unauthorized clearing of vegetation and any serious injury or mortality of fauna listed in the *Environment Protection and Biodiversity Conservation Act 1999*, *Wildlife Conservation Act 1950* or on the Department of Environment and Conservation Priority fauna list.

This report shall include:

1. The type and amount of unauthorised vegetation cleared;
2. The type and amount of Declared Rare Flora or priority flora cleared;
3. The number and species of fauna killed which is listed under statutory protection or on the Department of Environment and Conservation priority fauna list;
4. The number of and species of bird nests/eggs destroyed which is listed under statutory protection or on the Department of Environment and Conservation priority fauna list;
5. The number and species of fauna injured which are listed under statutory protection or on the Department of Environment and Conservation priority fauna list;
6. Time, date and location of incidents; and
7. Management actions taken to mitigate/reduce the unauthorised clearing of flora and the death and injury of fauna.

Reporting shall conclude when the requirements of condition 11-2 have been fulfilled.

- 7-3 The proponent shall impose speed limits of 40 kilometres per hour for all vehicles within the project area and 60 kilometres per hour on Woolka Road.

8 Rainbow Bee-eater (*Merops ornatus*) Avoidance Survey

- 8-1 In the event that the proposal is carried out between 1 October and 15 December in any year, the proponent shall conduct a survey of Rainbow Bee-eaters (*Merops ornatus*) in the seismic survey area from 1 October to 15 December in the relevant year and prior to commencement of vegetation rolling.

This survey shall be carried out by a suitably qualified person (See note 4 below.) to determine the presence of Rainbow Bee-eaters in the seismic survey area.

Note: In the event that Rainbow Bee-eaters are not sighted / present generally in the seismic survey area, the proponent should repeat the Rainbow Bee-eater survey after one to two weeks when the birds have arrived for breeding.

- 8-2 The proponent shall locate seismic survey lines to avoid Rainbow Bee-eater nesting locations.
- 8-3 Following the passage of survey vehicles in the vicinity of Rainbow Bee-eater nesting locations, the proponent shall carry out a follow-up survey to determine the impacts of the seismic survey on the breeding of the Rainbow Bee-eater.

8-4 Within three months following the survey required by condition 8-3, the proponent shall provide to the CEO a report on the data and findings of the survey on the impacts of the seismic survey on the breeding of the Rainbow Bee-eater species.

9 Weed and *Phytophthora cinnamomi* Management

9-1 Prior to commencement of vegetation rolling, the proponent shall implement the Weed and *Phytophthora cinnamomi* Management Plan contained within the proponent's Assessment on Referral Information document submitted for the proposal.

9-2 The proponent shall report from the commencement of vegetation rolling activity to the Department of Environment and Conservation, any non-compliance with the Weed and *Phytophthora cinnamomi* Environmental Management Plan.

This report shall include:

1. Time, date and location of incidents;
2. Management actions taken to mitigate/reduce the non-conformance of hygiene procedures;
3. Any sightings of the Cape Tulip (*Moraea flaccida*) and other noxious and environmental weeds; and
4. Management actions taken to mitigate/reduce the movement of the Cape Tulip or its seeds and any other noxious and environmental weeds.

Reporting shall conclude when the requirements of condition 11-2 have been fulfilled.

9-3 The proponent shall ensure that all vehicles are washed down on entry to the project site and that all vehicles and footwear are cleaned to a satisfactory standard at each weed hygiene station.

10 Wetland Management Plan

10-1 Prior to commencement of vegetation rolling, the proponent shall implement the Wetland Management Plan contained within the proponent's Assessment on Referral Information document submitted for the proposal.

10-2 The proponent shall report from the commencement of vegetation rolling to the Department of Environment and Conservation, any non-compliance with the Wetland Management Plan.

This report shall include:

1. Time, date and location of incident; and

2. Management action taken to mitigate/reduce the non-conformance of Wetland Management procedures.

Reporting shall conclude when the requirements of condition 11-2 have been fulfilled.

11 Rehabilitation Management Plan

- 11-1 The proponent shall implement the Rehabilitation Management Plan contained within the proponent's Assessment on Referral Information document submitted for the proposal.

The Rehabilitation Management Plan shall contain provision for update and review.

- 11-2 The proponent shall implement the Rehabilitation Management Plan referred to in condition 11-1 until such time as the Minister for the Environment determines, on advice of the CEO, that the proponent's rehabilitation responsibilities have been fulfilled.

Notes

1. 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.
2. 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.
3. Compliance and performance reporting will endeavour to be in accord with the timing requirements of the *Petroleum Act 1967*.
4. In condition 8, a suitably qualified person means a person qualified in ornithology or as otherwise acceptable to the CEO.

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

Schedule 1

The Proposal (Assessment No. 1699)

General Description

The Mullering 3D Seismic Survey will take place within a survey area of 53 square kilometres (5300 hectares). Approximately 345 kilometres of seismic lines will be directly accessed for survey activities. The site is primarily located within Unallocated Crown Land (UCL), with access via Woolka Road and Cooljarloo Road. Other land tenure types include Vacant Crown Land (VCL), a 'water and stopping place' reserve around the Wooka Wooka Well, which is vested in the Shire of Dandaragan (C Class Reserve 729), and a pastoral lease property.

The survey will involve the 'rolling' of lines of vegetation in a grid pattern. The lines will have a maximum width of four metres running north and south and two metres travelling east and west, with short sections of greater width to provide turning points for survey vehicles.

Vibroseis trucks, carrying impulse-generating equipment will drive north and south along the cleared lines and, at 40-metre intervals, will lower their vibration pads to vibrate the ground. Geophones will be laid along the east to west gridlines to acquire seismic data. The survey will also involve the drilling of a number of holes (up to 50) of maximum depth 100 metres for data acquisition purposes.

Following the survey, the proponent will undertake line access closure and site rehabilitation / monitoring activities on access lines created by the survey until completion criteria agreed by the Department of Environment and Conservation have been achieved.

The proposal is described in the following document – *Assessment on Referral Information - Mullering 3D Onshore Seismic Survey* (version 6, September 2007).

Summary Description

A summary of the key proposal characteristics is presented in Table 1.

Table 1 – Summary of Key Proposal Characteristics

Element	Description
Type of survey	3D seismic
Duration	Survey ~ 50 days Rehabilitation – until completion criteria achieved
Total length of Seismic lines (line kilometres)	Approximately 345 kilometres

Element	Description
Width of line rolling	Source lines: 4 metres maximum Receiver lines: 2 metres maximum N.B. Some 'turning areas' (up to 5 metres by 5 metres) will be required to reduce the requirement for connecting tracks to facilitate avoidance of environmental constraints, and to allow for exceptional circumstances (for example, tyre repair).
Total land area within survey boundary	5300 hectares approximately
Area of seismic lines to be rolled (i.e. area of source and receiver lines)	Not more than 150 hectares
Number of data acquisition holes (up-holes) required	50 approximately
Diameter of data acquisition holes (up-holes)	10 centimetres
Depth of data acquisition holes (up-holes)	100 metres maximum
Plant and equipment	Camp (including office, mess and accommodation) Up to four truck-mounted source vehicles Three light cable trucks Up to nine camp-based vehicles (including fuel, water and fire trucks)
Number of people involved	50 personnel approximately
Operation Hours	Daylight hours only, seven days per week

Figure (attached)

Figure 1 – Location and survey boundary area of the Mullering 3D Seismic Survey.

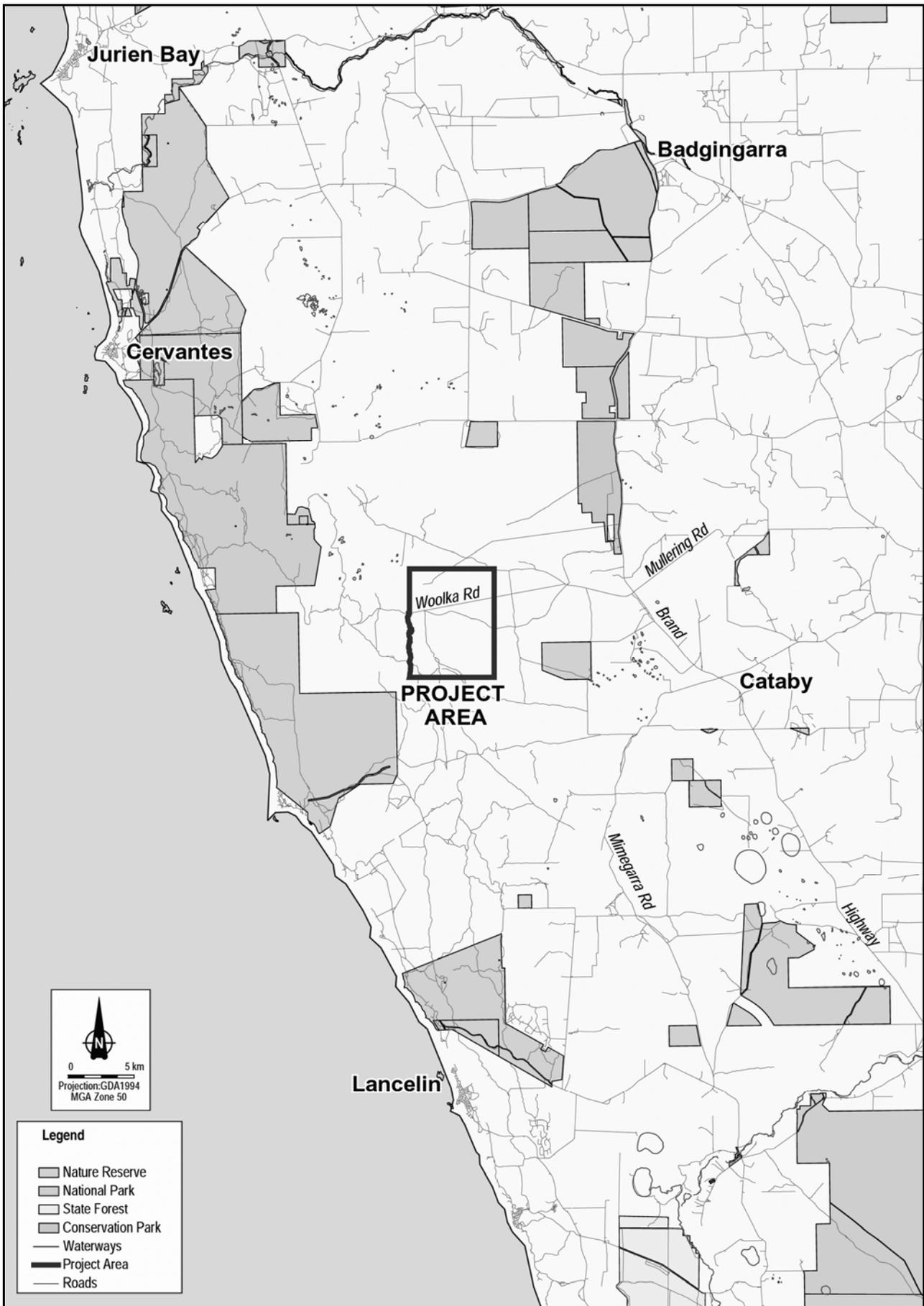


Figure 1: Location and survey boundary area of the Mullering 3D Seismic Survey

Attachment 1 to Statement 760

Changes to Proposal

Proposal: Mullering 3D Onshore Seismic survey

Proponent: Empire Oil Company (WA) Ltd

Change: Change to the width of the receiver lines

Amendment of Schedule 1 – Key Proposal Characteristics

Features of previously approved Proposal:

Element	Quantities/Description
Width of line rolling	Receiver lines - 2 metres maximum

Features of changed Proposal:

Element	Quantities/Description
Width of line rolling	Receiver lines – 3.5 metres maximum

**Approved under delegation
from Minister for the Environment:**

EPA Chairman

Approval Date: 12.3.08