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Published on: 10 January 2011

**Statement No: 849**

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

**WARRO GAS FIELD 3D ONSHORE SEISMIC SURVEY**

**Proposal:** The proposal is to conduct a 3D seismic survey within an area consisting of private land, the proposed Big Soak Plain Conservation Park and the Watheroo National Park approximately 60 kilometres east of Jurien Bay. The survey would involve the rolling of vegetation for vehicle access to the seismic lines.

The proposal is further documented in schedule 1 of this statement.

**Proponent:** Latent Petroleum Pty Ltd

**Proponent Address:** Ground Floor, 1292 Hay Street, WEST PERTH WA 6005

**Assessment Number:** 1725

**Report of the Environmental Protection Authority:** Report 1369

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 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 Office of the Environmental Protection Authority 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 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 Chief Executive Officer of the Office of the Environmental Protection Authority 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 The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the Chief Executive Officer of the Office of the Environmental Protection Authority.
- 4-2 The proponent shall submit to the Chief Executive Officer of the Office of the Environmental Protection Authority the compliance assessment plan required by condition 4-1 at least six months prior to the first compliance report required by condition 4-6, or prior to ground disturbing activities, whichever is sooner.

The compliance assessment plan shall indicate:

- 1. the frequency of compliance reporting;
  - 2. the approach and timing of compliance assessments;
  - 3. the retention of compliance assessments;
  - 4. the method of reporting of potential non-compliances and corrective actions taken;
  - 5. the table of contents of compliance assessment reports; and
  - 6. public availability of compliance assessment reports.
- 4-3 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 Chief Executive Officer of the Office of the Environmental Protection Authority.

4-5 The proponent shall advise the Chief Executive Officer of the Office of the Environmental Protection Authority of any potential non-compliance within seven days of that non-compliance being known.

4-6 The proponent shall submit to the Chief Executive Officer of the Office of the Environmental Protection Authority the first compliance assessment report fifteen months from the date of issue of this Statement addressing the twelve month period from the date of issue of this Statement and then annually from the date of submission of the first compliance assessment report.  
The compliance assessment report shall:

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

## **5 Carnaby's Cockatoos**

5-1 The proponent shall not carry out seismic line preparation or seismic acquisition in areas within 400 metres of *Eucalyptus accedens* woodlands during the Carnaby's Cockatoo breeding season (July to December), until such time as a Carnaby's Cockatoo specialist approved by the Chief Executive Officer of the Office of the Environmental Protection Authority has carried out a field survey to identify Carnaby's Cockatoo nests or potential nest sites within the *Eucalyptus accedens* woodlands.

Note: Seismic line preparation refers to rolling or hand cutting of vegetation.

5-2 The proponent shall report the locations of Carnaby's Cockatoo nests or potential nest sites identified pursuant to condition 5-1 to the Office and the Environmental Protection Authority and the Department of Environment and Conservation prior to carrying out seismic line preparation.

5-3 If Carnaby's Cockatoo nests or potential nesting sites are identified pursuant to condition 5-1, the proponent shall not carry out seismic line preparation or seismic acquisition within 400 metres of such nests or potential nesting sites during the July to December breeding period.

## 6 Vegetation and flora

6-1 Prior to seismic line preparation the proponent shall:

1. in consultation with the Department of Environment and Conservation identify a list of potential Declared Rare Flora and other conservation significant species in the proposal area; and
2. employ a suitably qualified botanist to walk the planned seismic lines and identify and flag any declared rare flora (DRF), priority flora, the slow growing *Macrozamia fraseri* and *Xanthorrhoea* species and mature trees.

Note:

1. Seismic line preparation refers to the rolling or hand cutting of vegetation.
2. Suitably qualified botanists would have 5 years relevant field survey experience to the satisfaction of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.
3. Mature trees includes trees that are either dead or alive.

6-2 Subject to condition 6-3, the proponent shall deviate the seismic lines to avoid impacts to the plants identified pursuant to condition 6-1 according to the following:

1. 50 metre buffer to any DRF;
2. 10 metre buffer to any priority 1 and 2 flora;
3. 1 metre buffer for *Macrozamia fraseri* and *Xanthorrhoea* species; and
4. mature trees may have branches removed by hand to maintain the width of seismic lines if necessary, unless the trees contain breeding hollows as referred to in condition 7-1.

6-3 Where the proponent is unable to achieve adequate seismic acquisition due to condition 6-2, application may be made for a site specific waiver of condition 6-2 to the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.

6-4 The proponent shall maintain a record of declared rare flora, priority flora, *Macrozamia fraseri* and *Xanthorrhoea* species and mature trees that require seismic line deviation or branch trimming in accordance with condition 6-2 and report the species, location and achieved buffer distance, to the Department of Environment and Conservation within one month of completion of seismic line preparation and in the compliance assessment report referred to in condition 4-6.

6-5 The proponent shall maintain a record of all Priority 3 and 4 flora unable to be avoided and report the species, location and number of individuals destroyed to the Department of Environment and Conservation within one month of completion of seismic line preparation and in the compliance assessment report referred to in condition 4-6.

## **7 Fauna habitat**

7-1 No more than 3 weeks prior to seismic line preparation the proponent shall employ a suitably experienced zoologist to walk the planned seismic lines and identify and flag:

1. tree hollows large enough to accommodate a breeding event by Carnaby's Cockatoos within 400 metres if line preparation is to be undertaken during breeding season (July – December) or 20 metres if outside breeding season;
2. nests of the White-browed Babbler situated within 10 metres of the planned seismic lines;
3. logs of greater than 20 centimetres diameter situated within 10 metres of the planned seismic lines;
4. rabbit warrens or other burrows that could accommodate a Woma or Carpet Python situated within 10 metres of the planned seismic lines ; and
5. active or inactive Malleefowl mounds situated within 20 metres of the planned seismic lines.

Note: Suitably experienced zoologists would have at least five years relevant field experience in carrying out fauna surveys in the south west of Australia to the satisfaction of the Office of the Environmental Protection Authority.

7-2 Subject to condition 7-3, the proponent shall:

1. deviate the seismic lines so as to maintain a 20 metre buffer for Malleefowl mounds and 10 metre buffer for other habitat referred to in condition 7-1;
2. carefully reposition habitat logs if necessary; and
3. report sightings of the Woma Python to the Department of Environment and Conservation for determination of avoidance procedures prior to proceeding with seismic line acquisition within 400 metres of the sighting.

7-3 Where the proponent is unable to achieve adequate seismic acquisition due to condition 7-2 at a particular location, application may be made for a site specific waiver of condition 7-2 to the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.

7-4 The proponent shall maintain a record of fauna habitat that requires seismic line deviation in accordance with condition 7-2 and report the type, location and achieved buffer distance, to the Department of Environment and Conservation within one month of completion of seismic line preparation and in the compliance assessment report referred to in condition 4-6.

## **8 Weeds**

8-1 The proponent shall ensure that no new species of agricultural or environmental weed is introduced into the proposal area within Watheroo National Park, the proposed Big

Soak Plain conservation park or other areas of remnant vegetation and that the abundance and distribution of existing weeds is not increased as a direct or indirect result of implementation of the proposal.

- 8-2 Prior to seismic line preparation, the proponent shall, in consultation with the Department of Environment and Conservation, have a suitably qualified botanist carry out a field survey of the proposal area along the planned seismic lines to collect baseline data on the species, location and areas of agricultural and environmental weed plants present.

Note:

1. Seismic line preparation refers to the rolling or hand cutting of vegetation.
2. Suitably qualified botanists would have five years relevant field survey experience to the satisfaction of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.

- 8-3 Prior to seismic line preparation the proponent shall:

1. submit a report to the Department of Environment and Conservation on the results of the survey referred to in condition 8-2 detailing the survey method used, providing maps and photographs and outlining the planned risk mitigation in each instance of weed infestation; and
- 2 submit detailed management measures for the proposal including hygiene (clean down points and clean down procedures) to the satisfaction of the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.

- 8-4 The proponent shall resurvey the seismic lines in spring annually for at least two years, unless otherwise agreed by the Chief Executive Officer of the Office of the Environmental Protection Authority, following completion of the seismic acquisition to ensure that the requirements of condition 8-1 have been met.

- 8-5 In the event that there are locations where condition 8-1 has not been met, the proponent shall develop remedial measures in consultation with the Department of Environment and Conservation and shall implement those remedial measures until approval is given to stop by the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.

- 8-6 Prior to ceasing annual weed surveys and remedial measures referred to in condition 8-4 and 8-5 the proponent shall provide a closeout report and seek approval from the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.

## **9 Dieback**

- 9-1 The proponent shall ensure that dieback disease (*Phytophthora* species) is not introduced as a direct or indirect result of implementation of the proposal into uninfected areas that are in Watheroo National Park, the proposed Big Soak Plain conservation park or other remnant vegetation areas.

9-2 The proponent shall not carry or cause to be carried any soil into the Watheroo National Park, the proposed Big Soak Plain conservation park or remnant vegetation areas.

9-3 The proponent shall carry out seismic line preparation, seismic acquisition, demobilisation and rehabilitation activities in dry soil conditions.

Note:

1. Seismic line preparation refers to the rolling or hand cutting of vegetation.
2. Dry soil conditions are when soils (not dust) do not freely adhere to rubber tyres, trucks, vehicles chassis or wheel arches.

9-4 Prior to seismic line preparation the proponent shall, in consultation with the Department of Environment and Conservation, have an experienced dieback interpreter acceptable to the Department of Environment and Conservation carry out a baseline dieback survey of the planned seismic lines in the proposal area to determine whether there are any existing areas of dieback disease and, if it is present, to map the infected areas.

9-5 Prior to seismic line preparation the proponent shall:

1. Submit a report to the Department of Environment and Conservation on the results of the survey referred to in condition 9-4 providing maps and photographs and outlining the planned risk mitigation in each instance that dieback has been identified.
2. Submit detailed management measures including hygiene (inspection certification by appointed persons for each vehicle entry, clean down points and clean down procedures) to the requirements of the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.
3. Implement dieback management and hygiene measures detailed in 9-5.2 during seismic line preparation, seismic acquisition, demobilisation and rehabilitation activities.

9-6 The proponent shall resurvey the seismic lines in spring annually for at least two years unless otherwise agreed by the Chief Executive Officer of the Office of the Environmental Protection Authority, following completion of the seismic acquisition, to ensure that the requirements of condition 9-1 have been met.

9-7 In the event that there are locations where condition 9-1 has not been met, the proponent shall develop remedial measures in consultation with the Department of Environment and Conservation and shall implement those remedial measures until approval is given to stop by the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.

9-8 Prior to ceasing annual dieback surveys (condition 9-6) of at least two years and remedial measures referred to in condition 9-7 the proponent shall provide a closeout report and seek approval from the Chief Executive Officer of the Office of the

Environmental Protection Authority on advice from the Department of Environment and Conservation.

## **10 Third Party Access**

- 10-1 The proponent shall block and/or obscure seismic lines agreed by the Department of Environment and Conservation to prevent third party access, within two weeks of the last use of the entrances for the seismic survey to the satisfaction of the Department of Environment and Conservation.
- 10-2 The proponent shall on a three monthly basis inspect all entrances to seismic lines for evidence of third party access until such time as it is deemed by the Chief Executive Officer of the Office of the Environmental Protection Authority, on advice from the Department of Environment and Conservation, that further third party access is unlikely.
- 10-3 The proponent shall repair the entrance blockades and/or disguises referred to in condition 10-1 within two weeks of evidence of a breach being detected and report the inspection results referred to in condition 10-2 and subsequent repair actions in the compliance assessment report referred to in condition 4-6.

## **11 Rehabilitation**

- 11-1 The proponent shall rehabilitate the proposal area and implement rehabilitation measures on advice of the Department of Environment and Conservation to achieve the completion criteria referred to in condition 11-2.

- 11-2 Prior to commencement of seismic line preparation the proponent shall:

1. conduct surveys of the proposal area to collect baseline information in preparation for setting completion criteria for rehabilitation of the seismic lines; and
2. develop completion criteria for rehabilitation of the seismic lines,

to the requirements of the Chief Executive Officer of the Office of the Environmental Protection Authority on advice from the Department of Environment and Conservation.

Note: seismic line preparation refers to the rolling or hand cutting of vegetation.

- 11-3 Within one month following completion of seismic acquisition or within such other time as agreed by the Chief Executive Officer on advice from the Department of Environment and Conservation the proponent shall commence rehabilitation of the seismic lines to achieve the completion criteria referred to in condition 11-2.
- 11-4 In liaison with the Department of Environment and Conservation, the proponent shall monitor progressively the seismic line rehabilitation for a range of sites against the criteria developed pursuant to condition 11-2 with appropriately timed surveys, until the completion criteria are met. The surveys shall be conducted annually unless otherwise agreed by the Chief Executive Officer of the Office of the Environmental Protection Authority, on advice from the Department of Environment and Conservation.



11-5 The proponent shall include the results of the rehabilitation monitoring required pursuant to condition 11-4 in the compliance assessment report referred to in condition 4-6 commencing from the date rehabilitation was commenced. The report shall address the following:

1. The progress made towards meeting the completion criteria developed pursuant to condition 11-2; and
2. Contingency management measures in the event that the completion criteria required by condition 11-2 are unlikely to be met.

## **12 Bushfire Prevention**

12-1 The proponent shall implement the Bushfire Prevention Management Protocol contained in the *Warro Gas Field 3D Seismic Survey Environmental Management Plan* (Latent Petroleum Limited, April 2010).

## **13 Financial Assurance**

13-1 As security for the due and punctual observance and performance by the proponent of the requirements of condition 11, the proponent shall, prior to ground-disturbing activity, provide to the Chief Executive Officer of the Office of the Environmental Protection Authority (as delegate of the Chief Executive Officer of the Department of Environment and Conservation), a financial assurance for the benefit of both the Minister and the Chief Executive Officer of the Office of the Environmental Protection Authority and which is in the form of an unconditional and irrevocable bank guarantee, from a guarantor acceptable to the Chief Executive Officer of the Office of the Environmental Protection Authority, in the amount specified in condition 13-2.

13-2 The financial assurance shall be for an initial amount of \$2000 per hectare of remnant native vegetation to be disturbed within the Watheroo National Park and the proposed Big Soak Plain Conservation Park and shall be substitute every five years, or until the satisfactory observance and performance of condition 11 which ever occurs first, after the provision of the first financial guarantee with the fixed initial amount of each successive guarantee being indexed to inflation (being the Consumer Price Index, Perth).

13-3 In the event that the guarantor referred to in condition 13-1 terminates its liability under the bank guarantee by paying to the Minister or the Chief Executive Officer of the Office of the Environmental Protection Authority the balance of the financial assurance remaining unpaid, the Chief Executive Officer of the Office of the Environmental Protection Authority will hold the financial assurance (being the amount paid by the guarantor upon termination), as security for the due and punctual observance and performance by the proponent of the requirements of condition 11, in an interest bearing account nominated by the Chief Executive Officer of the Office of the Environmental Protection Authority, with the interest accruing for the benefit of the Minister or the Chief Executive Officer of the Office of the Environmental Protection Authority.

13-4 The financial assurance may be called on or used in accordance with section 86E of the Environmental Protection Act 1986 if the proponent fails to implement the proposal in accordance with condition 11.

13-5 The financial assurance shall be discharged by the Chief Executive Officer of the Office of the Environmental Protection Authority and the Minister when the Chief Executive Officer of the Office of the Environmental Protection Authority has given the proponent written notice pursuant to section 86F(1) of the Environmental Protection Act 1986.

**14 Proponent access to Watheroo National Park**

14-1 The proponent shall only access Watheroo National Park for seismic operation and associated activities including activities required under this statement in accordance with written arrangement for the location, timing and application of precautionary measures for the protection of conservation values agreed by the Department of Environment and Conservation. These arrangements are to be revised and agreed on an annual basis or as required by the Regional Manager according to changing circumstances.

**Notes:**

1. The Chief Executive Officer of the Office of the Environmental Protection Authority may seek advice from other agencies or organisations, as required.
2. The Minister for Environment will determine any dispute between the proponent and the Office of the Environmental Protection Authority over the fulfilment of the requirements of the conditions.

**HON BILL MARMION MLA  
MINISTER FOR ENVIRONMENT; WATER**

## Schedule 1

### The Proposal (Assessment No. 1725)

The proposal is to conduct a 3D seismic survey:

- on Exploration Permits 407 and 321 approximately 250 kilometres northeast of Perth, 60 kilometres east of Jurien Bay;
- consisting of approximately 397 kilometres of receiver lines and 394 kilometres of source lines; and
- approximately 371 kilometres of these source and receiver lines are within the Watheroo National Park and the proposed Big Soak Conservation Park.

The proposal is described in the following document – *Warro Gas Field 3D Seismic Survey Public Environmental Review, November 2009*. The main characteristics of the proposal are summarised in Table 1 below.

**Table 1: Summary of Key Proposal Characteristics**

Element	Description
Total length of seismic lines (line kilometres)	<ul style="list-style-type: none"><li>• Total line 791 kilometres</li><li>• cleared land 289 kilometres</li><li>• Watheroo National Park 284 kilometres</li><li>• Proposed Conservation Park 88 kilometres</li><li>• Areas of remnant vegetation 101 kilometres</li><li>• Existing tracks/roads 30 kilometres</li></ul>
Total length of receiver lines	397 kilometres
Total length of source lines	394 kilometres
Rolled source lines (width)	3.5 metres – 4 metres
Rolled receiver lines (width)	3.5 metres and alternate lines at 2.5 metres
Seismic lines over cleared land (maximum area)	87 hectares
Seismic lines in Watheroo National Park (maximum area, excluding existing fire breaks)	90 hectares
Seismic lines in Proposed Conservation Park (maximum area)	30 hectares
Seismic lines over remnant vegetation and regrowth (maximum area)	35 hectares

### Figures

Figure 1. Location Plan

Figure 2. Vegetation Areas to be avoided or hand cut

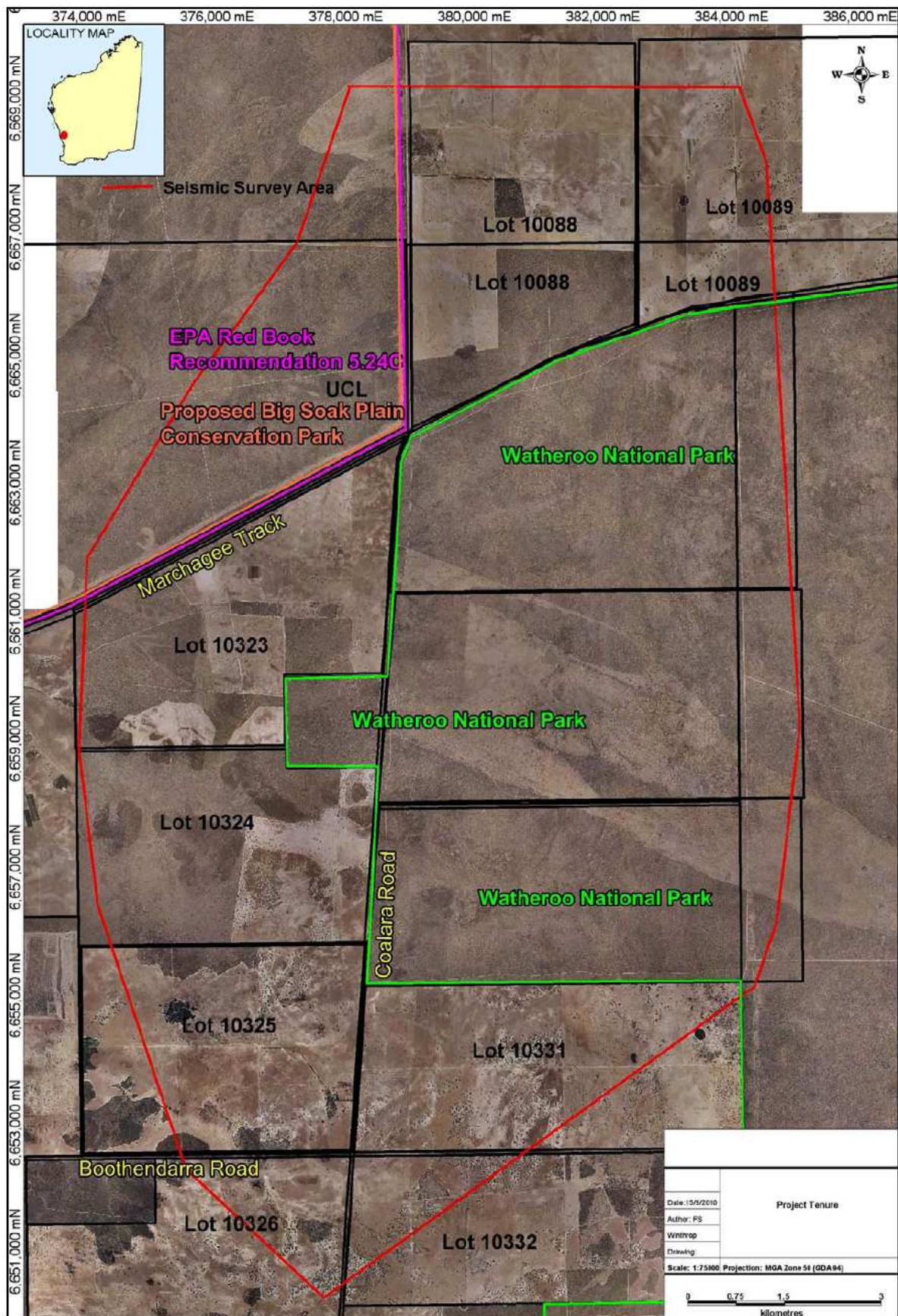
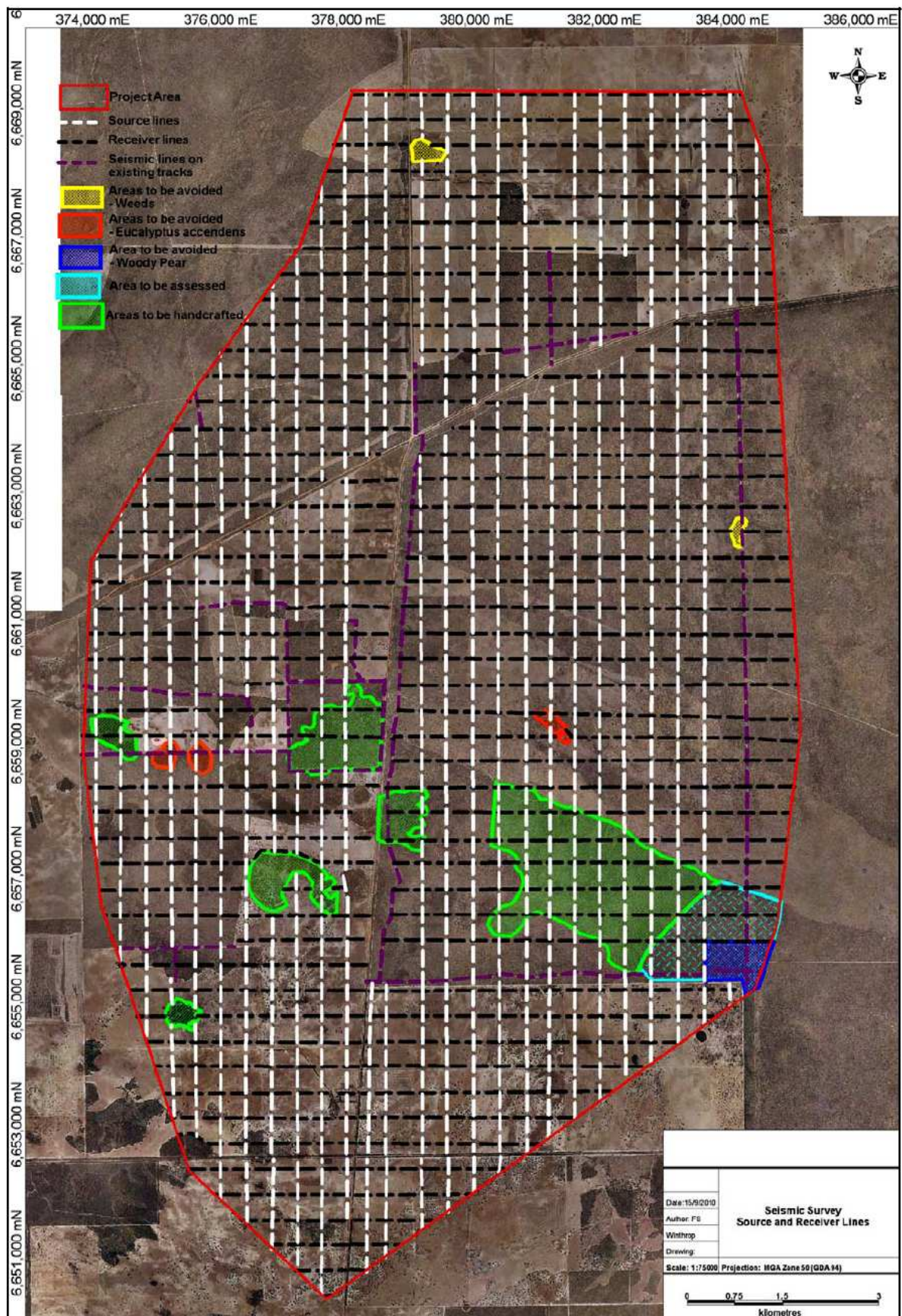


Figure 1 Location Plan





**Figure 2. Vegetation Areas to be avoided or hand cut**