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Published on 9 July 2009

Statement No: 795

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

DEVIL CREEK DEVELOPMENT PROJECT, GNOOREA POINT,
SHIRE OF ROEBOURNE

Proposal: The construction and operation of a gas processing plant, onshore supply gas pipeline, onshore sales gas pipeline, and horizontal directionally drilled shore crossing.

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

Proponent: Apache Northwest Proprietary Limited (ABN 39 009 301 964)

Proponent Address: Level 3, 256 St Georges Terrace PERTH WA 6000

Assessment Number: 1710

Report of the Environmental Protection Authority: Report 1307

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 assessed by the Environmental Protection Authority and described in schedule 1 of this statement subject to the conditions and procedures of this statement.

Published on

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 Office (CEO) of the Department of Environment and Conservation 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 of the Department of Environment and Conservation 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 submit a compliance assessment plan to the satisfaction of the CEO of the Department of Environment and Conservation, prior to implementation of the proposal and at least six months prior to the first compliance report required by condition 4-6, which ever is sooner.
- 4-2 The proponent shall implement and maintain, to the satisfaction of the CEO of the Department of Environment and Conservation, the compliance assessment plan required by condition 4-1. 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. reporting of potential non-compliances and corrective actions taken;
 5. the table of contents of compliance reports; and
 6. 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 of the Department of Environment and Conservation.

- 4-5 The proponent shall advise the CEO of the Department of Environment and Conservation of any potential non-compliance within two business days of that non-compliance being known to the proponent.
- 4-6 The proponent shall submit a compliance assessment report annually from the date of issue of this Implementation Statement addressing the previous twelve month period or other period as agreed by the CEO of the Department of Environment and Conservation. The compliance assessment report shall:
1. 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;
 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 Performance Review and Reporting

- 5-1 The proponent shall submit to the CEO of the Department of Environment and Conservation Performance Review Reports at the conclusion of the construction phase of the proposal and then at three year intervals which address:
1. the major environmental risks and impacts; the performance objectives, standards and criteria related to these; the success of risk reduction/impact mitigation measures and results of monitoring related to the management of the major risks and impacts;
 2. the level of progress in the achievement of best practice environmental performance, including industry benchmarking, and the use of best available technology; and
 3. improvements gained in environmental management which could be applied to this and other similar projects.

6 Terrestrial Vegetation

- 6-1 Within two months following completion of construction of the gas plant and associated pipelines, the proponent shall commence rehabilitation of the temporarily cleared areas of the site in accordance with the following:
1. Re-establishment of vegetation in the temporarily cleared areas such that the following criteria are met within three years:
 - (1) Species diversity is not less than 60 percent of the known original species diversity;
 - (2) Weed coverage is equal to or less than that of pre-cleared levels.
 2. A schedule of the rate of rehabilitation.
- 6-2 In liaison with the Department of Environment and Conservation, the proponent shall monitor progressively the performance of rehabilitation against the criteria in condition 6-1 based on annual spring surveys for three years.
- 6-3 The proponent shall submit annually from the date rehabilitation was commenced and make publicly available a report of the rehabilitation performance monitoring required by condition 6-2 to the CEO of the Department of Environment and Conservation and shall address in the report the following:
1. The progress made towards meeting the criteria required by condition 6-1; and
 2. Contingency management measures in the event that the criteria required by condition 6-1 are unlikely to be met.

7 Terrestrial Fauna

- 7-1 The proponent shall limit the length of open trenches to two and a half kilometres at any time.
- 7-2 Fauna refuges providing suitable shelter from the sun and predators for trapped fauna are to be placed in the trench at intervals not exceeding 50 metres.
- 7-3 The proponent shall employ at least two “fauna clearing people” to remove fauna from the trench. The “fauna clearing people” shall be able to demonstrate suitable experience to obtain a fauna handling licence from the Department of Environment and Conservation.
- 7-4 Inspection and clearing of fauna from trenches by fauna clearing people shall occur twice daily and not more than half an hour prior to the backfilling of trenches, with the first daily inspection and clearing to be undertaken no later than 3.5 hours after sunrise, and the second inspection and clearing to be undertaken daily between the hours of 3:00 pm and 6:00 pm.

7-5 In the event of rainfall, the proponent shall, following the clearing of fauna from the trench, pump out any pooled water in the open trench (with the exception of groundwater) and discharge it to adjacent vegetated areas in a manner that does not cause erosion.

8 Marine Fauna

8-1 The proponent shall prevent lights or light glow adversely affecting turtle behaviour in waters and/or beaches adjacent to the project area.

8-2 The proponent shall employ a dedicated marine fauna observer during all shoreline construction activities between 1 November and 31 March to determine if turtle nesting behaviour is occurring in the vicinity.

8-3 If turtle nesting behaviour is observed in accordance with condition 8-2, the proponent shall notify the CEO of the Department of Environment and Conservation and implement strategies to minimise impact of construction activities on turtle nesting behaviour within 24 hours of observing the turtle nesting behaviour.

9 Benthic Primary Producer Habitat

9-1 The proponent shall undertake all works to ensure that the loss of Benthic Primary Producer Habitat within the management unit, as defined in Figure 3, does not exceed 0.5% for any habitat type.

9-2 The proponent shall monitor progressively the Benthic Primary Producer Habitat against the criteria in condition 9-1.

9-3 Notwithstanding condition 9-1, if monitoring detects that construction activities have contributed to a loss of greater than 0.5% in any habitat type within the management unit, as defined in Figure 3, the proponent shall notify the CEO of the Department of Environment and Conservation on the strategies to be implemented to enhance recovery and rehabilitate the impacted Benthic Primary Producer Habitat.

10 Greenhouse Gas Abatement

10-1 For the life of the project, the proponent shall include in the annual environmental compliance reports referred to in Condition 4 the following:

1. greenhouse gas emissions resulting from the operation of the project;
2. details of improvements in equipment, technology or procedures investigated by the proponent that would reduce greenhouse gas emissions; and
3. details of improvements in equipment, technology or procedures implemented by the proponent that will reduce greenhouse gas emissions.

11 Decommissioning

11-1 At least six months prior to the anticipated date of closure, the proponent shall submit a Final Decommissioning Plan designed to ensure that the site is suitable for future land uses, for approval of the CEO of the Department of Environment and Conservation.

The Final Decommissioning Plan shall set out procedures and measures for:

1. removal or, if appropriate, retention of plant and infrastructure; and
 2. remediation or rehabilitation of all disturbed areas to a standard suitable for the agreed new land use(s).
- 11-2 The proponent shall implement the Final Decommissioning Plan required by condition 11-1 until such time as the Minister for Environment determines, on advice of the CEO of the Department of Environment and Conservation, that the proponent's decommissioning responsibilities have been fulfilled.
- 11-3 The proponent shall make the Final Decommissioning Plan required by condition 11-1 publicly available in a manner approved by the CEO of the Department of Environment and Conservation.

Procedures

1. Where a condition states "on advice of the Environmental Protection Authority", the Environmental Protection Authority will provide that advice to the Department of Environment and Conservation for the preparation of written notice to the proponent.
2. The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment and Conservation.
3. The Minister for 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.
4. The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the *Environmental Protection Act 1986*.

Hon Donna Faragher JP MLC
MINISTER FOR ENVIRONMENT; YOUTH

The Proposal (Assessment No. 1710)

The proposal is for the construction and operation of a gas development in order to recover and process the gas reserves from the Reindeer gas field, providing an additional domestic gas supply of at least 100 terajoules per day to the Dampier – Bunbury Natural Gas Pipeline.

The onshore component of the proposal is located approximately 45kms southwest of Karratha on the Pilbara coast, with the shoreline crossing occurring at Forty Mile Beach adjacent to Gnoorea Point. The locations of the major components of the project are shown in Figure 1.

The main characteristics of the proposal are summarised in Table 1 below.

Table 1: Summary of key proposal characteristics

Element	Description
Hydrocarbon Reserve	Approximately 11 billion cubic metres within the Reindeer field, located approximately 85 kilometres northwest of Dampier.
Offshore gas pipeline shore crossing	Horizontally Directionally Drilled
Onshore gas supply pipeline	Approximately 11 kilometres long.
Onshore sales gas pipeline	Approximately 500 metres long.
Area of terrestrial clearing	Not more than 123 hectares (temporary area 32 hectares, permanent area 91 hectares).
Gas plant	Two gas trains each sized for 100 Standard Cubic Feet per day.
Sales gas production	Up to 220 Terajoules per day to be delivered to the Dampier Bunbury Natural Gas Pipeline.
Condensate production	Up to 160 kilolitres per day.
Condensate storage and loadout	Storage tanks with a working volume of approximately 28,000 kilolitres. Condensate loadout facility.

Figures (attached):

Figure 1 – Site location and layout of key components

Figure 2 – Regional location of the proposal

Figure 3 – Benthic Primary Producer Habitat management unit boundary

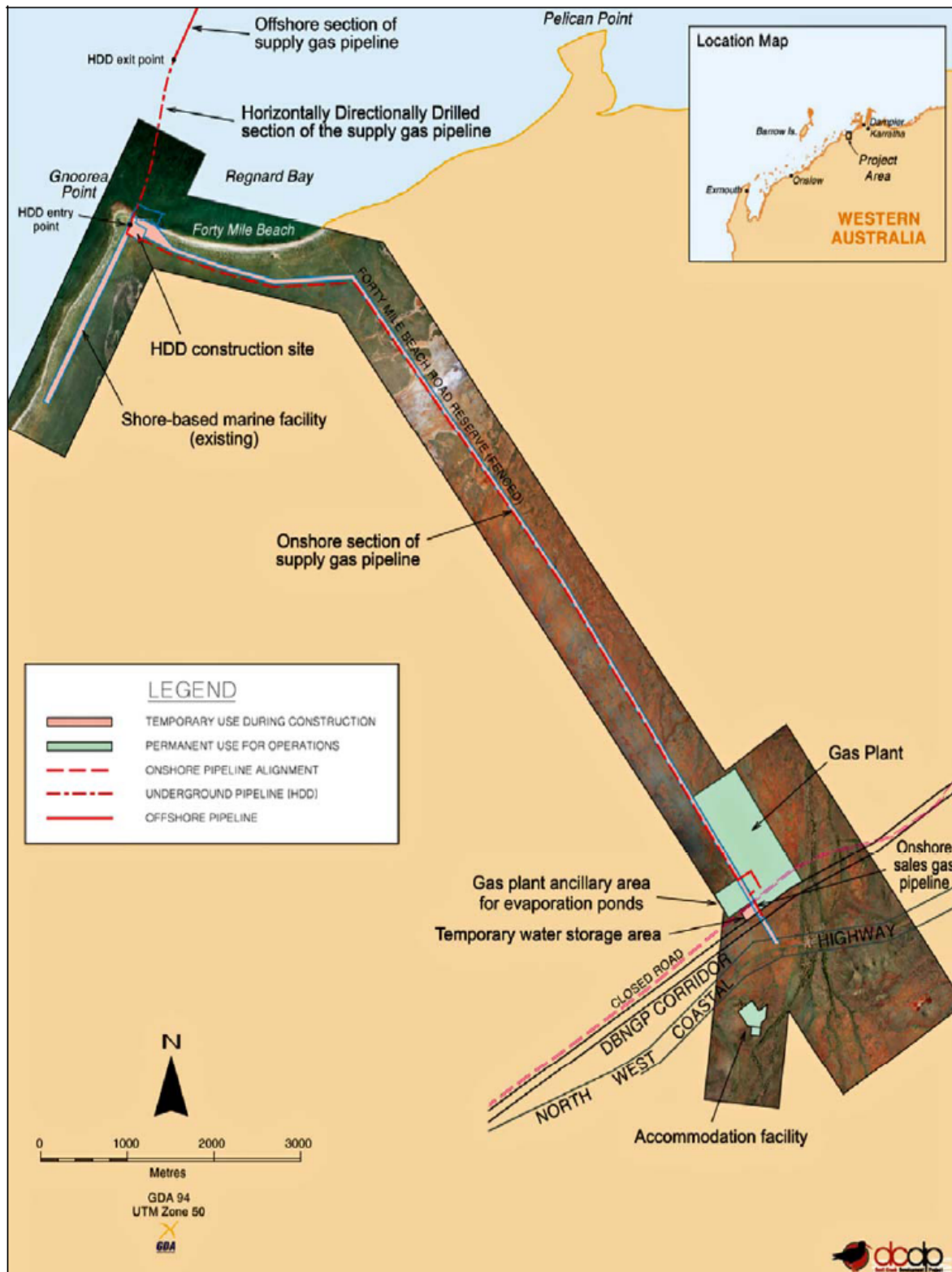


Figure 1: Site location and layout of key components.

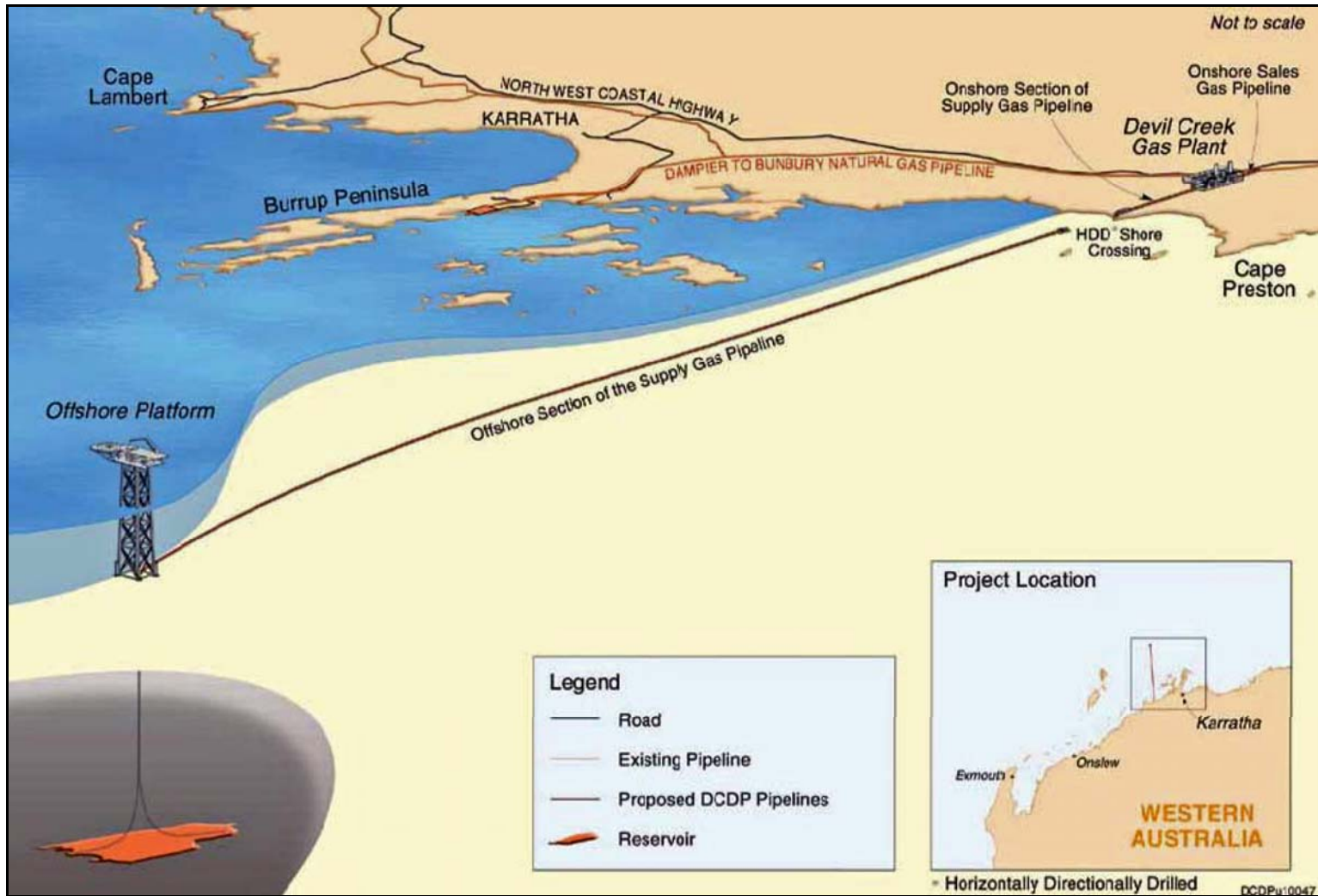


Figure 2: Regional location of the proposal

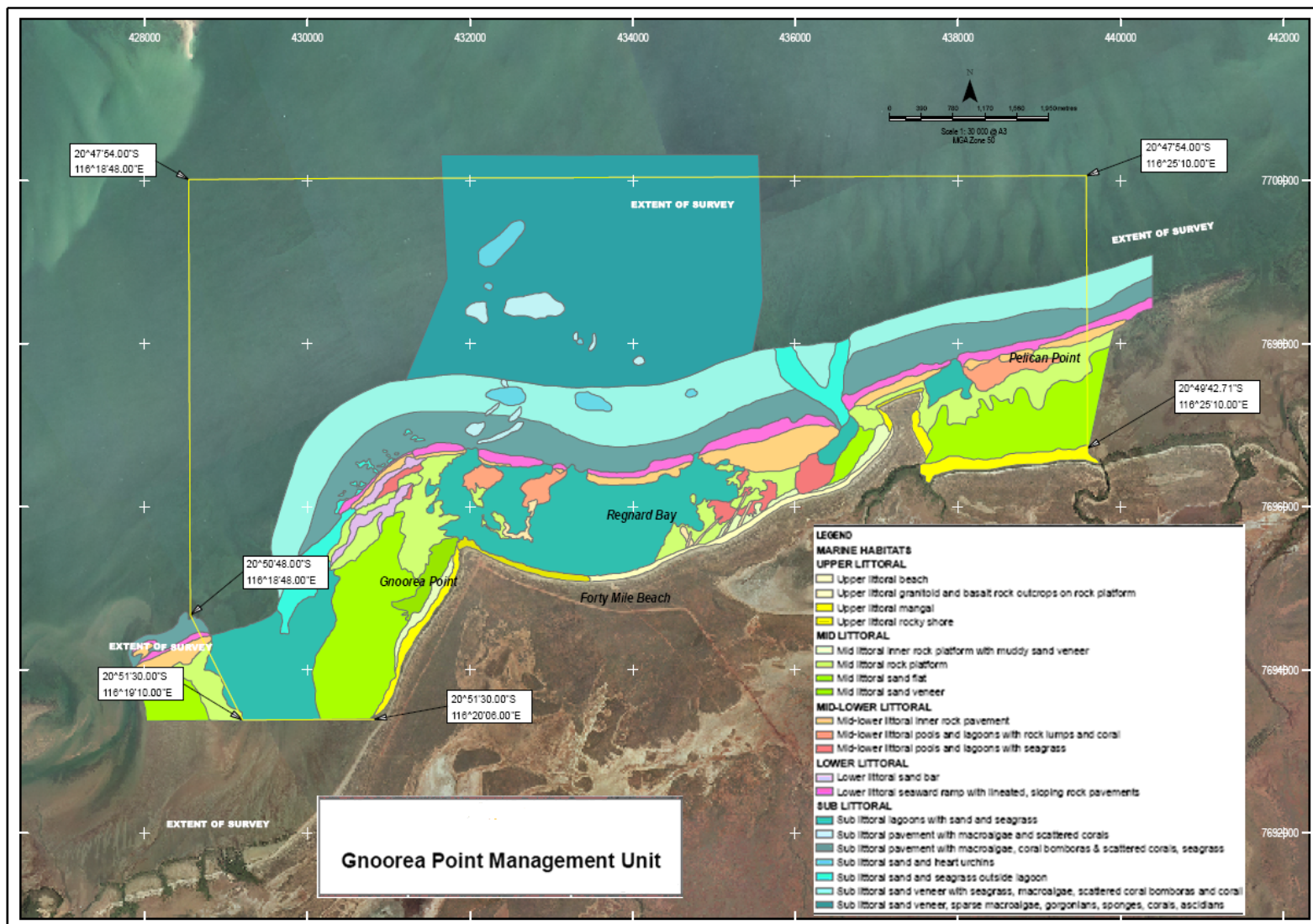


Figure 3: Benthic Primary Producer Habitat management unit boundary (within extent of survey boundary)

Attachment 1 to Statement 795

Change to Proposal

Proposal: Devil Creek Development Project, Shire of Roebourne

Proponent: Apache Northwest Pty Ltd

Change: Discrete drilling and low level blasting of hard rock outcrops in a small portion of the onshore pipeline trench at the following locations:

Location	KP Start Chainage	KP End Chainage	Distance (metres)
1	4.703	4.724	21.00
2	4.761	4.764	3.00
3	4.808	4.815	6.50
4	4.821	4.825	4.00
5	4.934	4.939	5.00
6	4.953	4.964	11.00
7	4.999	5.014	15.00
8	5.077	5.095	18.00
Total			83.50

Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

Approval date: 7.4.10