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Published on: 08 July 2024

Statement No. 1230

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED (*Environmental Protection Act 1986*)

WEST ERREGULLA FIELD DEVELOPMENT PROGRAM

Proposal: The proposal will involve the construction and operation of a gathering system to connect the West Erregulla Gas Field and convey the extracted gas to an upstream separating facility, collectively known as the West Erregulla Field Development Program (the Proposal). The proposal will supply gas to a third party operated gas processing facility.

Proponent: Strike West Pty Ltd
Australian Company Number 625 161 846

Proponent address: Level 1, 40 Kings Park Road
West Perth, WA, 6005

Assessment number: 2308

Report of the Environmental Protection Authority: 1748

Introduction: Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal entitled West Erregulla Field Development Program described in the 'Proposal Content Document' attachment of the referral of 23 June 2021 as amended by the change to proposal approved under s. 43A on 7 January 2022, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

Conditions and procedures

Part A: Proposal extent

Part B: Environmental outcomes, prescriptions and objectives

Part C: Environmental management plans and monitoring

Part D: Compliance and other conditions

PART A: PROPOSAL EXTENT

A1 Limitations and Extent of Proposal

A1-1 The proponent must ensure that the proposal is implemented in such a manner that the following limitations or maximum extents / capacities / ranges are not exceeded:

Proposal element	Location	Maximum extent
Physical elements		
Development envelope and disturbance footprint	Figure 2	No more than 65.66 ha within a 93.97 ha development envelope
Direct disturbance of native vegetation	Figure 2	No more than 38.46 ha within a 93.97 ha development envelope
Timing elements		
Project life		20 years

PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES

B1 Flora and Vegetation

B1-1 The proponent must ensure the implementation of the proposal achieves the following **outcomes**:

- (1) **disturbance or adverse impact** to no more than:
 - (a) four (4) individuals of the Sandplain Duck Orchid (*Paracaleana dixonii*);
 - (b) 14.77 **ha** of potential habitat (**VT** 7b, 10 and 13a) for the Sandplain Duck Orchid (*Paracaleana dixonii*);
 - (c) 21.44 **ha** of potential habitat (**VT** 7a, 7b, 8, 11 and 13a) for the Star Sun Orchid (*Thelymitra stellata*);
 - (d) 10.29 **ha** of potential habitat (**VT** 7a, 7b and 8) for the Beautiful Daviesia (*Daviesia speciosa*);
 - (e) 458 individuals of *Micromyrtus rogeri*; and
 - (f) four (4) individuals of *Stylidium carnosum* subsp. Narrow leaves (J.A. Wedge 490).
- (2) no **adverse indirect impacts** to native vegetation within twenty (20) metres outside the development envelope.

B1-2 Prior to **ground-disturbing activities** within the disturbance footprint as shown in Figure 2, the proponent must:

- a) undertake additional targeted surveys for the Sandplain Duck Orchid (*Paracaleana dixonii*), Star Sun Orchid (*Thelymitra stellata*), and Beautiful Daviesia (*Daviesia speciosa*) in accordance with **flora and vegetation technical guidance**, to confirm the number of plants in the disturbance footprint; and
- b) submit the findings of the surveys required under condition B1-2(a) in the form of a report to the **Chief Executive Officer** for confirmation that it was conducted in accordance with **flora and vegetation technical guidance**.

B1-3 The proponent shall undertake the following actions during **construction** and **operation** activities to meet the following environmental **objectives**:

- (1) implement **management actions** to ensure that there are no **adverse impacts** to flora and vegetation occurring within or directly adjacent to the development envelope from the introduction or spread of

environmental weeds and/or **dieback** compared with pre-construction condition;

- (2) implement **management actions** to ensure that there are no **adverse impacts** to flora and vegetation occurring within or directly adjacent to the development envelope from **dust emissions**; and
- (3) implement **management actions** to ensure the use of existing access tracks and other **cleared** areas where possible to minimise **adverse impacts** to flora and vegetation.

B1-4 The proponent must review and revise the Perth Basin Dieback and Weed Hygiene Management Plan (WAO-HSE-PLN-012, Revision 0, June 2021) so that it satisfies the requirements of C5-1 and demonstrates the flora and vegetation environmental **objectives** in condition B1-3 are achieved.

B2 Terrestrial Fauna

B2-1 The proponent must ensure the implementation of the proposal achieves the following environmental **outcomes**:

- (1) **disturb** no more than:
 - (a) 38.46 ha of moderate value **foraging habitat** for Carnaby's black cockatoo (*Zanda latirostris*); and
- (2) no **disturbance** of **conservation significant fauna** or fauna habitat within twenty (20) metres outside of the development envelope.

B2-2 The proponent must implement the proposal and the prescriptive measures in condition B2-3 to meet the following environmental **objectives**:

- (1) minimise the risk of **adverse impacts** and **indirect disturbance** to native fauna including physical injury or mortality, behavioural changes and health impacts vehicle strike, noise, fire, dust and light impacts from **construction activities**.

Fauna trenching/trapped fauna

B2-3 The proponent shall undertake the following actions during **construction activities**:

- (1) visually inspect open trenches for the presence of vertebrate fauna and, where required, clear trapped vertebrate fauna from within open **trenches**, using a suitably trained and licensed **fauna handler**:
 - (a) at least twice daily, with the first daily inspection to be completed no later than three (3) hours after sunrise and the second inspection to be completed between the hours of 3:00 pm and

6:00 pm of that same day, unless otherwise agreed to by the **CEO**;
and

- (b) within one (1) hour prior to backfilling of **trenches**;
- (2) ensure open **trench** lengths shall not exceed a length capable of being inspected and cleared by the requirements set out in condition B2-3(3);
- (3) ensure ramps providing egress points and/or fauna refuges providing suitable shelter from the sun and predators for trapped vertebrate fauna are to be placed in the **trench** at intervals not exceeding fifty (50) metres;
- (4) in the event of substantial rainfall, and following the clearing of vertebrate fauna from the **trench**, pump out any pooled water in the open **trench** and discharge it to adjacent vegetated areas in a manner that does not cause erosion;
- (5) produce and provide a report on fauna management no later than sixty (60) days after the completion of **construction activities** to the **CEO**. The report shall include the following:
 - (a) details of fauna inspections;
 - (b) the number and type of fauna cleared from **trenches** and actions taken; and
 - (c) vertebrate fauna mortalities.

B3 Environmental Offsets

B3-1 The proponent must implement offsets to counterbalance the significant residual impacts of the proposal on the following **environmental values**:

- (1) Carnaby's black cockatoo (*Zanda latirostris*) **foraging habitat**;
- (2) potential habitat for the following species:
 - (a) Sandplain Duck Orchid (*Paracaleana dixonii*);
 - (b) Star Sun Orchid (*Thelymitra stellata*); and
 - (c) Beautiful Daviesia (*Daviesia speciosa*).

B3-2 The proponent must ensure the implementation of the offsets achieves the following environmental **outcomes** and **objectives**:

- (1) counterbalance the significant residual impacts listed in condition B3-1;
- (2) measurable and **tangible improvement** of habitat quality for Carnaby's Black Cockatoo (*Zanda latirostris*), Sandplain Duck Orchid (*Paracaleana*

dixonii), Beautiful Daviesia (*Daviesia speciosa*) and Star Sun Orchid (*Thelymitra stellata*) which is **acquired** or rehabilitated as part of the Offset Strategy (Environmental Management Plan);

- (3) ensure a net-gain in habitat managed for conservation purposes for Carnaby's Black Cockatoo (*Zanda latirostris*), Sandplain Duck Orchid (*Paracaleana dixonii*), Star Sun Orchid (*Thelymitra stellata*) and Beautiful Daviesia (*Daviesia speciosa*) within forty (40) kilometres of the development envelope;
- (4) ensure a **strategic conservation benefit** is achieved for Carnaby's Black Cockatoo (*Zanda latirostris*), Sandplain Duck Orchid (*Paracaleana dixonii*), Beautiful Daviesia (*Daviesia speciosa*) and Star Sun Orchid (*Thelymitra stellata*); and
- (5) contribute to key knowledge gaps about Sandplain Duck Orchid (*Paracaleana dixonii*) to enable it to be managed consistent with the Approved Conservation Advice (16 December 2008).

Offset Strategy (Environmental Management Plan)

B3-3 The proponent must in consultation with the **DBCA**, review and revise the Offset Strategy (Rev 4, 19 December 2022) (Environmental Management Plan), that satisfies the requirements of condition C4-1 and demonstrates how the environmental **outcomes** in condition B3-2 will be achieved and submit to the **CEO**.

B3-4 The Offset Strategy (Rev 4, 19 December 2022) (Environmental Management Plan) must include the implementation of the offset measures to the extent and at the locations as set out and described in Table 1.

Table 1: Environmental values, locations and extent and type of offset measures required to meet condition B3-1

Environmental value	Offset locations	Extent of area to receive offset measures (hectares)	Type of offset measures
Carnaby's black Cockatoo (<i>Zanda latirostris</i>) foraging habitat of moderate quality; Sandplain Duck Orchid (<i>Paracaleana dixonii</i>);	Lots 10106 and 10107, 2087 Yandanooka West Road	350	- land acquisition - on-ground management

Star Sun Orchid (<i>Thelymitra stellata</i>) habitat;			
Beautiful Daviesia (<i>Daviesia speciosa</i>) habitat.			
Sandplain Duck Orchid (<i>Paracaleana dixonii</i>)			research to inform an update of the Conservation Guidance

B3-5 The Offset Strategy (Environmental Management Plan) must:

- (1) demonstrate that the environmental **outcomes** in condition B3-2 will be met;
- (2) describe how the offset measures will be implemented consistent with condition B3-4;
- (3) be prepared in consultation with **DBCA**;
- (4) spatially identify the areas (**Proposed Offset Conservation Areas**) in condition B3-4 and any other areas proposed as:
 - (a) **acquired** lands offset areas to receive **on-ground management** offset measures;
 - (b) offset areas or lands to receive **on-ground management** offset measures;
- (5) demonstrate how the **environmental values** within the **Proposed Offset Conservation Areas** will be maintained and improved in order to counterbalance the significant residual impact to the **environmental values** in condition B3-1 and achieve the environmental objectives in condition B3-2;
- (6) demonstrate application of the principles of the WA Environmental Offsets Policy, the *WA Environmental Offsets Metric* and the WA Offsets Template, as described in the *WA Environmental Offsets Guidelines*, and the *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy Assessment Guide*, or any subsequent revisions of these documents;
- (7) identify how the ongoing performance of the offset measures, and whether they are achieving the **outcomes** in condition B3-2, will periodically be made publicly available;

- (8) for the land acquisition offsets identified in condition B3-4:
- (a) demonstrate that the **Proposed Offset Conservation Areas** contain the minimum extents of the **environmental values** identified in condition B3-1;
 - (b) identify how the **Proposed Offset Conservation Areas** will be protected, being either the sites are ceded to the Crown for the purpose of management for conservation, or the sites are managed under other suitable mechanism for the purpose of conservation as agreed by the **CEO** by notice in writing;
 - (c) specify the quantum of works associated with establishing the **Proposed Offset Conservation Areas**; and
 - (d) identify the **relevant management body** for the on-going management of the **Proposed Offset Conservation Areas**, including its role, and the role of the proponent, and confirmation in writing that the **relevant management body** accepts responsibility for its role.
- (9) For **on-ground management** offsets identified in condition B3-4:
- (a) state the targets for each **environmental value** to be achieved by the **on-ground management**, including completion criteria, which will result in a **tangible improvement** to the **environmental values** being offset;
 - (b) demonstrate the consistency of the targets with the environmental **outcomes** and **objectives** in condition B3-2 and the objectives of any relevant guidance, including but not limited to, recovery plans or area management plans;
 - (c) detail the **on-ground management** actions, with associated timeframes for implementation and completion, to achieve the targets identified in condition B3-5(9)(a); and
 - (d) detail the monitoring, reporting and evaluation mechanisms for the targets and actions identified under condition B3-5(9)(a).
- (10) For **research offset** identified in condition B3-4 prepare a research program that:
- (a) identifies the **objectives** and intended **outcomes**, and specifies the deliverables and completion criteria;
 - (b) identifies how the research will result in a positive conservation **outcome**, and will either improve management and protection or

address priority knowledge gaps that have been identified as a research priority needed to improve management and protection, for the **environmental values** identified in condition B3-1(2);

- (c) demonstrate the consistency of the objectives in condition B3-5(10)(a) with any relevant guidance, including but not limited to, recovery plans or area management plans, the principles of the *WA Environmental Offsets Policy*, the *WA Environmental Offsets Guidelines*, or any subsequent revisions of these documents;
- (d) identifies and justifies the how the research will support land **acquired** and/or **on-ground management** in achieving a positive conservation **outcome**;
- (e) provides an implementation and reporting schedule, including an outline of key activities, all deliverables, stages of implementation, reporting of research results (including interim results), reporting on implementation status, and milestones towards completion criteria;
- (f) identifies the governance arrangements including responsibilities for implementing, and oversight of, the research program, agreements with government agencies, agreements with any third parties, and **contingency measures**;
- (g) identify how a research program summary, and the results (including interim results) of the research program will be communicated and/or published in an open access format; and
- (h) identifies the third party to carry out the work required to meet the **outcomes** of condition B3-5(10)(a), who is satisfactory for the role to the **CEO**. In applying to the **CEO** for endorsement of the selected third parties, the proponent shall provide:
 - (i) demonstration of the track record, experience, qualifications and competencies of the proposed third party to carry out the work and achieve the **outcomes**.

Contingency offsets

B3-6 If, after receiving the ongoing performance review of the offsets and monitoring, reporting and evaluation required by condition B3-5(7) and B3-5(9)(d), the **CEO** in consultation with **DBCA**, determines that the proposal has not met the environmental **outcome** in condition B3-2 and after notifying the proponent in writing, the proponent must undertake an additional offset to counterbalance the significant residual impact that is not counterbalanced to Carnaby's Black Cockatoo (*Zanda latirostris*), Sandplain Duck Orchid (*Paracaleana dixonii*),

Beautiful Daviesia (*Daviesia speciosa*) and Star Sun Orchid (*Thelymitra stellata*) listed in B3-1.

- B3-7 Within twelve (12) months of receiving notice in writing from the **CEO** that an additional offset is required under condition B3-6 the proponent must update the Offset Strategy (Environmental Management Plan) required by condition B3-3 to include acquiring additional offsets to counterbalance the significant residual impacts to Carnaby's Black Cockatoo (*Zanda latirostris*), Sandplain Duck Orchid (*Paracaleana dixonii*), Beautiful Daviesia (*Daviesia speciosa*) and Star Sun Orchid (*Thelymitra stellata*) listed in B3-1.

B4 Rehabilitation

- B4-1 The proponent must implement the proposal to ensure the following environmental **outcomes** are achieved:

- (1) all **cleared** areas are to be progressively rehabilitated (post-construction and post-operational activities);
- (2) rehabilitated areas are capable of sustaining achievement of the other environmental **outcomes** in this Part B after the life of the proposal;
- (3) rehabilitated landforms are stable and do not cause **adverse impacts** to adjacent areas, cause pollution or environmental harm;
- (4) rehabilitated vegetation is self-sustaining, including not **adversely impacted** by **environmental weeds** or **dieback**;
- (5) rehabilitated areas are consistent with the species diversity and abundance of native vegetation within comparative analogue or reference sites; and
- (6) rehabilitated areas achieve the **rehabilitation completion criteria** for impacted environmental values including Carnaby's black cockatoo (*Zanda latirostris*) foraging habitat, potential habitat for the Sandplain Duck Orchid (*Paracaleana dixonii*), Beautiful Daviesia (*Daviesia speciosa*) and Star Sun Orchid (*Thelymitra stellata*).

- B4-2 The proponent must revegetate all areas of native vegetation **cleared** but not reasonably expected to be required for ongoing operations, with a minimum of thirty (30) hectares, within twelve (12) months of completion of **construction activities** until the re-vegetation achieves an '**excellent**' quality of vegetation for the remainder of the life of the proposal.

- B4-3 The proponent must update and implement the Rehabilitation Management Plan (WER-HSE-PLN-010, 20 Sept 22), in consultation with **DBCA**, to satisfy the requirements of condition C4 and demonstrate how achievement of the

Rehabilitation environmental **outcomes** in condition B4-1 will be monitored and substantiated, and submit it to the CEO.

B4-4 The proponent must ensure that the rehabilitation process includes:

- (1) retaining the vegetative material and topsoil removed by **clearing** and stockpiling the vegetative material and topsoil within the development envelope; and
- (2) ripping the ground on the contour to remove soil compaction.

PART C – ENVIRONMENTAL MANAGEMENT PLANS AND MONITORING

C1 Environmental Management Plans: Conditions Related to Commencement of Implementation of the Proposal

C1-1 The proponent must not undertake:

- (1) **ground disturbing activities** until the **CEO** has **confirmed** in writing that the environmental management plan required by condition B1-4 and condition B3-3 meets the requirements of those conditions and condition C5; and
- (2) **construction activities** until the **CEO** has **confirmed** in writing that the environmental management plan required by condition B4-3 meets the requirements of that condition and condition C4.

C2 Environmental Management Plans: Conditions Relating to Approval, Implementation, Review and Publication

C2-1 Upon being required to implement an environmental management plan under Part B, or after receiving notice in writing from the **CEO** under condition C1-1 that the environmental management plan(s) required in Part B satisfies the relevant requirements, the proponent must:

- (1) implement the most recent version of the **confirmed** environmental management plan; and
- (2) continue to implement the **confirmed** environmental management plan referred to in condition C2-1(1), other than for any period which the **CEO** confirms by notice in writing that it has been demonstrated that the relevant requirements for the environmental management plan have been met, or are able to be met under another statutory decision-making process, in which case the implementation of the environmental management plan is no longer required for that period.

C2-2 The proponent:

- (1) may review and revise a **confirmed** environmental management plan provided it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan;
- (2) must review and revise a **confirmed** environmental management plan and ensure it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan, as and when directed by the **CEO**; and

- (3) must revise and submit to the **CEO** the **confirmed** environmental management plan if there is a material risk that the **outcomes** or **objectives** it is required to achieve will not be complied with, including but not limited to as a result of a change to the proposal.
- C2-3 Despite condition C2-1, but subject to conditions C2-4 and C2-5, the proponent may implement minor revisions to an environmental management plan if the revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, **outcomes** or objectives which the environmental management plan is required to achieve.
- C2-4 If the proponent is to implement minor revisions to an environmental management plan under condition C2-3, the proponent must provide the **CEO**, **DBCA** with the following at least twenty (20) business days before it implements the revisions:
 - (1) the revised environmental management plan clearly showing the minor revisions;
 - (2) an explanation of and justification for the minor revisions; and
 - (3) an explanation of why the minor revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, **outcomes** or **objectives** which the environmental management plan is required to achieve.
- C2-5 The proponent must cease to implement any revisions which the **CEO** notifies the proponent (at any time) in writing may not be implemented.
- C2-6 **Confirmed** environmental management plans, and any revised environmental management plans under condition C2-4(1), must be published on the proponent's website and provided to the **CEO** in electronic form suitable for on-line publication by the Department of Water and Environmental Regulation within twenty (20) business days of being implemented, or being required to be implemented (whichever is earlier).

C3 Conditions Related to Monitoring

- C3-1 The proponent must undertake monitoring capable of:
 - (1) substantiating whether the proposal limitations and extents in Part A are exceeded; and
 - (2) **detecting** and substantiating whether the environmental **outcomes** identified in Part B are achieved (excluding any environmental **outcomes** in Part B where an environmental management plan is expressly required to monitor achievement of that **outcome**).

C3-2 The proponent must submit as part of the Compliance Assessment Report required by condition D2, a compliance monitoring report that:

- (1) outlines the monitoring that was undertaken during the implementation of the proposal;
- (2) identifies why the monitoring was capable of substantiating whether the proposal limitation and extents in Part A are exceeded;
- (3) for any environmental **outcomes** to which condition C3-1(2) applies, identifies why the monitoring was scientifically robust and capable of **detecting** whether the environmental **outcomes** in Part B are met;
- (4) outlines the results of the monitoring;
- (5) reports whether the proposal limitations and extents in Part A were exceeded and (for any environmental outcomes to which condition C3-1 (2) applies) whether the environmental **outcomes** in Part B were achieved, based on analysis of the results of the monitoring; and
- (6) reports any actions taken by the proponent to remediate any potential non-compliance.

C4 Environmental Management Plans: Conditions Relating to Monitoring and Adaptive Management for Outcomes Based Conditions

C4-1 The environmental management plan required under condition B4-3 must contain provisions which enable the substantiation of whether the relevant **outcomes** of those conditions are met, and must include:

- (1) **threshold criteria** that provide a limit beyond which the environmental **outcomes** are not achieved;
- (2) **trigger criteria** that will provide an early warning that the environmental **outcomes** are not likely to be met;
- (3) monitoring parameters, sites, control/reference sites, methodology, timing and frequencies which will be used to measure **threshold criteria** and **trigger criteria**. Include methodology for determining alternate monitoring sites as a **contingency measure** if proposed sites are not suitable in the future;
- (4) baseline data;
- (5) data collection and analysis methodologies;
- (6) adaptive management methodology;

- (7) **contingency measures** which will be implemented if **threshold criteria** or **trigger criteria** are not met; and
- (8) reporting requirements.

C4-2 Without limiting condition C3-1, failure to achieve an environmental **outcome**, or the exceedance of a **threshold criteria**, regardless of whether threshold **contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

C5 Environmental Management Plans: Conditions Related to Management Actions and Targets for Objective Based Conditions

C5-1 The environmental management plans required under condition B1-4, condition B3-3 and condition B4-3 must contain provisions which enable the achievement of the relevant objectives of those conditions and substantiation of whether the objectives are reasonably likely to be met, and must include:

- (1) **management actions**;
- (2) **management targets**;
- (3) **contingency measures** if **management targets** are not met; and
- (4) reporting requirements.

C5-2 Without limiting condition C2-1, the failure to achieve an environmental objective, or implement a **management action**, regardless of whether **contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

PART D – COMPLIANCE, TIME LIMITS, AUDITS AND OTHER CONDITIONS

D1 Non-compliance Reporting

D1-1 If the proponent becomes aware of a potential non-compliance, the proponent must:

- (1) report this to the **CEO** within seven (7) days;
- (2) implement **contingency measures**;
- (3) investigate the cause;
- (4) investigate environmental impacts;
- (5) advise rectification measures to be implemented;
- (6) advise any other measures to be implemented to ensure no further impact; and
- (7) provide a report to the **CEO** within twenty-one (21) days of being aware of the potential non-compliance, detailing the measures required in conditions D1-1(1) to D1-1(6) above.

D1-2 Failure to comply with the requirements of a condition, or with the content of an environmental management plan required under a condition, constitutes a non-compliance with these conditions, regardless of whether the **contingency measures**, rectification or other measures in condition D1-1 above have been or are being implemented.

D2 Compliance Reporting

D2-1 The proponent must provide an annual Compliance Assessment Report to the **CEO** for the purpose of determining whether the implementation conditions are being complied with.

D2-2 Unless a different date or frequency is approved by the **CEO**, the first annual Compliance Assessment Report must be submitted within fifteen (15) months of the date of this Statement, and subsequent reports must be submitted annually from that date.

D2-3 Each annual Compliance Assessment Report must be endorsed by the proponent's Chief Executive Officer, or a person approved by proponent's Chief Executive Officer to be delegated to sign on the Chief Executive Officer's behalf.

D2-4 Each annual Compliance Assessment Report must:

- (1) state whether each condition of this Statement has been complied with, including:

- (a) exceedance of any proposal limits and extents;
 - (b) achievement of environmental **outcomes**;
 - (c) achievement of environmental **objectives**;
 - (d) requirements to implement the content of environmental management plans;
 - (e) monitoring requirements;
 - (f) implement **contingency measures**;
 - (g) requirements to implement adaptive management; and
 - (h) reporting requirements;
- (2) include the results of any monitoring (inclusive of any raw data) that has been required under Part C in order to demonstrate that the limits in Part A, and any **outcomes** or any objectives are being met;
 - (3) provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance;
 - (4) include the corrective, remedial and preventative actions taken in response to any potential non-compliance;
 - (5) be provided in a form suitable for publication on the proponent's website and online by the Department of Water and Environmental Regulation; and
 - (6) be prepared and published consistent with the latest version of the Compliance Assessment Plan required by condition D2-5 which the **CEO** has **confirmed** by notice in writing satisfies the relevant requirements of Part C and Part D.

D2-5 The proponent must prepare a Compliance Assessment Plan which is submitted to the **CEO** at least six (6) months prior to the first Compliance Assessment Report required by condition D2-2, or prior to implementation of the proposal, whichever is sooner.

D2-6 The Compliance Assessment Plan must include:

- (1) what, when and how information will be collected and recorded to assess compliance;
- (2) the methods which will be used to assess compliance;

- (3) the methods which will be used to validate the adequacy of the compliance assessment to determine whether the implementation conditions are being complied with;
- (4) the retention of compliance assessments;
- (5) the table of contents of Compliance Assessment Reports, including audit tables; and
- (6) how and when Compliance Assessment Reports will be made publicly available, including being published on the proponent's website within sixty (60) days of being provided to the **CEO**.

D3 Contact Details

D3-1 The proponent must notify the **CEO** of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

D4 Time Limit for Proposal Implementation

D4-1 The proposal must be substantially commenced within five (5) years from the date of this Statement.

D4-2 The proponent must provide to the **CEO** documentary evidence demonstrating that they have complied with condition D4-1 no later than fourteen (14) days after the expiration of period specified in condition D4-1.

D4-3 If the proposal has not been substantially commenced within the period specified in condition D4-1, implementation of the proposal must not be commenced or continued after the expiration of that period.

D5 Public Availability of Data

D5-1 Subject to condition D5-2, within a reasonable time period approved by the **CEO** upon the issue of this Statement and for the remainder of the life of the proposal, the proponent must make publicly available, in a manner approved by the **CEO**, all validated environmental data collected before and after the date of this Statement relevant to the proposal (including sampling design, sampling methodologies, monitoring and other empirical data and derived information products (e.g. maps)), environmental management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

D5-2 If:

- (1) any data referred to in condition D5-1 contains trade secrets; or

- (2) any data referred to in condition D5-1 contains particulars of confidential information (other than trade secrets) that has commercial value to a person that would be, or could reasonably be expected to be, destroyed or diminished if the confidential information were published,

the proponent may submit a request for approval from the **CEO** to not make this data publicly available and the **CEO** may agree to such a request if the **CEO** is satisfied that the data meets the above criteria.

D5-3 In making such a request the proponent must provide the **CEO** with an explanation and reasons why the data should not be made publicly available.

D6 Independent Audit

D6-1 The proponent must arrange for an independent audit of compliance with the conditions of this statement, including achievement of the environmental **outcomes** and/or the environmental **objectives** and/ or environmental performance with the conditions of this statement, as and when directed by the **CEO**.

D6-2 The independent audit must be carried out by a person with appropriate qualifications who is nominated or approved by the **CEO** to undertake the audit under condition D6-1.

D6-3 The proponent must submit the independent audit report with the Compliance Assessment Report required by condition D2, or at any time as and when directed in writing by the **CEO**. The audit report is to be supported by credible evidence to substantiate its findings.

D6-4 The independent audit report required by condition D6-1 is to be made publicly available in the same timeframe, manner and form as a Compliance Assessment Report, or as otherwise directed by the **CEO**.

[signed on 08 July 2024]

Hon Dr Tony Buti MLA

ACTING MINISTER FOR ENVIRONMENT; CLIMATE ACTION

Key decision-making authorities consulted under section 45(2):
Minister for Water Minister for Aboriginal Affairs Minister for Mines and Petroleum Minister for Lands

Table 2: Abbreviations and definitions

Acronym or abbreviation	Definition or term
Adverse impact/ adversely impacted	Negative change that is neither trivial nor negligible that could result in a reduction in health, diversity or abundance of the receptor/s being impacted, or a reduction in environmental value. Adverse impacts can arise from direct or indirect disturbance, or other impacts from the proposal such as (but not limited to) hydrological change, spread or introduction of environmental weeds, altered fire regimes, introduction or spread of disease, changes in erosion/deposition/accretion and edge effects.
Acquired	The protection of environmental values on an area of initially unprotected land for the purpose of conservation through improved security of tenure or restricting the use of land (e.g. ceding land to the Crown or perpetual conservation covenants). This includes upfront costs of establishing the offset site and the ongoing management of costs of maintaining the offset for the long-term (20 years).
CEO	The Chief Executive Officer of the Department of Public Services of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his/her delegate
Cleared/Clearing	Has the same meaning as in section 51A of the <i>Environmental Protection Act 1986</i> .
Confirmed	<p>In relation to a plan required to be made and submitted to the CEO, means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.</p> <p>In relation to a plan required to be implemented without the need to be first submitted to the CEO, means that plan until it is revised, and then means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.</p>
Conservation significant fauna	Threatened fauna species listed under the Environment Protection and <i>Biodiversity Conservation Act 1999</i> and <i>Biodiversity Conservation Act 2016</i> .
Construction activities	Activities that are associated with the substantial implementation of a proposal including but not limited to, earthmoving, vegetation clearing, grading or construction of right of way. Construction activities do not include Geotechnical investigations (including potholing for services and the installation of piezometers) and other preconstruction activities where no clearing of vegetation is required.

Acronym or abbreviation	Definition or term
Contingency measures	Planned actions for implementation if it is identified that an environmental outcome, environmental objective, threshold criteria or management target are likely to be, or are being, exceeded. Contingency measures include changes to operations or reductions in disturbance to reduce impacts and must be decisive actions that will quickly bring the impact to below any relevant threshold, management target and to ensure that the environmental outcome and/or objective can be met.
DBCA	Department of Biodiversity, Conservation and Attractions.
Detecting/Detectable	The smallest statistically discernible effect size that can be achieved with a monitoring strategy designed to achieve a statistical power value of at least 0.8 or an alternative value as determined by the CEO .
Dieback	A plant disease of native ecosystems. The main species responsible, <i>Phytophthora cinnamomi</i> , is a microscopic and soil-borne organism that was introduced into Western Australia.
Disturb / Disturbance	Means directly has or materially contributes to the disturbance effect on health, diversity or abundance of the receptor/s being impacted or on an environmental value. In relation to flora, vegetation or fauna habitat, includes to result in the death, destruction, removal, severing or doing substantial damage to In relation to fauna, includes to have the effect of altering the natural behaviour of fauna to its detriment.
Dust Emissions	Airborne particulate matter from the erosion of soil, sand and rock.
Environmental value(s)	A beneficial use, or ecosystem health condition.
Environmental Weeds	Any plant declared under section 22(2) of the Biosecurity and Agriculture Management Act 2007, any plant listed on the Weeds of National Significance List and any weeds listed on the Department of Biodiversity, Conservation and Attractions Southwest Region Impact and Invasiveness Ratings list, as amended or replaced from time to time.
Excellent	The condition of native vegetation rated in accordance with the Technical guidance – Flora and vegetation surveys for environmental impact assessment (EPA 2016) including any revision to this technical guidance.
Fauna handler	A person who is qualified and licenced under section 40 of the <i>Biodiversity Conservation Act 2016</i> .

Acronym or abbreviation	Definition or term
Flora and vegetation technical guidance	The Technical Guidance – Flora and Vegetation Surveys for Environmental Impact Assessment (EPA 2016) or its revisions.
Foraging habitat	Plant species known to support foraging within the range of each of the species. Native shrubland, kwongan heathland and woodland on seeds, flowers and nectar of native proteaceous plant species (Banksia spp., Hakea spp. and Grevillea spp.), as well as Callistemon spp. and Marri.
Ground disturbing activity	Any activity undertaken in the implementation of the proposal, including any clearing, civil works or construction.
Ha	Hectare
Indirect impacts/ disturbance	Any potential impacts outside the development envelope as a result of the clearing and disturbance authorised in this Statement. This includes but is not limited to: hydrological change, spread or introduction of environmental weeds, altered fire regimes, introduction or spread of disease, changes in erosion/deposition/accretion and edge effects.
Management action	The identified actions implemented with the intent of to achieving the environmental objective.
Management target	A type of indicator to evaluate whether an environmental objective is being achieved
On-ground management	This includes revegetation (re-establishment of native vegetation in degraded areas) and rehabilitation (repair of ecosystem processes and management of weeds, disease or feral animals) with the objective to achieve a tangible improvement to the environmental values in the offset area.
Objective(s)	An objective is the proposal-specific desired state for an environmental factor/s to be achieved from the implementation of management actions.
Operation activity / Operational activities	Operation of infrastructure for the proposal.
Outcome(s)	A proposal-specific result to be achieved when implementing the proposal.
Proposed Offset Conservation Area	The area of land identified in condition B3-5(4).
Relevant management body	A party or parties that has a role in the establishment and/or on-going management of the Proposed Offset Conservation Area. Note: This includes the role of the proponent.
Rehabilitation completion criteria	The criteria specified as management targets in the environmental management plan required by condition B4-3 and any subsequent confirmed version.

Acronym or abbreviation	Definition or term
Research offset	A program or study that must be reasonably related to the impact and is designed to result in a positive conservation outcome. It may include improving the management and protection of existing conservation estate, adding to existing State Government initiatives, policies or strategies, or addressing priority knowledge gaps.
Strategic conservation benefit	Overall or long-term improvements in ecological resilience and/or function.
Tangible Improvement	A perceptible, measurable and definable improvement that provides additional ecological benefit and/or value.
Trench /Trenches	Any excavation that is of sufficient depth that would cause vertebrate fauna to be become trapped and unable to escape and would include, but not be limited to, trenches or pits for utilities, pipelines, dewatering pits or bell holes.
Trigger criteria	Indicators that have been selected for monitoring to provide a warning that if exceeded the environmental outcome may not be achieved. They are intended to forewarn of the approach of the threshold criteria and trigger response actions.
Threshold criteria	The indicators that have been selected to represent limits of impact beyond which the environmental outcome is not being met.
VT	Vegetation type.

Figures (attached)

Figure 1: West Erregulla Field Development Program regional location

Figure 2: West Erregulla Field Development Program development envelope and disturbance footprint

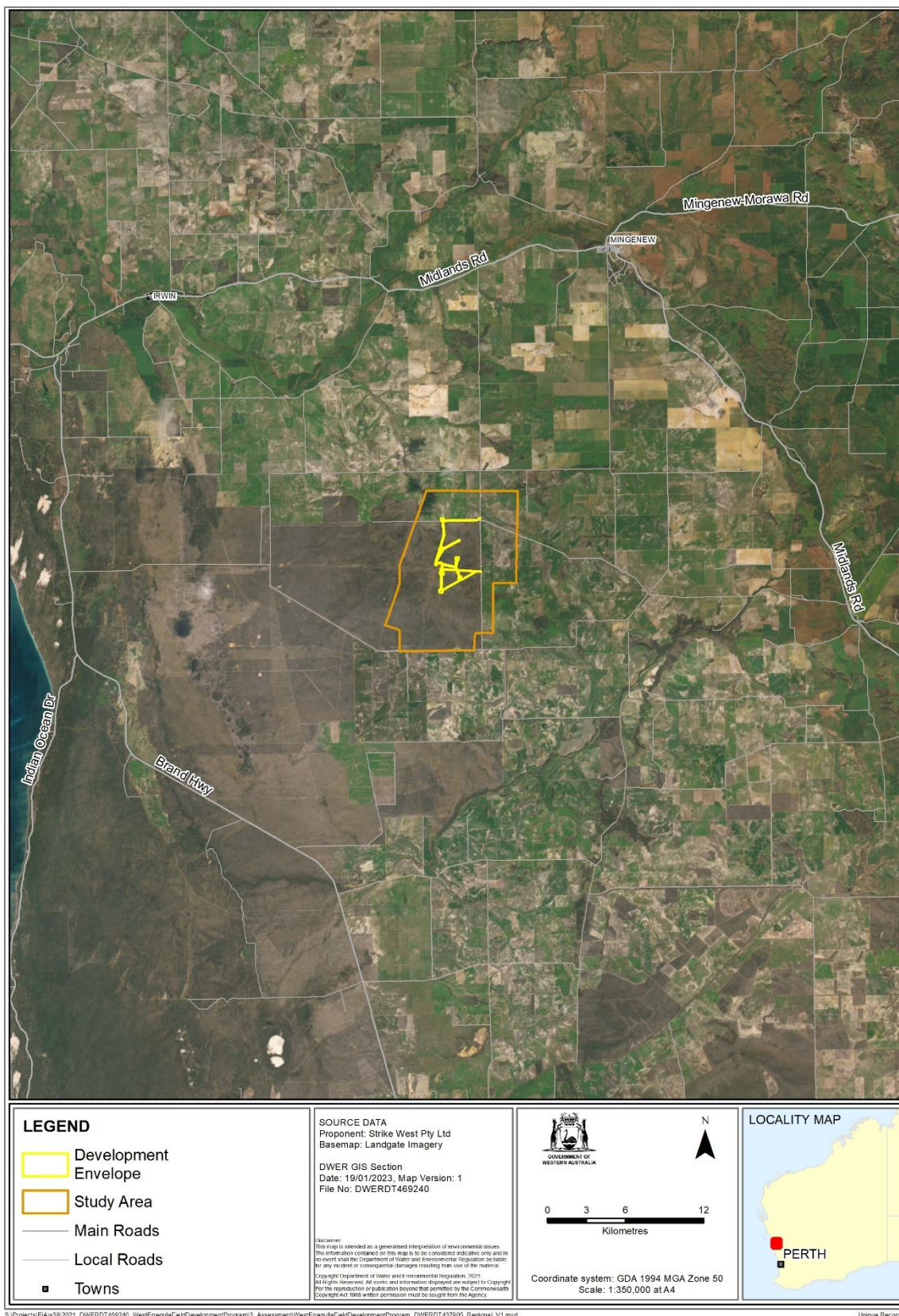


Figure 1: West Erregulla Field Development Program regional location

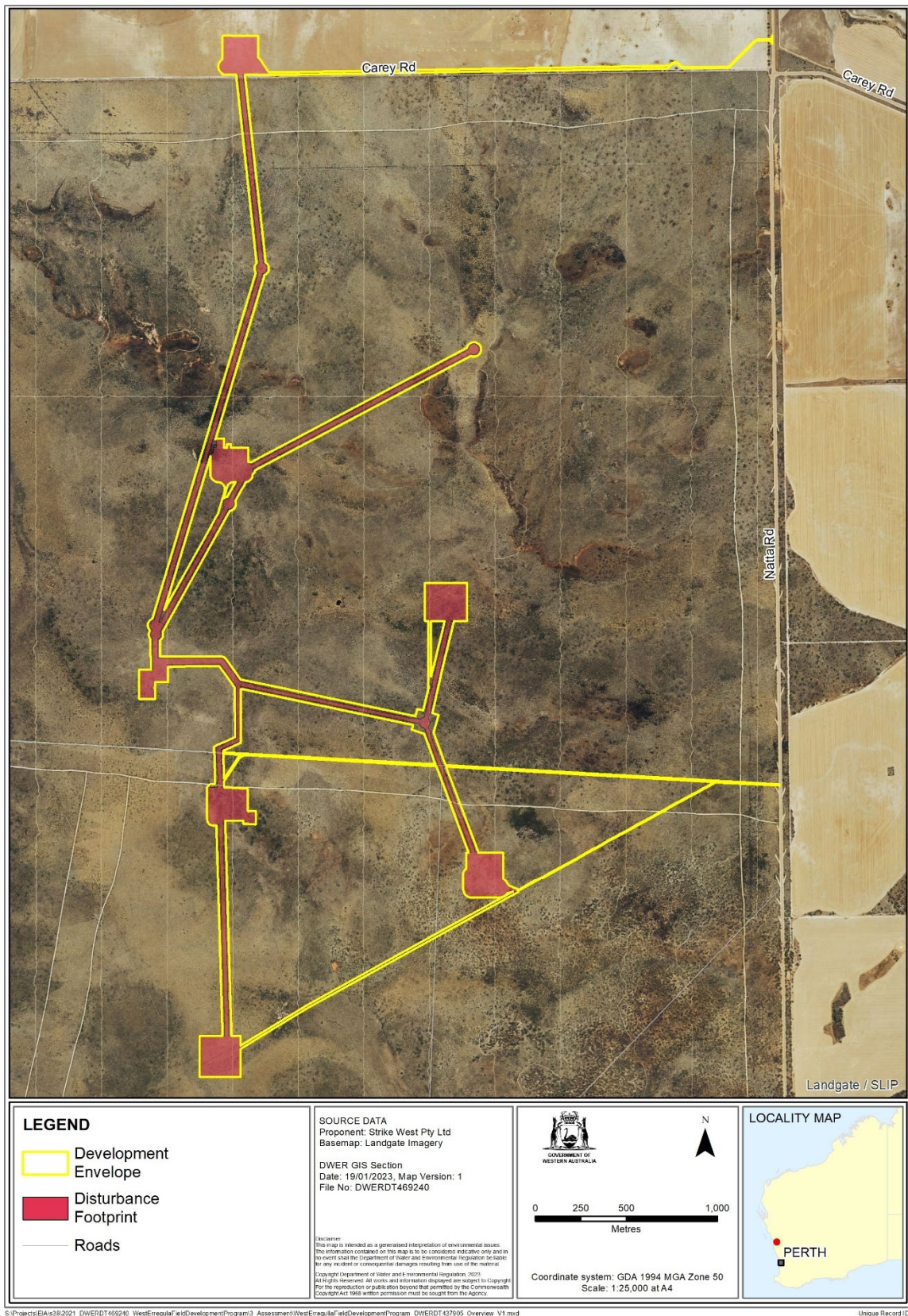


Figure 2: West Erregulla Field Development Program development envelope and disturbance footprint

Schedule 1

All co-ordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 1994 (GDA94).

Spatial data depicting the figures are held by the Department of Water and Environmental Regulation. Record no. DWERDT516900.