

Compliance Report EPBC 2017/8133

Trieste Seismic Survey

3 December 2021 to 3 December 2022

Review record

Revision	Date	Reason for issue	Reviewer/s	Consolidator	Approver
A	16/12/2022	Internal review	Z. Bowen	P Catford	
0	21/12/2022	Approved for submission			T. Flowers

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Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed



Full Name (Please Print)

Timothy Flowers

Position (Please Print)

Head of Environment

Organisation (please print including
ABN/CAN if applicable)

Beach Energy Resources (Perth Basin) Pty Limited (previously Lattice Energy
Resources (Perth Basin) Pty Ltd))
ACN 007845338

Date

21 December 2022

1 Introduction

Beach Energy Resources (Perth Basin) Pty Limited (Beach, previously Lattice Energy Resources (Perth Basin) Pty Ltd)) (ACN 007845338), undertook the onshore Trieste 3D seismic survey, near Eneabba, Western Australia (EPBC 2017 / 8133) between December 2019 and February 2020. The approved action was to undertake an onshore three-dimensional (3D) seismic survey near Eneabba in the North Perth Basin, mapping geological formations to assist in the search for conventional gas reserves. The survey took place in Exploration Permit 320 (EP 320) of the northern Perth Basin, approximately 13 km north of the town of Eneabba and 40 km southeast of the town of Dongara, with an acquisition area of 217 square kilometres (km²).

The survey was conducted from December 2019 to February 2020. Ongoing activities associated with the seismic survey are limited to rehabilitation monitoring, and (if required) rehabilitation works and reporting. This Annual Compliance Report covers the period of 3 December 2021 to 3 December 2022 (the reporting period).

1.1 Approval under the Environmental Protection and Biodiversity Conservation Act 1999

Approval for the Trieste 3D Seismic Survey under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was granted on 11 October 2019 (EPBC Reference 2017-8133) by the Department of the Environment and Energy (DoEE, now the Department of Agriculture, Water and the Environment, AWE) (refer Appendix A).

On 12 February 2021 the decision to vary the conditions of approval was made under section 143 of the EPBC Act. The variation meant that conditions 1, 4 and 10 were updated or replaced (Refer Appendix B).

2 Purpose

This Annual Compliance Report has been prepared to meet the requirements of Condition 7 of the EPBC approval 2017/8133 which states that:

“The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister”.

The Trieste 3D seismic survey commenced on 3 December 2019. This Annual Compliance Report covers the period of 3 December 2021 to 3 December 2022 (the reporting period).

3 Description of Activities

3.1 Seismic Survey

The Trieste 3D Seismic Survey was conducted from 3 December 2019 with the commencement of on site inductions for survey personnel and the commencement of seismic line preparation (vegetation clearing). Line preparation (vegetation clearing) was completed on 17 December 2019. The on ground survey acquisition component of the survey was completed in February 2020. Consequently, ongoing activities associated with the seismic survey are limited to rehabilitation monitoring, and (if required) rehabilitation works and reporting. There is currently no requirement for active rehabilitation activities, however these activities may be required in the future if rehabilitation monitoring indicates that regeneration of native vegetation on the survey lines is not meeting the required completion criteria. Further information on the rehabilitation monitoring is provided in Section 3.2.

3.2 Rehabilitation Monitoring

A rehabilitation monitoring methodology was developed and approved for the project in November 2018.

The initial rehabilitation monitoring survey was undertaken between 12 and 15 August 2019. The purpose of the survey was to establish analogue sites prior to vegetation clearing.

The inaugural post survey rehabilitation monitoring event was conducted between 19 and 23 October 2020. The results of this rehabilitation monitoring event were provided in the previous 2021 Annual Compliance Report EPBC 2017/8133.

The second post survey rehabilitation monitoring event was conducted between the 3 and 6 October 2022. The report for this event is currently being prepared.

3.3 Regulatory Compliance Management

EPBC Approval Condition 2 '*To minimise the impacts of the action on EPBC Act listed species, the approval holder must implement condition 8 of the Western Australian Clearing Permit (8171/1) for the life of the approval from the commencement of the action*' refers to the WA Clearing Permit issued by the Department of Mines, Industry Regulation and Safety (DMIRS) Native Vegetation Branch. Condition 8b of the Clearing Permit requires:

(b) At least once in each 12 month period for the term of this Permit, the Permit Holder must remove or kill any weeds growing within areas cleared under this Permit

Ongoing activities at the survey area have been restricted to rehabilitation monitoring and associated reporting requirements, with the potential for active rehabilitation works if required. Monitoring at the site includes biennial rehabilitation monitoring. To date, no active weed control activities have taken place within areas cleared.

Results of the 2020 rehabilitation monitoring event (Report provided in the 2020 Compliance Report EPBC 2017/8133) identified presence of four invasive flora (weed) taxa:

- **Aira caryophyllea;*
- **Hypochaeris glabra;*
- **Ursinia anthemoides;* and
- **Wahlenbergia capensis.*

The weed taxa observed in 2020 were recorded from seven rehabilitation transects and two analogue transects.

In April 2022, Beach commissioned a desktop invasive flora review of the Trieste survey rehabilitation area. This review found that all of the weed taxa recorded during the 2020 rehabilitation survey are known from the wider surrounds, commonly observed within agricultural land and road reserves of the region, as well as during baseline survey of areas not affected by mining or rehabilitation activity. The majority have been recorded from multiple flora and vegetation studies within local exploration tenements, and occurrence of one taxon (**Ursinia anthemoides*) was noted in all the baseline flora and vegetation survey reports inspected as part of the review.

Both the 2020 Rehabilitation Monitoring report and the 2022 invasive flora review noted that ongoing third party disturbance in plant cover alone is able to promote recruitment of weed species from soil seed bank, due to reduced competition from neighbouring plants. Any disturbance of the mulched seismic survey lines (e.g. vehicles, foot traffic,

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herbicides, digging) will cause further opportunity for the weeds in terms of out competing native vegetation and spread. As regrowth of native species progresses, weed species will be out competed. For instance, *Aira caryophyllea*, *Hypochaeris glabra* and *Ursinia anthemoides* have been recorded as prolific after fire but were not found in areas that had not been burnt in more than 5 years.

The Trieste seismic survey activities have led to some opening of the foliage cover and vegetation and as a result there has been some recruitment of weeds in the disturbed area. It is likely that weed numbers will decrease as rehabilitation progresses if no further disturbance takes place along lines within the survey area. As chemical weed control methods may impact sensitive adjacent native species, and manual removal can actually trigger germination due to increased soil disturbance, at this juncture, in view of the range of weeds and other potential sources of weeds, active weed control measures do not appear to be justified.

Monitoring abundance of weeds and/or condition of relevant native vegetation is considered to be the preferred option in response to recorded occurrences of weeds. The management approach should be reviewed after future monitoring results are collected.

Compliance with Condition 8b would require the disturbance to both weeds and rehabilitating vegetation, further promoting the ideal conditions for weeds to propagate and thrive. Based on advice received in the 2020 rehabilitation monitoring report and the 2022 invasive flora review, Beach wish to amend this requirement of condition 8b to allow weed infestations to be monitored for a period of four years following commencement of rehabilitation monitoring (i.e. September 2020), to allow native vegetation cover to achieve completion criteria (i.e. out compete weeds), before condition 8b) is required to be implemented. Beach are currently in discussions with DMIRS and DEECC to seek an amendment to condition 8b of the Western Australian Clearing Permit (8171/1).

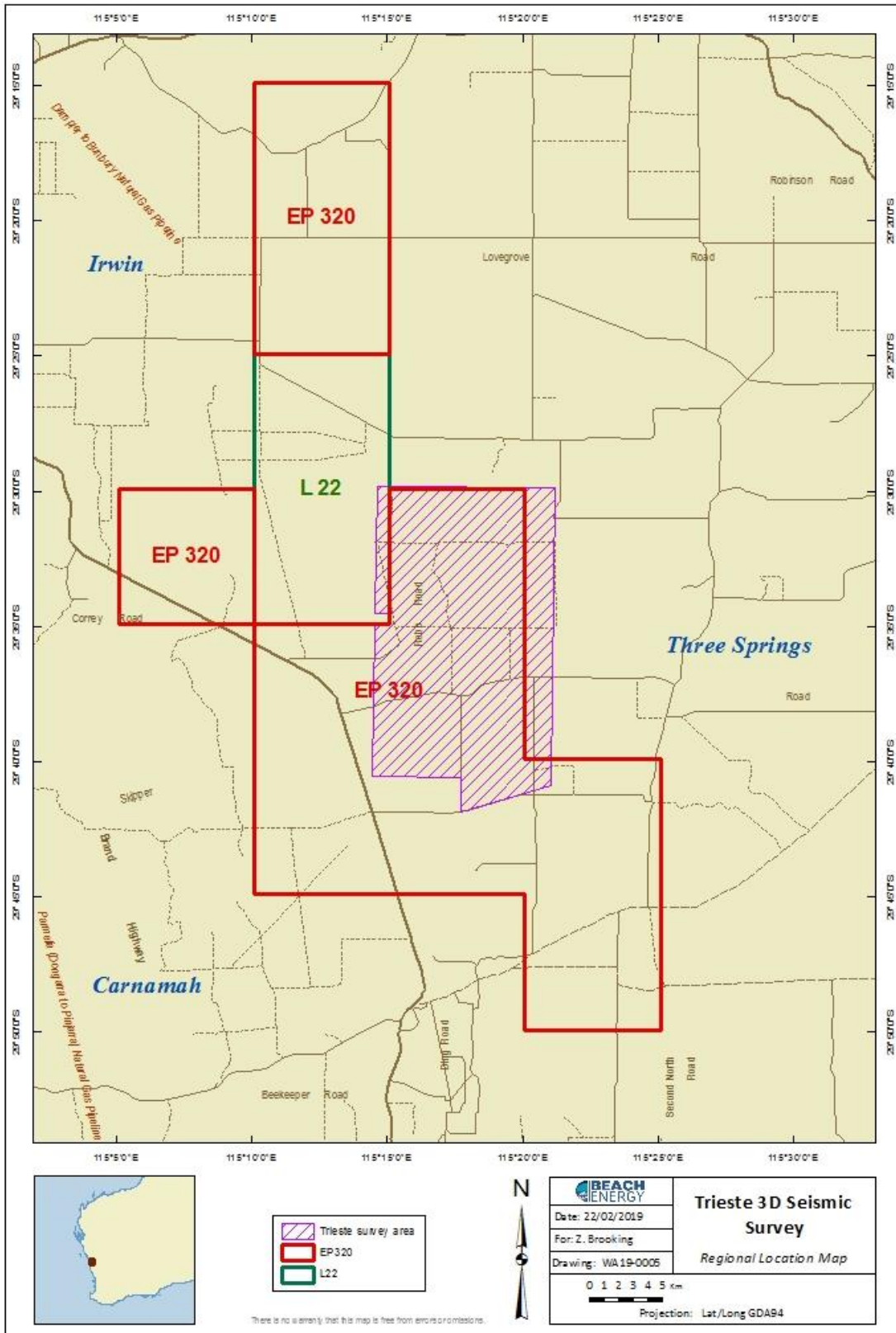


Figure 1: Trieste 3D Seismic Survey location

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4 Assessment of Compliance with EPBC 2017 / 8133 Conditions

A summary of compliance against the thirteen conditions of approval defined in the approved EPBC 2017/8133 EPBC, for this reporting period, is provided in Table 1.

Table 1: Compliance with EPBC 2017/8133 Approval Conditions (as issued 12 February 2021)

Condition Number / Reference	EPBC 2017/8133 Condition	Compliance	Evidence / Comments
Part A – Conditions specific to the action			
1	The approval holder must not clear more than 54.36 ha of foraging habitat for the Carnaby's Black Cockatoo within the survey boundary (map at Attachment A).	Compliant	<p>The on ground survey acquisition component of the survey was completed in February 2020. As a consequence ongoing activities associated with the seismic survey are limited to rehabilitation monitoring, and (if required) rehabilitation works and reporting.</p> <p>Native vegetation clearing for the project occurred between the 03/12/2019 and 17/12/2019. The EPBC Approval and the WA Department of Mines, Industry, Regulation and Safety (DMIRS) Clearing Permit CPS 8171/1 allowed for clearing of up to 74.45 ha of native vegetation however a total of 54.36 ha was cleared for the project.</p> <p>Evidence that no more than 54.36 ha of foraging habitat for the Carnaby's Black Cockatoo was cleared within the survey boundary was provided in the 2020 Compliance Report EPBC 2017/8133.</p>
2	To minimise the impacts of the action on EPBC Act listed species , the approval holder must implement condition 8 of the Western Australian Clearing Permit (8171/1) for the life of the approval from the commencement of the action .	Partially Compliant	<p>Condition 8 of the WA Clearing Permit (8171/1) refers to Dieback and Weed Control.</p> <p>Condition 8 (a) specifies steps that must be undertaken to minimise the risk of the introduction and spread of weeds and dieback.</p> <p>The only project personnel and vehicles to enter the project area since the demobilisation of the seismic crew on 15 February 2020 have been ecological consultants undertaking the rehabilitation monitoring event in October 2020 and October 2022. The consultants utilised pre-existing access tracks in the survey area and did not drive on any undisturbed areas while completing this monitoring.</p> <p>Condition 8 (b) At least once in each 12 month period for the term of this Permit, the Permit Holder must remove or kill any weeds growing within areas cleared under this Permit.</p> <p>As detailed in section 3.3 of this report based on advice received in the 2020 rehabilitation monitoring report and a review of invasive flora in the survey area, Beach is currently in discussions with DMIRS and DEECC to seek an amendment to condition 8b of the Clearing Permit.</p>
3	To minimise the impacts of the action on foraging habitat for the Carnaby's Black Cockatoo , the approval holder must implement condition 10 (relating to rehabilitation) of the Western Australian Clearing Permit (8171/1) . The objective of rehabilitation works is to re-establish a self-sustaining vegetation	Compliant	<p>Condition 10 of the WA Clearing Permit (8171/1) refers to Retain and spread vegetation material and topsoil and rehabilitation.</p> <p>Condition 10 (a) retain the vegetative material removed by clearing for the seismic survey authorised under this Permit and stockpile the vegetative material in an area that has already been cleared;</p>

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Condition Number / Reference	EPBC 2017/8133 Condition	Compliance	Evidence / Comments
	cover, integrated with the surrounding ecosystem, providing foraging habitat for the Carnaby's Black Cockatoo		<p>The on ground survey acquisition component of the survey was completed in February 2020. As a consequence ongoing activities associated with the seismic survey are limited to rehabilitation monitoring, and (if required) rehabilitation works and reporting.</p> <p>Native vegetation clearing for the project occurred between the 03/12/2019 and 17/12/2019. The EPBC Approval and the WA Department of Mines, Industry, Regulation and Safety (DMIRS) Clearing Permit CPS 8171/1 allowed for clearing of up to 74.45 ha of native vegetation however a total of 54.36 ha was cleared for the project.</p> <p>Evidence of compliance with Condition 10 (a) of the Clearing Permit was provided in the 2020 Compliance Report EPBC 2017/8133.</p> <p>Condition 10 (b) within 12 months following clearing authorised for the seismic survey under this permit, revegetate and rehabilitate the areas that are no longer required, by:</p> <p>Condition 10 (b(i)) laying the vegetative material retained under Condition 10(a).</p> <p>Condition 10 (c) implement adequate measures to prevent third party access to survey lines and access tracks;</p> <p>Evidence of compliance with Condition 10 (b) of the Clearing Permit was provided in the 2020 Compliance Report EPBC 2017/8133.</p> <p>Condition 10 (d) Conduct monitoring in accordance with the document 'Mattiske, 2018. Proposed Seismic Line Rehabilitation Monitoring Methodology, Beharra Springs. Prepared by Mattiske Consulting Pty Ltd for Beach Energy, October 2018'.</p> <p>Mattiske Consulting completed biennial rehabilitation monitoring survey between 19-23 October 2020 and again between 3-6 October 2022 in accordance with the approved rehabilitation monitoring method.</p>
3a	The approval holder must continue rehabilitation works until the Department has provided written acceptance of a report by a suitably qualified person certifying and providing evidence that all of the completion criteria have been met	Compliant	<p>Rehabilitation works currently consist of rehabilitation monitoring as per Condition 10 (d) of the WA Clearing Permit (8171/1).</p> <p>There is currently no requirement for active rehabilitation works to be undertaken in the project area. The requirement for rehabilitation works will be determined following the conclusion of the initial 5 year rehabilitation monitoring period. In the event that the rehabilitation monitoring program indicates that regeneration of vegetation on seismic lines is not meeting the required completion criteria, then Beach will determine the next course of action to achieve completion criteria.</p> <p>Beach will continue to undertake monitoring by a suitably qualified person until the cleared area has met the completion criteria</p>
3b	Following submission to the Department of the certified report demonstrating that the completion criteria have been achieved in accordance with condition 3(a), the suitably qualified expert must monitor the rehabilitation area at least once every two years, during spring, for the life of the approval with sufficient	Not Applicable	-

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Condition Number / Reference	EPBC 2017/8133 Condition	Compliance	Evidence / Comments
	effort to reliably ascertain whether the completion criteria continue to be met or exceeded		
3c	If the monitoring undertaken in accordance with condition 3(b) determines that any of the completion criteria are no longer being met, the approval holder must, within 3 months of becoming aware that any of the completion criteria are no longer being met, commence undertaking corrective actions and continue these until the Department has provided written acceptance of a report by a suitably qualified person certifying and providing evidence that all the completion criteria have again been met	Not Applicable	-
4	To compensate for the loss of up to 54.36 ha of foraging habitat for the Carnaby's Black Cockatoo , the approval holder must provide an offset of 338 ha within Lot 10333 Watheroo Road, Boothendarra (map at Attachment B) and, by 3 May 2021:	Compliant	Beach provided an offset of 338ha within Lot 10333 Watheroo Road, Boothendarra by 3 May 2021. Evidence of this was provided in the 2021 Compliance Report EPBC 2017/8133.
4a	provide written evidence to the Department that a financial contribution has been made to DBCA for the purchase, and management for the period of effect of approval, of the offset specified in condition 4; and	Compliant	Written evidence of financial contribution made to DBCA for purchase and management of the offset was provided in the 2021 Compliance Report EPBC 2017/8133.
4b	provide the Department with the offset attributes, shapefiles , textual descriptions and maps to clearly define the location and boundaries of the offset.	Compliant	Evidence that Beach provided the Department with offset attributes, shapefiles, textual descriptions and maps were presented in the 2020 Compliance Report EPBC 2017/8133. Additional evidence was also provided in the 2021 Compliance Report EPBC 2017/8133.
Part B – Standard administrative conditions			
Notification of date of commencement of the action			
5	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action	Compliant	Evidence that Beach advised the Department that it had commenced the seismic survey on 5 December 2019 was provided in the 2020 Compliance Report EPBC 2017/8133.
6	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister	Not Applicable	-

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Condition Number / Reference	EPBC 2017/8133 Condition	Compliance	Evidence / Comments
Annual Compliance Reporting			
7	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action , or as otherwise agreed to in writing by the Minister . The approval holder must:	Compliant	This report addresses this requirement. The Annual Compliance Report will continue to be submitted annually unless otherwise agreed in writing by the minister.
7a	publish each compliance report on the website within 20 business days following the relevant 12 month period;	Compliant	A copy of this report has been published on the Beach website.
7b	notify the Department by email that a compliance report has been published on the website within five business days of the date of publication, and provide a link to the published report;	Compliant	Beach will notify the Department within 5 business days of publication on the Beach website.
7c	keep all compliance reports publicly available on the website until this approval expires;	Compliant	
7d	exclude or redact sensitive ecological data from compliance reports published on the website ; and	Compliant	No sensitive ecological data has been included in this report. Previous annual reports have excluded sensitive information including the location of conservation significant taxa detected in the project area during rehabilitation monitoring events.
7e	where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication	Compliant	
Reporting Non-compliance			
8a	The approval holder must notify the Department in writing of any: incident ; non-compliance with the conditions; or non-compliance with the commitments made in plans . The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify: the condition which is or may be in breach;	Compliant	No Incidents occurred in the reporting period
8b	a short description of the incident and/or non-compliance; and		
8c	the location (including co-ordinates), date and time of the incident and/or non-compliance.		
9	The approval holder must provide to the Department the details of any incident or noncompliance with the conditions or	Compliant	No Incidents occurred in the reporting period

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Condition Number / Reference	EPBC 2017/8133 Condition	Compliance	Evidence / Comments
	commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:		
9a	any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;		
9b	the potential impacts of the incident or non-compliance; and		
9c	the method and timing of any remedial action that will be undertaken by the approval holder		
Independent Audit			
10	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister .	Compliant	No independent audits were requested by the minister during the reporting period.
11	For each independent audit , the approval holder must:		
11a	provide the name and qualifications of the independent auditor and the draft audit criteria to the Department ;	Compliant	-
11b	only commence the independent audit once the audit criteria have been approved in writing by the Department ; and	Compliant	-
11c	submit an audit report to the Department within the timeframe specified in the approved audit criteria	Compliant	-
12	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval	Compliant	-
Completion of the Action			
13	Within 30 days after the completion of the action , the approval holder must notify the Department in writing and provide completion data	Not Applicable	The on ground survey acquisition component of the survey was completed in February 2020. As a consequence ongoing activities associated with the seismic survey are limited to rehabilitation monitoring, and (if required) rehabilitation works and reporting.

5 Identification of New or Increased Environmental Risks

No new or increased risks have been identified in the reporting period. The on-ground acquisition phase of the seismic survey is now complete. Given that the seismic survey is complete, the likelihood of future incidents is extremely low as the only future activity associated with the project planned to occur on site is routine annual rehabilitation monitoring.

6 Document information and history

Document custodian group

Title	Name/s
HSE&R - Environment	Tim Flowers

Stakeholders

Position	Name
Head of Environment	Tim Flowers
Senior Environmental Advisor SAWA	Zoë Bowen

Document history

Rev	Date	Changes made in first document	Reviewer/s	Consolidator	Approver
A	16/12/2022	Draft issued for internal review	Zoë Bowen	Pearl Catford	-
0	21/12/2022	Approved for submission to DAWE	Zoë Bowen	-	Tim Flowers

Appendix A Approval Notice and Conditions



APPROVAL

Trieste 3D Seismic Survey, near Eneabba, Western Australia (EPBC 2017/8133)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. Note that section 134(1A) of the **EPBC Act** applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

Details

Person to whom the approval is granted (approval holder)	Lattice Energy Limited
ACN or ABN of approval holder	007 845 338
Action	To undertake an onshore three-dimensional (3D) seismic survey near Eneabba in the North Perth Basin, mapping geological formations to assist in the search for conventional gas reserves [See EPBC Act referral 2017/8133].

Proposed Approval decision

My decision on whether or not to approve the taking of the action for the purposes of the controlling provision for the action is as follows.

Controlling Provisions

Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve

Period for which the approval has effect

This approval has effect until 1 September 2034.

Decision-maker

<i>Name and position</i>	Chris Videroni A/g Assistant Secretary Assessments (WA, SA, NT) and Post Approval Branch
<i>Signature</i>	
<i>Date of decision</i>	11-10-2019

Conditions of approval

This approval is subject to the conditions under the EPBC Act as set out in ANNEXURE A.

ANNEXURE A – CONDITIONS OF APPROVAL

Part A – Conditions specific to the action

1. The approval holder must not clear more than 74.539 ha of **foraging habitat** for the **Carnaby's Black Cockatoo** within the survey boundary (map at [Attachment A](#)).
2. To minimise the impacts of the action on **EPBC Act listed species**, the approval holder must implement condition 8 of the **Western Australian Clearing Permit (8171/1)** for the life of the approval from the **commencement of the action**.
3. To minimise the impacts of the action on **foraging habitat** for the **Carnaby's Black Cockatoo**, the approval holder must implement condition 10 (relating to rehabilitation) of the **Western Australian Clearing Permit (8171/1)**. The objective of rehabilitation works is to re-establish a self-sustaining vegetation cover, integrated with the surrounding ecosystem, providing **foraging habitat** for the **Carnaby's Black Cockatoo**.
 - a. The approval holder must continue rehabilitation works until the **Department** has provided written acceptance of a report by a **suitably qualified person** certifying and providing evidence that all of the **completion criteria** have been met.
 - b. Following submission to the **Department** of the certified report demonstrating that the **completion criteria** have been achieved in accordance with condition 3(a), the **suitably qualified expert** must monitor the rehabilitation area at least once every two years, during spring, for the life of the approval with sufficient effort to reliably ascertain whether the **completion criteria** continue to be met or exceeded.
 - c. If the monitoring undertaken in accordance with condition 3(b) determines that any of the **completion criteria** are no longer being met, the approval holder must, within 3 months of becoming aware that any of the **completion criteria** are no longer being met, commence undertaking corrective actions and continue these until the **Department** has provided written acceptance of a report by a **suitably qualified person** certifying and providing evidence that all the **completion criteria** have again been met.
4. To compensate for the loss of up to 74.539 ha of **foraging habitat** for the **Carnaby's Black Cockatoo**, the approval holder must:
 - a. Within one year of the **commencement of the action** submit to the **Minister** for approval:
 - i. details of an offset that includes a minimum of 218.46 ha of **foraging habitat** for the **Carnaby's Black Cockatoo**. The approval holder must demonstrate that the proposed offset meets the principles of the **Department's EPBC Environmental Offsets Policy**
 - ii. an Offset Management Plan for the proposed offset provided in accordance with condition 4(a)(i). The Offset Management Plan must include time-bound performance targets, completion criteria, details of a monitoring program, management actions, corrective actions and triggers for corrective actions to be undertaken in the event that performance targets have not been met.
 - b. Within two years of the **commencement of the action**, provide written evidence to the **Department** that a financial contribution of at least \$104, 860.80 has been made to an **approved conservation fund** for the purchase and ongoing management of the approved offset required by condition 4(a).
 - c. Provide the **Department** with the offset attributes, **shapefiles**, textual descriptions and maps to clearly define the location and boundaries of the offset site(s).

Part B – Standard administrative conditions

Notification of date of commencement of the action

5. The approval holder must notify the **Department** in writing of the date of **commencement of the action** within 10 **business days** after the date of **commencement of the action**.
6. If the **commencement of the action** does not occur within 5 years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

Annual compliance reporting

7. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or as otherwise agreed to in writing by the **Minister**. The approval holder must:
 - a. publish each **compliance report** on the **website** within 20 **business days** following the relevant 12 month period;
 - b. notify the **Department** by email that a **compliance report** has been published on the **website** within five **business days** of the date of publication, and provide a link to the published report;
 - c. keep all **compliance reports** publicly available on the **website** until this approval expires;
 - d. exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and
 - e. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

Note: **Compliance reports** may be published on the **Department's** website.

Reporting non-compliance

8. The approval holder must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
 - a. the condition which is or may be in breach;
 - b. a short description of the **incident** and/or non-compliance; and
 - c. the location (including co-ordinates), date and time of the incident and/or non-compliance.
9. The approval holder must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than 10 **business days** after becoming aware of the **incident** or non-compliance, specifying:
 - a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
 - b. the potential impacts of the **incident** or non-compliance; and
 - c. the method and timing of any remedial action that will be undertaken by the approval holder.

Independent audit

10. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted for the 12 month period from **commencement of the action** and for every subsequent 12 month period, or as otherwise requested in writing by the **Minister**.
11. For each **independent audit**, the approval holder must:

- a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
 - b. only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and
 - c. submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.
12. The approval holder must publish the audit report on the **website** within 10 **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval.

Completion of the action

13. Within 30 days after the **completion of the action**, the approval holder must notify the **Department** in writing and provide **completion data**.

Part C - Definitions

In these conditions, except where contrary intention is expressed, the following definitions are used:

Approved conservation fund is a conservation fund approved by the **Department** for the purpose of providing long-term management and improvement of **foraging habitat** for the **Carnaby's Black Cockatoo**.

Business days means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

Carnaby's Black Cockatoo means the EPBC Act listed Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*).

Clear means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation.

Commencement of the action means the first instance of any specified activity associated with the action including clearance of vegetation and **construction** of any infrastructure. **Commencement of the action** does not include minor physical disturbance necessary to:

- i. undertake pre-clearance surveys or monitoring programs;
- ii. install signage and /or temporary fencing to prevent unapproved use of the project area;
- iii. protect environmental and property assets from fire, weeds and feral animals, including erection or **construction** of fencing and signage, and maintenance or use of existing surface access tracks, if agreed in writing by the **Department**; and

Completion criteria are the completion criteria identified in Mattiske Consulting Pty Ltd (2018) *Proposed seismic line rehabilitation monitoring methodology*.

Completion data means an environmental report and spatial data information clearly detailing how the conditions of this approval have been met. The **Department's** preferred spatial data format is shapefile.

Completion of the action means all specified activities associated with the action have permanently ceased.

Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.

Compliance reports means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with these approval conditions and commitments in the **plans**;
- ii. details of contingency measures or corrective actions that have been or will be implemented;
- iii. consistent with the **Department's Annual Compliance Report Guidelines (2014)**;
- iv. include a shapefile of any clearance of any **protected matters**, or their habitat, undertaken within the relevant 12 month period; and
- v. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period.

Construction means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of fences and signage.

Department means the Australian Government agency responsible for administering the **EPBC Act**.

Department's EPBC Act Environmental Offsets Policy means the Department of Sustainability, Environment, Water, Population and Communities (2012) *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy* available on the Department's website at: <http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy>

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

EPBC Act listed species means the EPBC Act listed Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*), Sandplain Duck Orchid (*Paracleana dixonii*), Star Sun Orchid (*Thelymitra stellata*) and Yandanooka Mallee (*Eucalyptus crispata*).

EPBC Regulations means the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth).

Foraging habitat means foraging habitat for the **Carnaby' Black Cockatoo** as identified in the Department of Sustainability, Environment, Water, Population and Communities (2012) *EPBC Act referral guidelines for three threatened black cockatoo species* available on the Department's website at: <http://www.environment.gov.au/biodiversity/threatened/publications/epbc-act-referral-guidelines-three-threatened-black-cockatoo-species-carnabys-cockatoo>

Incident means any event which has the potential to, or does, impact on **protected matter(s)**.

Independent audit: means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2015).

Monitoring data means the data required to be recorded under the conditions of this approval.

Minister means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

Plan(s) means any of the documents required to be prepared, approved by the **Minister**, and/or implemented by the approval holder and published on the **website** in accordance with these conditions (includes action management plans and/or strategies).

Protected matter means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.

Shapefile means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

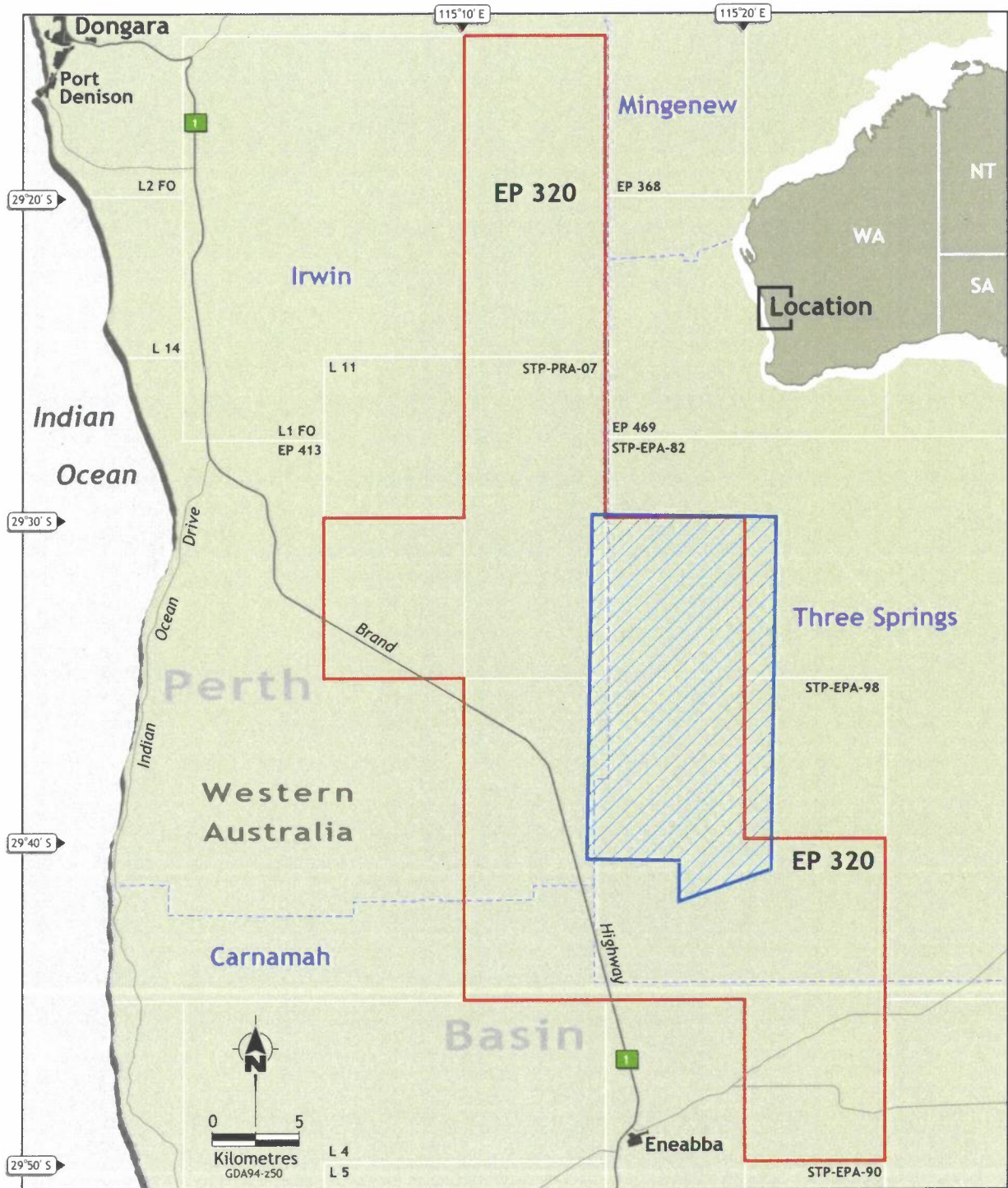
Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.




Western Australian Clearing Permit (8171/1) means the Western Australian Clearing Permit (8171/1) granted by the Government of Western Australia under section 51E of the *Environment Protection Act 1986 (WA)* on 9 May 2019.

ATTACHMENTS

1. Attachment A: Map of survey boundary



Legend

-  Survey boundary (proposed)
-  Local Government Area boundary
-  Road network

Petroleum Tenements

-  EP 320 Exploration
-  Other permit Exploration/Production

Trieste 3D Seismic Survey
EP 320



Regional Location Map

NoEX_EP_Trieste_Location_Map_GDA94_250.dgn Updated 12 Dec 2017

Appendix B Variation of EPBC Conditions.



**VARIATION OF CONDITIONS ATTACHED TO APPROVAL
Trieste 3D Seismic Survey, near Eneabba, Western Australia
(EPBC 2017/8133)**

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted	Lattice Energy Limited ACN: 007 845 338
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Approved action	To undertake an onshore three-dimensional (3D) seismic survey near Eneabba in the North Perth Basin, mapping geological formations to assist in the search for conventional gas reserves [See EPBC Act referral 2017/8133]
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Variation

Variation of conditions attached to approval	The variation is: Delete conditions 1, 4 and 10 attached to the approval and substitute with the conditions specified in the table below. Add new definitions of DBCA specified in the table below.
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Date of effect	This variation has effect on the date the instrument is signed.
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Person authorised to make decision

Name and position	Declan O'Connor-Cox Assistant Secretary Assessments (Vic, Tas) and Post Approvals Branch
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Signature

Date of decision

12 February 2021

Date of decision	Part A - Conditions specific to the action
As varied on the date this instrument was signed	<p>1. The approval holder must not clear more than 54.36 ha of foraging habitat for the Carnaby's Black Cockatoo within the survey boundary (map at <u>Attachment A</u>).</p>
Original dated 11/02/2019	<p>2. To minimise the impacts of the action on EPBC Act listed species, the approval holder must implement condition 8 of the Western Australian Clearing Permit (8171/1) for the life of the approval from the commencement of the action.</p>
Original dated 11/02/2019	<p>3. To minimise the impacts of the action on foraging habitat for the Carnaby's Black Cockatoo, the approval holder must implement condition 10 (relating to rehabilitation) of the Western Australian Clearing Permit (8171/1). The objective of rehabilitation works is to re-establish a self-sustaining vegetation cover, integrated with the surrounding ecosystem, providing foraging habitat for the Carnaby's Black Cockatoo.</p> <p>a. The approval holder must continue rehabilitation works until the Department has provided written acceptance of a report by a suitably qualified person certifying and providing evidence that all of the completion criteria have been met.</p> <p>b. Following submission to the Department of the certified report demonstrating that the completion criteria have been achieved in accordance with condition 3(a), the suitably qualified expert must monitor the rehabilitation area at least once every two years, during spring, for the life of the approval with sufficient effort to reliably ascertain whether the completion criteria continue to be met or exceeded.</p> <p>c. If the monitoring undertaken in accordance with condition 3(b) determines that any of the completion criteria are no longer being met, the approval holder must, within 3 months of becoming aware that any of the completion criteria are no longer being met, commence undertaking corrective actions and continue these until the Department has provided written acceptance of a report by a suitably qualified person certifying and providing evidence that all the completion criteria have again been met.</p>
As varied on the date this instrument was signed	<p>4. To compensate for the loss of up to 54.36 ha of foraging habitat for the Carnaby's Black Cockatoo, the approval holder must provide an offset of 338 ha within Lot 10333 Watheroo Road, Boothendarra (map at <u>Attachment B</u>) and, by 3 May 2021:</p> <p>a. provide written evidence to the Department that a financial contribution has been made to DBCA for the purchase, and management for the period of effect of approval, of the offset specified in condition 4; and</p> <p>b. provide the Department with the offset attributes, shapefiles, textual descriptions and maps to clearly define the location and boundaries of the offset.</p>

Date of decision	Part B – Standard administrative conditions
Original dated 11/02/2019	<p>Notification of date of commencement of the action</p> <p>5. The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.</p>
Original dated 11/02/2019	<p>6. If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.</p>
Original dated 11/02/2019	<p>Annual compliance reporting</p> <p>7. The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> a. publish each compliance report on the website within 20 business days following the relevant 12 month period; b. notify the Department by email that a compliance report has been published on the website within five business days of the date of publication, and provide a link to the published report; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. <p>Note: Compliance reports may be published on the Department's website.</p>
Original dated 11/02/2019	<p>Reporting non-compliance</p> <p>8. The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a. the condition which is or may be in breach; b. a short description of the incident and/or non-compliance; and c. the location (including co-ordinates), date and time of the incident and/or non-compliance.
Original dated 11/02/2019	<p>9. The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none"> a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b. the potential impacts of the incident or non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder.

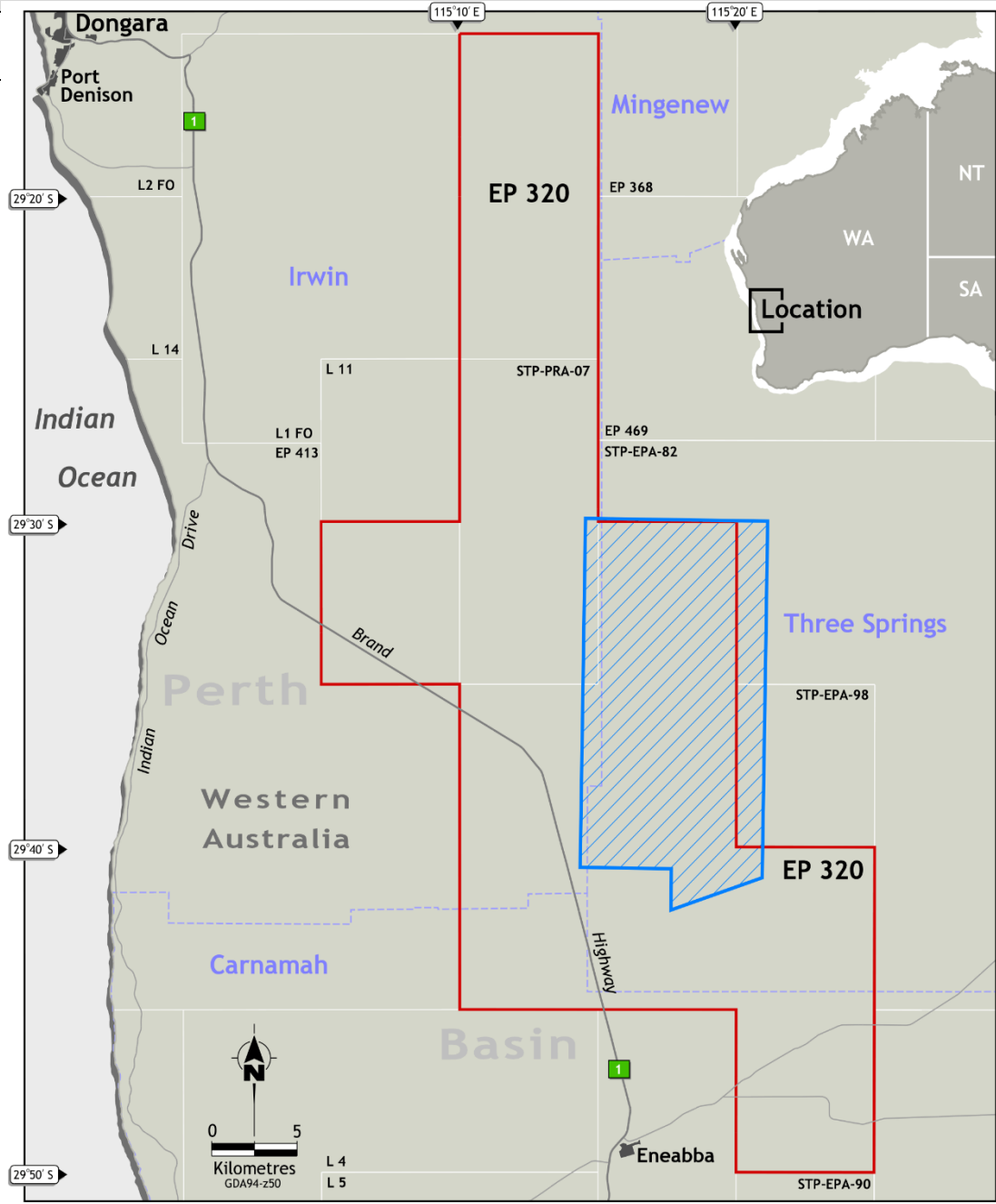
Date of decision	Part B – Standard administrative conditions
As varied on the date this instrument was signed	<p>Independent audit</p> <p>10. The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>
Original dated 11/02/2019	<p>11. For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.
Original dated 11/02/2019	<p>12. The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.</p>
Original dated 11/02/2019	<p>Completion of the action</p> <p>13. Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.</p>

Date of decision	Part C - Definitions attached to approval
Original dated 11/02/2019	<p>In these conditions, except where contrary intention is expressed, the following definitions are used:</p> <p>Approved conservation fund is a conservation fund approved by the Department for the purpose of providing long-term management and improvement of foraging habitat for the Carnaby's Black Cockatoo.</p>
Original dated 11/02/2019	<p>Business days means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.</p>
Original dated 11/02/2019	<p>Carnaby's Black Cockatoo means the EPBC Act listed Carnaby's Black Cockatoo (<i>Calyptorhynchus latirostris</i>).</p>
Original dated 11/02/2019	<p>Clear means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation.</p>
Original dated 11/02/2019	<p>Commencement of the action means the first instance of any specified activity associated with the action including clearance of vegetation and construction of any infrastructure. Commencement of the action does not include minor physical disturbance necessary to:</p> <ul style="list-style-type: none"> i. undertake pre-clearance surveys or monitoring programs; ii. install signage and /or temporary fencing to prevent unapproved use of the project area; and iii. protect environmental and property assets from fire, weeds and feral animals, including erection or construction of fencing and signage, and maintenance or use of existing surface access tracks, if agreed in writing by the Department.
Original dated 11/02/2019	<p>Completion criteria are the completion criteria identified in Mattiske Consulting Pty Ltd (2018). <i>Proposed seismic line rehabilitation monitoring methodology</i>.</p>

Date of decision	Part C - Definitions attached to approval
Original dated 11/02/2019	Completion data means an environmental report and spatial data information clearly detailing how the conditions of this approval have been met. The Department's preferred spatial data format is shapefile.
Original dated 11/02/2019	Completion of the action means all specified activities associated with the action have permanently ceased.
Original dated 11/02/2019	Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.
Original dated 11/02/2019	<p>Compliance reports means written reports:</p> <ul style="list-style-type: none"> i. providing accurate and complete details of compliance, incidents, and non-compliance with these approval conditions and commitments in the plans; ii. details of contingency measures or corrective actions that have been or will be implemented; iii. consistent with the Department's Annual Compliance Report Guidelines (2014); iv. include a shapefile of any clearance of any protected matters, or their habitat, undertaken within the relevant 12 month period; and v. annexing a schedule of all plans prepared and in existence in relation to the conditions during the relevant 12 month period.
Original dated 11/02/2019	Construction means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of fences and signage.
As varied on the date this instrument was signed	DBCA means the Western Australian Department of Biodiversity, Conservation and Attractions.
Original dated 11/02/2019	Department means the Australian Government agency responsible for administering the EPBC Act .
Original dated 11/02/2019	<p>Department's EPBC Act Environmental Offsets Policy means the Department of Sustainability, Environment, Water, Population and Communities (2012) <i>Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy</i> available on the Department's website at: http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy</p>
Original dated 11/02/2019	EPBC Act means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Original dated 11/02/2019	EPBC Act listed species means the EPBC Act listed Carnaby's Black Cockatoo (<i>Calyptorhynchus latirostris</i>), Sandplain Duck Orchid (<i>Paracleana dixonii</i>), Star Sun Orchid (<i>Thelymitra stellata</i>) and Yandanooka Mallee (<i>Eucalyptus crispata</i>).
Original dated 11/02/2019	EPBC Regulations means the <i>Environment Protection and Biodiversity Conservation Regulations 2000</i> (Cth).

Date of decision	Part C - Definitions attached to approval
Original dated 11/02/2019	<p>Foraging habitat means foraging habitat for the Carnaby' Black Cockatoo as identified in the Department of Sustainability, Environment, Water, Population and Communities (2012) <i>EPBC Act referral guidelines for three threatened black cockatoo species</i> available on the Department's website at: http://www.environment.gov.au/biodiversity/threatened/publications/epbc-act-referral-guidelines-three-threatened-black-cockatoo-species-carnabys-cockatoo</p>
Original dated 11/02/2019	<p>Incident means any event which has the potential to, or does, impact on protected matter(s).</p>
Original dated 11/02/2019	<p>Independent audit: means an audit conducted by an independent and suitably qualified person as detailed in the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> (2015).</p>
Original dated 11/02/2019	<p>Monitoring data means the data required to be recorded under the conditions of this approval.</p>
Original dated 11/02/2019	<p>Minister means the Australian Government Minister administering the EPBC Act including any delegate thereof.</p>
Original dated 11/02/2019	<p>Plan(s) means any of the documents required to be prepared, approved by the Minister, and/or implemented by the approval holder and published on the website in accordance with these conditions (includes action management plans and/or strategies).</p>
Original dated 11/02/2019	<p>Protected matter means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect.</p>
Original dated 11/02/2019	<p>Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) <i>Sensitive Ecological Data – Access and Management Policy V1.0</i></p>
Original dated 11/02/2019	<p>Shapefile means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.</p>
Original dated 11/02/2019	<p>Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.</p>
Original dated 11/02/2019	<p>Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.</p>
Original dated 11/02/2019	<p>Western Australian Clearing Permit (8171/1) means the Western Australian Clearing Permit (8171/1) granted by the Government of Western Australia under section 5IE of the <i>Environment Protection Act 1986 (WA)</i> on 9 May 2019.</p>

Date of decision	Attachment A: Map of survey boundary
Original dated 11/02/2019	



Legend

- Survey boundary (proposed)
- Local Government Area boundary
- Road network

- Petroleum Tenements**
- EP 320 Exploration
 - Other permit Exploration/Production

Trieste 3D Seismic Survey EP 320



Regional Location Map

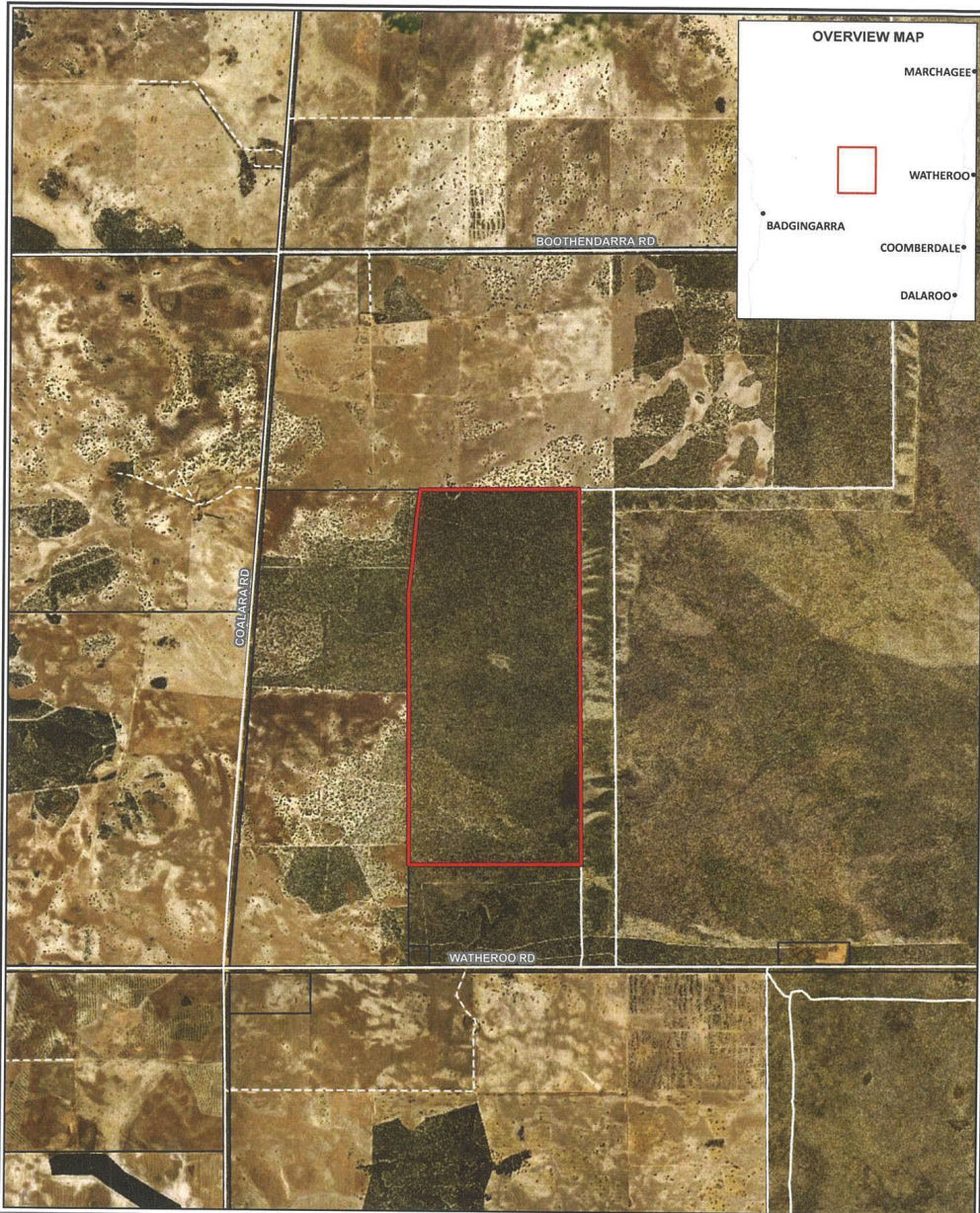
NoEX_EP_Trieste_Location_Map_GDA94_Z50.dgn Updated 12 Dec 2017

Date of decision

Attachment B: Map of survey boundary

As varied on the date this instrument was signed

ATTACHMENT B



Legend Survey area Cadastral boundary Minor road Track	Scale 1:50,000 at A4	Boothendarra, WA
	Coord. Sys. GDA 1994 MGA Zone 50	SURVEY AREA
	Job No: 59592	FIGURE 1
	Client: Beach Energy	
Version: A	Date: 03-Nov-2020	
Drawn By: cthatcher	Checked By: TS	

File Name: W:\Projects\1\OpenBeach_Energy\59592_Trieste BC Offset Survey\GIS\Maps\M01_Rev_A\59592_01_SurveyArea.mxd
 Image Reference: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community