



Australian Government

Department of the Environment and Water Resources

Environment Protection and Biodiversity Conservation Act 1999.

General Permit Application for:

- **Threatened species and ecological communities (section 201)**
- **Migratory species (section 216)**
- **Whales and dolphins (section 238)**
- **Listed marine species (section 258)**



If the person completing this form is representing a small business (i.e. a business having less than 20 employees), please provide an estimate of the time taken to complete this form.

Please include:

- the time taken spent reading the instructions, working on the questions and obtaining the information; and
- the time spent by all employees in collecting and providing this information.

Hours

Minutes

Purpose of this form

This form is for an action which will affect any species or ecological community listed under the EPBC Act in the above categories where that action is within a Commonwealth Area, and for whale/dolphins where the action is within the waters of the Australian Whale Sanctuary, or internationally.

Complete this form in addition to either Supplementary Form A, B or C described in question 1 on the next page. Please return this form, along with the relevant Supplementary Form to the Department of the Environment and Water Resources.

Do not use this form for permits in:

- The Great Barrier Reef Marine Park. These permits are available at: www.gbrmpa.gov.au/corp_site/permits/
- A Commonwealth park or reserve (e.g. Kakadu National Park). These permits are available at: www.environment.gov.au/epbc/permits/parks/
- State Waters

Additional information

Please ensure that you have read the following information sheet:

Permits required for actions affecting EPBC Act listed species in Commonwealth Areas including the Australian Whale Sanctuary

This information sheet is available at www.environment.gov.au/epbc/permits/index.html. Further information is also available by contacting the Department on phone: (02) 6274 1111 or email: epbcwild@environment.gov.au.

Incomplete information

Applications that are incomplete or contain insufficient information cannot be assessed. Delays will occur whilst further information is sought from the applicant.

If you need more space

If there is insufficient space on this form to fully address any of the questions please attach additional pages and list these attachments at question 10.

Privacy

Information provided in this application form may be exchanged with other Commonwealth and State agencies for the purposes of administering the EPBC Act and relevant State legislation.

In accordance with section 515A of the EPBC Act a list of all permits issued under the Act are published on the Department's website.

1 Which of the following best describes the purpose of this application?

Research on whales/dolphins ⇒ You will also need to complete Supplementary Form A for Whales and Dolphins (cetaceans).
Now go to 2

To take an action that will have an incidental impact on whales/dolphins ⇒ You will also need to complete Supplementary Form A for Whales and Dolphins (cetaceans).
E.g. whales and dolphins are not the purpose of the action but they will be indirectly affected
Now go to 2

Whale and Dolphin watching in a Tier 2 area ⇒ You will also need to complete Supplementary Form B for Whale and Dolphin Watching.
Now go to 2

To kill, injure, take, trade, keep or move a listed species (other than whales/dolphins) or ecological community in Commonwealth areas ⇒ You will also need to complete Supplementary Form C *Listed species / ecological community, listed migratory species or listed marine species.*
Now go to 2

2 Period of permit requested
Permits are usually not issued for more than 5 years.

Start date: 28/06/2009	End date: 28/06/2014
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3 The permit holder can be a group such as a business, company, or corporation?

Is the proposed permit holder a group?

No ⇒ *Go to next question*


Yes ⇒ *Give details below*

Group Name Woodside Energy Ltd - Browse LNG Development
Street address:
Postal address:
Telephone No.:
Fax No.:
Email address:

Now go to 5

4 Is the proposed permit holder individual(s)?

No ⇒ *You must provide a permit holder -> complete either q3 or q4.*

Yes ⇒ *Give details below of each individual to whom the permit would be issued. If insufficient space, attach a separate list.* 

1	Name:
	Residential address:
	Postal address:
	Telephone No.:
	Fax No.:
	Email address:

2	Name:
	Residential address:
	Postal address:
	Telephone No.:
	Fax No.:
	Email address:

3	Name:
	Residential address:
	Postal address:
	Telephone No.:
	Fax No.:
	Email address:

5 Applicant details (if different from proposed permit holder(s))

Name:
Residential address:
Postal address:
Telephone No.:
Fax No.:
Email address:

6 Give the relevant qualifications and experience of all people who will carry out the actions. If insufficient space, attach a li:

1	Name: To be advised
Qualifications and experience: Woodside will contract appropriately qualified and experenced personnel to undertake the actions covered under approved permits. Woodside will advise DEWHA in writing of the details of personnel prior to commencement of actions.	

2	Name:
Qualifications and experience:	

3	Name: TBA
Qualifications and experience:	

7 Have you applied for or obtained any other approvals, permits or licences relating to this action under Commonwealth, State or Territory legislation?

No ⇒ **Go to next question**

Yes ⇒ **Attach copies**



8 Have you previously held a permit from the Australian Government to undertake this action?

No ⇒ **Go to next question**

Yes ⇒ **Give details below**

Permit number	Date permit expired

9 Offences

A proposed permit holder is taken to have been convicted of an offence if, within 5 years before the application is made, the proposed permit holder:

- has been charged with, and found guilty of, the offence but discharged without conviction; or
- has not been found guilty of the offence, but a court has taken the offence into account in passing sentence on the proposed permit holder for another offence.

Section 6 of the *Crimes Act 1914* deals with being an accessory after the fact. Sections 7 and 7A and subsection 86(1) of the *Crimes Act 1914* and sections 11.1, 11.4 and 11.5 of the *Criminal Code* deal with attempts to commit offences, inciting to or urging the commission of offences by other people and, conspiracy to commit offences.

Part VIIC of the *Crimes Act 1914* includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of such convictions to disregard them.

Has the proposed permit holder been **convicted** of, **or subject to proceedings** for an offence under any of the following?

- a. offences under the *EBPC Act* or *Regulations*
- b. a law of the Commonwealth or a State or Territory about the protection, conservation or management of native species or ecological communities;
- c. section 6, 7 or 7A, or subsection 86(1), of the *Crimes Act 1914* (Commonwealth) or sections 11.1, 11.4 or 11.5 of the *Criminal Code Act 1995* (Commonwealth) in relation to an offence under a law mentioned in (a) or (b) above; or
- d. a provision of a law of a State or Territory that is equivalent to a provision mentioned in (c) above.

No

Yes ⇒ **Attach details**



10 Attachments

Indicate below which documents are attached.

Additional permit holders

See question 4

Additional qualifications details

See question 6

Copies of other approvals/permits

See question 7

Details of offences

See question 9

Other supporting documentation

List all additional documents below

Titles of all attached documents (*include the document title, the specific section(s) and the page number(s) on which the information appears*)

- 1) Supplementary Form A - Whales and Dolphins (cetaceans). (WEL Ref DRIMS # 4919386)
- 2) Supplementary Form A - Attachments (WEL Ref: DRIMS # 4919370)
- 3) Supplementary Form C - Listed marine species. (WEL Ref: DRIMS # 4932308)
- 4) Supplementary Form C - Attachments. (WEL Ref: DRIMS # 4932398)

11 Declaration

I declare that the information contained in this application is correct to the best of my knowledge.

Signature of applicant

Name of person signing

Date



Supplementary Form A — Whales and Dolphins (cetaceans)

Application under section 238 of the Environment Protection and Biodiversity Conservation Act 1999.



If the person completing this form is representing a small business (i.e. a business having less than 20 employees), please provide an estimate of the time taken to complete this form.

Please include:

- the time taken spent reading the instructions, working on the questions and obtaining the information; and
- the time spent by all employees in collecting and providing this information.

Hours

Minutes

This form has two purposes:

1. To apply for a permit to undertake an action which will contribute significantly to the conservation of whales and dolphins such as research on whales and dolphins.
2. To apply for a permit to interfere with whales and dolphins, where that interference is incidental to and not the purpose of the action, for example, building an underwater structure where you may come into contact with whales or dolphins.

Please supply the following information if you will interfere with, injure, take, keep, move, possess or treat (cut up/divide) a cetacean or part of a cetacean in the Australian Whale Sanctuary or waters beyond the Australian Whale Sanctuary (overseas). If you are proposing to send specimens out of Australia you will need an export permit. Import permits will be necessary for bringing parts or products of cetaceans into Australia. For more information on imports and exports contact International Wildlife Trade Section on 02 6274 1900.

This form should be completed in conjunction with The General Permit Application form.

If you need more space

If there is insufficient space on this form to fully address any of the questions please attach additional pages and list these attachments at question 16.

When using additional documentation to answer individual questions in this application, please refer to the document title, the specific section(s) and the page number(s) on which the information appears.

Application fee

There is a \$25 fee for permits where the action will contribute significantly to the conservation of cetaceans. There are some fee exemptions in certain circumstances, details of which can be obtained from the Department at the below address.

Where to send the forms and the application fee

Please send the completed General Permit Application and this form and any accompanying attachments to:

Director
Cetacean Policy and Recovery Section
Department of the Environment and Water Resources
GPO Box 787
CANBERRA ACT 2601
Fax: 02 6274 1542

1 Details of species that will be affected by the action. Use the following codes to enter details in columns 3 and 5.

Column 1 Common name of species. Common and scientific names are available at the Departmental website: http://www.environment.gov.au/erin/applications/biodiversity/sprat/	Column 2 Scientific name of species	Column 3 Conservation status of threatened species under EPBC Act (e.g. the blue whale is endangered EN) Codes for Column 3 EW Extinct in the wild EX Extinct CE Critically endangered EN Endangered VU Vulnerable CD Conservation dependent	Column 4 Estimated number that will be affected.	Column 5 Type of effect Codes for Column 5 IC Interfering with a cetacean IN Injuring TA Taking KE Keeping MO Moving TC Treating PO Possessing
Blue whale	Balaenopter musculus spp.	EN		IC
Humpback whale	Megaptera novaeangliae	VU		IC

2 Provide the latitude and longitude of where the action will be conducted. Latitude and longitude references should be used instead of AMG and/or digital coordinates.

Where the project area is less than 1 square km, provide a single pair of latitude and longitude references.

Where the project area is greater than 1 square km or any dimension is greater than 1 km, attach a list of coordinates to enable accurate identification of the location of the project area.

Latitude

Degrees Minutes Seconds

Longitude

Degrees Minutes Seconds

Locality

Nearshore & offshore waters on west coast of Dampier Peninsula out to Scott Reef

3 *Attach an A4 sized map to show the boundaries of the area in which the action will be conducted.*



4 Provide an attachment describing the action addressing the following points.



- A. The equipment and methods used to comply with the EPBC Act Regulations.
- B. What steps will be taken to minimise impacts on cetaceans.
- C. The objectives and purposes of the action.

5 Attach a description of any research relevant to the affected species or community that will be carried out in the course of or in conjunction with the proposed action, including:



- A. A copy of the research proposal.
- B. The names of the researchers and institutions involved in or supporting the research.
- C. Relationship of the researchers to the permit applicant, including any funding being provided by, or to, the permit applicant

6 Will the action involve invasive techniques?

No ⇒ *Go to next question*

Yes ⇒ Attach application and approval from an Animal Ethics Committee.



7 Are you applying on the basis that the action will contribute significantly to conservation of cetaceans? (**Please note**, a fee of \$25 is required for this type of permit — see Question 21)

No ⇒ *Go to 9*

Yes ⇒ *Go to next question*

8 Why do you believe that the action will contribute significantly to the conservation of cetaceans?

The Marine Megafauna Study (MMFS) Programme will:

(1) Improve the understanding of the seasonal distribution and abundance of humpback whales, and other cetaceans/sirenians off the west coast of the Dampier Peninsula and offshore to Scott Reef

(2) Improve the understanding of the fine scale movement patterns (residence time) and behaviour (resting, milling and migrating) of humpback whales and other cetaceans/sirenians in the Dampier Peninsula area

(3) Improve the understanding of species diversity, seasonal distribution and abundance of dolphin species in nearshore waters in the Dampier Peninsula area

(4) Improve the understanding of the fine scale behaviour and habitat preference of dolphins in the nearshore waters in the Dampier Peninsula area

9 Are you applying on the basis that the effect on cetaceans will be incidental to, and not the purpose of, the action?

You must also answer questions 10, 11 & 12 to apply for this type of permit.

No ⇒ You are not able to apply for a permit using this form, please contact the Cetacean Policy and Recovery Section at epbcwild@environment.gov.au, or call (02) 6274 1111.

Yes ⇒ Why do you believe that the impact of the action will be incidental to and not the purpose of the action?

The objective of the MMFS Programme is to collect field data on the diversity, spatial/temporal abundance, distribution and behaviour of cetaceans/sirenians in the study area. The programme uses standard aerial and vessel survey techniques which have the potential to cause short term behavioural affects on surveyed animals due to aircraft/vessel presence (visual/noise).

Now go to 13

- 10 Why do you believe that the proposed action will not adversely affect the conservation status of a species of cetacean or population of that species?

Aerial and vessel surveys are standard techniques used to survey cetaceans/sirenians worldwide. The types of potential impacts are understood for these techniques. In general there is a very low risk of short- term (temporary) behavioural changes by individuals in response to the visual presence and noise of aircraft and vessels. These behavioural affects are not recognised as significant at the individual or population scales.

- 11 Describe how the proposed action will be consistent with any *recovery plans* or *wildlife conservation plans* in force for the species of cetaceans that may be affected by the action.

*Commonwealth recovery and wildlife conservation plans that are in force are available from the Department of the Environment and Water Resources web site:
www.environment.gov.au/biodiversity/threatened/recovery/index.html*


State and territory recovery plans will be available from state and territory environmental agencies.

The proposed action will collect field data that will improve the understanding of the spatial and temporal distribution and habitat usage of cetaceans/sirenians in the Dampier Peninsula area which is a high priority data requirement for ongoing recovery management of listed species. For example the proposed action (this permit application) partially addresses two actions listed in the Humpback Whale Recovery Plan 2005-2010 (DEH, 2005)

12 *The applicant is required to take all reasonable steps to minimise interference with cetaceans.*

How will this be carried out?

- 1) Woodside will engage suitably experienced and qualified personnel and/or organisation/s to undertake survey work
- 2) The survey techniques (aerial and vessel) to be used are standard techniques for which the types of potential impacts are known and considered low.
- 3) Survey techniques will be monitored and revised (if required) during surveys to ensure that adverse interactions are minimised.

13 Attach details of any proceedings against the proposed permit holder under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources. 

14 Fees

The following fees apply:

- If you answered **yes** at question 7, for an action which will contribute significantly to the conservation of cetaceans - \$25 (there are fee exemptions in some circumstances).
- An incidental action relating to cetaceans - nil

15 Are you paying by credit card?

No ⇒ Attach a cheque, go to next question

Yes ⇒ Complete the following details

Card: Visa Bankcard MasterCard

Card number

Expiry date (month/year)

Card holder's name as shown on card

Amount

Cardholder's signature

16 Attachments

Indicate below which documents are attached.

- Attach a map. *See question 3*
- The equipment and methods used to comply with the EPBC Act Regulations. *See question 4*
- What steps will be taken to minimise impacts on cetaceans. *See question 4*
- The objectives and purposes of the action. *See question 4*
- Copy of research proposal. *See question 5*
- Names of researchers and institutions. *See question 5*
- Relationship of researcher to permit applicant. *See question 5*
- Ethics committee approval. *See question 6*
- Details of any proceedings against the permit holder under a Commonwealth, State or Territory law. *See question 13*
- Cheque for payment of fee. *See question 14*
- List all additional documents below

Titles of all attached documents (*include the document title, the specific section(s) and the page number(s) on which the information appears*)

DEWHA Supplementary Form A - Whales and Dolphins (cetaceans) - Attachments (Woodside reference DRIMS # 4919370)

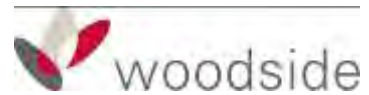
17 Declaration

I declare that the information contained in this application is correct to the best of my knowledge.

Signature of applicant

Name of person signing

Date



**Department of the Environment and Water Resources
Supplementary Form A –
Whales and Dolphins (cetaceans)**

Attachments

Date: May 2009

Status: Final

Table of Contents

QUESTION 2 - LOCATION.....	3
QUESTION 3 – LOCATION MAP	4
QUESTION 4 – THE ACTION.....	5
QUESTION 5 – DESCRIPTION OR RESEARCH.....	6

Question 2 - Location

Description	Latitude	Longitude
Inshore 0	121° 37.1796' E	18° 43.2666' S
Inshore 1	121° 30.2084' E	18° 37.1162' S
Inshore 2	121° 20.8509' E	17° 39.9306' S
Inshore 3 , Offshore 1	121° 50.8125' E	16° 38.2777' S
Inshore 4, Offshore 2	122° 24.8644' E	16° 9.2539' S
Inshore 5	123° 13.2639' E	16° 14.5603' S
Inshore 6	123° 2.4094' E	16° 21.5928' S
Offshore 3	122° 51.5680' E	16° 12.0977' S
Offshore 4	122° 0.3396' E	13° 44.3021' S
Offshore 5	121° 9.5000' E	14° 17.7152' S

Question 3 – Location Map



Figure 0-1: Aerial marine megafauna survey – indicative design

Question 4 – The Action

A. The equipment and methods used to comply with the EPBC Act Regulations

The Woodside Marine Megafauna Studies (MMFS) Programme will include both aerial and vessel based surveys of cetaceans and other marine megafauna off the west coast of the Dampier Peninsula and offshore to Scott Reef. Surveys will be repeated to document seasonal patterns in distribution, abundance of marine megafauna. The survey methodologies follow standard methodologies used to survey marine mammals world-wide. The potential impacts of the survey methods are well understood and are considered to be low with disturbance limited to temporary behavioural responses with no evidence of significant impacts on individuals or populations.

Aerial surveys

The distribution and abundance of cetaceans and other megafauna will be periodically surveyed using aerial transects. The survey aircraft will fly at a nominal speed of approximately 110 knots at a height of 450-1000 feet. The team of observers onboard the aircraft will record all observed target species within the defined search areas. This method may not meet the provisions of the *Australian National Guidelines for Whale and Dolphin Watching 2005* (DEWHA, 2005) as the aircraft (fixed wing) could fly directly over animals, approach animals from head on and/or fly closer than 300m (1000 feet) from animals. The minimum aircraft altitude (450-1000 feet) is required for the detection and identification of smaller species. As transects are usually surveyed once each survey the surveyed animals are only briefly exposed once to the overflying aircraft.

Vessel surveys

The distribution, abundance and behaviour of cetaceans will be periodically surveyed using vessel based transects, focal follows and photographic identification. During vessel surveys cetaceans may be approached to a minimum distance of 50m for the purpose of photo ID. The expected potential impacts due to survey vessel approaches will be low and result in short term behavioural responses of individuals. Interactions with animals will be discontinued where significant behavioural responses are observed.

B. What steps will be taken to minimise impacts on cetaceans

Woodside will engage contractor/s to undertake the different aspects of the MMFS Programme. The contractor/s engaged will have appropriate levels of experience and qualifications in field surveys involving cetaceans. In addition, a Woodside representative (Project Manager) will be present during surveys (not necessarily onboard survey craft) will audit/monitor/report on compliance with permit conditions.

The MMFS Programme will utilise standard aerial and vessel survey methodologies (transect surveys, focal follows, photo ID) used worldwide in marine fauna studies. The potential impacts associated with these methods are known and could include temporary disturbance to sensitive individuals due to aircraft/vessel movements (visual/noise). There is no evidence that impacts will have significant impacts on individual cetacean or populations.

The MMFS survey area lies across the migration corridor of humpback whales and is not known to include any major breeding habitat for humpback whales. The survey methods will not disrupt migration activities or other critical activities.

Animal response during surveys will be monitored and in the event that significant negative interactions are detected, a review and revision of incidents and methodologies will be undertaken as required. Animals may only be approached within 50m for the purposes of Photo ID.

C. The objectives and purposes of the action

The MMFS Programme will utilise standard aerial and vessel survey methodologies (transect surveys, vessel focal follows, Photo ID) to collect field data on cetaceans and other marine megafauna to support a marine megafauna impact assessment for the Browse LNG Development.

Aerial surveys:

- Determine the seasonal distribution and abundance of humpback whales, dugongs and other marine megafauna off the west coast of the Dampier Peninsula and offshore to Scott Reef

Vessel surveys:

- Determine the fine scale movement patterns (residence time) and behaviour (resting, milling and migrating) of humpback whales in the migration corridor adjacent to the Dampier Peninsula area.
- Determine the seasonal distribution and abundance of humpback whales and other cetaceans/sirenians across the migration corridor adjacent to the Dampier Peninsula area.
- Identify other cetacean species (particularly dolphins) found in nearshore waters adjacent to the Dampier Peninsula area.

Question 5 – Description or Research

A. A copy of the research proposal

A detailed work scope will be prepared for the MMFS Programme by a technical consultant contracted by Woodside. The work scope will be subject to a scientific review process (to be developed) to ensure scientific rigor/transparency in survey design. Refer to the details provided in the Question 4 Attachment (above) for the details of the proposed survey program.

B. The names of the researchers and institutions involved in or supporting the research.

Woodside will contract appropriately qualified and experienced personnel and/or organisation/s to undertake the various components of the MMFS Programme. Woodside (as the permit holder) will provide written authorisation to these contractors to undertake work under the issued permit. Woodside will advise DEWHA in writing of the details of personnel and/or organisation/s prior to the survey work.



Australian Government

Department of the Environment and Water Resources

Supplementary Form C —

- **Threatened species & Ecological Communities**
- **Migratory species**
- **Listed marine species**

(use Form A for Cetaceans)

Use this supplementary form if you are applying for a permit to kill, injure, take, trade, keep or move a listed species or ecological community, a listed migratory species, or a listed marine species in a Commonwealth Area. You will also need to complete "The General Permit Application Form".

If you are proposing to take or send specimens out of Australia it is likely that you will also need an export permit. Import permits may also be necessary for taking specimens into an overseas country. For more information on imports and exports contact the Wildlife Trade Assessments Section on 02 6274 2880.

Please note that it is a requirement under subsection 200(3) of the Environment Protection and Biodiversity Conservation Act 1999 that details of this application (which may include the applicant's name) be provided to persons or bodies registered with the Department of the Environment and Water Resources under section 266A of the Act, and to whom notice of applications is to be given, for the purpose of inviting submissions from those persons or bodies regarding permit applications.

1 Under which section(s) of the EPBC Act are you applying for this permit?

It will help you complete your application if you know which list in the EPBC Act the affected species/ecological community appears on. Search the lists at: www.environment.gov.au/cgi-bin/sprat/public/sprat.pl

Please note some species appear on more than one list. For example the Green Turtle *Chelonia mydas* is a listed threatened species, a listed migratory species, and a listed marine species.

Select all that apply

Section 201 — Listed threatened species and ecological communities

Section 216 — Listed migratory species

Section 258 — Listed marine species

2 On the next page list details of species or ecological communities that will be affected by the action. Use the following codes to enter details in columns 3, 4 and 5.

Column 3 Conservation status of threatened species or ecological communities under EPBC Act

- EW Extinct in the wild
- EX Extinct
- CE Critically endangered
- EN Endangered
- VU Vulnerable
- CD Conservation dependent

Column 5 Type of effect

- DE Death
- IN Injury
- TR Trading
- TA Taking
- KE Keeping
- MO Moving

Details of species or ecological communities that will be affected by the action.

Common name of listed species/ecological communities, listed migratory species, or listed marine species.	Scientific name of species Common and scientific names are available at the Department's website: www.environment.gov.au/cgi-bin/sprat/public/sprat.pl	Conservation status under EPBC Act	Estimated number that will be affected. For ecological communities, provide estimate of the affected area	Type of effect
Dugong	Dugong dugon		Population unknown	TA

Where the project is of less than 1 km² in size, provide the location as a single pair of latitude and longitude references. Latitude and longitude references should be used instead of AMG and/or digital coordinates.

Locality:

Latitude	Longitude
121° 37.1796' E	18° 43.2666' S
121° 30.2084' E	18° 37.1162' S
121° 20.8509' E	17° 39.9306' S
121° 50.8125' E	16° 38.2777' S
122° 24.8644' E	16° 9.2539' S
123° 13.2639' E	16° 14.5603' S
123° 2.4094' E	16° 21.5928' S
122° 51.5680' E	16° 12.0977' S
122° 0.3396' E	13° 44.3021' S
121° 9.5000' E	14° 17.7152' S

Where the project area is greater than 1 km², or any dimension is greater than 1 km, provide additional coordinates to enable accurate identification of the location of the project area.

Attach a map to show the boundaries of the area in which the action will be conducted.

3 Provide an attachment describing the action addressing the following points.

- A. The objectives and purposes of the action;
- B. The equipment and methods used;

4 What are the likely short and long term impacts of the proposed action on the species or the ecological community?

The Marine Mega Fauna Study Programme (MMFS) uses standard aerial and vessel survey techniques which have the potential to cause short term behavioural affects on surveyed animals due to aircraft/vessel presence (visual/noise). These behavioural affects are not recognised as significant at the individual or population scales.

5 Describe the steps that will be taken to minimise impacts on the listed species/ecological community, including contingency plans in the case of events that may adversely affect members of the species/ecological community.

- 1) Woodside will engage suitably experienced and qualified personnel and/or organisation/s to undertake survey work
- 2) The survey techniques (aerial and vessel) to be used are standard techniques for which the types of potential impacts are known and considered low.
- 3) Survey techniques will be monitored and revised (if required) during surveys to ensure that adverse interactions are minimised.

6 Attach a description of any research relevant to the affected species or communities that will be carried out in the course of or in conjunction with the proposed action, including:

- A. a copy of the research proposal;
- B. the names of the researchers and institutions involved in or supporting the research; and
- C. relationship of the researchers to the permit applicant, including any funding being provided by the permit applicant.

7 Will the action involve invasive techniques?

No **Go to next question**

Yes If permit relates to mammals, birds, reptiles or amphibians, attach evidence that the proposed methods have been approved by an independent Animal Ethics Committee (this may include a State or Territory ethics committee, even if the action is conducted in a Commonwealth area).

A permit can only be issued under one of the following criteria: the action

- *will contribute significantly to the conservation of a listed species/ecological community (go to Question 8); or*
- *will be incidental to, and not the purpose of the action (go to Question 12); or*
- *is of particular significance to indigenous tradition (go to Question 15); or*
- *is necessary to control pathogen(s) (go to Question 18).*

8 Are you applying on the basis that the action will contribute significantly to the conservation of a listed species/ecological community?

No Go to 12

Yes Go to next question

9 Why do you believe that the action will contribute significantly to the conservation of listed species/ecological communities, listed migratory species or listed marine species?

The proposed action will collect field data that will improve the understanding of the spatial and temporal distribution and habitat usage of cetaceans and sirenians in the Dampier Peninsula area

10 Will the proposed action implement the recommendations of any recovery plan or wildlife conservation plan in force for the species or ecological community that may be affected by the action?

Commonwealth recovery plans that are in force are available at

www.environment.gov.au/biodiversity/threatened/recovery/list-common.html

Commonwealth wildlife conservation plans that are in force are available at

www.environment.gov.au/biodiversity/migratory/waterbirds/shorebird-plan/plan.html

State and territory recovery plans are available from state and territory environmental agencies.

No Go to next question

Yes Describe how this will be implemented.

11 Will the proposed action respond directly or indirectly to recommendations of any national or international organisation responsible for management of the affected species?

No Go to next question

Yes Describe how the proposed action will respond.

12 Are you applying on the basis that the impact of the action will be incidental to, and not the purpose of, the action?

No Go to 15

Yes Go to next question

- 13 Why do you believe that the impact of the action will be incidental to and not the purpose of the action?

The objective of the MMFS Programme is to collect field data on the diversity, spatial/temporal abundance, distribution and behaviour of cetaceans/sirenians in the study area. The programme uses standard aerial and vessel survey techniques which have the potential to cause short term behavioural affects on surveyed animals due to aircraft/vessel presence (visual/noise).

- 14 Why do you believe that the taking of the action will not adversely affect the:
- survival or recovery in nature of the species or ecological community?
 - conservation status of a listed species or ecological community?

Aerial and vessel surveys are standard techniques used to survey cetaceans/sirenians worldwide. The types of potential impacts are known for these techniques. In general there is a very low risk of short- term (temporary) behavioural changes by individuals in response to the visual presence and noise of aircraft and vessels. These behavioural affects are not recognised as significant at the individual or population scales.

Figure 1 Figure 2

- 15 Are you applying on the basis that the action is of particular significance to indigenous tradition?

No Go to 18

Yes Go to next question

- 16 Explain why do you believe that the proposed action will be of particular significance to indigenous tradition?

- 17 Why do you believe that the proposed action will not adversely affect the:

- survival or recovery in nature of the listed species or ecological community; or
- conservation status of the listed species or ecological community.

- 18 Are you applying on the basis that the action is necessary to control a pathogen(s), and is conducted in a way that will, as far as is practicable, keep to a minimum any impact on listed species/ecological communities, listed migratory species or listed marine species?

No Continue to Payment Section

Yes Go to next question

19 Why do you believe that the action is necessary for the control of pathogen(s)?

20 Explain how the action will be conducted in a way to minimise impacts on the species/communities affected.

If you have answered NO to Questions 8, 12, 15 and 18, it is unlikely that a permit can be issued under the EPBC Act.

21 Fees

The following fees apply:

- permits relating to listed threatened species or ecological communities - \$100
- permits relating to listed migratory species - nil
- permits relating to listed marine species – nil

Please note that exemption from fee payment may apply under circumstances as set out in EPBC Regulation 18.04.

22 Are you paying by credit card

No **Go to 23**

Yes Complete the following details

Card: Visa Bankcard MasterCard

Card number

Expiry date (month/year)

Card holder's name as shown on card

Amount

Cardholder's signature

23 Attachments

Indicate below which documents are attached.

Description of proposed action

See question 3

Description of relevant research

See question 6

Evidence of approval of invasive techniques

See question 7

Cheque for payment of fee

See question 21

24 Declaration

I declare that the information contained in this supplementary form is correct to the best of my knowledge.

Signature of applicant

Name of person signing

Date

Send this application and fee to:

Wildlife Trade Assessments
Department of the Environment and Water Resources
Australian Government
GPO Box 787
CANBERRA ACT 2601

Fax: 02 6274 1921
Email: wta@environment.gov.au



**Department of the Environment and Water Resources
Supplementary Form C –
Listed Marine Species**

Attachments

Date: May 2009

Status: Final

Table of Contents

QUESTION 2 – LOCATION MAP	3
QUESTION 3 – THE ACTION.....	4
QUESTION 6 – DESCRIPTION OR RESEARCH.....	5

Question 2 – Location Map

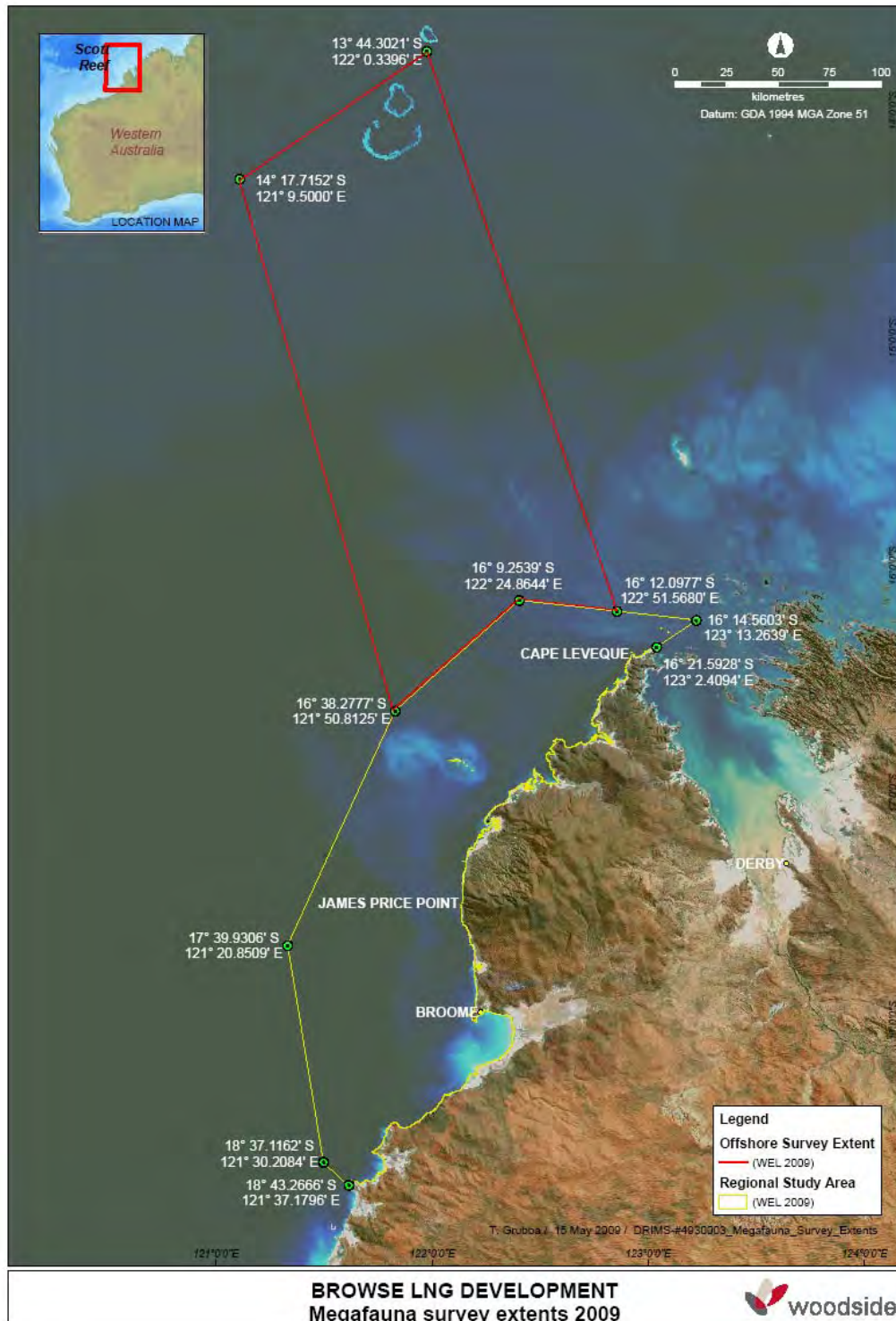


Figure 1 Aerial marine mega fauna survey – indicative design

Question 3 – The Action

A. The objectives and purposes of the action

The Woodside Marine Megafauna Studies (**MMFS**) Programme will utilise standard aerial and vessel survey methodologies (transect surveys, vessel focal follows, Photo ID) to collect field data on cetaceans and sirenians to support a marine megafauna impact assessment for the Browse LNG Development.

Aerial surveys:

- Determine the seasonal distribution and abundance of humpback whales, other cetaceans and sirenians off the west coast of the Dampier Peninsula and offshore to Scott Reef

Vessel surveys:

- Determine the fine scale movement patterns (residence time) and behaviour (resting, milling and migrating) of humpback whales and other cetaceans in the migration corridor adjacent to the Dampier Peninsula area.
- Determine the seasonal distribution and abundance of humpback whales, other cetaceans and sirenians across the migration corridor adjacent to the Dampier Peninsula area.
- Identify other cetacean species (particularly dolphins) found in nearshore waters adjacent to the Dampier Peninsula area.

B. The equipment and methods used to comply with the EPBC Act Regulations

The MMFS Programme will include both aerial and vessel based surveys of cetaceans and sirenians off the west coast of the Dampier Peninsula and offshore to Scott Reef. Surveys will be repeated to document seasonal patterns in distribution, abundance of cetacean and sirenians. The survey methodologies follow standard methodologies used to survey marine mammals world-wide. The potential impacts of the survey methods are well understood and are considered to be low with disturbance limited to temporary behavioural responses with no evidence of significant impacts on individuals or populations.

Aerial surveys

The distribution and abundance of cetaceans and sirenians will be periodically surveyed using aerial transects. The survey aircraft will fly at a nominal speed of approximately 110 knots at a height of 450-1000 feet. The team of observers onboard the aircraft will record all observed target species within the defined search areas. This method may not meet the provisions of the *Australian National Guidelines for Whale and Dolphin Watching 2005* (DEWHA, 2005) as the aircraft (fixed wing) could fly directly over animals, approach animals from head on and/or fly closer than 300m (1000 feet) from animals. The minimum aircraft altitude (450-1000 feet) is required for the detection and identification of smaller species. As transects are usually surveyed once each survey the surveyed animals are only briefly exposed once to the overflying aircraft.

Vessel surveys

The distribution, abundance and behaviour of cetaceans and sirenians will be periodically surveyed using vessel based transects, focal follows and photographic identification. During vessel surveys cetaceans may be approached to a minimum distance of 50m for the purpose of photo ID. The expected potential impacts due to survey vessel approaches will be low and result in short term behavioural responses of individuals. Interactions with animals will be discontinued where significant behavioural responses are observed.

Question 6 – Description or Research

A. A copy of the research proposal

A detailed work scope will be prepared for each survey to be conducted under the MMFS Programme by a technical consultant contracted by Woodside. The work scope will be subject to a scientific review process (to be developed) to ensure scientific rigor/transparency in survey design. Refer to the details provided in the Question 3 (above) for the details of the proposed survey program.

B. The names of the researchers and institutions involved in or supporting the research.

Woodside will contract appropriately qualified and experienced personnel and/or organisation/s to undertake the various components of the MMFS Programme. Woodside (as the permit holder) will provide written authorisation to these contractors to undertake work under the issued permit. Woodside will advise DEWHA in writing of the details of personnel and/or organisation/s prior to the survey work.