Otway Exploration Drilling Program

Protecting Southern Right Whales

ConocoPhillips Australia's environment plan for the Otway Exploration Drilling Program includes a range of measures to safeguard the southern right whale from any potential impacts caused by our activity to acceptable levels that are as low as reasonably practicable. Cultural, scientific and environmental information was gathered, allowing a full assessment of potential effects of the activity and to ensure the activity is consistent with the National Recovery Plan for the Southern Right Whale.

Southern right whales were pushed to the brink of extinction by commercial whaling practices in the 19th century and are endangered. The eastern population of southern right whales is recovering from whaling, but at a slower rate to the western population. The long-life span, late maturity and low reproduction rate of this species means that a precautionary approach needs to be taken in the assessment and mitigation of potential impacts.

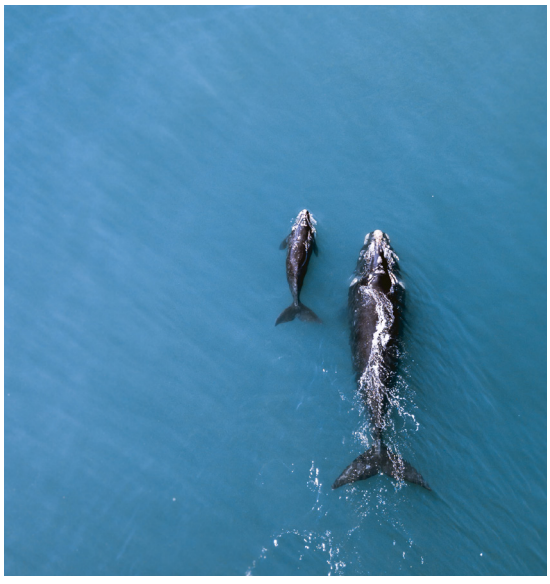
During the preparation of the Otway Exploration Drilling Program Environment Plan (EP) ConocoPhillips Australia learned a lot about southern right whales, including their cultural significance to Australia's First Nations Peoples. We acknowledge that, to some First Nations groups, whales are totemic ancestors and their arrival along the coastline is considered to be the arrival of elders of the sea following a songline or ancient memory code that traces the journeys of ancestral spirits as they created the land, animals, and lore.

Protecting Southern Right Whales

Minimising impacts on reproduction

The Gunditjmara people recognise coastal Victorian waters as sacred birthing areas, resting and feeding sites and safe havens for southern right whale mothers and babies, that are directly related to 'Gunditjmara Neeyn' (midwives). These coastal 'biologically important areas are important for the reproductive success of this species.

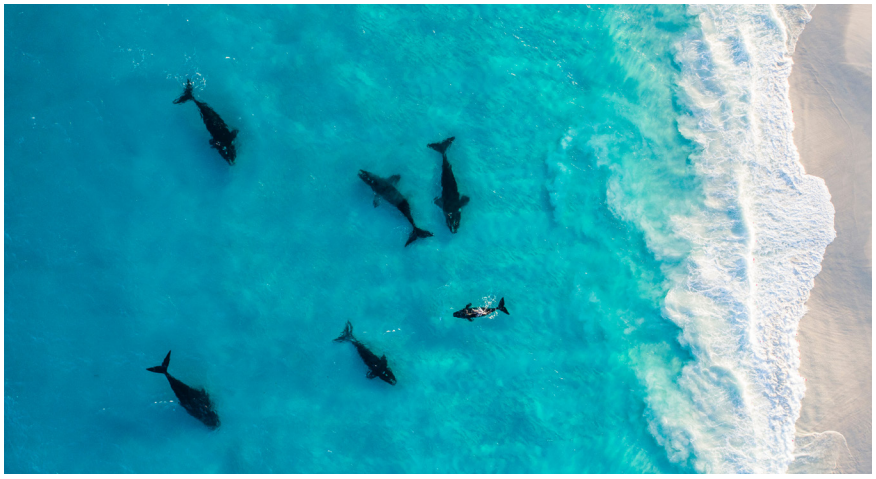
- **Proposed activities are not within or directly adjacent to biologically important areas (BIAs) for breeding–** The southern right whales reproduction BIA is located along the coastline in waters less than 10m depth. This area is, at the closest possible range, approximately 20km away from operational areas.
- **Received sound levels at this area are well below levels that could impact important reproduction behaviours –** as confirmed by international underwater sound experts.



Minimising impacts on migration

A range of species may be present in offshore waters, including southern right whales who migrate from coastal reproduction areas to southern feeding grounds.

- **Predictions show underwater sound won't impact migration** – Southern right whales migrate at speeds of approximately 3 km per hour and are not predicted to be affected by underwater sound for periods of time that could result in any auditory impairment.
- **Safe distance maintained at all times** – Vessels maintain an increased distance from southern right whale mothers with calves that may migrate through offshore waters on their way to southern feeding grounds. Federal Government Regulations require vessels to maintain a distance of 300m from whales. ConocoPhillips Australia has increased this to 500m for all whales and 1km for southern right whales with calves.



- **Immediate activity stop** – If a southern right whale is detected within an area where it may be affected by underwater sound during resupply, the activity will stop, and the vessel will move away as soon as it is safe to do so.
- **Adaptive management procedures to ensure protection** – Robust pre-start observation, soft-start, start-up delay and adaptive management procedures have been developed and will be implemented. These procedures focus on the protection of southern right whales as well as other species that may be undertaking biologically important behaviours, such as foraging.
- **We detect whales using multiple methods and enact protection measures accordingly** – To mitigate for any potential effect the Fauna Management Plan was developed in consultation with marine fauna experts and marine fauna observer specialists. This plan ensures whales can be detected using 'multiple-lines of evidence' including: marine fauna observers, passive acoustic monitoring and aerial surveys.
- **The establishment of a Whale Expert Panel** – This panel will be established to ensure the requirements of the Fauna Management Plan are implemented effectively.

The National Recovery Plan for the Southern Right Whale

The National Recovery Plan for the Southern Right Whale (SRW Recovery Plan) is a legislative instrument that applies under the EPBC Act and includes recovery objectives, biological and ecological information and specific conservation and management actions to promote recovery of the species. Some of these actions are relevant to the environmental management of offshore petroleum activities.

ConocoPhillips Australia has undertaken to demonstrate in the EP that the proposed exploration program can be conducted in a manner that will not affect the recovery of this important threatened species, consistent with the SRW National Recovery Plan.



How is ConocoPhillips Australia protecting other marine species?

The Fauna Management Plan provides specific measures to protect a range of species that may be present in the operational areas. For example, the Federal Government Regulation requirement for vessels to not approach within 150 m for dolphins has also been applied to seals, marine turtles and flocks of rafting or foraging birds to mitigate disturbance and the risk of a collision.

How is ConocoPhillips Australia held accountable

Activities conducted on petroleum titles are regulated by the Commonwealth National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA). NOPSEMA is Australia's independent expert statutory authority established under the Offshore Petroleum and Greenhouse Gas Storage Act 2006.

The assessment and acceptance process for ConocoPhillips Australia's Environment Plan is undertaken and regulated by NOPSEMA. No activity proposed under the EP can start until NOPSEMA determines that the EP meets all necessary requirements. NOPSEMA evaluates ConocoPhillips Australia's demonstration of compliance with The National Recovery Plan for the Southern Right Whale.

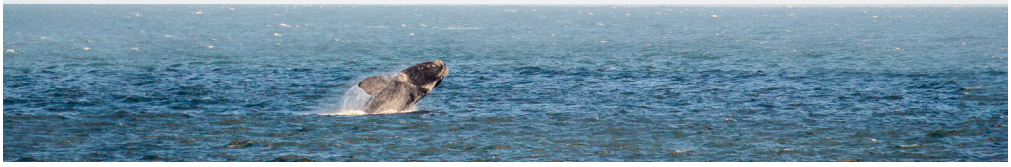
NOPSEMA relies on scientific evidence and a team of highly qualified experts to ensure high-quality decision making and the effective regulation of offshore activites.

Research informed protection measures

ConocoPhillips Australia has actively supported research in the Otway region to update historical datasets and improve the prediction of impacts and risks. This improved understanding has led to the application of more robust control measures to protect marine fauna, such as the application of controls all year-round which is based on increased periods of presence for some species detected during aerial surveys.

This research includes but is not limited to:

- **Southern Right Whales** – ConocoPhillips Australia supported research through the Arthur Rylah Institute, in expanding their southern right whale aerial monitoring program along the Victorian coastline for the 2023–24 seasons.
- **Blue Whales** – ConocoPhillips Australia supported research through Fathom Pacific who conducted aerial surveys in the Otway Basin in 2021, 2022 and 2023.
- **Many Species that visit the Victorian coastline** – ConocoPhillips Australia is an advocate for community-based research programs with the Dolphin Research Institute, who are expanding their Two Bays Whale Program.



Acknowledgement

ConocoPhillips Australia acknowledges the Aboriginal and Torres Strait Islander peoples as the First Nations Peoples and Traditional Custodians of this land, and we pay our respects to Elders past and present. We celebrate the Aboriginal and Torres Strait Islander peoples' long histories, rich cultures and connection to the land, water and air.

Artwork by Wakka Wakka artist, David Williams for the ConocoPhillips Reconciliation Action Plan.

Contact Us

In the interim, if you would like more information, please contact the Otway Project Team in any of the following ways:

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