



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3033/4
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Latent Petroleum Pty Ltd

1.3. Property details

Property: Pipeline Licence PL 80
Local Government Area: Shire of Coorow and Shire of Dandaragan
Colloquial name: Warro Gas Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
16.2		Mechanical Removal	Gas pipeline construction, temporary gas processing plant, maintenance road and associated activities

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 31 May 2018

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description The vegetation of the application area is broadly mapped as the following Beard vegetation associations:
946: Medium woodland; wandoo; and
1031: Mosaic: Shrublands; hakea scrub-heath / Shrublands; dryandra heath (GIS Database).

An initial flora survey of the application area was carried out by Botanica Consulting and Keith Lindbeck and Associates between 13 and 17 November 2007 to collect flowering material from the vegetation groups within the application area. An additional vegetation survey was conducted by Botanica Consulting and Keith Lindbeck and Associates between 5 and 7 December 2007 to identify the major vegetation groups within the application area (Keith Lindbeck and Associates, 2009). Targeted flora surveys were undertaken by a local flora specialist (Mr Don Williams) between May and October 2009 (Keith Lindbeck and Associates, 2009).

The vegetation surveys identified the following 15 vegetation communities within the application area (Keith Lindbeck and Associates, 2009):

Kwongan:

K1 - Dense low (<1m) Kwongan heath dominated by *Adenanthos cygnorum*, *Allocasuarina humilis*, *Banksia candolleana* and *Banksia sphaerocarpa* over duplex sands.
K2 - Mid dense Kwongan heath dominated by *Banksia strictifolia* and *Banksia sclerophylla* over grey clay and laterite outcrop.
K3 - Low Kwongan heath (regrowth) over *Banksia candolleana*, *Banksia sphaerocarpa*, *Banksia carlinoides* and *Daviesia daphnoides* over deep grey-yellow sands.
K4 - Tall Kwongan heath dominated by *Banksia sessilis* var *flabellifolia*, *Eremaea beaufortoides*, *Adenanthos cygnorum* and *Jacksonia floribundum* over deep yellow sands.

Shrubland:

S1 - Dense *Allocasuarina campestris* shrubland.

Woodland:

W1 - Open low *Eucalyptus tottiana* and *E. wandoo* woodland over tall Kwongan dominated by *Jacksonia stembergiana*, *Lachnostachys eriobotrya* and *Xylomelum angustifolium* over grey, yellow and red loam.
W2 - *Eucalyptus tottiana* scattered low trees over tall Kwongan dominated by *Banksia attenuata*, *B. burdettii*, *B. candolleana*, *B. sessilis* var *flabellifolia* and *Xylomelum angustifolium*.
W3 - Low *Banksia* and *Xylomelum angustifolium* woodland over Kwongan heath dominated by *Banksia* species, *Hibbertia subvaginata* and *Petrophile macrostachya*.

Disturbed:

KD1 - Grazed areas of Kwongan vegetation over duplex sands and some breakaway.
KD2 - Degraded areas of kwongan vegetation over shallow duplex sand, gravel exposed.
KD3 - Kwongan regrowth (~4 yrs) over deep grey-yellow sands.
WD1 - Parkland cleared - Isolated *Eucalyptus wandoo* trees.

D1 - Cleared agricultural land with isolated *Eucalyptus loxophleba* and *E. gittinsii* trees over breakaway.
 D2 - Cleared agricultural land with isolated *Eucalyptus todtiana*, *Banksia candolleana*, *Nuytsia floribunda* and agricultural species.
 D3 - Cleared agricultural land with isolated individual *Eucalyptus falcata*, *Hibbertia hypericoides*, *Lomandra hastilis* and *Mesomelaena stygia* with agricultural species.

Clearing Description Warro Gas Project.
 Latent Petroleum Pty Ltd proposes to clear up to 16.2 hectares of native vegetation within a boundary of approximately 100 hectares, for the purpose of gas pipeline, temporary gas processing plant, maintenance road and associated activities. The project is approximately 30 kilometres long and is located in the Shire of Coorow and the Shire of Dandaragan.

Vegetation Condition Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994);
 To
 Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

Comment The vegetation condition was derived from a vegetation survey conducted by Keith Lindbeck and Associates (2009).
 Of the 33.1 kilometre proposed pipeline route, only 16.2 hectares is proposed to be cleared - approximately 9.22 hectares comprises of remnant vegetation and 6.98 hectares of regrowth native vegetation. The remaining area within the application area comprises of agricultural land. The proposed clearing will be restricted to a width of 20 metres through areas of remnant native vegetation and 30 metres through areas on agricultural land (Keith Lindbeck and Associates, 2009).

The vegetation will be cleared using blade down clearing techniques. Topsoil and vegetative material will be stockpiled within the application area and progressive rehabilitation will be completed as soon as practicable (Keith Lindbeck and Associates, 2009). Following the rehabilitation, Keith Lindbeck and Associates (2009) has advised that a total of 3.22 hectares (1.80 hectares on regrowth farmland, and 1.42 hectares in remnant vegetation) will remain cleared for a 5 metre wide maintenance track along the pipeline route.

Clearing permit CPS 3033/1 was granted by the Department of Mines and Petroleum, now the Department of Mines, Industry Regulation and Safety (DMIRS) on 2 July 2009, and was valid from 1 August 2009 to 31 July 2014. The permit authorised the clearing of up to 16.2 hectares of native vegetation within a boundary of approximately 100 hectares. CPS 3033/2 was granted on 29 May 2014, extending the period in which clearing was authorised by two years to 31 July 2016, and extending the permit expiry date to 31 July 2021 to allow for rehabilitation and revegetation activities to be conducted following the completion of clearing. CPS 3033/3 was granted on 10 May 2016, extending the period in which clearing was authorised by a further two years to 31 July 2018 and extending the permit duration by two years to 31 July 2023.

On 4 April 2018, the Permit Holder applied to amend CPS 3033/3 to extend the period in which clearing is authorised by a further four years to 31 July 2022, and to extend the permit duration by four years to 2027.

3. Assessment of application against Clearing Principles

Comments

The Permit Holder has applied to amend the clearing permit to extend the permit duration by four years to 31 July 2027. The size of the area approved to clear (16.2 hectares), and the permit boundary remains unchanged. The amendment is unlikely to result in any significant change to the environmental impacts of the proposed clearing (GIS Database).

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*. Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision reports CPS 3033/1, 3033/2, and 3033/3.

Methodology

GIS Database:
 - DPaW Tenure
 - Hydrography, Lakes
 - Hydrography, Linear
 - Imagery
 - Pre-European Vegetation
 - Public Drinking Water Source Areas
 - Soils, Statewide
 - Threatened and Priority Ecological Communities boundaries
 - Threatened and Priority Ecological Communities buffers
 - Threatened and Priority Flora
 - Threatened Fauna

Planning Instrument, Native Title, previous EPA decision or other matter.

Comments

There is one Native Title claim (WC1997/071) over the area under application (DPLH, 2018). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. However, the mining tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

There are no registered Aboriginal Sites of Significance within the application area (DPLH, 2018). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

It is the proponent's responsibility to liaise with the Department of Water and Environmental Regulation and the Department of Biodiversity Conservation and Attractions, to determine whether a Works Approval, Water Licence, Bed and Banks Permit, or any other licences or approvals are required for the proposed works.

Methodology DPLH (2018)

4. References

- DPLH (2018) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage.
<http://maps.daa.wa.gov.au/AHIS/> (Accessed 17 May 2018).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Keith Lindbeck and Associates (2009) Latent Petroleum Limited Warro Gas Project - Gas Pipeline and Temporary Gas Processing Plant, Supporting Document for Clearing Permit Application. Report prepared for Latent Petroleum Limited, by Keith Lindbeck and Associates, March 2009.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DBCA	Department of Biodiversity Conservation and Attractions, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
DEE	Department of the Environment and Energy, Australian Government
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia
DMP	Department of Mines and Petroleum, Western Australia (now DMIRS)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora
DoE	Department of the Environment, Australian Government (now DEE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
DWER	Department of Water and Environmental Regulation, Western Australia
EPA	Environmental Protection Authority, Western Australia
EP Act	<i>Environmental Protection Act 1986</i> , Western Australia
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Federal Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia
IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
TEC	Threatened Ecological Community

Definitions:

{DPaW (2017) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

- T** **Threatened species:**
Published as Specially Protected under the *Wildlife Conservation Act 1950*, listed under Schedules 1 to 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora).
Threatened fauna is that subset of 'Specially Protected Fauna' declared to be 'likely to become extinct' pursuant to section 14(4) of the *Wildlife Conservation Act 1950*.
Threatened flora is flora that has been declared to be 'likely to become extinct or is rare, or otherwise in need of special protection', pursuant to section 23F(2) of the *Wildlife Conservation Act 1950*.
The assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below.
- CR** **Critically endangered species**
Threatened species considered to be facing an extremely high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- EN** **Endangered species**
Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- VU** **Vulnerable species**
Threatened species considered to be facing a high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- EX** **Presumed extinct species**
Species which have been adequately searched for and there is no reasonable doubt that the last individual has died. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora.
- IA** **Migratory birds protected under an international agreement**
Birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and The Republic of Korea (ROKAMBA), and the Bonn Convention, relating to the protection of migratory birds. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- CD** **Conservation dependent fauna**
Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- OS** **Other specially protected fauna**
Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- P** **Priority species**
Species which are poorly known; or
Species that are adequately known, are rare but not threatened, and require regular monitoring. Assessment of Priority codes is based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.
- P1** **Priority One - Poorly-known species:**
Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey.
- P2** **Priority Two - Poorly-known species:**

Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, e.g. national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.

P3 Priority Three - Poorly-known species:

Species that are known from several locations, and the species does not appear to be under imminent threat, or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat. Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. Such species are in need of further survey.

P4 Priority Four - Rare, Near Threatened and other species in need of monitoring:

(a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection, but could be if present circumstances change. These species are usually represented on conservation lands.

(b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for Vulnerable, but are not listed as Conservation Dependent.

(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.

Principles for clearing native vegetation:

- (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.
- (b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.
- (c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.
- (d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.
- (e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.
- (f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.
- (g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.
- (h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.
- (i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.
- (j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.