Government of Western Australia
Department of Mines and Petroleum

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5963/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **APA (Pilbara Pipeline) Pty Ltd**

1.3. Property details

Property: Pipeline Licence 104
Local Government Area: Town of Port Hedland
Colloquial name: Boodarie Gas Lateral

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.259		Mechanical Removal	Construction of Pipeline, Maintenance and Access

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 13 March 2014

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard vegetation associations have been mapped for the whole of Western Australia. One Beard vegetation association is located within the application area (GIS Database): **Beard vegetation association 589:** Mosaic: Short bunch grassland - savanna / grass plain (Pilbara) / Hummock grasslands, grass steppe; soft spinifex (GIS Database). A flora and vegetation survey of the application area and surrounding area conducted by GHD (2010) identified the area to be dominated by low open heath over tussock grasslands, with changes due to differing dominance of individual grass/Triodia species, fire and other disturbances. Tussock grasslands were present with emergent tree overstorey species (Eucalypt and Acacia) on the sandplains.	Boodarie Gas Lateral Project. APA (Pilbara Pipeline) Pty Ltd proposes to clear up to 0.259 hectares of native vegetation within a total boundary of approximately 0.261 hectares for the purposes of the construction of pipeline, maintenance and access. The project is located approximately 13 kilometres south-west of Port Hedland, in the Town of Port Hedland.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The vegetation condition was assessed during a survey undertaken by GDH (2010).

3. Assessment of application against clearing principles

Comments

The proposal to clear 0.2590 hectare of native vegetation within an application area of 0.2590 hectares for the purpose of construction of pipeline, maintenance and access is unlikely to have any significant environmental impacts. The application area occurs within the Roebourne (PIL4) subregion of the Pilbara Interim Biogeographic Regionalisation of Australia (IBRA) bioregion (GIS Database). This subregion is characterised by quaternary alluvial and older colluvial coastal and subcoastal plains with a grass savannah of mixed bunch and hummock grasses, and dwarf shrub steppe of *Acacia stellaticeps* or *A. pyrifolia* and *A. inaequilatera*. Uplands are dominated by *Triodia* hummock grasslands. Ephemeral drainage lines support *Eucalyptus victrix* or *Corymbia hamersleyana* woodlands. Samphire, *Sporobolus* and mangal occur on marine alluvial flats and river deltas (CALM, 2002).

There are no known Threatened or Priority flora located within the application area (APA, 2013; GIS Database). No Threatened Ecological Communities or Priority Ecological Communities were recorded within the application area (APA, 2013; GIS Database). The condition of the vegetation was classified as 'degraded' (Keighery, 1994; GIS Database).

There are no permanent watercourses or water bodies mapped within the area under application (APA, 2012; GIS Database). There was no riparian vegetation surveyed within the application area (APA, 2012).

The land system associated with the application area has a low risk of erosion (Van Vreeswyk et al., 2004) and the proposed clearing is not likely to cause a deterioration in the quality of surface or underground water or increase the incidence or intensity of flooding (GIS Database).

The application area is not located within any conservation area (GIS Database). There are no conservation areas within 50 kilometres of the application area (GIS Database).

Based on the flora and vegetation survey and fauna survey conducted by GHD (2010), the survey did not identify critical feeding or breeding habitat for any conservation significant fauna species as the application area does not contain significant fauna habitat (GIS Database). Clearing native vegetation from the application area is required for an excavation to facilitate a hot tap and other facilities (APA, 2013). The maximum size the trench will be open at any one time will be 3 metres deep and less than 150 metres in length. The trench will include benching for stability, fauna egresses as required and regular inspections of the trench to identify any trapped fauna as per the proponents Construction Environment Plan (APA, 2013).

There were several weed species identified within the application area and surrounding area (GHD, 2010). Weeds have the potential to significantly change the dynamics of a natural ecosystem and lower the biodiversity of an area. Potential impacts to the biodiversity as a result of the proposed clearing may be minimised by the implementation of a weed management condition.

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*, is not likely to be at variance to Principles (a), (b), (c), (d), (f), (g), (h), (i), and (j), and is not at variance to Principle (e).

Methodology

APA (2013)
CALM (2002)
GHD (2010)
Keighery (1994)
Van Vreeswyk et al (2004)
GIS Database:
- DEC Tenure
- Evaporation Isopleths
- Groundwater Salinity
- Hydrography, linear
- IBRA WA (Regions - Sub Regions)
- Port Hedland Townsite 20cm Orthomosaic - Landgate 2002
- Pre-European Vegetation
- Public Drinking Water Source Areas
- Rangeland Land System Mapping
- Rainfall, Mean Annual
- Threatened and Priority Flora
- Threatened Ecological Sites Buffered

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

There is one Native Title Claim over the area under application (GIS Database). The claim WC1999/033 was determined by the Federal Court on 22 April 1999. 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 (GIS Database). 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 Environment Regulation (formerly the Department of Environment and Conservation) and the Department of Water, to determine whether a Works Approval, Water Licence, Bed and Banks Permit, or any other licences or approvals are required for the proposed works.

The clearing permit application was advertised on 10 February 2014 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received to the proposed clearing.

Methodology

GIS Database:
- Aboriginal Sites of Significance
- Native Title Claims - Determined by the Federal Court

4. References

APA Group (APA) (2013) Boodarie Gas Lateral Project. Supporting Documentation for Applications. Internal report, December 2012.

CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions. Pilbara 4 (PIL4 – Roebourne subregion) Department of Conservation and Land Management, Western Australia.

GHD (2010) Report for proposed Boodarie Industrial Area – Flora and Fauna Assessment for LandCorp.

Keighery, B.J (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Van Vreeswyk, A.M.E., Payne, A.L., Hennig, P., and Leighton, K.A. (2004) An Inventory and Condition Survey of the Pilbara Region, Western Australia, Department of Agriculture, Western Australia

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
CALM	Department of Conservation and Land Management (now DEC), Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia
DEH	Department of Environment and Heritage (federal based in Canberra) previously Environment Australia
DEP	Department of Environment Protection (now DEC), Western Australia
DIA	Department of Indigenous Affairs
DLI	Department of Land Information, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DoE	Department of Environment (now DEC), Western Australia
DoIR	Department of Industry and Resources (now DMP), Western Australia
DOLA	Department of Land Administration, Western Australia
DoW	Department of Water
EP Act	Environmental Protection Act 1986, Western Australia
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (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
RIWI Act	Rights in Water and Irrigation Act 1914, Western Australia
s.17	Section 17 of the Environment Protection Act 1986, Western Australia
TEC	Threatened Ecological Community

Definitions:

{Atkins, K (2005). *Declared rare and priority flora list for Western Australia, 22 February 2005*. Department of Conservation and Land Management, Como, Western Australia} :-

P1	**Priority One - Poorly Known taxa**: taxa which are known from one or a few (generally <5) populations which are under threat, either due to small population size, or being on lands under immediate threat, e.g. road verges, urban areas, farmland, active mineral leases, etc., or the plants are under threat, e.g. from disease, grazing by feral animals, etc. May include taxa with threatened populations on protected lands. Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
P2	**Priority Two - Poorly Known taxa**: taxa which are known from one or a few (generally <5) populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
P3	**Priority Three - Poorly Known taxa**: taxa which are known from several populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in need of further survey.
P4	**Priority Four – Rare taxa**: taxa which are considered to have been adequately surveyed and which, whilst being rare (in Australia), are not currently threatened by any identifiable factors. These taxa require monitoring every 5–10 years.
R	**Declared Rare Flora – Extant taxa** *(= Threatened Flora = Endangered + Vulnerable)*: taxa which have been adequately searched for, and are deemed to be in the wild either rare, in danger of extinction, or otherwise in need of special protection, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.
X	**Declared Rare Flora - Presumed Extinct taxa**: taxa which have not been collected, or otherwise verified, over the past 50 years despite thorough searching, or of which all known wild populations have been destroyed more recently, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.

{Wildlife Conservation (Specially Protected Fauna) Notice 2005} [Wildlife Conservation Act 1950] :-

Schedule 1 **Schedule 1 – Fauna that is rare or likely to become extinct:** being fauna that is rare or likely to become extinct, are declared to be fauna that is need of special protection.

Schedule 2 **Schedule 2 – Fauna that is presumed to be extinct:** being fauna that is presumed to be extinct, are declared to be fauna that is need of special protection.

Schedule 3 **Schedule 3 – Birds protected under an international agreement:** being birds that are subject to an agreement between the governments of Australia and Japan relating to the protection of migratory birds and birds in danger of extinction, are declared to be fauna that is need of special protection.

Schedule 4 **Schedule 4 – Other specially protected fauna:** being fauna that is declared to be fauna that is in need of special protection, otherwise than for the reasons mentioned in Schedules 1, 2 or 3.

{CALM (2005). *Priority Codes for Fauna*. Department of Conservation and Land Management, Como, Western Australia} :-

P1 **Priority One: Taxa with few, poorly known populations on threatened lands**: Taxa which are known from few specimens or sight records from one or a few localities on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, active mineral leases. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.

P2 **Priority Two: Taxa with few, poorly known populations on conservation lands**: Taxa which are known from few specimens or sight records from one or a few localities on lands not under immediate threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, vacant Crown land, water reserves, etc. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.

P3 **Priority Three: Taxa with several, poorly known populations, some on conservation lands**: Taxa which are known from few specimens or sight records from several localities, some of which are on lands not under immediate threat of habitat destruction or degradation. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.

P4 **Priority Four: Taxa in need of monitoring**: Taxa which are considered to have been adequately surveyed, or for which sufficient knowledge is available, and which are considered not currently threatened or in need of special protection, but could be if present circumstances change. These taxa are usually represented on conservation lands.

P5 **Priority Five: Taxa in need of monitoring**: Taxa which are not considered threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five years.

Categories of threatened species (*Environment Protection and Biodiversity Conservation Act 1999)*

EX **Extinct:** A native species for which there is no reasonable doubt that the last member of the species has died.

EX(W) **Extinct in the wild:** A native species which:
(a) is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; or
(b) has not been recorded in its known and/or expected habitat, at appropriate seasons, anywhere in its past range, despite exhaustive surveys over a time frame appropriate to its life cycle and form.

CR **Critically Endangered:** A native species which is facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with the prescribed criteria.

EN **Endangered:** A native species which:
(a) is not critically endangered; and
(b) is facing a very high risk of extinction in the wild in the near future, as determined in accordance with the prescribed criteria.

VU **Vulnerable:** A native species which:
(a) is not critically endangered or endangered; and
(b) is facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with the prescribed criteria.

CD **Conservation Dependent:** A native species which is the focus of a specific conservation program, the cessation of which would result in the species becoming vulnerable, endangered or critically endangered within a period of 5 years.