



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 6875/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: AWE Perth Pty Ltd

### 1.3. Property details

Property: Pipeline Licence PL 111  
Production Licence L1

Local Government Area: Shire of Irwin

Colloquial name: Waitsia Gas Pipeline

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.5		Mechanical Removal	Petroleum Pipeline

### 1.5. Decision on application

Decision on Permit Application:

Decision Date:

## 2. Site Information

### 2.1. Existing environment and information

#### 2.1.1. Description of the native vegetation under application

**Vegetation Description** 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 378:** Shrublands; scrub-heath with scattered *Banksia* spp, *Eucalyptus todtiana* & *Xylomelum angustifolium* on deep sandy flats in the Geraldton Sandplain Region.

**Clearing Description** Waitsia Gas Pipeline  
AWE Perth Pty Ltd proposes to clear up to 2.5 hectares of native vegetation within a total boundary of approximately 6.6 hectares, for the purpose of a petroleum pipeline. The project is located approximately 17 kilometres south east of Dongara in the Shire of Irwin.

**Vegetation Condition** Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).

To

Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

**Comment** The proposed clearing will allow for the petroleum pipeline right of way easement.

A flora and vegetation desktop study of the Waitsia Gas Field and surrounding area was conducted by Maia Environmental Consultancy (2015). The area subject to the desktop was much larger than the area applied to be cleared under CPS 6875/1. Information within the desktop study is consistent with database records accessible to the Department of Mines and Petroleum.

The condition of the vegetation under application was determined via the use of aerial imagery.

## 3. Assessment of application against Clearing Principles

### Comments

The application area is located within the Lesueur Sandplain subregion of the Geraldton Sandplains Interim Biogeographic Regionalisation for Australia bioregion (GIS Database). The Lesueur Sandplain is characterised by shrub-heaths rich in endemics occurring on a mosaic of lateritic mesas, sandplains, coastal sands and limestones as well as heath on lateritised sandplains along the subregions north-eastern margins (CALM, 2002).

The application area consists of two separate areas; a northern section (with an approximate boundary area of 4.5 hectares) and a southern section (approximate boundary area of 2.1 hectares). The northern section has obvious signs of disturbance, such as access tracks, existing cleared areas and appears to have regrowth vegetation within the central parts. The vegetation within the northern section is situated on (and is a part of) the eastern edge of a larger tract of remnant vegetation that is in much better condition than the vegetation

proposed to be cleared. Pastoral cleared areas and tree plantations occur to the north and south.

The southern section of the application area is also a part of larger tract of remnant vegetation, contributing to its northern extremity. The vegetation ranges in condition from completely degraded to good condition; with tracks throughout some parts and completely cleared areas in the south west corner. Tree plantations occur to the west and north. The Beard vegetation association (Beard 378) mapped over the application area is well represented retaining approximately 64% of pre-European vegetation within the state and bioregion (Government of Western Australia, 2014) and the nearest conservation area (Yardanogo Nature Reserve) is located approximately 3.8 kilometres south of the southern section. Given the condition of the vegetation under application and small scale of the proposed clearing, significant impacts to areas of remnant vegetation and ecological linkages in the local area are considered unlikely.

According to available databases, there are no records of Threatened or Priority flora species found within the application area (Maia, 2015; GIS Database). Nine Threatened flora species and 38 Priority flora species have been recorded within the local area (20 Kilometre radius). Of these species, *Paracaleana dixonii* is the most likely to occur within the application area (Maia, 2015). Previous surveys of the surrounding area have also indicated that the remnant vegetation in surrounding areas is floristically diverse and contains many conservation significant species (Maia, 2015). The proposed clearing of up to 2.5 hectares of mostly degraded vegetation is unlikely to impact Threatened or Priority flora species at a community or population level.

There are no Threatened Ecological Communities (TECs) or Priority Ecological Communities (PECs) known within the application area (Maia, 2015; GIS Database) and no watercourses or wetlands have been mapped within the application area. A swamp is situated approximately 450 metres south east of the southern section (GIS Database); however adequate amounts of buffering vegetation remain intact.

A Level 1 fauna assessment was conducted over the Waitsia Project area (approximately 8,400 hectares), and included the application area. Six Vegetation Substrate Associations (VSAs) that differ in vegetation type and condition and were identified. The fauna assemblage was described as depauperate, missing most medium-sized and small mammals, as well as some birds, reptiles and invertebrates and the VSA considered most likely to support species of conservation significance is not found in the application area (Bamford, 2015). The proposed clearing of 2.5 hectares of native vegetation is unlikely to result in foreseeable significant impacts to local fauna species, including species of conservation significance, given that more suitable areas of native vegetation occur nearby and throughout the region, including two large nature reserves (Yardanogo and Beekeepers).

Several weeds species are known from the local area and region (Maia, 2015; DPaW, 2015) and the application area occurs within a dieback (*Phytophthora cinnamomi*) risk zone. Weed invasion and dieback infestation has the potential to alter the biodiversity of an area. Potential impacts to biodiversity as a result of the proposed clearing may be minimised by the implementation of a weed and dieback management condition.

Given the relatively small scale of clearing activities, the condition of the vegetation to be cleared and its proximity to tree plantations and pastoral cleared lands, the proposed clearing is unlikely to result in significant environmental impacts.

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*, and the proposed clearing is not likely to be at variance with Principles (a), (b), (c), (f), (g), (h), (i), and (j) and is not at variance to Principle (d) and (e).

**Methodology** CALM (2002)  
Bamford (2015)  
DPaW (2015)  
Government of Western Australia (2014)  
Maia (2015)  
GIS Database:  
- DPaW Tenure  
- IBRA WA (Regions - Sub Regions)  
- Imagery  
- Hydrography, linear  
- Pre-European Vegetation  
- Public Drinking Water Source Areas (PDWSAs)  
- Threatened and Priority Flora List  
- Threatened and Priority Ecological Communities Buffers  
- Threatened and Priority Ecological Communities Boundaries

## Planning instrument, Native Title, RIWI Act Licence, EP Act Licence, Works Approval, Previous EPA decision or other matter.

### Comments

There are two native title claims over the application area (WC2004/002 and WC1997/072) (DAA, 2015). 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*.

It is the proponent's responsibility to liaise with the Department of Environment Regulation, the Department of Parks and Wildlife 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 11 January 2016 by the Department of Mines and Petroleum inviting submissions from the public. One submission was received in relation to this application regarding potential aboriginal heritage issues. According to available datasets, there are no Sites of Aboriginal Significance located in the area applied to clear (DAA, 2015). However, heritage surveys may not have been conducted over the application area. It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Sites of Aboriginal Significance are damaged through the clearing process.

**Methodology** DAA (2015)

## 4. References

- Bamford (2015) *Waitsia Wells, Dongara – Fauna Assessment. Supporting Information for CPS 6875/1*. Bamford Consulting Ecologists, Kingsley, Western Australia.
- CALM (2002) *A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions*. Department of Conservation and Land Management.
- DAA (2015) *Aboriginal Heritage Inquiry System*, Department of Aboriginal Affairs, Perth, Western Australia <<http://maps.dia.wa.gov.au> - accessed 01 February 2016>.
- DPaW (2015) *NatureMap*, Department of Parks and Wildlife <<http://naturemap.dec.wa.gov.au> - accessed 28 January 2016>.
- Government of Western Australia (2014) *2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report)*. Current as of June 2014. WA Department of Environment and Conservation, Perth.
- Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Maia (2015) *AWE Perth Pty Ltd, Waitsia Gas Field: Flora and Vegetation Desktop Study, February 2015. Supporting Information for CPS 6875/1*. Maia Environmental Consultancy Pty Ltd, Subiaco, Western Australia.

## 5. Glossary

### Acronyms:

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

### Definitions:

{DPaW (2015) *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.
- 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.
- 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.