



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 9329/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: AWE Perth Pty Ltd

1.3. Property details

Property: Petroleum Production Licence L1
Local Government Area: Shire of Irwin
Colloquial name: Hovea Production Facility

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.35		Mechanical Removal	Petroleum Production and Associated Activities

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 2 September 2021

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	<p>The vegetation of the application area is broadly mapped as the following Beard vegetation association: 433: Mosaic: Shrublands; <i>Acacia rostelifera</i> & <i>Melaleuca cardiophylla</i> thicket / Sparse low woodland; illyarrie (GIS Database).</p> <p>No flora and vegetation surveys have been conducted over the application area.</p>
Clearing Description	<p>Hovea Production Facility.</p> <p>AWE Perth Pty Ltd proposes to clear up to 0.35 hectares of native vegetation within a boundary of approximately 5.346 hectares, for the purpose of petroleum production and associated activities. The project is located approximately 9.7 kilometres southeast of Dongara, within the Shire of Irwin.</p>
Vegetation Condition	<p>Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).</p> <p>to</p> <p>Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).</p>
Comment	<p>The vegetation condition was determined by aerial imagery analysis (GIS Database).</p> <p>The proposal involves clearing regrowth vegetation, to remove existing buried flowlines for decommissioning. The clearing will be approximately five metres wide to allow access for flowline removal. The areas cleared will be rehabilitated with topsoil and vegetation respreading after flowlines are removed.</p>

3. Assessment of application against Clearing Principles

(a) Native vegetation should not be cleared if it comprises a high level of biodiversity.

Comments **Proposal is not likely to be at variance to this Principle**

The clearing permit application area is located within the Lesueur Sandplain subregion of the Interim Biogeographic Regionalisation for Australia (IBRA) Geraldton Sandplains Bioregion (GIS Database). The Lesueur Sandplain subregion is characterised by proteaceous scrub-heath, rich in endemics, on the sandy earths of an extensive, undulating, and lateritic sandplain (CALM, 2002). Extensive york gum and jam woodlands occur on outwash plains associated drainage (CALM, 2002). Shrub-heaths rich in endemics occur on a mosaic of lateritic mesas, sandplains, coastal sands and limestones (CALM, 2002).

NatureMap identified a total of 168 flora species from 45 families and 106 genera that have been previously recorded within 10 kilometres of the application area, including 19 weed species (DBCA, 2007-). No Threatened flora has been previously recorded within the application area (DBCA, 2007-; GIS Database). 15 Priority flora species have previously been recorded within 10 kilometres of the application area, however none have been recorded within the application area (DBCA, 2007-; GIS Database). Some of these Priority flora may have the potential to occur within the application area, however the proposed total clearing of up to 0.35 hectares is unlikely to significantly impact the conservation status of these species. The vegetation within the application area is old regrowth (greater than 10 years), with degraded vegetation immediately surrounding the application area (GIS Database). No Threatened or Priority Ecological Communities were identified as occurring within the application area (GIS Database).

NatureMap identified a total of 86 vertebrate fauna species previously recorded within 10 kilometres of the application area (DBCA, 2007-). The 86 vertebrate fauna species recorded includes 66 bird, three mammal, five amphibian, and 12 reptile species (DBCA, 2007-). Of the 86 vertebrate fauna species, four are considered conservation significant (DBCA, 2007-). None of these species are likely to be reliant upon the application area for habitat. The application area represents a very small area of available habitat and the proposed clearing is unlikely to reduce fauna diversity within the region.

The vegetation association, fauna habitats and landform types present within the application area, are represented in surrounding areas (GIS Database). The application area is unlikely to represent an area of higher biodiversity than surrounding areas, in either a local or regional context.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology CALM (2002)
DBCA (2007-)

GIS Database:
- IBRA Australia
- Pre-European Vegetation
- Threatened and Priority Ecological Communities Boundaries
- Threatened and Priority Ecological Communities Buffers
- Threatened and Priority Flora
- Threatened Fauna

(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.

Comments **Proposal is not likely to be at variance to this Principle**

Based on ground and drone photographs of the application area there is one fauna habitat, consisting of *Acacia* shrubland, with very few isolated trees (AWE, 2021; GIS Database).

Four conservation significant fauna species have been previously recorded within 10 kilometres of the application area. These are: Carnaby's cockatoo (*Calyptorhynchus latirostris*, EN at a state and federal level), chuditch (*Dasyurus geoffroi*, VU at a state and federal level), black-striped burrowing snake (*Neelaps calonotos*, P3), and rakali (*Hydromys chrysogaster*, P4). It is not expected that the application area will provide significant habitat for any of these species. The vegetation within the application area extends into the surrounding areas (GIS Database). The proposed clearing is a very small area that is unlikely to reduce the availability of fauna habitat within the region.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology AWE (2021)

GIS Database:
- Imagery
- Pre-European Vegetation
- Threatened Fauna

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora.

Comments Proposal is not likely to be at variance to this Principle

There are no known records of Threatened flora within the application area (GIS Database). No Threatened flora species have been previously recorded within 10 kilometres of the application area (DBCA, 2007-; GIS Database).

The vegetation association within the application area is common and widespread within the Lesueur Sandplain subregion (Department of Natural Resources and Environment, 2002; Government of Western Australia, 2019; GIS Database), and the vegetation proposed to be cleared is unlikely to be necessary for the continued existence of any species of Threatened flora.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology DBCA (2007-)
Department of Natural Resources and Environment (2002)
Government of Western Australia (2019)

GIS Database:
- Pre-European Vegetation
- Threatened and Priority 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.

Comments Proposal is not likely to be at variance to this Principle

There are no known Threatened Ecological Communities (TECs) located within or in close proximity to the application area (GIS Database).

Beard vegetation association 433 is not expected to form part of any TEC (GIS Database).

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- Threatened and Priority Ecological Communities Boundaries
- Threatened and Priority Ecological Communities Buffers

(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.

Comments Proposal is not likely to be at variance to this Principle

The application area falls within the Geraldton Sandplains Bioregion of the Interim Biogeographic Regionalisation for Australia (IBRA) (GIS Database). Approximately 44% of the pre-European vegetation still exists in the IBRA Geraldton Sandplains Bioregion (Government of Western Australia, 2019). The application area is broadly mapped as Beard vegetation association 433: Mosaic: Shrublands; *Acacia rostellifera* & *Melaleuca cardiophylla* thicket / Sparse low woodland; illyarrie (GIS Database). Approximately 45% of the pre-European extent of this vegetation association remains uncleared at both the state and bioregional level (Government of Western Australia, 2019).

The application area represents <0.001% of the total current extent of Beard vegetation association 433 at a state and bioregional level (Government of Western Australia, 2019). While the conservation status of vegetation association 433 is listed as 'depleted', the proposed clearing is unlikely to significantly reduce the extent of this vegetation (Department of Natural Resources and Environment, 2002). The application area is unlikely to provide a significant ecological linkage to the surrounding vegetation.

	Pre-European area (ha)*	Current extent (ha)*	Remaining %*	Conservation Status**	Pre-European % in DBCA managed lands
IBRA Bioregion – Geraldton Sandplains	3,136,037	1,404,424	~44	Depleted	18.24
IBRA Subregion – Lesueur Sandplain	1,171,775	502,977	~42	Depleted	18.36
Local Government – Irwin	236,968	117,014	~49	Depleted	12.17
Beard vegetation associations – WA					

433	32,460	14,746	~45	Depleted	4.96
Beard vegetation associations – Geraldton Sandplains Bioregion					
433	32,460	14,746	~45	Depleted	4.96
Beard vegetation associations – Lesueur Sandplain subregion					
433	18,096	11,457	~63	Least Concern	8.91

* Government of Western Australia (2019)

** Department of Natural Resources and Environment (2002)

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology Department of Natural Resources and Environment (2002)
Government of Western Australia (2019)

GIS Database:
- IBRA Australia
- Pre-European Vegetation

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments **Proposal is not at variance to this Principle**
There are no watercourses or wetlands within the area proposed to clear (GIS Database).

Based on the above, the proposed clearing is not at variance to this Principle.

Methodology GIS Database:
- Hydrography, Lakes
- Hydrography, linear

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments **Proposal is not likely to be at variance to this Principle**
The proposed clearing of up to 0.35 hectares of native vegetation within a boundary of approximately 5.346 hectares, for the purpose of removing existing buried flowlines is unlikely to cause appreciable land degradation. The application area will be rehabilitated once flowlines are removed with topsoil and vegetation respreading, which will assist in suppressing potential wind erosion.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- IBRA Australia
- Imagery

(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.

Comments **Proposal is not likely to be at variance to this Principle**
There are no conservation areas in the vicinity of the application area. The nearest DBCA (formerly DPaW) managed land is the Yandanogo Nature Reserve which is located approximately 2.5 kilometres southwest of the application area (GIS Database). The proposed clearing is unlikely to impact on the environmental values of any conservation area.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- DPaW Tenure

(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.

Comments **Proposal is not likely to be at variance to this Principle**
There are no Public Drinking Water Source Areas within or in close proximity to the application area (GIS Database). There are no permanent or ephemeral watercourses or wetlands within the area proposed to clear

(GIS Database).

The proposed clearing is unlikely to cause deterioration in the quality of surface or underground water.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- Hydrography, Linear
- Public Drinking Water Source Areas

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments Proposal is not likely to be at variance to this Principle

The climate of the region is Mediterranean, with a low average rainfall of approximately 440.9 millimetres per year (BoM, 2021; CALM, 2002).

There are no permanent water courses or waterbodies within the application area (GIS Database). The proposed clearing is unlikely to increase the incidence or intensity of natural flooding events.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology BoM (2021)
CALM (2002)

GIS Database:
- Hydrography, linear

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

Comments

The clearing permit application was advertised on 28 June 2021 by the Department of Mines, Industry Regulation and Safety (DMIRS), inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim (WC2019/008) over the area under application (DPLH, 2021). This claim has been determined by the Federal Court 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, 2021). 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 (2021)

4. References

- AWE (2021) Supporting documentation – Photos. Prepared by AWE Perth Pty Ltd, June 2021.
- BoM (2021) Bureau of Meteorology Website – Climate Data Online, Geraldton Airport. Bureau of Meteorology. <http://www.bom.gov.au/climate/data/> (Accessed 19 August 2021).
- CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographic Subregions in 2002. Department of Conservation and Land Management, Western Australia.
- DBCA (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Biodiversity, Conservation and Attractions. <https://naturemap.dbca.wa.gov.au/> (Accessed 11 August 2021).
- Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
- DPLH (2021) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 11 August 2021).
- Government of Western Australia (2019) 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth. <https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics>

5. Glossary

Acronyms:

BC Act	<i>Biodiversity Conservation Act 2016</i> , Western Australia
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)
DAWE	Department of Agriculture, Water and the Environment, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
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)
DoEE	Department of the Environment and Energy (now DAWE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	<i>Environmental Protection Act 1986</i> , Western Australia
EPA	Environmental Protection Authority, 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:

{DBCA (2019) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia}:-

T **Threatened species:**

Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under section 19(1), or is a rediscovered species to be regarded as threatened species under section 26(2) of the *Biodiversity Conservation Act 2016* (BC Act).

Threatened fauna is that subset of 'Specially Protected Fauna' listed under schedules 1 to 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for Threatened Fauna.

Threatened flora is that subset of 'Rare Flora' listed under schedules 1 to 3 of the *Wildlife Conservation (Rare Flora) Notice 2018* for Threatened Flora.

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 in the immediate future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines. Published under schedule 1 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for critically endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for critically endangered flora.

EN **Endangered species**

Threatened species considered to be “*facing a very high risk of extinction in the wild in the near future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as endangered under section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines. Published under schedule 2 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for endangered fauna or the *Wildlife Conservation (Rare*

Flora) Notice 2018 for endangered flora.

VU

Vulnerable species

Threatened species considered to be “*facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as vulnerable under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines. Published under schedule 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for vulnerable fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for vulnerable flora.

Extinct Species:

EX

Extinct species

Species where “*there is no reasonable doubt that the last member of the species has died*”, and listing is otherwise in accordance with the ministerial guidelines (section 24 of the BC Act).

Published as presumed extinct under schedule 4 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for extinct fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for extinct flora.

EW

Extinct in the wild species

Species that “*is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its life cycle and form*”, and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).

Currently there are no threatened fauna or threatened flora species listed as extinct in the wild. If listing of a species as extinct in the wild occurs, then a schedule will be added to the applicable notice.

Specially protected species:

Listed by order of the Minister as specially protected under section 13(1) of the BC Act. Meeting one or more of the following categories: species of special conservation interest; migratory species; cetaceans; species subject to international agreement; or species otherwise in need of special protection.

Species that are listed as threatened species (critically endangered, endangered or vulnerable) or extinct species under the BC Act cannot also be listed as Specially Protected species.

MI

Migratory species

Fauna that periodically or occasionally visit Australia or an external Territory or the exclusive economic zone; or the species is subject of an international agreement that relates to the protection of migratory species and that binds the Commonwealth; and listing is otherwise in accordance with the ministerial guidelines (section 15 of the BC Act).

Includes 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 fauna subject to the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention), an environmental treaty under the United Nations Environment Program. Migratory species listed under the BC Act are a subset of the migratory animals, that are known to visit Western Australia, protected under the international agreements or treaties, excluding species that are listed as Threatened species.

Published as migratory birds protected under an international agreement under schedule 5 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

CD

Species of special conservation interest (conservation dependent fauna)

Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened, and listing is otherwise in accordance with the ministerial guidelines (section 14 of the BC Act).

Published as conservation dependent fauna under schedule 6 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

OS

Other specially protected species

Fauna otherwise in need of special protection to ensure their conservation, and listing is otherwise in accordance with the ministerial guidelines (section 18 of the BC Act).

Published as other specially protected fauna under schedule 7 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

P

Priority species:

Possibly threatened species that do not meet survey criteria, or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of priority for survey and evaluation of conservation status so that consideration can be given to their declaration as threatened fauna or flora.

Species that are adequately known, are rare but not threatened, or meet criteria for near threatened, or that have been recently removed from the threatened species or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species 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.