



Environmental Protection Act 1986

**Hon Albert Jacob MLA
Minister for Environment**

MINISTER'S APPEAL DETERMINATION

APPEAL AGAINST REPORT AND RECOMMENDATIONS — GORGON GAS DEVELOPMENT — ADDITIONAL CONSTRUCTION LAYDOWN AND OPERATIONS SUPPORT AREA (REPORT 1499)

Purpose of this document

This document sets out the Minister's decision on an appeal lodged under section 100(1)(d) of the *Environmental Protection Act 1986* in objection to the report and recommendations of the Environmental Protection Authority (EPA) for the above proposal. This document is produced by the Office of the Appeals Convenor for the Minister but is not the Appeals Convenor's own report, which can be downloaded from the Appeals Convenor's website at www.appealsconvenor.wa.gov.au.

Appellants:	G. Green
Proponent:	Chevron Australia Pty Ltd
Proposal description:	To undertake clearing and earthworks of up to 32 hectares (ha) on uncleared land within a 36 ha development envelope on Barrow Island. The clearing is for the purpose of an additional construction laydown and operations support area to support the construction and operation of the approved Gorgon Gas Development.
Minister's Decision:	The Minister dismissed the appeal
Date of Decision:	6 March 2014

REASONS FOR MINISTER'S DECISION

Pursuant to section 106 of the *Environmental Protection Act 1986* (the Act), the Minister obtained a report from the Environmental Protection Authority (EPA) on the matters raised in the appeal. The Minister also received a report from the Appeals Convenor. The Appeals Convenor's Report sets out the background and other matters relevant to the appeal.

The Minister noted that the appeal related to the loss of habitat on Barrow Island and potential impacts on the Island's biodiversity, as well as the introduction of non-indigenous species to Barrow Island. These matters are discussed in detail in the Appeal Convenor's Report.

The EPA advised the Minister that in making its recommendations on the proposal, it took into account the measures taken by the proponent to avoid and minimise the impacts to conservation significant habitat on Barrow Island through its site selection process.

The Minister understood that through the avoidance and minimisation of impacts to conservation significant habitat, the proposal is not expected to threaten the biodiversity of Barrow Island and that the proposal was considered to meet the EPA's environmental objectives.

The Minister noted that in recognition that there will be a loss of 32 hectares of habitat the EPA considered that there was a significant residual impact that required an offset. The EPA therefore recommended that an appropriate offset is the extension of the Threatened Species Translocation and Reintroduction Program for two years consistent with existing funding arrangements. This represents a 10 per cent increase in the contribution which is commensurate with the approximately 10 per cent increase in the project footprint.

In relation to quarantine, the Minister confirmed that the proposal will reduce the amount of equipment and materials taken off the Island thus reducing the likelihood of non-indigenous species being introduced.

After considering the information presented to him with respect to the appeals, the Minister formed the view that the EPA adequately considered the environmental impacts raised in the appeals in its assessment of the proposal and that this assessment was consistent with section 44 of the Act. The Minister determined not to remit the proposal to the EPA for further assessment.

Having determined the appeals, section 45 of the Act requires that the Minister consult with relevant decision making authorities to seek agreement as to whether or not the proposal may be implemented, and if so, the conditions to which the implementation of the proposal should be subject.

Note: this decision is published pursuant to the terms of section 110 of the *Environmental Protection Act 1986* and regulation 8 of the *Environmental Protection Regulations 1987*.

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