



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 2283/4

Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Hamerlsey Iron Pty Ltd

1.3. Property details

Property: Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4882
Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4883
Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4193

Local Government Area: Shire of East Pilbara

Colloquial name: Bakers South Exploration Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
200		Mechanical Removal	Mineral Exploration

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 30 March 2017

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. Four Beard vegetation associations have been mapped within the application area (GIS Database).

175: Short bunch grassland - savanna/grass plain (Pilbara).

18: Low woodland; mulga (*Acacia aneura*).

29: Sparse low woodland; mulga, discontinuous in scattered groups.

82: Hummock grasslands, low tree steppe; snappygum over *Triodia wiseana*.

A vegetation survey conducted over the application area by Pilbara Iron staff in March 2007 identified 16 vegetation types (Hammersley Iron, 2007):

1. Clay Flats: *Acacia ayersiana*, *Acacia aneura* low open woodland over *Eremophila caespitosa* low open shrubland over *Aristida latifolia*, *Chrysopogon fallax* scattered tussock grass over *Aristida contorta* scattered bunch grass.

2. Clay Flats/Shallow Drainage Line: *Corymbia candida* ssp. *dipsodes* low open woodland over *Acacia catenulata*, *Acacia pruinoarpa* high open shrubland over *Acacia pachyacra* open shrubland over *Senna pleurocarpa* low open shrubland over *Aristida latifolia*, *Themeda triandra*, *Chrysopogon fallax* open tussock grassland over *Aristida contorta* very open bunch grass. (Burnt <1 year).

3. Clay Flat Open Woodland: *Corymbia candida* ssp. *dipsodes*, *Eucalyptus xerothermica*, *Grevillea berryana* low open woodland over *Acacia aneura* high shrubland over *Ptilotus obovatus* low scattered shrubs over *Eriachne flaccida*, *Themeda triandra* open tussock grassland over *Aristida contorta*, *Enneapogon polyphyllus* very open bunch grass.

4. Stony Mid-slope: *Eucalyptus leucophloia*, *Corymbia hamersleyana* low open woodland over *Acacia aneura*, *A. pruinoarpa* high open shrubland over *Eremophila fraseri*, *Keraudrenia velutina* open shrubland over *Triodia basedowii*, *T. wiseana* hummock grassland over *Aristida latifolia*, *A. holathera* scattered tussock grassland over *A. contorta* scattered bunch grass.

5. Lower Slope Run-off: *Acacia aneura*, *Acacia pruinocarpa* low woodland over *Keraudrenia velutina*, *Eremophila forrestii* scattered shrubs over *Triodia melvillei*, *T. basedowii*, *T. wiseana* hummock grassland over *Themeda triandra* scattered tussock grasses.

6. Stony Clay Flats/Open Woodland: *Corymbia candida* ssp. *dipsodes* scattered low trees over *Acacia aneura* tall shrubland over *Triodia melvillei* very open hummock grassland over *Chrysopogon fallax*, *Aristida latifolia* scattered tussock grasses over *Aristida contorta*.

7. Lower Clay Flat Valley Floor: *Acacia aneura* tall open shrubland over *Themeda triandra* tussock grassland.

8. Open Mulga Clay Flat: *Acacia paraneura*, *Acacia aneura* low woodland over *Ptilotus obovatus* scattered low shrubs over *Aristida contorta* open bunch grass.

9. Clay Flat Drainage Line: *Eucalyptus xerothermica*, *Hakea lorea*, *Grevillea berryana* low open woodland over *Acacia aneura* high open shrubland over *Rhagodia eremaea*, *Eremophila forrestii* open shrubland over *Themeda* sp., *Aristida latifolia* open tussock grasses.

10. Cracking Clay Flat: *Astrelba pectinata*, *Aristida latifolia*, *Ischaemum albobillosum* tussock grassland.

11. Cracking Clay Plain: *Dichanthium sericeum*, *Aristida latifolia*, *Themeda triandra* closed tussock grassland.

12. Calcrete/Gentle Rise: *Eucalyptus xerothermica* scattered trees over *Eucalyptus socialis* low open woodland over *Acacia pruinocarpa*, *Acacia aneura* high open shrubland over *Triodia wiseana* open hummock grassland.

13. Mulga Woodland/Grass Plain: *Acacia aneura* high open shrubland over *Eriachne flaccida* scattered tussock grasses over *Aristida contorta* open bunch grass.

14. Cracking Clay Pan: *Acacia aneura* high open shrubland over *Dichanthium sericeum*, *Ischaemum albobillosum*, *Aristida longifolia*, *Chrysopogon fallax* closed tussock grassland.

15. Stony Drainage Line: *Acacia citrinoviridis*, *A. aneura*, *A. rhodophloia* high shrubland, *Eremophila fraseri* open shrubland over *Triodia pungens* very open hummock grassland over *Chrysopogon fallax*, *Eriachne flaccida* scattered tussock grass over *Aristida contorta* scattered bunch grass.

16. Eucalyptus and Acacia woodland: *Eucalyptus xerothermica* low woodland over *Acacia citrinoviridis*, *A. aneura*, *A. ayersiana* tall open scrub over *Eremophila fraseri*, *Rhagodia eremaea* open shrubland over *Ptilotus obovatus* low scattered shrub over *Triodia pungens* very open hummock grassland over *Enneapogon polysepalus* very open bunch grass.

Clearing Description

Bakers South Exploration Project.

Hammersley Iron Pty Ltd proposes to clear up to 200 hectares of native vegetation within a total boundary of approximately 949 hectares, for the purpose of mineral exploration. The project is located approximately 42 kilometres north-west of Newman, in the Shire of East Pilbara.

Vegetation Condition

Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994);

To

Pristine: No obvious signs of disturbance (Keighery, 1994).

Comment

Vegetation condition was described as very good to good by Pilbara Iron staff using a vegetation condition scale developed by Trudgen (1998). Analysis of photographs by a previous assessing officer suggests that the vegetation within the application area is in very good to excellent condition according to Keighery (1994).

Clearing permit CPS 2283/1 was granted by the Department of Industry and Resources (now Department of Mines and Petroleum) on 23 April 2008, authorising the clearing of up to 200 hectares of native vegetation within a boundary of approximately 949 hectares, for the purpose of mineral exploration.

On 14 February 2011, the permit holder applied to amend CPS 2283/1 to change the reporting date from 31 March to 31 July each year. The area approved to clear and the permit boundary remained unchanged.

On 23 February 2012, the permit holder applied to amend CPS 2283/2 to extend the period in which clearing is authorised by five years and the duration of the permit by five years.

On 2 February 2017, the permit holder applied to amend CPS 2283/3 to extend the period in which clearing is authorised by five years, extend the duration of the permit by five years, and change the permit reporting date from 31 July for the previous financial year to 30 June for the previous calendar year.

3. Assessment of application against clearing principles

Comments The amendment to extend the period in which clearing is authorised by five years, the duration of the permit by five years, and the permit reporting date, is unlikely to result in any significant change to the environmental impacts of the proposed clearing. The size of the area approved to clear (200 hectares) and the permit boundary remain unchanged.

The assessment against the clearing principles remains consistent with the assessment contained in decision report CPS 2283/3.

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

Comments: There is one Native Title Claim (WC 2005/006) over the area under application (DAA 2017). 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 several registered Aboriginal sites of significance occurring 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, the Department of Water, and the Department of Parks and Wildlife, 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: DAA (2017)

4. References

Hamersley Iron (2007) Supporting documentation supplied within CPS 2283/1 application for Bakers South Exploration Project. Hamersley Iron Pty Ltd, Western Australia, January 2007.

DAA (2017) Aboriginal Heritage Inquiry System, Department of Aboriginal Affairs.< <http://maps.dia.wa.gov.au/AHIS2/>> (Accessed 17 March 2017)

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

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DPaW and DER)
DEE	Department of the Environment and Energy, Australian Government
DER	Department of Environment Regulation, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DRF	Declared Rare Flora
DoE	Department of the Environment, Australian Government (now DEE)
DoW	Department of Water, Western Australia
DPaW	Department of Parks and Wildlife, Western Australia
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
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 (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 <i>Wildlife Conservation Act 1950</i> , 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 <i>Wildlife Conservation Act 1950</i> , 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 <i>Wildlife Conservation Act 1950</i> , 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 <i>Wildlife Conservation Act 1950</i> , 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 <i>Wildlife Conservation Act 1950</i> , 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.