



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 2382/3  
Permit type: Purpose

### 1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

### 1.3. Property details

Property: Iron Ore (Hamersley Range) Agreement Act 1963, Mineral Lease (AML 70/4)  
Local Government Area: Shire of Ashburton  
Colloquial name: Mount Tom Price Iron Ore Mine

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
228		Mechanical	Mineral production and geotechnical drilling

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 21 February 2013

## 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. Three Beard vegetation associations are located within the application area (Government of Western Australia, 2011; GIS Database):

**82** - Hummock Grasslands, low tree steppe; snappygum over *Triodia wiseana*. According to the Shared Land Information Platform (SLIP, 2007), Beard vegetation association 82 is a grassland dominated by *Triodia wiseana*, with emergent trees of *Eucalyptus leucophloia* and *E. gamophylla*, with various emergent shrubs including *Senna artemisioides* ssp. *sturtii*, *Dodonaea viscosa*, *Grevillea wickhamii*, *Hakea lorea* and *Senna pleurocarpa* var. *pleurocarpa*.

**162** - Shrublands; snakewood scrub. According to the Shared Land Information Platform (SLIP, 2007), Beard vegetation association 162 is a shrubland dominated by *Acacia xiphophylla*, with sub-dominants of *A. aneura*, *A. victoriae*, *Senna glutinosa* ssp. *charlesiana* over *Triodia longiceps* and *Maireana melanocoma*.

**567** - Hummock grasslands, shrub steppe; mulga & kanji over soft spinifex & *T. basedowii*. According to the Shared Land Information Platform (SLIP, 2007), Beard vegetation association 567 is a shrubland dominated by *Acacia aneura*, with sub-dominants of *Senna* sp., *A. pruinocarpa*, *A. xiphophylla* and *Eremophila* sp.

Keith Lindbeck and Associates conducted a vegetation survey over the application area and surrounding vegetation between November 2006 and March 2007. As a result, 16 vegetation types were identified as occurring within the application areas (Keith Lindbeck and Associates, 2007). These were:

**H2-1** - *Eucalyptus leucophloia* scattered low trees over *Acacia hamersleyensis* and *A. bivenosa* closed heath over *Triodia wiseana* hummock grassland. Located on very steep serrated escarpments.

**H5** - *Eucalyptus leucophloia* and *Corymbia hamersleyana* low open woodland over high shrubland over *Triodia wiseana* hummock grassland with open tussock grassland. Located on smooth rocky slopes.

**H6** - Scattered low trees over open shrubland over open spinifex hummock grassland and open tussock grassland. Located on steep rocky slopes.

**H7-4** - *Acacia citrinoviridis*, *A. pruinocarpa*, *A. aneura* and *Corymbia hamersleyana* woodland over low shrubland over *Triodia wiseana* hummock grassland. Located on low rocky slopes.

**H8-1** - *Acacia aneura* and *A. pruinocarpa* low open woodland over open shrubland over *Triodia wiseana* hummock grassland. Located on undulating rocky hillocks.

**H11** - *Acacia pruinocarpa* and *Eucalyptus leucophloia* low open woodland over shrubland over *Triodia wiseana* hummock grassland. Located in broad sub-valley with steep slopes and deeply incised valley floors.

- H12** - *Eucalyptus leucophloia* scattered low trees over high open shrubland over *Triodia wiseana* hummock grassland. Located in broad sub-valleys with moderate slopes.
- H13** - *Acacia aneura* and *A. pruinocarpa* low woodland (with patches of *A. aneura* low closed forest) over shrubland over *Triodia epactia* and *T. wiseana* hummock grassland or *Themeda* sp. Mt Barricade tussock grassland. Located in moderately sized sub-valleys.
- H14** - *Eucalyptus leucophloia* and *Acacia pruinocarpa* low open woodland over shrubland over *Triodia wiseana* hummock grassland or *Themeda* sp. Mt Barricade tussock grassland. Located in minor sub-valleys.
- H15** - *Acacia aneura* var. *pilbarana*, *A. citrinoviridis* and *A. pruinocarpa* low closed forest with open scrub and mixed spp. grassland. Located in narrow incised shallow gorges.
- H16** - *Acacia bivenosa* open scrub over *Triodia wiseana* hummock grassland. Located in minor shallow subvalleys.
- H17-1** - *Acacia pruinocarpa* low open forest over *Triodia wiseana* hummock grassland. Located on colluvial upland slopes.
- P1** - Scattered *Corymbia hamersleyana* low trees over low open shrubland over open *Triodia wiseana* hummock grassland. Located on stony flat plains.
- P2-1** - *Eucalyptus leucophloia* and *Acacia pruinocarpa* low woodland over *Triodia wiseana* hummock grassland. Located on terraced plains.
- W1** - Scattered *Eucalyptus leucophloia* low trees over *Triodia epactia* and *T. wiseana* hummock grassland and *Eriachne* aff. *mucronata* and *Themeda triandra* tussock grassland. Located in sub-valley boulder cascades.
- W4-1** - *Acacia aneura* var. *pilbarana*, *A. citrinoviridis* and *A. pruinocarpa* low open forest over open herbland and open tussock grassland. Located on alluvial meadows.

<b>Clearing Description</b>	Hamersley Iron Pty Ltd has applied to clear 228 hectares for the purpose of creating and extending waste dumps and stockpiles, and a pit cutback. Vegetation within the application area is typical of the vegetation within the Pilbara region.
<b>Vegetation Condition</b>	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994);  To  Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).
<b>Comment</b>	Vegetation condition based on visual observation made by Department of Mines and Petroleum (DMP) staff during a site visit in January 2008. Vegetation rated as 'excellent' occurs on the hill slopes and hill tops, vegetation rated as 'degraded' occurs close to existing waste dumps and other mine infrastructure. Approximately 35% of the area surveyed by Keith Lindbeck and Associates (2007) is either cleared or in a degraded state.  Clearing permit CPS 2382/1 was granted by the DMP on 1 May 2008, and was valid from 31 May 2008 to 31 March 2013. The clearing permit authorised the clearing of 228 hectares of native vegetation. An application for an amendment to clearing permit CPS 2382/1 was submitted by Hamersley Iron Pty Ltd on 15 February 2011. The proponent has requested to change the annual reporting date from 31 March each year for the life of the permit to 31 July each year for the life of the permit. There were no additional environmental impacts as a result of this amendment.  Clearing permit CPS 2382/2 was granted by the DMP on 24 March 2011. On 10 January 2013, Hamersley Iron Pty Ltd applied to the DMP to amend CPS 2382/2 for the purpose of extending the duration of the permit.

### 3. Assessment of application against clearing principles

#### Comments

Hamersley Iron Pty Ltd has applied to amend the expiry of CPS 2382/2 from 31 March 2011 to 31 July 2018 to allow further clearing to be undertaken. To date, 74.33 hectares of an allowable 228 hectares has been cleared.

As the amendment is only for administrative purposes, the environmental impacts will not change and the assessment of the clearing principles is consistent with the assessment in clearing permit decision report CPS 2382/2.

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

#### Comments

There is one Native Title Claim (WC97/89) over the area under application (GIS Database). This claim has been determined by the Federal Court of Australia. 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 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 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.

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

## 4. References

- Government of Western Australia (2011) 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). 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.
- Keith Lindbeck and Associates (2007) Vegetation Survey and Land Clearing Information for Proposed Mining Areas; East, West and Central Pits, Tom Price Minesite. Unpublished report prepared for Hamersley Iron Pty Ltd by Keith Lindbeck and Associates, Western Australia
- SLIP (2008) Shared Land Information Platform <http://spatial.agric.wa.gov.au/slip/home.htm> Accessed 29/3/08.

## 5. Glossary

### Acronyms:

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

**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.