Department of Environment
Government of Western Australia

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 262/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: **Hamersley Iron Pty Ltd**

1.3. Property details

Property: AM70/265
Local Government Area: Shire Of Ashburton
Colloquial name: Channar Iron Ore Mine - access road

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
14.6		Mechanical Removal	Mining

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Vegetation Association # 82 – Hummock grasslands, low tree steppe; snappy gum over Triodia wiseana (Shepherd et al., 2001).	The vegetation within the project area consists mainly of low storey hummock grasses.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The area under application is contained within a mine site, so is surrounded by disturbed vegetation and is likely to already be subject to low level disturbances. The flora found within the project area are generally widespread within the surrounding local area and hold no particular local or regional conservation significance.

3. Assessment of application against clearing principles

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

Comments **Proposal is not likely to be at variance to this Principle**
The vegetation of the site retains lower storey hummock grasses of Triodia wiseana and a middle storey of snappy gum (Shepherd et al., 2001). This vegetation type is generally widespread within the surrounding local area, so is unlikely to represent an area of outstanding biological diversity.

Methodology Shepherd et al., 2001; GIS Database: Pre-European Vegetation - DA 01/01

(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.

Comments **Proposal is not likely to be at variance to this Principle**
As the type of vegetation in the application area is regionally abundant, it is unlikely that fauna will experience any major disturbance.

Methodology GIS Database: Pre-European Vegetation - DA 01/01

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

Comments **Proposal is not likely to be at variance to this Principle**
There are no known Declared Rare or Priority Flora within the project area.

Methodology GIS Database: Declared Rare and Priority Flora List - CALM 13/08/04

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a significant ecological community.

Comments **Proposal is not likely to be at variance to this Principle**
There are no known Threatened Ecological Communities within the area proposed for clearing.

Methodology GIS Database: Threatened Ecological Communities - CALM 15/07/03

(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 vegetation under application is Beard Vegetation Association 82 (Hopkins et al., 2001) of which there is ~100% of the pre-European extent remaining (Shepherd et al., 2001).

Methodology

Hopkins et al., 2001;
Shepherd et al., 2001;
GIS Database: Pre-European Vegetation - DA 01/01

(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 likely to be at variance to this Principle

The vegetation to be cleared is not associated with a wetland or watercourse.

Methodology

GIS Database: RAMSAR, Wetlands - CALM 21/10/02;
GIS Database: Hydrography, linear - DOE 1/2/04

(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

From the information provided, the likely land degradation risks posed by the clearing of vegetation are minimal. It is unlikely that the clearing of 14.6ha will result in appreciable land degradation.

Methodology

Permit application

(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

The project area is not adjacent to any existing or proposed conservation reserves.

Methodology

GIS Database: CALM Managed Lands and Waters - CALM 1/06/04

(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

It is unlikely that the vegetation clearing will have a significant impact on ground or surface water quality.

Methodology

GIS Database: Hydrography, linear - DOE 1/2/04;
GIS Database: Groundwater Subareas - WRC 10/10/00;
GIS Database: RIWI Act, Surface Water Areas - WRC 18/10/02

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

Comments

Proposal is not likely to be at variance to this Principle

The region within which the project area is located receives an average annual rainfall of 300mm which usually falls as episodic rainfall events. It is therefore unlikely the clearing of 14.6ha will have a significant impact on flood regimes in the local area.

Methodology

GIS Database: Rainfall, Mean Annual - BOM 30/09/01

Planning instrument or other matter.

Comments

The Pilbara Native Title Service have objected to the granting of this permit on the basis that the rights granted pursuant to a Native Vegetation Clearing Permit under the Environmental Protection Act 1986 constitute a future act, as it is defined under section 233 of the Native Title Act 1993 (NTA), giving rise to rights under the future act regime set out in Part 2 of Division 3 of the NTA.

Methodology

Pilbara Native Title Service submission (2004).

4. Assessor's recommendations

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Mining	Mechanical Removal	14.6	**Grant**	Recommended that the permit be granted. The concern of the Pilbara Native Title Service is clarified by advice received from the State Solicitor's Office that indicates the granting of the permit would not be invalidated by the Native Title Act 1993.

5. References

Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.

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

Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.