Government of Western Australia
Department of Mines and Petroleum

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3469/3
Permit type: Purpose

1.2. Proponent details

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

1.3. Property details

Property: Exploration Licence 47/584
Exploration Licence 47/631
Local Government Area: Shire of Ashburton
Colloquial name: Juna Downs Evaluation Drilling Program

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 22 January 2015

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. Two Beard vegetation associations have been mapped within the application areas (GIS Database).

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

567: Hummock grasslands, shrub steppe; mulga & kanji over soft spinifex & *Triodia basedowii*.

The application area was subject to a flora and vegetation survey by a botanist from Rio Tinto between 26 and 28 June 2009 (Rio Tinto, 2009). In addition, approximately 50% of the application area has been previously surveyed by Biota Environmental Sciences in May and June 2008 (Rio Tinto, 2009). Eight vegetation types have been identified within the application area.

Vegetation from Flats and Plains

S1 Mulga Flats: *Acacia aneura, Corymbia deserticola* low open forest over *Eremophila lanceolata* low scattered shrubs over *Triodia melvillei* hummock grassland over *Themeda triandra, Chrysopogon fallax* open tussock grassland. Vegetation condition: Very good.

S2 Clay Flats: *Eucalyptus xerothermica* low open woodland over *Eremophila lanceolata* low open shrubland over *Themeda triandra* tussock grassland over *Aristida contorta* bunch grassland. Vegetation condition: Good.

S3 Open Mulga Clay Plain: *Acacia aneura* low woodland over *Eremophila lanceolata* low open shrubland over *Triodia melvillei* very open hummock grassland over *Aristida contorta* bunch grassland. Vegetation condition: Good (some grazing).

Vegetation from Hillslopes

H1 Lower Slight Slope: *Acacia aneura* high open shrubland over *Triodia melvillei* hummock grassland. Vegetation condition: Very good.

H2 Lower Slight Slope: *Acacia aneura* high shrubland over *Eremophila longifolia*, *Acacia steedmanii* open shrubland over *Sida fibulifera* low open shrubland over *Triodia melvillei* very open hummock grassland over *Paraneurachne muelleri, Aristida latifolia, Eulalia aurea* tussock grassland. Vegetation condition: Good.

H3 Slight Stony Slope: *Corymbia deserticola, Eucalyptus gamophylla, Codonocarpus cotinifolius* low open forest over *Acacia steedmanii* shrubland over *Halgania gustafsenii*, *Solanum turtianum* low open shrubland over *Triodia wiseana, T. basedowii* hummock grassland over *Themeda triandra*, *Cymbopogon ambiguus*, *Amphipogon caricinus* very open tussock grassland. Vegetation condition: Very good.

H4 Slight Stony Slope: *Corymbia deserticola* low woodland over *Acacia steedmanii* shrubland over *Halgania gustafsenii, Scaevola parvifolia pilbarae* low shrubland over *Triodia pungens* open hummock grassland over *Aristida latifolia, Eragrostis setifolia, Amphipogon caricinus* tussock grassland. Vegetation condition: Good.

	Vegetation from Minor Drainage Lines **D1 Slight Slope, Shallow Drainage:** *Corymbia deserticola* low woodland over *Sida spiciform panicles, Eremophila longifolia* open heath over *Hibiscus sturtii, Sida platycalyx, Indigofera georgei* low shrubland over *Triodia pungens* very open hummock grassland over *Themeda triandra, Aristida latifolia, Chrysopogon fallax* tussock grassland. Vegetation condition: Good.
Clearing Description	Juna Downs Evaluation Drilling Project. Hamersley Iron Pty Ltd proposes to clear up to 8.4 hectares of native vegetation within a boundary of approximately 141.2 hectares for the purpose of mineral exploration. The project area is located approximately 74 kilometres south-east of Tom Price in the Shire of Ashburton.
Vegetation Condition	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994). to Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).
Comment	Vegetation condition has been assessed and provided by a botanist from Rio Tinto. Vegetation will be cleared using raised blade techniques where practicable, or scrub rake in level terrain. Where already cleared tracks require maintenance, the track may be graded using blade down clearing. The vegetation and topsoil will be collected and stockpiled for use in future rehabilitation (Hamersley Iron Pty Ltd, 2009). Clearing permit CPS 3469/1 was granted by the Department of Mines and Petroleum on 14 January 2010, and authorised the clearing of 8.4 hectares of native vegetation within a boundary of 136 hectares. CPS 3469/1 was amended on 2 December 2010 to increase the permit boundary to 141.2 hectares. Hamersley Iron Pty Ltd has applied to amend CPS 3469/2 to extend the duration of the permit to 31 July 2024.

3. Assessment of application against clearing principles

Comments

The amendment is to extend the duration of the clearing permit from 31 January 2015 to 31 July 2024 and is unlikely to result in any signifcant additional environmental impacts. The assessment of the clearing principles is consistent with the assessment in Clearing Permit decision report CPS 3469/2.

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

Comments

There are no Native Title Claims (GIS Database). 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 permit 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, Department of Parks and Wildlife 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
- Native Title Claims - Filed at the Federal Court
- Native Title Claims - Registered with the NNTT

4. References

Hamersley Iron Pty Ltd (2009). Documentation Accompanying Clearing Permit Application for CPS 3469/1, Prepared by Hamersley Iron Pty Ltd, November 2009.

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

Rio Tinto (2009). Botanical Survey for an Evaluation Drilling Program at Juna Downs & Supporting Document to a Native Vegetation Clearing Permit Application, prepared by Rio Tinto Iron Ore Pty Ltd, September 2009.

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)
DER	Department of Environment Regulation, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DRF	Declared Rare Flora
DotE	Department of the Environment, Australian Government
DoW	Department of Water, Western Australia
DPaW	Department of Parks and Wildlife, Western Australia
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DotE)
EPA	Environmental Protection Authority, Western Australia
EP Act	*Environmental Protection Act 1986*, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (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	*Rights in Water and Irrigation Act 1914*, Western Australia
s.17	Section 17 of *the Environment Protection Act 1986*, Western Australia
TEC	Threatened Ecological Community

Definitions:

{DPaW (2013) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

T — **Threatened species:**
Specially protected under the *Wildlife Conservation Act 1950,* listed under Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna or the Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora).

Threatened Fauna and Flora are further recognised by DPaW according to their level of threat using IUCN Red List criteria. For example Carnaby's Cockatoo *Calyptorynchus latirostris* is specially protected under the *Wildlife Conservation Act 1950* as a threatened species with a ranking of Endangered.

Rankings:
CR: Critically Endangered - considered to be facing an extremely high risk of extinction in the wild.
EN: Endangered - considered to be facing a very high risk of extinction in the wild.
VU: Vulnerable - considered to be facing a high risk of extinction in the wild.

X — **Presumed Extinct species:**
Specially protected under the *Wildlife Conservation Act 1950,* listed under Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora (which may also be referred to as Declared Rare Flora).

IA — **Migratory birds protected under an international agreement:**
Specially protected under the *Wildlife Conservation Act 1950,* listed under Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice.
Birds that are subject to an agreement between governments of Australia and Japan, China and The Republic of Korea relating to the protection of migratory birds and birds in danger of extinction.

S — **Other specially protected fauna:**
Specially protected under the *Wildlife Conservation Act 1950,* listed under Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice.

P1 — **Priority One - Poorly-known species:**
Species that are known from one or a few collections or sight records (generally less than five), all on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, Shire, rail reserves and Main Roads WA road, gravel and soil reserves, and active mineral leases and under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more localities but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes.

P2 — **Priority Two - Poorly-known species:**
Species that are known from one or a few collections or sight records, some of which are on lands not under imminent threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, unallocated Crown land, water reserves, etc. Species may be included if they are comparatively well known from one or more localities but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes.

P3 **Priority Three - Poorly-known species:**
Species that are known from collections or sight records from several localities not under imminent threat, or from few but widespread localities 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 localities but do not meet adequacy of survey requirements and known threatening processes exist that could affect them.

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 do not qualify for Conservation Dependent, but that are close to qualifying for Vulnerable.
(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.

P5 **Priority Five - Conservation Dependent species:**
Species that are not threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five 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.