



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3592/3
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Robe River Ltd**

1.3. Property details

Property: *Iron Ore (Cleveland Cliffs) Agreement Act 1964*, Mineral Lease 248SA (AML 70/248)
Local Government Area: Shire of East Pilbara
Colloquial name: Angelo River Exploration Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 28 May 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 and are useful to look at vegetation extent in a regional context. The following Beard Vegetation Associations are located within the application area (GIS Database):

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

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

A flora and vegetation survey of the application area was undertaken by a botanist from Rio Tinto in October and November 2009. The following five vegetation communities were identified within the application area (Rio Tinto, 2010):

Mulga flats

1. Abb: *Acacia* various *aneura* low closed forest over various bunch grasses, very open bunch grass over *Bidens bipinnata* scattered herbs;

Mulga on clay pans

2. AaApApEIEbAc: *Acacia aneura tenuis*, *Acacia paraneura*, *Acacia pruinocarpa* low woodland over *Eremophila lanceolata* low open shrubland over *Eriachne benthamii* open tussock grassland over *Aristida contorta* open bunch grass.

3. AaPoTmAc: *Acacia* various *aneura* low open forest over *Ptilotus obovatus* low open shrubland over *Triodia melvillei* open hummock grassland over *Aristida contorta* open bunch grass;

4. *Acacia aneura* low open woodland over *Eremophila caespitose*, *Ptilotus obovatus* low shrubland over *Triodia pungens* very open hummock grassland over *Eriachne benthamii* very open tussock grassland over *Aristida contorta* open bunch grass; and

Vegetation from stony slopes

5. *Eucalyptus gamophylla* low open forest over *Acacia aneura* high open shrubland over *Acacia sibirica*, *Senna oligophylla* open shrubland over *Keraudrenia velutina*, *Ptilotus rotundifolius* low open shrubland over *Triodia pungens*, *Triodia basedowii* hummock grassland over *Paraneurachne muelleri* very open tussock grassland.

Clearing Description

Angelo River Exploration Project
Robe River Ltd proposes to clear up to 7.6 hectares within a total boundary of approximately 95.2 hectares for the purpose of mineral exploration (GIS Database).

The project is located approximately 95 kilometres west of Newman, in the Shire of East Pilbara (GIS Database).

Vegetation Condition	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994). To Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).
Comment	The vegetation condition was assessed by a botanist from Rio Tinto. The vegetation conditions were described using a scale based on Trudgen (1988) and have been converted to the corresponding conditions from the Keighery (1994) scale. Clearing permit CPS 3592/1 was granted by the Department of Mines and Petroleum on 18 March 2010. The clearing permit authorised the clearing of 7.6 hectares of native vegetation within a total boundary of 95.2 hectares. On 23 April 2015 the Department of Mines and Petroleum approved clearing permit amendment CPS 3592/2 in order to extend the duration of the clearing permit to 31 July 2025. On 28 April 2015, Robe River Ltd applied to amend CPS 3233/2 in order to change the annual reporting date to 31 July each year.

3. Assessment of application against clearing principles

Comments

The amendment to change the annual reporting date to 31 July each year is unlikely to result in any significant change to the environmental impacts of the proposed clearing. The size of the area approved to clear (7.6 hectares) and the permit boundary remain unchanged.

The assessment against the clearing principles remains consistent with the assessment contained in decision report CPS 3592/2.

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

Comments

There is one Native Title claim (WC97/043) over the areas under application (GIS Database). This claim has been registered with the Native Title Tribunal on behalf of the claimant group. 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 no 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 throughout 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 GIS Database:

- Aboriginal Sites of Significance
- Native Title Claims - Registered with the NNTT

4. References

- 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 (2010) *Botanical Survey for Exploration Drilling at Indabiddy Deposit (Angelo River) & Supporting Document to a Native Vegetation Clearing Permit Application*. Unpublished report for Robe River Ltd.
- Trudgen M.E. (1988) *A Report on the Flora and Vegetation of the Port Kennedy Area*. Unpublished report prepared for Bowman Bishaw and Associates, West Perth.

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	<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
s.17	Section 17 of the <i>Environment Protection Act 1986</i> , 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 the Department according to their level of threat using IUCN Red List criteria. For example Carnaby's Cockatoo *Calyptorhynchus 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.