Government of **Western Australia**
Department of **Mines and Petroleum**

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3698/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Dampier Salt Limited**

1.3. Property details

Property: Mineral Lease 253SA (AML70/253)
Dampier Solar Salt Industry Agreement Act 1967
Local Government Area: Shire of Roebourne
Colloquial name: Dampier Operations – Cyclone Protection Works

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
170.7		Mechanical Removal	Construction of cyclone protection levees, borrow pits, drainage channels and other associated activities

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 3 April 2014

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description

The vegetation of the application area is broadly mapped as Beard vegetation associations:

127: Bare areas mudflats; and

589: Mosaic: Short bunch grassland - savanna / grass plain (Pilbara) / Hummock grasslands, grass steppe; soft spinifex.

Biota Environmental Sciences (2008) describe the vegetation of the application area as comprising of the following 15 vegetation types:

Alluvial Clay Plains / Cracking Clay Areas
ACP1*: Acacia coriacea* subsp. *coriacea* scattered low trees over *A. bivenosa (A. inaequilatera)* shrubland over *Triodia wiseana, T. epactia* hummock grassland.

CCA1*: Eriachne flaccida, Eragrostis tenellula, Astrebla pectinata, Sorghum plumosum* open tussock grassland over *Ptilotus gomphrenoides* herbland.

ACP2: *Triodia wiseana* hummock grassland, sometimes with some *T. longiceps* also present.

ACP3: *Acacia stellaticeps* open heath over *Triodia epactia* hummock Grassland.

ACP4: *Eragrostis xerophila* tussock grassland.

Coastal Clay-loam Plains
CCLP1: *Acacia stellaticeps* low open shrubland to shrubland over *Triodia longiceps (T. wiseana)* hummock grassland with *Eriachne helmsii, Sorghum plumosum, *Cenchrus ciliaris* very open tussock grassland.

CCLP2: *Triodia longiceps (T. epactia)* hummock to closed hummock grassland over *Eriachne obtusa, *Cenchrus ciliaris* very open tussock grassland with *Ptilotus exaltatus* very open herbland.

CCLP3: *Trianthema turgidifolia* low open shrubland over **Cenchrus ciliaris* open tussock grassland.

CCLP4: *Indigofera trita, I. colutea, I. linifolia, Neobassia astrocarpa* low shrubland over *Triodia epactia* hummock grassland and **Cenchrus ciliaris (Chrysopogon fallax)* tussock grassland.

CCLP5: *Indigofera trita* low open shrubland to low shrubland over *Triodia longiceps (T. epactia)* open hummock grassland and **Cenchrus ciliaris* open tussock grassland to tussock grassland.

Freshwater Drainage Areas in Clay Plains
FDA1: *Acacia coriacea* subsp. *coriacea* low woodland over *Eulalia aurea, Chrysopogon fallax* open tussock grassland.

FDA2: *Crotalaria cunninghamii* open heath over *Goodenia microptera, Alternanthera nana* open herbland and *Eragrostis eriopoda, Eriachne obtusa, Whiteochloa cymbiformis* open tussock grassland.

FDA3: *Hakea chordophylla* tall open shrubland over **Cenchrus ciliaris* open tussock grassland and *Dichanthium sericeum* subsp. *humilius* open bunch grassland.

Low-lying Saline Drainage Areas
SD1: *Tecticornia indica* subsp. *leiostachya, Neobassia astrocarpa* low shrubland to open heath over *Eragrostis dielsii* bunch grassland.

SD3: *Tecticornia indica* subsp. *leiostachya, T. halocnemoides* subsp. *tenuis* low open shrubland to open heath over *Eragrostis falcata* bunch grassland to very open bunch grassland.

* denotes weed species.

Clearing Description

Cyclone Protection Works.
Dampier Salt Limited proposes to clear up to 170.7 hectares of native vegetation within a total boundary of approximately 388.1 hectares for the purposes of the construction of cyclone protection levees, borrow pits, drainage channels and other associated activities. The project is located approximately 10 kilometres west of Karratha, in the Shire of Roebourne.

Vegetation Condition

Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994);

To:

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

Comment

Vegetation condition has been provided by Biota Environmental Sciences (2008).

Clearing is proposed to be conducted mechanically with a lowered blade (Biota Environmental Sciences, 2010). Topsoil and vegetative material will be collected and stockpiled prior to the excavation works.

Clearing permit CPS 3698/1 was granted by the Department of Mines and Petroleum on 19 August 2010. On 25 February 2014, Dampier Salt Limited applied to amend CPS 3698/1 for the purposes of amending the wording of the purpose for which the clearing may be done, and to remove Condition 2 on the Permit. The duration of the permit was also extended from 30 June 2015 to 30 June 2025.

3. Assessment of application against clearing principles

Comments

Dampier Salt Limited has applied to remove Condition 2 from the Clearing Permit and to amend the wording of the purpose for which the clearing may be done. The duration of the permit was also extended from 30 June 2015 to 30 June 2025.

Potential land degradation issues present within the application area are consistent with those described in clearing permit decision report CPS 3698/1 (GIS Database). Condition 2 will not be removed from the Clearing Permit as potential land degradation impacts as a result of the proposed clearing may be minimised by the implementation of a staged clearing condition. The Condition however will be amended to bring it in line with the current standard wording of the Condition.

There are no additional environmental impacts associated with this amendment. Therefore, the assessment of the clearing principles is consistent with the assessment in the clearing permit decision report CPS 3698/1.

Methodology

GIS Database:
- Rangeland Land System Mapping

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

Comments

There is one native title claim over the application area; WC99/014. This claim has been registered with the Native Title Tribunal on behalf of the claimant group (GIS Database). 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 number of known Aboriginal Sites of Significance located within or close proximity to the clearing permit 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, 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

4. References

Biota Environmental Sciences (2008) A Vegetation and Flora Survey of the Proposed Dampier Salt Saltfield Expansion, unpublished report prepared for Dampier Salt Limited, prepared by Biota Environmental Sciences Pty Ltd.

Biota Environmental Sciences (2010) Assessment of the Dampier Operations Cyclone Protection Works Against the Ten Clearing Principles, unpublished report for Dampier Salt Limited, prepared by Biota Environmental Sciences Pty Ltd.

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
CALM	Department of Conservation and Land Management (now DEC), Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia
DEH	Department of Environment and Heritage (federal based in Canberra) previously Environment Australia
DEP	Department of Environment Protection (now DEC), Western Australia
DIA	Department of Indigenous Affairs
DLI	Department of Land Information, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DoE	Department of Environment (now DEC), Western Australia
DoIR	Department of Industry and Resources (now DMP), Western Australia
DOLA	Department of Land Administration, Western Australia
DoW	Department of Water
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
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:

{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.