



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4498/3
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Roy Hill Infrastructure Pty Ltd

1.3. Property details

Property: Mining Lease 45/645
General Purpose Lease 45/253
General Purpose Lease 45/220
Local Government Area: Town of Port Hedland
Colloquial name: Roy Hill 1 Iron Ore Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
17.2		Mechanical Removal	Borrow pit, road upgrades and laydown areas

1.5. Decision on application

Decision on Permit Application:
Decision Date:

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
<p>Beard vegetation associations have been mapped for the whole of Western Australia. Two Beard vegetation associations have been mapped within the application area:</p> <p>589: Mosaic: Short bunch grassland - savanna/grass plain (Pilbara) /hummock grasslands, grass steppe; soft spinifex; and</p> <p>647: Hummock grasslands, dwarf-shrub steppe; <i>Acacia translucens</i> over soft spinifex (GIS Database).</p> <p>A flora and vegetation survey of Mining Lease 45/645 and the surrounding roads was undertaken by Pilbara Flora in April 2011 (Pilbara Flora, 2011). This survey covered the vast majority, over 99%, of the application area. Two vegetation types and a disturbed area were identified within the application area (Pilbara Flora, 2011; Roy Hill, 2011).</p> <p>Vegetation Type 1: Low shrubland of <i>Acacia stellaticeps</i> and hummock grass steppe on plains.</p> <p>Vegetation Type 2: <i>Triodia secunda</i> and <i>Triodia epactia</i> hummock grass steppe on plains.</p> <p>Disturbed Areas: No vegetation.</p>	<p>Roy Hill 1 Iron Ore Project. Roy Hill Infrastructure Pty Ltd proposes to clear up to 17.2 hectares of native vegetation for the purposes of a borrow pit, road upgrades, and laydown areas. The project is located in three separate areas approximately 10 kilometres south-west of Port Hedland, within the shire boundaries of the Town of Port Hedland.</p>	<p>Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).</p> <p>To</p> <p>Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).</p>	<p>The application area consists of three separate sections. The largest section of the application area, approximately 17 hectares, is required for the borrow pit. The clearing of the two smaller sections, totalling approximately 0.2 hectares, is for the proposed road upgrades. The extracted borrow material will be used for construction projects in Port Hedland and South Hedland to support the development of the Roy Hill Iron Ore Project.</p> <p>Clearing permit CPS 4498/1 was granted by the Department of Mines and Petroleum on 15 September 2011, and was valid from 8 October 2011 to 30 June 2013. The permit approved the clearing of 17.2 hectares of native vegetation for the purposes of a borrow pit and road upgrades. Amended permit CPS 4498/2 was granted on 27 June 2013 adding "laydown areas" to the approved purposes of clearing, and extending the permit duration to 30 April 2014.</p> <p>On 9 April 2014, Roy Hill Infrastructure Pty Ltd applied to amend CPS 4498/2 to extend the duration of the permit from 30 April 2014 to 30 April 2016, and to change the permit reporting dates from financial year to calendar year.</p>

3. Assessment of application against clearing principles

Comments

The proposed amendment to extend the permit duration by two years, and to change the permit reporting dates, is unlikely to result in any additional environmental impacts. The size of the area approved to clear (17.2 hectares) and the permit boundaries remain unchanged.

The assessment against the clearing principles remains consistent with the previous version of the permit, CPS 4498/2.

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

Comments

There is one Native Title Claim (WC1999/003) over the area under application (GIS Database). This claim has been registered with the National 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 areas (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, 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 - Determined by the Federal Court
- Native Title Claims - Filed at the Federal Court
- 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.
- Pilbara Flora (2011) Level 1 Flora and Vegetation of Port Hedland (Boodarie) Lease M45/645. Report Prepared by Pilbara Flora for Roy Hill Infrastructure Pty Ltd, May 2011.
- Roy Hill (2011) Native Vegetation Clearing Permit Application M45/645, G45/220 and G45/253: Borrow Pit and Whim Creek Road Upgrade. Unpublished Report Prepared by Roy Hill, July 2011.

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>Environmental 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

PEC	Conservation Union
RIWI Act	Priority Ecological Community, Western Australia
s.17	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
TEC	Section 17 of the <i>Environment Protection Act 1986</i> , Western Australia
	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.