



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4695/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Robe River Limited

1.3. Property details

Property: Iron Ore (Robe River) Agreement Act 1964, Mineral Lease 248SA (AML 70/248)
Local Government Area: Shire of East Pilbara
Colloquial name: Middle Robe Valley Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 March 2017

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description The application area has been mapped as the following two Beard vegetation associations (GIS Database).

173: Hummock grasslands, shrub steppe; kanji over soft spinifex and *Triodia wiseana* on basalt; and
609: Mosaic: Hummock grasslands, open low tree steppe; bloodwood with sparse kanji shrubs over soft spinifex/Hummock grasslands, open low tree steppe; snappy gum over *Triodia wiseana* on a lateritic crust.

A Level 1 flora and vegetation survey of the application area was undertaken by Astron Environmental Services (Astron) during the period 20 - 23 June and 13 - 14 September 2011 (Astron, 2011). The vegetation survey identified the following 13 vegetation types in the application area:

Plains (Including Floodplains):

Vegetation Type PI01: *Acacia inaequilatera* low open woodland over *Triodia epactia/pungens* hummock grassland (occasionally scattered low trees of *Hakea chordophylla*).

Vegetation Type PI03: *Eucalyptus leucophloia* subsp. *leucophloia* scattered trees over *Corymbia hamersleyana* low open woodland over *Senna notabilis* and *Corchorus parviflorus* open shrubland over *Triodia wiseana* hummock grassland.

Major Creeklines:

Vegetation Type Ma01: *Eucalyptus camaldulensis* and *Melaleuca argentea* open forest over *Petalostylis labicheoides* and *Acacia trachycarpa* scattered tall shrubs over *Cyperus vaginatus* scattered sedges, **Cenchrus ciliaris* scattered tussock grasses and **Cynodon dactylon* and *Eragrostis tenellula* scattered grasses.

Vegetation Type Ma02: *Eucalyptus camaldulensis* open forest over mixed *Acacia* spp. and *Melaleuca linophylla* (*A. ampliceps*, *A. coleii* var. *ileocarpa*, *A. coriacea* subsp. *pendens*, *A. pyriformis* and *A. trachycarpa*) scattered tall shrubs over **Cenchrus ciliaris* very open tussock grassland and *Cyperus vaginatus* very open sedgeland.

Vegetation Type Ma03: *Eucalyptus camaldulensis*, *Melaleuca argentea* and **Phoenix dactylifera* woodland over **Cenchrus ciliaris* open tussock grassland, **Setaria verticillata* very open tussock grassland and *Cyperus vaginatus* scattered sedges.

Vegetation Type Ma04: *Eucalyptus victrix* low open woodland over *Gossypium robinsonii* tall open shrubland over *Tephrosia rosea* var. *clementii*, *Tephrosia rosea* var. *rosea* and *Sida* sp. Pilbara (A.A Mitchell PRP 1543) scattered low shrubs over *Triodia epactia* very open hummock grassland.

Vegetation Type Ma05: *Eucalyptus victrix* open woodland over *Corymbia candida* low open woodland over **Vachellia farnesiana* and *Sesbania formosa* tall open shrubland over **Cenchrus ciliaris* open tussock grassland.

Vegetation Type Ma06: *Acacia citrinoviridis* (*Grevillea wickhamii*) low woodland over *Triodia wiseana* open hummock grassland

Mesas, Hills, Breakaways and Slopes:

Vegetation Type MHBS01: *Acacia wanyu* open heath over *Triodia wiseana* hummock grassland.

Vegetation Type MHBS02: *Eucalyptus leucophloia* subsp. *leucophloia* scattered low trees to low open woodland

over *A. wanyu* and *Senna glutinosa* subsp. *glutinosa* scattered shrubs over *Triodia wiseana* hummock grassland.
Vegetation Type MHBS03: *Acacia inaequilatera* tall open shrubland over *Triodia wiseana* hummock grassland.
Vegetation Type MHBS04: *Triodia wiseana* hummock grassland.
Vegetation Type MHBS05: *Corchorus parviflorus* and *Senna notabilis* low shrubland.

Previously Mined Mesas:

Disturbed vegetation on previously mined Mesas, historical access tracks and haul roads.

Clearing Description	Middle Robe Valley Project Robe River Limited proposes to clear up to 25 hectares of native vegetation within a total boundary of approximately 2,181 hectares for the purposes of mineral exploration. Clearing will be for drill pads, sumps and access tracks. The project is located in the Robe Valley approximately 10 kilometres east of the town of Pannawonica within the Shire of East Pilbara.
Vegetation Condition	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994); to: Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).
Comment	Clearing permit CPS 4695/1 was granted by the Department of Mines and Petroleum (DMP) on 12 February 2012 and authorised the clearing of up to 25 hectares of native vegetation within a clearing permit boundary of approximately 2,181 hectares for the purpose of mineral exploration. An application to amend CPS 4695/1 was submitted to the DMP on 2 February 2017. The application requested an extension to the period in which clearing is authorised.

3. Assessment of application against clearing principles

Comments	Robe River Limited has applied to amend Condition 4 of CPS 4695/1 for the purpose of extending the period in which clearing is authorised from 25 February 2017 to 31 December 2022. The extension is needed as the period in which clearing is authorised has expired and all the proposed clearing has not been completed. As the period in which the clearing will be extended and time is needed to undertake revegetation activities, the permit duration will also be extended to 31 December 2027. The amount of clearing authorised and permit boundary remain unchanged. The proposed amendment is unlikely to result in any significant change to the environmental impacts of the proposed clearing. The assessment against the clearing principles remains consistent with the assessment contained in decision report CPS 4695/1.
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Planning instrument, Native Title, Previous EPA decision or other matter.

Comments	There is one Native Title Claim (WC1999/012) over the area under application (DAA, 2017). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. There is another unregistered Native Title Claim (WC2016/002) over the area under application (DAA, 2017). However, the mining tenure has been granted in accordance with the future act regime of the <i>Native Title Act 1993</i> 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 <i>Native Title Act 1993</i> . There are numerous registered Aboriginal sites of significance within the application area (DAA, 2017). It is the proponent's responsibility to comply with the <i>Aboriginal Heritage Act 1972</i> 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.
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Methodology DAA (2017)

4. References

- Astron (2011) Middle Robe Valley Vegetation, Flora and Fauna Survey. Report Prepared by Astron Environmental Services for Rio Tinto Iron Ore Ltd, October 2011.
- DAA (2017) Aboriginal Heritage Inquiry System, Government of Western Australia, Department of Aboriginal Affairs, Perth <http://maps.dia.wa.gov.au/AHIS2/> Accessed 2 March 2017.
- 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
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
DotEE	Department of the Environment and Energy, 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 DotEE)
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
TEC	Threatened Ecological Community

Definitions:

{DPaW (2015) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

T	Threatened species: Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , listed under Schedules 1 to 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora). Threatened fauna is that subset of 'Specially Protected Fauna' declared to be 'likely to become extinct' pursuant to section 14(4) of the Wildlife Conservation Act. Threatened flora is flora that has been declared to be 'likely to become extinct or is rare, or otherwise in need of special protection', pursuant to section 23F(2) of the Wildlife Conservation Act. The assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below.
CR	Critically endangered species Threatened species considered to be facing an extremely high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
EN	Endangered species Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
VU	Vulnerable species Threatened species considered to be facing a high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , in Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
EX	Presumed extinct species Species which have been adequately searched for and there is no reasonable doubt that the last individual has died. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , in Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora.
IA	Migratory birds protected under an international agreement Birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and The Republic of Korea (ROKAMBA), and the Bonn Convention,

relating to the protection of migratory birds. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.

- CD Conservation dependent fauna**
Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- OS Other specially protected fauna**
Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- P Priority species**
Species which are poorly known; or
Species that are adequately known, are rare but not threatened, and require regular monitoring. Assessment of Priority codes is based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.
- P1 Priority One - Poorly-known species:**
Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey.
- P2 Priority Two - Poorly-known species:**
Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, e.g. national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.
- P3 Priority Three - Poorly-known species:**
Species that are known from several locations, and the species does not appear to be under imminent threat, or from few but widespread locations 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 locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. Such species are in need of further survey.
- 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 are close to qualifying for Vulnerable, but are not listed as Conservation Dependent.
(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.