



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4746/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

1.3. Property details

Property: Iron Ore (Hamersley Range) Agreement Act 1963, Mineral Lease 4SA (AML 70/4)
Local Government Area: Shire of Ashburton
Colloquial name: Western Turner Syncline

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 April 2017

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 broadly mapped for the whole of Western Australia. Two Beard vegetation associations have been mapped within the application area (GIS Database):

82: Hummock grassland, low tree steppe; snappy gum over *Triodia wiseana*; and
567: Hummock grasslands, shrub steppe; mulga and kanji over soft spinifex and *Triodia basedowii*.

A flora and vegetation survey of the application area and the surrounding areas, conducted by Biota Environmental Sciences (Biota) in July 2007 identified fifteen vegetation communities within the application area (Biota, 2010):

Creepline

AciEvTwCEsCEcBTe - *Acacia citrinoviridis*, *Eucalyptus victrix* low open forest over *Triodia wiseana* very open hummock grassland with *Cenchrus setiger*, *Cenchrus ciliaris*, *Bothriochloa ewartiana* very open tussock grassland;

EgPIAatGOrTw - *Eucalyptus gamophylla* low mallee woodland over *Petalostylis labicheoides*, *Acacia atkinsiana*, *Gossypium robinsonii* open shrubland over *Triodia wiseana* open hummock grassland; and

AmoGOrAm - *Acacia monticola*, *Gossypium robinsonii* tall shrubland over *Acacia maitlandii* open heath.

Gully

CfFbAciDpTeTw - *Corymbia ferritcola*, *Ficus brachypoda* low open woodland over *Acacia citrinoviridis* tall open shrubland over *Dodonaea pachyneura* open shrubland over *Triodia epactia*, *Triodia wiseana* very open hummock grassland; and

EiChAmGrTeTwTHT - *Eucalyptus leucophloia* subsp. *leucophloia*, *Corymbia hamersleyana* scattered low trees over *Acacia maitlandii*, *Gossypium robinsonii* tall shrubland over *Triodia epactia*, *Triodia wiseana* very open hummock grassland and *Themeda triandra* very open tussock grassland.

Hillslope

EgAbCOcTw - *Eucalyptus gamophylla* low mallee woodland over *Acacia bivenosa*, *Codonocarpus cotinifolius* tall shrubland over *Triodia wiseana* hummock grassland;

CdAmTb - *Corymbia deserticola* subsp. *deserticola* low open woodland over *Acacia maitlandii* open heath over *Triodia brizoides* hummock grassland;

AmAmoAspTwTe - *Acacia maitlandii*, *Acacia monticola* tall shrubland over *Acacia spondylophylla* low open shrubland over *Triodia wiseana*, *Triodia epactia* hummock grassland;

AbAatTwTe - *Acacia bivenosa* tall open shrubland over *Acacia atkinsiana* open shrubland over *Triodia wiseana*,

Triodia epactia hummock grassland;

CdAatAexTw - *Corymbia deserticola* subsp. *deserticola* scattered low trees over *Acacia atkinsiana*, *Acacia exilis* open shrubland over *Triodia wiseana* hummock grassland;

CdAmoAspTw - *Corymbia deserticola* subsp. *deserticola* scattered low trees over *Acacia monticola*, *A. spondylophylla* shrubland over *Triodia wiseana* (*Triodia* aff. *melvillei*, *Triodia schinzii*) hummock grassland;

ElAmAspTeTw - *Eucalyptus leucophloia* subsp. *leucophloia* low woodland over *Acacia maitlandii* open shrubland over *Acacia spondylophylla* low open shrubland over *Triodia epactia*, *Triodia wiseana* hummock grassland;

ElAmAspGOMkTwERIm - *Eucalyptus leucophloia* subsp. *leucophloia* low open woodland over *Acacia maitlandii* open shrubland over *Acacia spondylophylla* low shrubland over *Triodia wiseana* hummock grassland with *Eriachne mucronata* scattered tussock grasses;

EsAbCAPuTw - *Eucalyptus socialis* subsp. *eucentrica* low mallee woodland over *Acacia bivenosa* tall shrubland over *Capparis umbonata* low open shrubland over *Triodia wiseana* hummock grassland; and

ElAprAspAatAmTw - *Eucalyptus leucophloia* subsp. *leucophloia* scattered low trees over *Acacia pruinocarpa*, *Acacia spondylophylla*, *Acacia atkinsiana*, *Acacia maitlandii* open shrubland over *Triodia wiseana* hummock grassland.

* Denotes a weed species.

Clearing Description

Western Turner Syncline Project.
Hammersley Iron Pty Ltd proposes to clear up to 8.8 hectares of native vegetation within a total boundary of approximately 125 hectares, for the purpose of mineral exploration. The project is located approximately eight kilometres north-west of Tom Price, in the Shire of Ashburton.

Vegetation Condition

Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994);

To

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

Comment

Clearing permit CPS 4746/1 was granted by the Department of Mines and Petroleum on 2 February 2012. The permit authorised the clearing of up to 8.8 hectares of native vegetation within a boundary of approximately 125 hectares, for the purpose of mineral exploration. Clearing was authorised from 25 February 2012 to 31 January 2017, with a permit expiry date of 31 January 2022 to allow for rehabilitation activities to be completed.

On 2 February 2017, the Permit Holder applied to amend CPS 4746/1 to amend Condition 4 to extend the period within which clearing is authorised, to 31 December 2022. The area of clearing authorised and the permit boundaries remain unchanged.

3. Assessment of application against clearing principles

Comments

Hammersley Iron Pty Ltd has applied to amend the permit, to extend the authorised clearing period by five years to 31 December 2022. The permit duration has also been extended by five years, to 31 December 2027, to allow sufficient time for the rehabilitation activities to be completed following the completion of clearing. In addition, the annual reporting dates have been changed to bring the permit into line with the proponent's current standard reporting arrangements. The size of the area approved to clear (8.8 hectares) and the permit boundaries remain unchanged.

The amendment is unlikely to result in any significant change to the environmental impacts of the proposed clearing (GIS Database).

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*. Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision report CPS 4746/1.

Methodology

GIS Database:
- Hydrography, linear
- Pre-European Vegetation
- Threatened and Priority Flora
- Threatened and Priority Ecological Communities (TEC/PEC) - Boundaries
- Threatened Fauna

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

Comments

There is one Native Title Claim (WC1997/089) over the area under application (DAA, 2017). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group, and has been determined by the Federal Court. 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 (DAA, 2017). 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 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 DAA (2017)

4. References

- Biota (2010) A Vegetation and Flora Survey of the Tom Price Power Line West Detritals. Report prepared for Pilbara Iron Company, by Biota Environmental Sciences Pty Ltd, March 2010.
- DAA (2017) Aboriginal Heritage Enquiry System. Department of Aboriginal Affairs. <http://maps.dia.wa.gov.au/AHIS2/> (Accessed 20 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)
DEE	Department of the Environment and Energy, Australian Government
DER	Department of Environment Regulation, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DRF	Declared Rare Flora
DoE	Department of the Environment, Australian Government (now DEE)
DoW	Department of Water, Western Australia
DPaW	Department of Parks and Wildlife, Western Australia
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
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 *Wildlife Conservation Act 1950*, 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 *Wildlife Conservation Act 1950*, 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 *Wildlife Conservation Act 1950*, 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 *Wildlife Conservation Act 1950*, 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 *Wildlife Conservation Act 1950*, 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.

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.