

Application to extend ‘no clearing after’ and expiry date (Administrative amendments)

Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) requires that amendments to clearing permits, including administrative amendments, be reviewed. The purpose of the review is to clarify whether there have been any substantial changes in conservation values and/or impacts within the application area since the original assessment. Such changes may result in supporting surveys no longer being adequate to support the revised assessment and/or change the outcomes when assessed against the 10 Clearing Principles listed under Schedule 5 of the *Environmental Protection Act 1986*.

The purpose of this pro forma is to provide DEMIRS with information on:

- changes in conservation values since the original assessment.
- the significance of those changes; and
- the appropriate approval pathway for the area in question.

Where demonstrated through this pro forma, that previous survey information meets current regulator expectations and no substantial changes to known conservation values and/or clearing impacts exist, Rio Tinto Iron Ore (RTIO) would not pursue further survey work to support the administrative amendment.

Where previous supporting surveys are no longer adequate to meet current regulator expectations, or there have been significant changes to the known conservation values since assessment was made, supplementary supporting information will accompany an amendment to the NVCP or new clearing permit application. Rio Tinto will seek confirmation from DEMIRS on the appropriate pathway.

Current		Proposed	
CPS#	4915-6	CPS#	4915-6
No clearing after date	31/07/2024	No clearing after date	31/12/2028
Expiry date	31/07/2029	Expiry date	31/07/2032
Clearing approved (ha)	180		
Clearing carried out to date (ha)	70.6		
Rehabilitation carried out to date (ha)	22.6		
Justification of extension:	Extension on clearing date (condition 5).		
Bio Input/Desktop assessment			
Assessor: Kyle Wood – Specialist Botanist			

Date/s of field surveys:	<p>Rio Tinto (2015) consolidated the results of existing biological surveys that intersect the CPS 4915-6 application area. The primary surveys included in the Rio Tinto (2015) consolidation were:</p> <p>Biota (2012b)</p> <ul style="list-style-type: none"> • 31st of July to 10th of August 2007. • 4th to 11th of September 2007. • 2nd to 12th of October 2007. • 11th to 14th of April 2011. • 27th of June to 8th of July 2011. • 25th to 31st of October 2011. <p>Biota (2012c)</p> <ul style="list-style-type: none"> • 17th to 23rd of September 2011. <p>Biota (2013a)</p> <ul style="list-style-type: none"> • 17th to 26th of July 2012. <p>Biota (2013b)</p> <ul style="list-style-type: none"> • 3rd to 11th of October <p>Biota (2013e)</p> <ul style="list-style-type: none"> • Desktop assessment only. <p>Biota (2013f)</p> <ul style="list-style-type: none"> • 9th to 10th of September 2013. <p>Biota (2013g)</p> <ul style="list-style-type: none"> • 10th of September 2013. <p>Eco Logical Australia (2013)</p> <ul style="list-style-type: none"> • 20th to 25th of July. <p>Eco Logical Australia (2014)</p> <ul style="list-style-type: none"> • 13th to 14th of June 2013. • 15th of July 2013. • 21st to 23rd of July 2013. • 17th of August 2013. <p>Astron (2014)</p> <ul style="list-style-type: none"> • 15th to 20th of May 2014. • 6th of June 2014.
Survey type/s:	<p>Flora & Vegetation</p> <ul style="list-style-type: none"> • Biota (2012b): Level 2 Survey (EPA, 2004). • Biota (2013a): Level 2 Survey (EPA, 2004). • Biota (2013f): Level 1 Survey (EPA, 2004). • Biota (2013g): Level 1 Survey (EPA, 2004). • Eco Logical Australia (2013): Level 1 Survey (EPA, 2004). • Eco Logical Australia (2014): Level 1 Survey (EPA, 2004). • Astron (2014): Level 1 Survey (EPA, 2004). <p>Terrestrial Fauna</p> <ul style="list-style-type: none"> • Biota (2012c): Level 2 Survey (EPA, 2010). • Biota (2013b): Level 2 Survey (EPA, 2010). • Biota (2013e): Level 2 Survey (EPA, 2010).

<p>Constraints / limitations:</p>	<p>The Rio Tinto (2015) consolidation report assessed the limitations of previous surveys and found no significant limitations when assessed against the EPA (2004) and EPA (2010) guidance statements.</p> <p>In consideration of the current EPA (2016) and EPA (2020) guidance statements, the previous surveys have the following limitations:</p> <ul style="list-style-type: none"> • The Biota (2012c); (Biota, 2013a, 2013f, 2013g) and Eco Logical Australia (2013) field surveys were conducted outside of the recommended primary survey season for the Eremaean botanical province. • Not all vegetation types received a minimum replication of three quadrats by Biota (2012b) or Astron (2014). • The Biota (2012c) and Biota (2013b) Level 2 fauna surveys were conducted as a single-phase only. <p>The seasonal conditions of the Biota (2012b) and Astron (2014) surveys (both conducted during the recommended primary survey season) were considered comparable to the long-term average rainfall in the region. As such, annual and short-lived ephemeral species would have been detectable during these surveys.</p> <p>The Biota (2012c) and Biota (2013b) field surveys were conducted during the primary survey season for reptiles in the Eremaean region and therefore seasonal timing is not considered a limitation for these surveys. In addition, systematic sampling sites were installed in all habitats recorded by Biota (2013b).</p> <p>While the existing biological surveys used to inform CPS 4915-6 have individual limitations, the combined coverage of these surveys are not expected to have any significant limitations based on the intent of the current EPA (2016) and EPA (2020) guidance statements.</p>
<p>Have any additional field surveys been undertaken within the Permit area since the original application was submitted?</p>	<p>Yes. The following surveys have been conducted since the Rio Tinto (2015) consolidation report:</p> <ul style="list-style-type: none"> • Biota (2015a) Western Turner Syncline Section 10 Below Water Table and Satellite Ore Bodies Targeted Terrestrial Fauna Survey. • Biota (2015b) Western Turner Syncline Section 10 Below Water Table Groundwater Dependent Vegetation Assessment. • Bat Call (2017) Brockman Syncline 4 Marra Mambas, Pilbara WA, Location of Upper Beasley River Pilbara leaf-nosed bat diurnal roost. • Rio Tinto (2022) Metadata Statement – Mt Porter Quoll Cameras 2021. • Biologic (2022) Western Turner Syncline Surrounds Targeted Fauna and Fauna Assemblages Survey.
<p>Presence of Threatened flora/fauna?</p>	<p>The CPS 4915-6 area is known to contain suitable habitat for the following threatened fauna species:</p> <ul style="list-style-type: none"> • Pilbara Olive Python (<i>Liasis olivaceus barroni</i>), • Pilbara Leaf-nosed Bat (<i>Rhinonictoris aurantia</i>), • Northern Quoll (<i>Dasyurus hallucatus</i>), and • Ghost Bat (<i>Macroderma gigas</i>). <p>The presence of suitable habitat has been considered in previous decision reports for CPS 4915, with clearing restrictions applied to areas of core habitat. The Pilbara Leaf-nosed Bat was recorded within the CPS 4915-6 area in 2013, while the Pilbara Olive Python and Ghost Bat have been</p>

	<p>recorded within 1 km, indicating their likely presence within the CPS 4915-6 area.</p> <p>The Northern Quoll was recorded within the CPS 4915-6 area for the first time in 2021 during a targeted fauna survey of the Mount Porter area. Multiple Northern Quolls were detected from 22 out of the 33 motion cameras deployed during the survey (Rio Tinto, 2022). The DoE (2016) Northern Quoll Referral Guidelines defines a high-density population of Northern Quoll as being characterised by numerous camera triggers of multiple individuals across multiple cameras and or traps at the site. Based on this definition, the results from the Rio Tinto (2022) survey indicates a high-density population in the area.</p> <p>No threatened flora species have been recorded within the CPS 4915-6 area.</p>
<p>Presence of Priority flora/fauna?</p>	<p>Eight priority flora species have been recorded within the CPS 4915-6 area:</p> <ul style="list-style-type: none"> • <i>Hibiscus</i> sp. Mt Brockman (E. Thoma ET 1354) (P1) • <i>Dampiera anonyma</i> (P3) • <i>Eremophila magnifica</i> subsp. <i>velutina</i> (P3) • <i>Indigofera rivularis</i> (P3) • <i>Ptilotus subspinescens</i> (P3) • <i>Rostellularia adscendens</i> var. <i>latifolia</i> (P3) • <i>Eremophila magnifica</i> subsp. <i>magnifica</i> (P4) • <i>Sida</i> sp. Barlee Range (S. van Leeuwen 1642) (P4) <p>All eight species were included in previous clearing permit decision reports for CPS 4915. These species were recorded across 13 different biological surveys (Biota, 2007a, 2011a, 2011b, 2012b, 2013a, 2013d, 2013f; Eco Logical Australia, 2013, 2014; Hamersley Iron, 2003a, 2003b; Rio Tinto, 2011, 2014).</p> <p>One Priority fauna species has also been identified within the CPS 4915-6 area:</p> <ul style="list-style-type: none"> • Western Pebble-mound Mouse (<i>Pseudomys chapmani</i>) (P4). <p>This species was included in previous clearing permit decision reports for CPS 4915. The Western Pebble-mound Mouse was recorded across 11 different biological surveys (Biota, 2007b, 2009, 2011b, 2012a, 2013b, 2013c, 2013e; Eco Logical Australia, 2013; Rio Tinto, 2011)</p>
<p>Presence of Threatened Ecological Communities?</p>	<p>No threatened ecological communities occur within the CPS 4915-6 area.</p>
<p>Presence of Priority Ecological Communities?</p>	<p>No priority ecological communities occur within the CPS 4915-6 area.</p>
<p>Have there been any changes to the conservation rank of species or communities identified in previous surveys?</p>	<p>In considering changes to species conservation rank since the application for CPS 4915-6 was submitted, a search of the DBCA threatened and priority list and the DCEEW Species Profile and Threats Database (SPRAT) was completed for any species recorded within the Application Area (DBCA, 2024a, 2024b; DCCEEW, 2024). The following changes to conservation rank or taxonomy were identified:</p>

	<ul style="list-style-type: none"> • <i>Sida</i> sp. Barlee Range (S. van Leeuwen 1642) was changed from P3 to P4 in September 2022 (DBCA, 2024c). • <i>Indigofera</i> sp. Bungaroo Creek (S. van Leeuwen 4301) (P3) was formally named as <i>Indigofera rivularis</i> (P3). <p>The following fauna species were not recorded during previous surveys, but have since been listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> and were identified through the Protected Matter Search Tool:</p> <ul style="list-style-type: none"> • Red Goshawk (<i>Erythroriorchis radiatus</i>) (EN) <ul style="list-style-type: none"> ○ Listed 31st of March 2023 • Grey Falcon (<i>Falco hypoleucos</i>) (VU) <ul style="list-style-type: none"> ○ Listed July 2020 • Southern Whiteface (<i>Aphelocephala leucopsis</i>) (VU) <ul style="list-style-type: none"> ○ Listed 31st of March 2023 <p>None of these species have been recorded within the CPS 4915-6 area previously. In Western Australia, records of the Red Goshawk are restricted to the Kimberley region (ALA, 2024), and as such this species is unlikely to occur within the CPS 4915-6 area. The nearest record of the Grey Falcon in the Rio Tinto (2024) database is more than 30 km north of the CPS 4915-6 area. The Grey Falcon is a wide roaming species and prefers habitats such as lightly treed inland plains, gibber deserts, sand ridges, pastoral lands, timbered watercourses (Pizzey, 2012). Given the Grey Falcon has not been detected in any previous surveys in the Western Turner area, this species is considered unlikely to be present within the CPS 4915-6 area. The Southern Whiteface has not been recorded in the Rio Tinto (2024) database, however the nearest record of the species held by Birdlife Australia (2024) is more than 20 km to the east of the CPS 4915-6 area. This is the northern most record of the species in Western Australia, and the Pilbara is unlikely to contain extensive habitat for the species. Given the Southern Whiteface has not been detected in any previous surveys in the Western Turner area, this species is considered unlikely to be present within the CPS 4915-6 area.</p>
<p>Have any new species, communities or habitats of elevated environmental value been identified within the boundary of the clearing permit?</p>	<p>While the presence of suitable habitat for the Northern Quoll was considered during previous decision reports of CPS 4915, the presence of the species was not confirmed until 2021, after the CPS 4915-6 was re-issued. Based on the results of the Rio Tinto (2022) survey, a population of Northern Quolls is present within and adjacent to the CPS 4915-6 area.</p> <p>As a result of Northern Quoll population being identified, interim environmental exclusion areas have been applied to all areas of critical habitat for the Northern Quoll (as mapped by Biologic (2022)) in the Mount Porter area. No disturbance is permitted in the interim exclusion areas. Condition 4 of the CPS 4915-6 also restricts clearing of native vegetation within the areas shaded red on attached Plan 4915/6 for the purpose of access track construction.</p> <p>No other new species, communities or habitats of elevated environmental value have been identified within the boundary of the clearing permit since the previous application.</p>
<p>Other changes relevant to conservation of significant biological values in the context of the impact assessment</p>	<p>No other changes to conservation significant biological values in the context of this impact assessment have been identified. No new activities are being proposed within this application.</p>

(e.g., changes in known species distributions, new threats etc.)?	
Is a field survey required to validate desktop assessment? Why / why not?	A field survey is not required. The desktop assessment has indicated good overall coverage with few survey limitations. The Rio Tinto (2022) targeted fauna survey has indicated the presence of Northern Quolls and subsequent habitat mapping by Biologic (2022) has allowed for the creation of interim exclusion areas in critical habitat. The area and clearing limit are not being increased. Only changes relating to dates have been requested.
Is a new survey required? Why / why not?	A new survey is not required. No changes are requested for the scope of work, and no changes to the clearing limit have been requested. The current survey coverage provides a sufficient level of environmental information for the application area. Where potential habitat has been identified for threatened fauna and priority flora it has been classified as either exclusion or restriction areas to prevent or minimise any impact to these species where possible.

Based on the above information the risk of significant impacts to ecological values (flora, fauna, and ecological communities) due to extending the 'no clearing' and expiry date, is low.

RTIO proposes an administrative amendment to extend the 'no clearing after' date and the expiry date. DEMIRS Native Vegetation Branch to advise if this approach is considered appropriate.

DEMIRS Native Vegetation Branch approves an administrative amendment pathway

DEMIRS Native Vegetation Branch **does not** approve an administrative amendment pathway and will advise RTIO of the preferred approval pathway

Name _____
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Date: _____

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