



1. Application details

1.1. Permit application details

Permit application No.: 492/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

1.3. Property details

Property: L47/130
Local Government Area: Shire Of Ashburton
Colloquial name: Paraburdoo Gas Pipeline

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
40		Mechanical Removal	Mining (Pipeline)

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
Vegetation Association # 82 - Hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i> (Shepherd et al., 2001). Vegetation Association # 162 - Shrublands; snakewood scrub (Shepherd et al., 2001). Vegetation Association # 163 - Shrublands; eremophila and cassia dwarf scrub (Shepherd et al., 2001). Vegetation Association # 181 - Shrublands; mulga & snakewood scrub (Shepherd et al., 2001).	The vegetation of the site comprises lower storey native species, spanning four different types of vegetation of hummock grasslands and shrublands.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The proposal area is within a mining lease area, so is either currently subject to or surrounded by significant disturbance. The project area is a long, narrow section of the land being only 40ha, and the flora found within the area are generally widespread within the surrounding local area.

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments **Proposal is not likely to be at variance to this Principle**
The vegetation of the site retains mixed hummock grasslands and shrublands, which are well represented in the area surrounding the project area. The area is unlikely to represent an area of outstanding biological diversity.

Methodology GIS Database: Pre-European Vegetation - DA 01/01

(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.

Comments **Proposal is not likely to be at variance to this Principle**
Hummock grasslands and shrublands may provide some habitat for fauna species, however the application area is a long, narrow strip thus only removing a small amount of each of four different vegetation associations (Shepherd et al., 2001). The vegetation to be cleared will be slashed, and along with any removed topsoil, be reused in the rehabilitation process.

Methodology Shepherd et al. (2001);
GIS Database: Pre-European Vegetation - DA 01/01

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, significant flora.

Comments Proposal is not at variance to this Principle

There are no known Declared Rare and Priority Species within the area proposed for clearing.

Methodology GIS Database: Declared Rare and Priority Flora List - CALM 13/08/04

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a significant ecological community.

Comments Proposal is not at variance to this Principle

There are no known Threatened Ecological Communities within the area proposed for clearing.

Methodology GIS Database: Threatened Ecological Communities - CALM 15/07/03

(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.

Comments Proposal is not at variance to this Principle

The vegetation under application consists of four different Associations. These are Beard Vegetation Association numbers 82, 162, 163 and 181 (Hopkins et al., 2001). There is ~100% of the pre-European extent of all four Beard Vegetation Associations remaining (Shepherd et al., 2001).

Methodology Hopkins et al. (2001);
Shepherd et al. (2001);
GIS Database: Pre-European Extent - DA 01/01

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments Proposal is not likely to be at variance to this Principle

The vegetation to be cleared is not associated with a wetland or watercourse.

Methodology GIS Database: Hydrology, linear - DOE 1/2/04;
GIS Database: RAMSAR, Wetlands - CALM 21/10/02

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments Proposal is not likely to be at variance to this Principle

From the information provided, the likely land degradation risks posed by the clearing of vegetation are minimal.

Methodology Permit application

(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.

Comments Proposal is not at variance to this Principle

The project area is not adjacent to any existing or proposed conservation areas.

Methodology GIS Database: CALM Managed Lands and Waters - CALM 1/06/04

(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.

Comments Proposal is not likely to be at variance to this Principle

It is unlikely that the vegetation clearing will have a significant impact on ground or surface water quality.

Methodology GIS Database: Hydrography, linear - DOE 1/2/04;
GIS Database: Groundwater Subareas - WRC 10/10/00;
GIS Database: RIWI Act, Surface Water Areas - WRC 18/10/02

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence of flooding.

Comments Proposal is not likely to be at variance to this Principle

Flooding impacts are unlikely to occur as a result of the proposed clearing due to its location and rainfall levels in the area. The region within which the project area is located receives an average annual rainfall of 300mm.

The elevation of the area is gradually sloping, ranging from 320m to 480m. It is considered that the removal of vegetation would have no impact on peak flood height or duration.

Methodology GIS Database: Rainfall, Mean Annual - BOM 30/09/01;
GIS Database: Topographic Contours, Statewide - DOLA 12/09/02

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

Comments

The Shire of Ashburton has raised no objections to the proposed clearing (SoA, 2004).

The project was referred to the Environmental Protection Authority on 26/5/04. The EPA set the level of assessment as 'Not Assessed - Public Advice Given' on 12/7/04. The following advice was provided:

- * Hamersley Iron should consult with the Aboriginal groups affected by the proposal: the Innawonga, Gobawarra Bunjima Yinhawanga, and Innawonga Bunjima Niapaili. Matters of Aboriginal heritage should be agreed to in consultation with these three groups;
- * As part of the Rehabilitation Management Plan, consideration should be given to slashing those parts of the construction corridor not required for the actual pipe location and two wheel track, instead of clearing the entire corridor. This would assist in regeneration from rootstocks and other material;
- * Consideration should be given to collecting seeds from any individuals of the P1 species *Ptilotus trichocephalus* that will be damaged or destroyed by construction, to be used in rehabilitation;
- * Consideration should be given to the control of weeds along the pipeline route as long as the pipeline or route remains in use. This is particularly important for weeds which are likely to increase in abundance and spread along the pipeline corridor as a consequence of the ground disturbing activities and potential breakdowns in hygiene procedures which may occur; and
- * Hamersley Iron should liaise with the Department of Conservation and Land Management (CALM) in regard to photo points and monitoring sites, particularly in areas within or adjacent to the P1 species *Ptilotus trichocephalus* population (EPA, 2004).

Hamersley Iron have subsequently moved the proposed route of the pipeline to avoid any occurrences of *Ptilotus trichocephalus*.

The Pilbara Native Title Service (PNTS, 2004) raised concerns that the clearing of significant areas of vegetation may be a matter which affects native title, through the future act processes of the Native Title Act 1993. These concerns were upheld by the Appeals Convenor for Miscellaneous Licence area L47/130, which at that time was pending. This tenement has now been granted, such that the granting of the vegetation permit for this area is not a future act. However, the Pilbara Native Title Service raised further concerns that the legal reasoning behind this position is flawed (PNTS, 2005).

Methodology Shire of Ashburton Submission (2004);
Environmental Protection Authority (2004);
Pilbara Native Title Service Submission (2004);
Pilbara Native Title Service Submission (2005)

4. Assessor's recommendations

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Mining	Mechanical Removal	40	Grant	

5. References

Environmental Protection Authority (2004) Correspondence to Hamersley Iron Pty Ltd, Department of Environment TRIM Reference KTI3909.

Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.

Keighery, BJ (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.