



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4921/2
Permit type: Purpose

1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

1.3. Property details

Property: *Iron Ore (Hamersley Iron) Agreement Act 1963*, Special Lease for Mining Operations 3116/4585, Lease Extension L 827583, Lot 300 on Deposited Plan 47458
Local Government Area: Shire of Ashburton
Colloquial name: Paraburdoo Airstrip Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
25		Mechanical Removal	Airstrip Maintenance and Upgrade Works

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 5 May 2016

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description The amended clearing permit application area has been broadly mapped as the following Beard vegetation association (GIS Database):

181: Shrublands; mulga & snakewood scrub.

A flora and vegetation survey of the amended application area was conducted in July 2011 by botanists from Rio Tinto (2012; 2016). This survey identified the following five vegetation communities within the application area:

D-RG Previously Disturbed Areas – Historical disturbance which typically consisted of regrowth vegetation of little to no identifiable structure and often including significant proportions of weed growth;

UP2-AaAw *Acacia aneura* var. *pilbarana* low open woodland, over *Acacia wanyu*, *Acacia tetragonophylla* and *Senna glutinosa* subsp. *glutinosa* open shrubland, over *Ptilotus obovatus* var. *obovatus* scattered shrubs to low open shrubland, over **Cenchrus ciliaris* and *Sporobolus australis* very open tussock grassland;

UP1-AxEc *Acacia xiphophylla* scattered low trees, over *Acacia xiphophylla* tall shrubland, over *Senna glutinosa* subsp. *luerssenii*, *Rhagodia eremaea* and *Acacia synchronica* open shrubland, over *Eremophila cuneifolia* and *Senna hamersleyensis* low open shrubland, over *Maireana villosa* and *Scleroleana eriacantha* very low open shrubland, over **Cenchrus ciliaris* scattered to very open tussock grassland;

UPCC-Ax *Acacia xiphophylla* tall open shrubland, over *Acacia xiphophylla* and *Acacia synchronica* open shrubland, over *Eremophila cuneifolia*, *Senna hamersleyensis* and *Acacia synchronica*, low open shrubland, over *Operculina aequeseppala* very open herbland (creeping); and

UP3-Aa *Acacia aptaneura* scattered low trees, over *Acacia aptaneura* tall shrubland to tall open scrub, over *Senna glutinosa* subsp. *x luerssenii* and *Eremophila cuneifolia* scattered shrubs, over *Eremophila cuneifolia* scattered low shrubs to low open shrubland, over *Cenchrus ciliaris* scattered tussock grasses.

*Identified weed species

Clearing Description

Paraburdoo Airstrip Project.
Hamersley Iron Pty Ltd proposes to clear up to 25 hectares of native vegetation within a total boundary of approximately 158 hectares, for the purpose of airstrip maintenance and upgrade works. The project is located approximately 6 kilometres east north-east of Paraburdoo, 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 Vegetation condition was obtained from a flora and vegetation survey conducted by Rio Tinto (2012; 2016).
Clearing permit CPS 4921/1 was granted by the Department of Mines and Petroleum on 19 April 2012, authorising the clearing of up to 25 hectares of native vegetation within a boundary of approximately 150 hectares.
On 14 March 2016, the permit holder applied to amend CPS 4921/1 to increase the permit boundary by eight hectares from 150 hectares to 158 hectares, amend the permit reporting period and reporting date, extend the period in which clearing is authorised by three years, and extend the permit expiry date by three years.

3. Assessment of application against clearing principles

Comments The amendment to increase the permit boundary by eight hectares, extend the period in which clearing is authorised, extend the permit expiry date, amend the permit reporting date, and amend the permit reporting period, is unlikely to result in any significant change to the environmental impacts of the proposed clearing. The size of the area approved to clear (25 hectares) remains unchanged.

No Threatened or Priority flora have been identified within the additional area (Rio Tinto, 2016; GIS Database). No Threatened Ecological Communities or Priority Ecological Communities are known to occur within the additional area (GIS Database) and none were recorded during the flora and vegetation survey (Rio Tinto, 2016).

Several weed species have the potential to occur within the additional area (2012). Weed invasion has the potential to alter the biodiversity of an area. Potential impacts to biodiversity as a result of the proposed clearing may be minimised by the implementation of a weed management condition.

Fauna survey's conducted over the additional area identified two fauna habitats, Undulating Plains and Small Rocky Rises (Rio Tinto, 2012; 2016). Based on these fauna habitats and a desktop survey, seven conservation significant fauna species have been assessed as potentially occurring within the additional area (Rio Tinto, 2012). These habitats are common throughout the region and it is considered unlikely that the proposed clearing will impact on the conservation of any of these species.

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*, and the proposed clearing is not likely to be at variance with Principles (a), (b), (c), (d), (g), (i) and (j) and is not at variance to Principles (e), (f) and (h)

Methodology Rio Tinto (2012)
Rio Tinto (2016)

GIS Database:
- DPaW Tenure
- IBRA Australia
- Hydrography, linear
- Pre – European Vegetation
- Threatened and Priority Flora List
- Threatened and Priority Ecological Communities Boundaries
- Threatened and Priority Ecological Communities Buffers

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

Comments: There is one native title claim (WC 2010/116) over the area under application (DAA, 2016). This claim has been registered with the Native Title Tribunal on behalf of the claimant group. However, the tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (ie. 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 Sites of Aboriginal Significance located in the area applied to clear (DAA, 2016). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Sites of Aboriginal 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.

The clearing permit application was advertised on 11 April 2016 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received.

Methodology: DAA (2016)

4. References

- DAA (2016) Aboriginal Heritage Inquiry System. Department of Aboriginal Affairs. <http://maps.dia.wa.gov.au/AHIS2/> (Accessed 1 March 2016)
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia
- Rio Tinto (2012) Flora and Vegetation Assessment of the Paraburdoo Airport, Rio Tinto Iron Ore, Western Australia, February, 2012.
- Rio Tinto (2016) Additional Information Received in relation to Clearing Permit Application CPS 4921/2. Rio Tinto Iron Ore, 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
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>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.