



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4991/2

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: Mt Wall West Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
12		Mechanical Removal	Mineral Exploration, hydrogeological drilling, access tracks and associated activities.

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 8 December 2016

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 Beard vegetation association.

82: Hummock grassland, low tree steppe; snappy gum over *Triodia wiseana* (GIS Database)

A flora and vegetation survey of the application area and the surrounding areas was conducted by botanists from Rio Tinto (2011) in July 2011. This survey identified 39 vegetation communities occurring within the application area and the surrounding areas (Rio Tinto, 2011). Based on site locations, the following seven communities are likely to occur within the application area (Rio Tinto, 2011):

Hillslope Vegetation

HS7: *Eucalyptus leucophloia* low open woodland over *Acacia bivenosa*, *Senna glutinosa* subsp. *glutinosa* open shrubland over *Triodia wiseana* hummock grassland;

HS10: *Eucalyptus leucophloia* low woodland over *Acacia pruinocarpa*, *Astrotricha hamptonii* open shrubland over *Senna glutinosa* subsp. *glutinosa*, *Eremophila tietkensisii* shrubland over *Ptilotus obovatus* low shrubland over *Triodia wiseana* hummock grassland;

HS11: *Eucalyptus leucophloia* low open woodland over *Acacia arida*, *Senna glutinosa* subsp. *pruinosa*, *Senna glutinosa* subsp. *glutinosa* low open health over *Triodia wiseana* hummock grassland; and

HS12: *Acacia aneura*, *Acacia xiphophylla* low open forest over *Acacia synchronicia*, *Senna glutinosa* subsp. *x luerssenii*, *Senna artemisioides* subsp. *artemisioides* open shrubland over *Triodia wiseana* hummock grassland.

Hill Top & Crest Vegetation

HC9: *Eucalyptus leucophloia* low open woodland over *Acacia pruinocarpa*, *Astrotricha hamptonii* open shrubland over *Senna glutinosa* subsp. *glutinosa* low open shrubland over *Triodia wiseana* hummock grassland; and

HC12: *Eucalyptus leucophloia* low open woodland over *Acacia pruinocarpa* low woodland over *Acacia aneura* over *Senna glutinosa* subsp. *glutinosa*, *Eremophila latrobei* open shrubland over *Triodia wiseana* open hummock grassland over *Eriachne mucronata* very open tussock grassland.

Gorge Vegetation

G4: *Corymbia ferriticola* low woodland *Eremophila tietkensisii*, *Dodonaea pachyneura* shrubland over *Acacia pruinocarpa*, *Astrotricha hamptonii* open shrubland over *Sida* sp. Barlee Range low open shrubland over *Triodia wiseana*, *Triodia melvillei* hummock grassland over *Themeda triandra* very open tussock grassland.

Clearing Description Mt Wall West Project.

Hamersley Iron Pty Ltd is proposing to clear up to 12 hectares of native vegetation within a broader boundary of approximately 166.2 hectares for the purpose of undertaking mineral exploration, hydrogeological drilling, access tracks and associated activities. The project is located approximately 109 kilometres north-west of Paraburdoo within the Shire of Ashburton.

Vegetation Condition	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).
Comment	<p>Clearing will be conducted using blade down techniques where practicable or scrub rake on level terrain. Existing tracks may require maintenance and tracks may be graded using blade down techniques.</p> <p>Clearing Permit CPS 4991/1 was granted by the Department of Mines and Petroleum on 28 June 2012 and authorised the clearing of up to 5.2 hectares of native vegetation within a clearing boundary of approximately 110 hectares.</p> <p>Hammersley Iron Pty Ltd has applied to amend CPS 4991/1 for the purpose of amending the clearing purpose, increasing the clearing authorised (from 5.2 hectares to 12 hectares), increasing the clearing permit boundary by 56 hectares, amending the reporting date and the permit duration by five years until 27 December 2027.</p>

3. Assessment of application against clearing principles

Comments	<p>The flora survey undertaken by Rio Tinto (2011) did not locate threatened flora or threatened or priority ecological communities within the amended clearing area. However, the flora survey did locate three Priority flora species which are located in the amended clearing area (Rio Tinto, 2011). These flora species are the listed Priority 3 species; <i>Indigofera</i> sp. Bungaroo Creek and <i>Sida</i> sp. Barlee Range, and one listed Priority 4, species <i>Ptilotus mollis</i> (Rio Tinto, 2011). These species are all known from numerous locations outside of the application area and it is considered unlikely that the proposed clearing will impact on the conservation of any of these species.</p> <p>No fauna surveys have been undertaken over the amendment area. However, it is unlikely that the relatively small amount of clearing proposed will have any significant impact on fauna or habitat. The amendment area does not contain habitat critical for fauna species and the proposed clearing will not impact significant fauna habitat.</p> <p>According to available databases, there are no perennial or ephemeral wetlands or watercourses within the application area (GIS Database).</p> <p>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 4991/1.</p>
Methodology	Keighery (1994) Rio Tinto (2011)

Planning instrument, Native Title, RIWI Act Licence, EP Act Licence, Works Approval, Previous EPA decision or other matter.

Comments	<p>There is one Native Title Claim (WC2001/005) over the area under application (DAA, 2016). This claim has been determined by the Native Title Tribunal on behalf of the claimant group. 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>.</p> <p>There are four registered Aboriginal sites of significance within the application area (DAA, 2016). 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.</p> <p>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.</p> <p>The clearing permit application was advertised on 7 November 2016 by the Department of Mines and Petroleum inviting submissions from the public. There were no submissions received.</p>
Methodology	DAA (2016)

4. References

- DAA (2016) Aboriginal Heritage Inquiry System. Department of Aboriginal Affairs. <http://maps.dia.wa.gov.au/AHIS2> (Accessed 1 November 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 (2011) Flora and Vegetation Survey for Proposed Exploration Drilling at Mt Wall West Tenement. Rio Tinto Iron Ore,

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 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 <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). <i>Threatened fauna</i> is that subset of 'Specially Protected Fauna' declared to be 'likely to become extinct' pursuant to section 14(4) of the Wildlife Conservation Act. <i>Threatened flora</i> 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.

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.

