



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5153/3
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 246SA (AML 70/246);
Iron Ore (Channar Joint Venture) Agreement Act 1987, Special Lease for Mining Operations
3116/11553 (Document 1 163654 I), Lot 132 on Deposited Plan 243064;
Iron Ore (Hamersley Range) Agreement Act 1963, Special Lease for Mining Operations
3114/937, Easement L478326

Local Government Area: Shire of Ashburton

Colloquial name: Turee Creek Pipeline Upgrade Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
101		Mechanical Removal	Installation of water supply pipeline, hydrogeological drilling and associated activities.

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 16 November 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 mapped for the whole of Western Australia and are useful to look at vegetation in a regional context. Two Beard vegetation associations have been mapped within the application area:

Beard vegetation association 82: Hummock grasslands, low tree steppe; snappy gum over *Triodia wiseana*; and

Beard vegetation association 181: Shrublands; mulga & snakewood scrub (Government of Western Australia, 2011; GIS Database).

Rio Tinto (2012) conducted flora and vegetation survey of the application area. The biological review identified and mapped 12 vegetation types associated with three landform types:

Vegetation of Hills and Slopes

H1 – Scattered low trees of *Acacia pruinocarpa* and *Grevillea berryana* over scattered tall shrubs of *Acacia fuscaneura* and *Acacia tetragonophylla* over low open shrubland of *Eremophila fraseri* subsp. *fraseri*, *Eremophila jucunda* subsp. *pulcherrima*, *Eremophila phyllopoda* subsp. *oblique* and *Senna stricta* over open hummock grassland of *Triodia epactia*;

H2 – Low open woodland – scattered tall shrubs of *Acacia fuscaneura*, *Acacia rhodophloia* and *Grevillea berryana* over scattered shrubs of *Acacia tetragonophylla* over low open shrubland of *Eremophila phyllopoda* subsp. *oblique*, *Eremophila fraseri* subsp. *fraseri*, *Eremophila jucunda* subsp. *pulcherrima* and *Senna stricta*; and

H3 – Tall open shrubland of *Acacia bivenosa*, *Acacia wanyu* and *Acacia tetragonophylla* over low open shrubland of *Eremophila cuneifolia*, *Senna stricta* and *Senna artemisioides* subsp. *oligophylla* over open hummock grassland of *Triodia wiseana* and *Triodia angusta*.

Vegetation of Flats and Undulating Slopes

F1 – Low woodland of *Acacia citrinoviridis* with *Acacia fuscaneura* over tall open shrubland of *Acacia wanyu*, *Acacia citrinoviridis* and *Acacia tetragonophylla* over scattered low shrubs of *Ptilotus obovatus*;

F2 – Low open woodland – tall open shrubland of *Acacia citrinoviridis* and *Acacia fuscaneura* over scattered tall shrubs of *Acacia tetragonophylla* over scattered low shrubs of *Eremophila jucunda* subsp. *pulcherrima*, *Eremophila phyllopoda* subsp. *obliqua* and *Ptilotus obovatus* var. *obovatus* over open hummock grassland of *Triodia epactia*;

F3 – Low open woodland – tall open shrubland of *Acacia fuscaneura* over tall open shrubland of *Acacia wanyu* and *Acacia tetragonophylla* over open shrubland of *Eremophila phyllopoda* subsp. *obliqua*, *Senna stricta* and *Eremophila cuneifolia* over scattered low shrubs of *Ptilotus obovatus* var. *obovatus*; and

F4 – Tall open shrubland of *Acacia xiphophylla* and *Acacia synchronicia*, *Acacia fuscaneura* and *Acacia tetragonophylla* over open shrubland of *Senna stricta*, *Eremophila cuneifolia* and *Senna artemisioides* subsp.

oligophylla.

Vegetation of Flowlines and Waterbodies

D1 – Scattered trees of *Eucalyptus victrix* over low open woodland of *Acacia citrinoviridis* over tall shrubland of *Acacia citrinoviridis* and *Acacia pyrifolia* var. *pyrifolia* over scattered low shrubs of *Tephrosia rosea* and very open tussock grassland of *Cenchrus ciliaris*;

D2 – Low open woodland – tall open shrubland of *Acacia fuscaneura* with *Acacia citrinoviridis*, *Acacia aptaneura* and *Acacia pruinocarpa* over open shrubland of *Acacia wanyu* and *Acacia tetragonophylla* over open hummock grassland of *Triodia epactia*;

D3 – Scattered low trees of *Acacia citrinoviridis* over tall shrubland of *Acacia citrinoviridis*, *Acacia wanyu*, *Acacia tetragonophylla* over open hummock grassland of *Triodia epactia*;

D4 – Tall shrubland of *Acacia bivenosa*, *Acacia tetragonophylla* and *Acacia wanyu* over open hummock grassland of *Triodia wiseana* and *Triodia epactia*; and

D5 – Scattered tall shrubs of *Acacia citrinoviridis* and *Acacia pyrifolia* var. *pyrifolia* with *Acacia tetragonophylla* over tussock grassland of *Cenchrus ciliaris* and *Eragrostis tenellula* over very open herbland of *Goodenia lamprosperma* and *marsilea hirsuta*.

Previously Cleared Land

CL – Previously cleared vegetation

The vegetation associations present within the amendment area are consistent those identified in clearing permit CPS 5153/1.

Clearing Description

Turee Creek Pipeline Upgrade Project

Hamersley Iron Pty Ltd proposes to clear up to 101 hectares of native vegetation within a total boundary of 210.2 hectares for the purpose of the installation of a water supply pipeline, hydrogeological drilling and associated activities. The project is located approximately 10 kilometres south of Paraburdoo, in the Shire of Ashburton.

Vegetation Condition

Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994);
to:

Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).

Comment

Clearing permit CPS 5153/1 was granted by the Department of Mines and Petroleum on 20 September 2012. The clearing permit authorised the clearing of 90 hectares of native vegetation within a total boundary of 203 hectares. CPS 5153/1 was amended on 28 May 2015 to increase the boundary of the permit area from 203 hectares to 209.39 hectares, and to increase the clearing limit from 90 hectares to 100 hectares.

Hamersley Iron Pty Ltd has applied to amend CPS 5153/2 to increase the clearing permit boundary to 210.2 hectares, increase the amount of clearing authorised to 101 hectares, include hydrogeological drilling and associated activities to the purpose of clearing and extend the duration of the permit.

3. Assessment of application against clearing principles

Comments

Hamersley Iron Pty Ltd has applied to increase the area of clearing by one hectare, increase the permit boundary by approximately 0.8 hectares, include hydrogeological drilling and associated activities as a purpose of clearing and extend the duration of the permit by five years.

The amended application boundary does not intersect any additional vegetation communities to those present within the previous permit area (Rio Tinto, 2017). The vegetation within the additional area is consistent with vegetation type F4: Tall open shrubland of *Acacia xiphophylla* and *Acacia synchronicia*, *Acacia fuscaneura* and *Acacia tetragonophylla* over open shrubland of *Senna stricta*, *Eremophila cuneifolia* and *senna artemisioides* subsp. *oligophylla* (Rio Tinto, 2012). The additional area has already been significantly cleared for an existing road (GIS Database).

There are no records of any Threatened or Priority Ecological Communities, Threatened flora or Priority flora within the additional area (Rio Tinto, 2017; GIS Database).

Given the additional area has been significantly disturbed by an existing road, it is not likely to contain habitat significant for native fauna species.

There is a minor ephemeral drainage line that crosses the additional permit area (GIS Database). This drainage line is already intersected by the existing road, and the proposed amendment is not likely to have any additional impacts on riparian vegetation within the area (GIS Database).

The proposed increased clearing of one hectare is not likely to have a significant additional impact on the environmental values within the permit area. Potential impacts from weeds and on riparian vegetation will be managed by the current weed and watercourse management conditions on the permit.

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 reports CPS 5153/1 and CPS 5153/2.

Methodology Rio Tinto (2012)
Rio Tinto (2017)

GIS Database:
- DPaW Tenure
- Hydrography, linear
- IBRA Australia
- Imagery
- Landsystems Rangelands
- 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 are two Native Title claims (WC2010/011 and WC2010/016) over the permit area (DPLH, 2017). 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 three registered Aboriginal Sites of Significance within the application area (DPLH, 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 Water and Environmental Regulation, Department of Biodiversity Conservation and Attractions 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 was advertised by the Department of Mines and Petroleum on 16 October 2017, inviting submissions from the public. There was one submission received stating no objections to the proposed amendment.

Methodology DPLH (2017)

4. References

- DPLH (2017) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage.
<http://maps.daa.wa.gov.au/AHIS/> (Accessed 10 November 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.
- Rio Tinto (2012) Turee Creek Water Pipeline Upgrade and Paraburdoo Town Feeder One Line Replacement. Report prepared by Rio Tinto, June 2012.
- Rio Tinto (2017) Supporting information for clearing permit amendment CPS 5153/3. Rio Tinto Pty Ltd, September 2017.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DBCA	Department of Biodiversity Conservation and Attractions, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
DEE	Department of the Environment and Energy, Australian Government
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia
DMP	Department of Mines and Petroleum, Western Australia (now DMIRS)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora
DoE	Department of the Environment, Australian Government (now DEE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)

DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
DWER	Department of Water and Environmental Regulation, Western Australia
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 (2017) 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 1950*.
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 1950*.
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