



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 6000/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Robe River Limited

### 1.3. Property details

Property: Iron Ore (Robe River) Agreement Act 1964, Mineral Lease 248SA (AML 70/248)  
Local Government Area: Shire of Ashburton  
Colloquial name: Robe Valley Exploration

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1		Mechanical Removal	Mineral Exploration

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 3 April 2014

## 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
<p>Beard vegetation associations have been mapped over the whole of Western Australia and are useful to look at vegetation in a regional context. One Beard vegetation association has been mapped over the application area (GIS Database):</p> <p>583: Hummock grasslands, sparse shrubs steppe; kanji &amp; <i>Acacia bivenosa</i> over hard spinifex <i>Triodia basedowii</i> &amp; <i>Triodia wiseana</i>.</p> <p>A level 1 flora and vegetation survey was undertaken by Ecologia (2013) on 26 and 27 August 2013 over the proposed Robe Valley exploration program, which included the application area. This survey identified one vegetation unit within the application area (Ecologia, 2013):</p> <p><i>Triodia wiseana</i> open hummock grassland.</p>	<p>Robe Valley Project.</p> <p>Robe River Limited proposes to clear up to 1 hectare of native vegetation within a boundary of approximately 5.98 hectares for the purpose of mineral exploration. The project is located approximately 90 kilometres east of Onslow within the Shire of Ashburton.</p>	<p>Pristine: No obvious signs of disturbance (Keighery, 1994);</p> <p>to</p> <p>Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).</p>	<p>The vegetation condition was derived from a report prepared by Ecologia (2014). The vegetation condition was described using a scale based on Trudgen (1988) and has been converted to the corresponding condition from the Keighery (1994) scale.</p> <p>There was evidence of fire going through the application area in the last 1 to 2 years (Ecologia, 2014).</p>

## 3. Assessment of application against clearing principles

### Comments

The vegetation recorded within the application area is considered to be typical vegetation within the Hamersley subregion (Kendrick, 2001). The vegetation unit identified is not representative of a Threatened or Priority Ecological Community (PEC) (Ecologia, 2013). The application area is within the buffer of the 'Subterranean invertebrate communities of mesas in the Robe Valley region' PEC (GIS Database). However, the proposed clearing of 1 hectare will not impact on any subterranean invertebrate communities.

The greater flora survey recorded a total of 57 flora taxa from 32 genera and 20 families (Ecologia, 2013). The vegetation recorded during the survey contained a low level of diversity (Ecologia, 2013). None of the flora species recorded were identified as a Threatened or Priority flora species (Ecologia, 2013). However, due to the area being burnt within the last 2 years, some individuals of Priority flora may not have regenerated or were too small to identify (Ecologia, 2013). The weed species *Portulaca oleracea* was recorded from one location during the survey. Potential impacts to biodiversity as a result of the proposed clearing may be minimised by the implementation of a weed management condition.

The application area is comprised of a Hummock grassland plain fauna habitat (Ecologia, 2013). This habitat is well represented throughout the Pilbara. The proposed clearing of 1 hectare of this habitat is not likely to

have an impact on local fauna species.

There are no watercourses within the application area and the vegetation recorded is not associated with any watercourses or wetlands (Ecologia, 2013; GIS Database). The application area is comprised of the Boolgeeda and Robe land systems (GIS Database). These land systems are generally not prone to erosion (Van Vreeswyk et al., 2004). Given the relatively small amount of clearing and the low risk of erosion, the proposed clearing is not likely to cause any appreciable land degradation. The proposed clearing is not likely to cause a deterioration in the quality of surface or groundwater or increase the incidence or intensity of flooding (GIS Database).

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 to Principles (a), (b), (c), (d), (g), (h), (i), and (j), and is not at variance to Principles (e) and (f).

**Methodology** Kendrick (2001)  
Ecologia (2013)  
Van Vreeswyk et al. (2004)  
GIS Database:  
- Evaporation Isopleths  
- Groundwater Salinity  
- Hydrography, linear  
- Rangeland Land System Mapping  
- Rainfall, Mean Annual  
- Threatened and Priority Flora  
- Threatened Ecological Sites Buffered

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

##### **Comments**

There is one native title claim (WC1999/012) over the application area (GIS Database). This claim has been registered with the National Native Title Tribunal on behalf of the claimant groups (GIS Database). 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*.

According to available databases, there are no registered Aboriginal sites of significance within the application area (GIS Database). 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 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.

The clearing permit application was advertised on 24 February 2014 by the Department of Mines and Petroleum inviting submissions from the public. There were no submissions received.

**Methodology** GIS Database:  
- Aboriginal Sites of Significance  
- Native Title Claims – Registered with the NNTT

#### **4. References**

- Ecologia (2013) Deepdale E (E08/1467) Environmental Monitoring Flora and Fauna Assessment. Unpublished report for Rio Tinto Iron Ore Pty Ltd, dated November 2013.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Kendrick, P (2001) Pilbara 3 (Hamersley subregion) Subregional description and biodiversity values, dated August 2001. In: "A biodiversity Audit of Western Australia's 53 Biogeographical Subregions in 2002". Report published by the Department of Conservation and Land Management, Perth, Western Australia.
- Trudgen M.E. (1988) A Report on the Flora and Vegetation of the Port Kennedy Area. Unpublished report prepared for Bowman Bishaw and Associates, West Perth.
- Van Vreeswyk, A.M.E., Payne, A.L., Leighton, K.A. and Hennig, P. (2004) Technical Bulletin - An Inventory and Condition Survey of the Pilbara Region, Western Australia, No. 92. Department of Agriculture, Government of Western Australia, Perth, Western Australia.

## 5. Glossary

### Acronyms:

<b>BoM</b>	Bureau of Meteorology, Australian Government
<b>CALM</b>	Department of Conservation and Land Management (now DEC), Western Australia
<b>DAFWA</b>	Department of Agriculture and Food, Western Australia
<b>DEC</b>	Department of Environment and Conservation, Western Australia
<b>DEH</b>	Department of Environment and Heritage (federal based in Canberra) previously Environment Australia
<b>DEP</b>	Department of Environment Protection (now DEC), Western Australia
<b>DIA</b>	Department of Indigenous Affairs
<b>DLI</b>	Department of Land Information, Western Australia
<b>DMP</b>	Department of Mines and Petroleum, Western Australia
<b>DoE</b>	Department of Environment (now DEC), Western Australia
<b>DoIR</b>	Department of Industry and Resources (now DMP), Western Australia
<b>DOLA</b>	Department of Land Administration, Western Australia
<b>DoW</b>	Department of Water
<b>EP Act</b>	Environmental Protection Act 1986, Western Australia
<b>EPBC Act</b>	Environment Protection and Biodiversity Conservation Act 1999 (Federal Act)
<b>GIS</b>	Geographical Information System
<b>ha</b>	Hectare (10,000 square metres)
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>IUCN</b>	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
<b>RIWI Act</b>	Rights in Water and Irrigation Act 1914, Western Australia
<b>s.17</b>	Section 17 of the Environment Protection Act 1986, Western Australia
<b>TEC</b>	Threatened Ecological Community

### Definitions:

{Atkins, K (2005). *Declared rare and priority flora list for Western Australia, 22 February 2005*. Department of Conservation and Land Management, Como, Western Australia} :-

- P1** **Priority One - Poorly Known taxa:** taxa which are known from one or a few (generally <5) populations which are under threat, either due to small population size, or being on lands under immediate threat, e.g. road verges, urban areas, farmland, active mineral leases, etc., or the plants are under threat, e.g. from disease, grazing by feral animals, etc. May include taxa with threatened populations on protected lands. Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
- P2** **Priority Two - Poorly Known taxa:** taxa which are known from one or a few (generally <5) populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
- P3** **Priority Three - Poorly Known taxa:** taxa which are known from several populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in need of further survey.
- P4** **Priority Four – Rare taxa:** taxa which are considered to have been adequately surveyed and which, whilst being rare (in Australia), are not currently threatened by any identifiable factors. These taxa require monitoring every 5–10 years.
- R** **Declared Rare Flora – Extant taxa (= Threatened Flora = Endangered + Vulnerable):** taxa which have been adequately searched for, and are deemed to be in the wild either rare, in danger of extinction, or otherwise in need of special protection, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.
- X** **Declared Rare Flora - Presumed Extinct taxa:** taxa which have not been collected, or otherwise verified, over the past 50 years despite thorough searching, or of which all known wild populations have been destroyed more recently, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.

{Wildlife Conservation (Specially Protected Fauna) Notice 2005} [Wildlife Conservation Act 1950] :-

- Schedule 1** **Schedule 1 – Fauna that is rare or likely to become extinct:** being fauna that is rare or likely to become extinct, are declared to be fauna that is need of special protection.
- Schedule 2** **Schedule 2 – Fauna that is presumed to be extinct:** being fauna that is presumed to be extinct, are declared to be fauna that is need of special protection.
- Schedule 3** **Schedule 3 – Birds protected under an international agreement:** being birds that are subject to an agreement between the governments of Australia and Japan relating to the protection of migratory birds and birds in danger of extinction, are declared to be fauna that is need of special protection.
- Schedule 4** **Schedule 4 – Other specially protected fauna:** being fauna that is declared to be fauna that is in need of special protection, otherwise than for the reasons mentioned in Schedules 1, 2 or 3.

{CALM (2005). *Priority Codes for Fauna*. Department of Conservation and Land Management, Como, Western Australia} :-

- P1 Priority One: Taxa with few, poorly known populations on threatened lands:** Taxa which are known from few specimens or sight records from one or a few localities on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, active mineral leases. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P2 Priority Two: Taxa with few, poorly known populations on conservation lands:** Taxa which are known from few specimens or sight records from one or a few localities on lands not under immediate threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, vacant Crown land, water reserves, etc. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P3 Priority Three: Taxa with several, poorly known populations, some on conservation lands:** Taxa which are known from few specimens or sight records from several localities, some of which are on lands not under immediate threat of habitat destruction or degradation. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P4 Priority Four: Taxa in need of monitoring:** Taxa which are considered to have been adequately surveyed, or for which sufficient knowledge is available, and which are considered not currently threatened or in need of special protection, but could be if present circumstances change. These taxa are usually represented on conservation lands.
- P5 Priority Five: Taxa in need of monitoring:** Taxa which are not considered threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five years.

#### Categories of threatened species (*Environment Protection and Biodiversity Conservation Act 1999*)

- EX Extinct:** A native species for which there is no reasonable doubt that the last member of the species has died.
- EX(W) Extinct in the wild:** A native species which:  
(a) is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; or  
(b) has not been recorded in its known and/or expected habitat, at appropriate seasons, anywhere in its past range, despite exhaustive surveys over a time frame appropriate to its life cycle and form.
- CR Critically Endangered:** A native species which is facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with the prescribed criteria.
- EN Endangered:** A native species which:  
(a) is not critically endangered; and  
(b) is facing a very high risk of extinction in the wild in the near future, as determined in accordance with the prescribed criteria.
- VU Vulnerable:** A native species which:  
(a) is not critically endangered or endangered; and  
(b) is facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with the prescribed criteria.
- CD Conservation Dependent:** A native species which is the focus of a specific conservation program, the cessation of which would result in the species becoming vulnerable, endangered or critically endangered within a period of 5 years.

#### 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.