



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 6076/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: IB Operations Pty Ltd

### 1.3. Property details

Property: Mining Lease 45/1226  
Local Government Area: Shire of East Pilbara  
Colloquial name: North Star Hematite Project

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
12.8		Mechanical Removal	Road Construction

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 30 July 2015

## 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 for the whole of Western Australia. One Beard vegetation association is located within the application area (Government of Western Australia, 2013; GIS Database):</p> <p>82: Hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i>.</p> <p>A flora and vegetation survey was undertaken over by Ecologia (2012) for the North Star Hematite Project which includes the amended application area. This survey identified the following three vegetation communities within the amended application area:</p> <p>AaTW4 – <i>Acacia acradenia</i> and <i>Acacia inaequilatera</i> sparse mid shrubland over <i>Triodia wiseana</i> and <i>Triodia lanigera</i> hummock grassland.</p> <p>T1 – <i>Triodia lanigera</i> open hummock grassland, with <i>Cyperus hesperius</i> isolated sedges, <i>Eriachne ciliate</i> isolated grasses and <i>Cleome viscosa</i> isolated herbs.</p> <p>TW2 – <i>Triodia wideana</i> open hummock grasslands, over <i>Bonamia media</i> isolated herbs.</p>	<p>North Star Hematite Project. IB Operations Pty Ltd proposes to clear up to 12.8 hectares of native vegetation within a total boundary of approximately 20.25 hectares for the purpose of road construction. The proposal is approximately 70 kilometres west of Marble Bar in the Shire of East Pilbara.</p>	<p>Completely Degraded: No longer intact; completely/almost completely without native species (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 determined from a survey conducted by Ecologia (2012).</p> <p>Clearing permit CPS 6076/1 was granted by the Department for Mines and Petroleum on 29 May 2014, authorising the clearing of 12.8 hectares for the purpose of road construction.</p>

## 3. Assessment of application against clearing principles

### Comments

IB Operations Pty Ltd has applied to amend CPS 6076/1 for the purpose of increasing the permit boundary by approximately five hectares. This is to facilitate a change in the alignment for a road.

The proposed amended application area has been broadly mapped as vegetation association 82 (GIS Database) of which greater than 99% remains at the state and bioregional level (Government of Western Australia, 2013).

The vegetation within the proposed amended application area is substantially the same as the original permit area, with the exception of one additional vegetation community (IB Operations Pty Ltd (IB), 2015). The additional vegetation community corresponds to a drainage line, which will be impacted by the realignment of the road (Ecologia 2012; IB, 2015). IB advises that the new road alignment will run parallel to the drainage line and only cross it at one location (pers. comm Fortescue Metals Group Ltd (FMG), 2015). Therefore clearing of riparian vegetation is likely to be minimal.

The increase in permit area will not impact on any Threatened or Priority Ecological Communities, or Threatened or Priority Flora (IB, 2015).

The amended application area has been mapped as Rocky Spinifex Hills habitat (IB, 2015). This habitat type is consistent with the habitat type of the original permit area and is well represented in the region (IB, 2015).

The amended application area is not located within a conservation area (GIS Database).

The amended application area will impact on a drainage line which may cause a deterioration of surface water quality (GIS Database). IB (2015) advises that the subject drainage line is minor in nature and only flows following significant rainfall events. IB also advises that the proposed road alignment will only impact on the drainage line in one location where the road crosses over the drainage line (pers. comm FMG, 2015). Given the small scale of the clearing, the amendment to increase the permit boundary is not likely to cause a significant deterioration in surface water quality.

Based on available information, the proposed amendment may be at variance to Principle (f). The assessment against the remaining principles is consistent with the assessment contained in Decision Report CPS 6076/1.

**Methodology** Ecologia (2012)  
Government of Western Australia (2013)  
IB (2015)  
GIS Database:  
- DPaW Tenure  
- Hydrography, linear  
- Pre-European Vegetation  
- Threatened and Priority Flora  
- Threatened Ecological Communities

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

##### **Comments**

There is one native title claim (WC1999/008) over the application area (Department of Aboriginal Affairs (DAA), 2015). 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 (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 Aboriginal Sites of Significance occurring in the vicinity of 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, the Department of Water, and the Department of Parks and Wildlife, 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 amendment application was advertised on 6 July 2015 by the Department of Mines and Petroleum inviting submissions from the public. There were no submissions received.

**Methodology** DAA (2015)  
GIS Database:  
- Aboriginal Sites of Significance

#### **4. References**

- DAA (2015) Aboriginal Heritage Enquiry System. Department of Aboriginal Affairs, Government of Western Australia. <http://maps.dia.wa.gov.au/AHIS2/default.aspx>.
- Ecologia (2012) Vegetation and Flora Assessment Yarrle Level 2 Flora and Vegetation Assessment. Unpublished report prepared for FMG.
- Government of Western Australia (2013) 2013 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- IB (2015) Application to amend native vegetation clearing permit CPS 6076/1 – North Star Project. IB Operations Pty Ltd.

## 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
s.17	Section 17 of the <i>Environment Protection Act 1986</i> , Western Australia
TEC	Threatened Ecological Community

### Definitions:

{DPaW (2013) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

T	<b>Threatened species:</b> Specially protected under the <i>Wildlife Conservation Act 1950</i> , listed under Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna or the Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora).  Threatened Fauna and Flora are further recognised by DPaW according to their level of threat using IUCN Red List criteria. For example Carnaby's Cockatoo <i>Calyptorhynchus latirostris</i> is specially protected under the <i>Wildlife Conservation Act 1950</i> as a threatened species with a ranking of Endangered.  <u>Rankings:</u> CR: Critically Endangered - considered to be facing an extremely high risk of extinction in the wild. EN: Endangered - considered to be facing a very high risk of extinction in the wild. VU: Vulnerable - considered to be facing a high risk of extinction in the wild.
X	<b>Presumed Extinct species:</b> Specially protected under the <i>Wildlife Conservation Act 1950</i> , listed under Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora (which may also be referred to as Declared Rare Flora).
IA	<b>Migratory birds protected under an international agreement:</b> Specially protected under the <i>Wildlife Conservation Act 1950</i> , listed under Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice. Birds that are subject to an agreement between governments of Australia and Japan, China and The Republic of Korea relating to the protection of migratory birds and birds in danger of extinction.
S	<b>Other specially protected fauna:</b> Specially protected under the <i>Wildlife Conservation Act 1950</i> , listed under Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice.
P1	<b>Priority One - Poorly-known species:</b> Species that are known from one or a few collections or sight records (generally less than five), all on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, Shire, rail reserves and Main Roads WA road, gravel and soil reserves, and active mineral leases and under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more localities but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes.
P2	<b>Priority Two - Poorly-known species:</b> Species that are known from one or a few collections or sight records, some of which are on lands not under imminent threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, unallocated Crown land, water reserves, etc. Species may be included if they are comparatively well known from one or more localities but do not meet adequacy of survey requirements and

appear to be under threat from known threatening processes.

**P3**

**Priority Three - Poorly-known species:**

Species that are known from collections or sight records from several localities not under imminent threat, or from few but widespread localities 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 localities but do not meet adequacy of survey requirements and known threatening processes exist that could affect them.

**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 do not qualify for Conservation Dependent, but that are close to qualifying for Vulnerable.
- (c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.

**P5**

**Priority Five - Conservation Dependent species:**

Species that are not threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five 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.