Government of Western Australia
Department of Mines, Industry Regulation and Safety

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8004/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Alinta Energy Transmission (Chichester) Pty Ltd**

1.3. Property details

Property:
Mining Lease 46/356
Mining Lease 46/404
Mining Lease 46/405
Mining Lease 46/406
Mining Lease 46/409
Mining Lease 46/413
Mining Lease 46/414
Mining Lease 46/415
Mining Lease 46/416
Mining Lease 46/417
Mining Lease 46/418
Mining Lease 46/419
Mining Lease 46/420
Mining Lease 46/423
Mining Lease 46/424
Miscellaneous Licence 46/130

Local Government Area: Shire of Ashburton, Shire of East Pilbara
Colloquial name: Christmas Creek to Cloudbreak Transmission Line

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
141		Mechanical Removal	Overhead transmission line

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 13 December 2018

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description

The vegetation of the application area is broadly mapped as the following Beard vegetation associations:
29: sparse low woodland, mulga; and
562: Mosaic: Low woodland; mulga in valleys / Hummock grasslands, open low tree-steppe; snappy gum over *Triodia wiseana* (GIS Database).

Flora and vegetation surveys were conducted by ENV Australia Pty Ltd (ENV Australia) over the Cloudbreak study area in July and August 2010, and the Christmas Creek study area during March and April 2011, April and May 2012, June 2012 and May 2013, which covered the application area.

The following vegetation associations were recorded within the application area (ENV Australia, 2011; 2013):

Creekline and Drainage Lines
1 / VT1 - Open Woodland of *Eucalyptus victrix, Eucalyptus camaldulensis* with pockets of *Acacia coriacea* subsp. *pendens* over *Grevillea wickhamii* subsp. *aprica, Petalostylis labicheoides, Acacia tumida* over *Triodia longiceps, Chrysopogon fallax, Themeda triandra* and *Aristida* species.

2 / VT2 - Low Woodland to Low Open Forest of *Acacia aneura* var. *aneura, Acacia citrinoviridis, Acacia pruinocarpa* over *Acacia tetragonophylla* and *Psydrax latifolia* over *Chrysopogon fallax, Stemodia viscosa, Blumea tenella, Themeda triandra* and species of *Triodia* and *Aristida.*

8 / VT8 - Closed Scrub to Tall Shrubland of *Acacia pruinocarpa, Acacia tumida, Acacia ancistrocarpa, Acacia maitlandii, Acacia kempeana, Acacia tetragonophylla* with occasional *Eucalyptus gamophylla* and *Corymbia deserticola* over *Triodia epactia, Themeda triandra* and *Aristida* species.

9 / VT9 - Closed Scrub to Shrubland of *Acacia ancistrocarpa, Acacia maitlandii, Acacia kempeana, Acacia monticola* with occasional *Eucalyptus gamophylla* and *Corymbia deserticola* over *Senna* species, *Triodia basedowii* and *Aristida* species.

Flats and Broad Plains
3 / VT3 - Low Woodland to Low Open Forest of *Acacia aneura* var. *aneura, Acacia pruinocarpa, Acacia tetragonophylla, Acacia tenuissima, Grevillea wickhamii* subsp. *aprica, Psydrax latifolia* over *Dodonaea petiolaris* and species of *Triodia* and *Aristida.*

4 / VT4 - Low Open Woodland of *Acacia aneura* var. *aneura, Acacia pruinocarpa, Acacia xiphophylla, Acacia victoriae* over *Acacia tetragonophylla, Psydrax latifolia* and *Psydrax suaveolens* over *Ptilotus obovatus* and mixed species of *Maireana* and *Sclerolaena.*

10 / VT10.1- Low Open Woodland of *Acacia xiphophylla, Acacia victoriae, Acacia aneura* var. *aneura* over *Acacia tetragonophylla, Ptilotus obovatus, Senna* species and mixed species of *Maireana* and *Sclerolaena.*

VT30.1 - High open Shrubland of *Acacia synchronicia* with *Senna glaucifolia* (*Sclerolaena* spp. and other halophytes) over *Aristida* species.

Ranges, Hills and Hillslopes
16 / VT16 - Hummock Grassland of *Triodia basedowii* with pockets of *Triodia epactia* and *Triodia lanigera* with emergent patches of *Eucalyptus leucophloia, Corymbia deserticola* over *Acacia ancistrocarpa, Acacia hilliana, Acacia acradenia, Acacia pyrifolia, Hakea lorea* subsp. *lorea* over *Goodenia stobbsiana* and mixed *Senna* species.

17 / VT17 - Hummock Grassland of *Triodia basedowii* with pockets of *Triodia epactia* and *Triodia lanigera* with emergent patches of *Eucalyptus leucophloia, Corymbia deserticola* over *Acacia ancistrocarpa, Acacia pyrifolia, Hakea lorea* subsp. *lorea* over *Goodenia stobbsiana* and mixed *Senna* and *Ptilotus* species.

Clearing Description

Christmas Creek to Cloudbreak Transmission Line.
Alinta Energy Transmission (Chichester) Pty Ltd proposes to clear up to 141 hectares of native vegetation within a boundary of approximately 749 hectares, for the purpose of an overhead transmission line between FMG's Christmas Creek and Cloudbreak substations. The project is located approximately 120 kilometres north-west of Newman, within the Shire of Ashburton and Shire of East Pilbara.

Vegetation Condition

Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994);

to

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

Comment

The vegetation condition was derived from vegetation surveys conducted by ENV Australia (2011; 2013).

The proposed clearing is for the construction of a 220 Kilovolt overhead transmission line, approximately 35 kilometres long between FMG's Christmas Creek and Cloudbreak substations in the Pilbara region of Western Australia. The proposed transmission line and associated infrastructure will supply FMG's Cloudbreak Iron Ore Mine with power to support ongoing mining activities.

The Christmas Creek to Cloudbreak transmission line includes the following main activities:

- Installing approximately 175 towers at approximately 200 metre intervals along the proposed alignment;
- A five metre wide access track running the length of the transmission line which will be used by construction and maintenance vehicles for movement between towers;
- Laying conductors on the ground between towers prior to stringing; and
- Additional clearing for fire hazard reduction to protect the transmission line and associated infrastructure from potential damage from bushfires.

Clearing permit CPS 8004/1 was granted by the Department of Mines, Industry Regulation and Safety on 9 August 2018 and was valid from 1 September 2018 to 31 August 2023. The permit authorised the clearing of up to 141 hectares of native vegetation within a boundary of approximately 745 hectares, for the purpose of an overhead transmission line.

On 19 September 2018, the Permit Holder applied to amend CPS 8004/1 to increase the permit boundary by approximately four hectares within tenement M 46/356.

3. Assessment of application against Clearing Principles

Comments

The permit holder has applied to increase the clearing permit boundary from 745 hectares to approximately 750 hectares. The amount of clearing authorised remains unchanged.

As the authorised clearing area remains unchanged, it is unlikely that there will be additional impacts to vegetation communities within the amended clearing boundary. The vegetation associations recorded in the proposed amendment area are well represented in the region and are not a significant remnant of native

vegetation. No new vegetation communities will be cleared as part of the amendment (GIS Database). The proposed amendment to the clearing boundary will not impact any Threatened flora, Priority flora or Threatened Ecological Communities or Priority Ecological Communities (GIS Database).

There are numerous minor, ephemeral watercourses that intersect the original clearing permit boundary (GIS Database). No additional watercourses will be impacted as part of the amended clearing permit boundary. As the amendment will be impacting the ephemeral watercourses, the proposed clearing is at variance to clearing Principle (f). A watercourse management condition exists on the original permit which requires the permit holder to avoid clearing riparian vegetation and to ensure that surface water flow is maintained. The watercourse management condition remains on the amended clearing permit, CPS 8004/2.

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986.* Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision report CPS 8004/1.

Methodology GIS Database:
- Clearing Regulations – Environmentally Sensitive Areas
- Clearing Regulations – Instruments
- Hydrography, Linear
- Imagery
- Pre-European Vegetation
- Threatened and Priority Flora
- Threatened and Priority Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffered
- Threatened Fauna

Planning Instrument, Native Title, previous EPA decision or other matter.

Comments

There is one native title claim over the area under application (DPLH, 2018). 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 no registered Aboriginal Sites of Significance within the application area (DPLH, 2018). 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 and the 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 amendment application was advertised on 8 October 2018 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

Methodology DPLH (2018)

4. References

DPLH (2018) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage. http://maps.daa.wa.gov.au/AHIS/ (Accessed 9 October 2018).

ENV Australia (2011) Cloudbreak Flora and Vegetation Assessment. Report prepared for FMG Pty Ltd, by ENV Australia Pty Ltd, February 2011.

ENV Australia (2013) Christmas Creek Life of Mine Flora and Vegetation Assessment. Report prepared for FMG Pty Ltd, by ENV Australia Pty Ltd, December 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.

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	*Environmental Protection Act 1986*, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (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	*Rights in Water and Irrigation Act 1914*, 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.