

# **Clearing Permit Decision Report**

# 1. Application details

1.1. Permit application det	ails			
Permit application No.:	9209/2			
Permit type:	Purpose			
1.2. Proponent details				
Proponent's name:	Paulsens East Iron Ore Pty Ltd			
1.3. Property details				
Property:	Mining Lease 47/1583 Miscellaneous Licences L08/195, L47/927, L47/934 & L47/938			
Local Government Area:	Shire Ashburton			
Colloquial name:	Paulsens East Irc	on Ore Project		
1.4. Application				
Clearing Area (ha) No. T	ees Method o	of Clearing	For the purpose of:	
196.5	Mechani	cal Removal	Mineral Production and Associated Activities.	
1.5. Decision on application				
Decision on Permit Application: Decision Date:	Grant 31 August 2021			

# 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:

82: Hummock grasslands, low tree steppe; snappy gum over *Triodia wiseana*; 103: Hummock grasslands, shrub steppe; snakewood over soft spinifex & *Triodia wiseana*; and 157: Hummock grasslands, grass steppe; hard spinifex, *Triodia wiseana* (GIS Database).

Flora and vegetation reconnaissance surveys were conducted over the application in August 2019, March 2020 and July 2020 by Ecologia Environment (Ecologia, 2021). The following vegetation associations were recorded within the application area (Ecologia, 2021):

#### Vegetation associations recorded within the proposed minesite area:

**SH01**: Acacia sparse shrubland - Acacia xiphophylla, A. synchronicia, A. bivenosa tall sparse shrubland; *Triodia epactia, T. wiseana* sparse hummock grassland.

**W01:** Corymbia open woodland - Corymbia hamersleyana low open woodland; Acacia citrinoviridis, A. anistrocarpa, Ventilago viminalis tall sparse shrubland; Triodia epactia, T. wiseana open hummock grassland.

**W02:** Corymbia open woodland - Corymbia hamersleyana low open woodland; A. ancistrocarpa, Acacia arida, A. bivenosa low sparse shrubland; Triodia wiseana open hummock grassland.

**W03:** Eucalyptus open woodland - Eucalyptus leucophloia low open woodland; Acacia ancistrocarpa, A. xiphophylla, Senna glutinosa tall sparse shrubland; Triodia wiseana open hummock grassland.

#### Vegetation associations recorded within the proposed haulage road area:

**SH02:** Acacia tall sparse shrubland - Acacia spp. (A. citrinoviridis, A. bivenosa, A. synchronicia, A. trachycarpa) tall open shrubland; *Triodia epactia, T. wiseana, Cenchrus ciliaris* low sparse hummock grassland/tussock grassland.

**SH03:** Acacia tall sparse shrubland - Acacia spp. (A. inaequilatera, A. pruinocarpa, A. bivenosa, A. synchronicia, A. acradenia) tall sparse shrubland; Triodia epactia, Triodia wiseana low sparse hummock grassland.

**SH04:** Acacia tall sparse shrubland - Acacia spp. (A. synchronicia, A. xiphophylla, A. tetragonophylla) tall sparse shrubland; *Triodia epactia, Triodia wiseana* low sparse hummock grassland.

**SH05:** Acacia tall sparse shrubland - Acacia xiphophylla, Acacia synchronicia tall sparse shrubland; Cynodon convergens, Dactyloctenium radulans, Trianthema triquetrum low sparse tussock grassland/herbland.

	<b>SH06:</b> Acacia tall sparse shrubland - Acacia synchronicia tall sparse shrubland; Cynodon convergens, Dactyloctenium radulans, Trianthema triquetrum low sparse tussock grassland/herbland.
	<b>SH07:</b> Acacia tall sparse Shrubland - ±Corymbia hamersleyana, ±Eucalyptus leucophloia low isolated trees; Acacia spp. (A. bivenosa, A. inaequilatera, A. pruinocarpa, A. synchronicia) tall-mid sparse shrubland; Triodia wiseana low sparse hummock grassland.
	<b>SH08:</b> Senna mid sparse shrubland - Senna glutinosa subsp. glutinosa, Senna artemisioides subsp. oligophylla tall/mid sparse shrubland; <i>Triodia wiseana, Eriachne mucronata</i> low open hummock grassland/tussock grassland.
	<b>SH09:</b> Acacia tall sparse shrubland - Acacia citrinoviridis tall sparse shrubland; Eremophila fraseri subsp. fraseri low sparse shrubland; Triodia wiseana, Cenchrus ciliaris low open hummock grassland/tussock grassland.
	W04: Eucalyptus low open woodland - Eucalyptus victrix, Acacia citrinoviridis low open woodland/tall sparse shrubland; Cenchrus ciliaris, Cenchrus setiger, Triodia wiseana low sparse tussock grassland/hummock grassland
Clearing Description	Paulsens East Iron Ore Project Paulsens East Iron Ore Pty Ltd ('Paulsens') proposes to clear up to 196.5 hectares of native vegetation within a boundary of approximately 841.383 hectares, for the purpose of mineral production and associated activities. The project is located approximately 160 kilometres south-east of Onslow, within the Shire of Ashburton.
Vegetation Condition	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).
	То;
	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).
Comment	The vegetation condition was derived from vegetation surveys conducted by Ecologia (2021).
	Clearing permit CPS 9209/1 was granted by the Department of Mines, Industry Regulation and Safety on 21 May 2021 and was valid from 15 June 2021 to 14 June 2026. The permit authorised the clearing of up to 142 hectares of native vegetation within a boundary of approximately 485.442 hectares, for the purposes of mineral production and associated activities.
	On 19 June 2021, the Permit Holder applied to amend CPS 9209/1 to increase the area of approved clearing by 54.5 hectares and the permit boundary by approximately 355.9 hectares, in order to accommodate the construction and maintenance of a haul road required to service the Paulsens Iron Ore mining project

# 3. Assessment of application against Clearing Principles

#### Comments

Paulsens has applied to amend the permit to increase the area of approved clearing by 54.5 hectares and the permit boundary by approximately 355.9 hectares, in order to accommodate the construction and maintenance of an 18 kilometre long haul road required to service the Paulsens Iron Ore mining project (Paulsens, 2021).

The clearing permit application area is located within the Hamersley subregion of the Interim Biogeographic Regionalisation for Australia (IBRA) Pilbara Bioregion (GIS Database). The Hamersley sub-region is the southern section of the Pilbara Craton. Broadly, low mulga (*Acacia aneura* and close relatives) woodland occurs over bunch grasses on fine textured soils in valley floors, and *Eucalyptus leucophloia* open woodlands over *Triodia brizoides* (and other *Triodia* species) occur on skeletal soils of the ranges (CALM, 2002). The climate is semi-arid tropical, with an average rainfall of 300 millimetres, falling mainly in summer cyclonic events (CALM, 2002).

The amendment area is broadly mapped as Beard vegetation associations 82, 103 and 157 which is consistent with the original permit area (GIS Database). Approximately 99% of the pre-European extent of these vegetation associations remains uncleared at both the state and bioregional level (Government of Western Australia, 2019). Hence, the vegetation proposed to be cleared does not represent a significant remnant of native vegetation in an area that has been extensively cleared.

No Threatened or Priority flora or Threatened or Priority Ecological Communities have been recorded within the amendment area (DBCA, 2007-; GIS Database), and none were found during the flora and vegetation survey (Ecologia, 2021). Analysis of aerial imagery indicates that the vegetation associations and landform types occurring within the amendment area are similar to those occurring within the original permit boundary and are well represented in the region (GIS Database). The amendment area is unlikely to represent an area of higher biodiversity than the original permit area or surrounding areas.

Three broad fauna habitats were described for the amendment area, as part of the fauna assessment completed by Ecologia (2021):

Stony Plains;

- Minor Drainage; and
- Rocky Ridges, Hills and Scree Slopes.

A majority of the proposed haul road area included in this amendment includes the 'Stony Plain' fauna habitat type which is considered low conservation value, given its widespread occurrence in the regional area and its limited niches for conservation significant taxa (Ecologia, 2021). The proposed haul road corridor includes some small occurrences of the 'Rocky Ridges, Hills and Scree Slopes' habitat, which is moderate to high value for conservation significant fauna, including the Northern Quoll (Ecologia, 2021). However, no Northern Quolls have been recorded in the proposed haul road area, and the small occurrences of suitable habitat type are unlikely to be significant habitat in comparison to the large areas of ridgeline habitat in the survey area further to the north, where impacts will largely be avoided by the existing restricted clearing condition on the permit. In the unlikely event that Northern Quolls are present in the amendment area, the existing fauna management condition requiring pre-clearance surveys for Northern Quoll will ensure any individuals are relocated to suitable habitat to avoid injury or mortality.

There are no permanent watercourses or wetlands within the amendment area (GIS Database). The proposed haul road crosses a number of ephemeral drainage lines that only exhibit flow after heavy rainfall (GIS Database). Potential local impacts to vegetation growing in association with drainage lines can be minimised by the continued implementation of the watercourse management condition.

Clearing to establish the proposed haul road is narrow and linear. Based on the climatic, hydrological and land system characteristics of the amendment area being similar to those of the original permit area (GIS Database; Ecologia, 2021), it is considered unlikely that the proposed clearing will cause appreciable land degradation, degrade surface or groundwater quality, or increase the incidence or intensity of flooding.

The application area is not within or in close proximity to any conservation areas (GIS Database). The nearest DBCA (formerly DPaW) managed lands are the Barley Range Nature Reserve and the Cane River Conservation Park, which are located approximately 45 kilometres south-west and 65 kilometres north-west of the application area respectively (GIS Database). The proposed clearing is unlikely to impact on the environmental values of any conservation area.

Several weed species were identified during previous surveys of the broader project area (Ecologia, 2021; Paulsens, 2021) and these are likely to occur around the amendment area, which is partially disturbed. Weeds have the potential to out-compete native vegetation and reduce biodiversity. Continued implementation of the existing weed management condition may minimise the risk of spread of weeds into the amendment application area.

The vegetation associations, habitat types and landforms found within the amendment area are similar to the original permit area and are well represented in surrounding areas (Ecologia, 2021; GIS Database). The clearing to be conducted within the amendment application area to construct a haul road is unlikely to have any significant additional impacts.

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.510 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 9209/1.

# Methodology CALM (2002)

DAWE (2021) DBCA (2007-) Ecologia (2021) Government of Western Australia (2019) Paulsens (2021)

GIS Database:

- DPaW Tenure
- Hydrography, Lakes
- Hydrography, Linear
- IBRA Australia
- Imagery
- Landsystem Rangelands
- Pre-European Vegetation
- Public Drinking Water Source Areas
- Soils, Statewide
- Threatened and Priority Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffers
- Threatened and Priority Flora
- Threatened Fauna

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

#### Comments

The clearing permit amendment application was advertised on 26 July 2021 by the Department of Mines, Industry Regulation and Safety (DMIRS), inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim (WC2001/005) over the area under application (DPLH, 2021). This claim has determined by the Federal Court (WAD6007/2001) on behalf of the claimant group. 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 is one registered Aboriginal Site of Significance within the application area (DPLH, 2021). 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.

Under the EPBC Act 1999, an action requires referral to the Federal Environment Minister if it is deemed likely to have a significant impact on a matter of national environmental significance. As a portion of the application area qualifies as critical habitat for the Northern Quoll, and there is possibility that the proposed clearing may reduce the area of occupancy of the species (DoE, 2016; Ecologia, 2021), the applicant should be notified of this referral requirement.

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.

# Methodology DoE (2016) DPLH (2021)

Ecologia (2021)

# 4. References

DoE (2016) EPBC Act referral guideline for the endangered northern quoll – EPBC Act Policy Statement. Department of Environment, Commonwealth of Australia, 2016.

- CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographic Subregions in 2002. Department of Conservation and Land Management, Western Australia.
- DAWE (2021) EPBC Act Protected Matters Search Tool. Department of Agriculture, Water and the Environment. https://www.environment.gov.au/epbc/protected-matters-search-tool (Accessed 23 February 2021).
- DBCA (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Biodiversity, Conservation and Attractions. https://naturemap.dbca.wa.gov.au/ (Accessed 23 February 2021).
- DPLH (2021) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage.
- https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS (Accessed 13 May 2021).
- Ecologia (2021) Paulsens East Iron Ore Project Native Vegetation Clearing Permit Application. Report prepared for Paulsens East Iron Ore Pty Ltd, by Ecologia Environment, February 2021.
- Government of Western Australia (2019) 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth. https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Paulsens (2021) Clearing Permit Application CPS 9209/2. Paulsens East Iron Ore Pty Ltd, Western Australia, June 2021.

# 5. Glossary

# Acronyms:

BC Act	Biodiversity Conservation Act 2016, Western Australia
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)
DAWE	Department of Agriculture, Water and the Environment, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
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)
DoEE	Department of the Environment and Energy (now DAWE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DPIRD	Department of Primary Industries and Regional Development, Western Australia

DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	Environmental Protection Act 1986, Western Australia
EPA	Environmental Protection Authority, 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:**

{DBCA (2019) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia}:-

#### T <u>Threatened species:</u>

Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under section 19(1), or is a rediscovered species to be regarded as threatened species under section 26(2) of the *Biodiversity Conservation Act 2016* (BC Act).

**Threatened fauna** is that subset of 'Specially Protected Fauna' listed under schedules 1 to 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for Threatened Fauna.

*Threatened flora* is that subset of 'Rare Flora' listed under schedules 1 to 3 of the *Wildlife Conservation (Rare Flora) Notice 2018* for Threatened Flora.

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 in the immediate future, as determined in accordance with criteria set out in the ministerial guidelines".

Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines. Published under schedule 1 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for critically endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for critically endangered flora.

## EN Endangered species

Threatened species considered to be "facing a very high risk of extinction in the wild in the near future, as determined in accordance with criteria set out in the ministerial guidelines".

Listed as endangered under section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines. Published under schedule 2 of the *Wildlife Conservation* (Specially Protected Fauna) Notice 2018 for endangered fauna or the *Wildlife Conservation* (Rare Flora) Notice 2018 for endangered flora.

# VU Vulnerable species

Threatened species considered to be "facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with criteria set out in the ministerial guidelines".

Listed as vulnerable under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines. Published under schedule 3 of the *Wildlife Conservation* (Specially Protected Fauna) Notice 2018 for vulnerable fauna or the *Wildlife Conservation* (Rare Flora) Notice 2018 for vulnerable flora.

# Extinct Species:

## EX Extinct species

Species where "there is no reasonable doubt that the last member of the species has died", and listing is otherwise in accordance with the ministerial guidelines (section 24 of the BC Act).

Published as presumed extinct under schedule 4 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for extinct fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for extinct flora.

# EW Extinct in the wild species

Species that "is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its life cycle and form", and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).

Currently there are no threatened fauna or threatened flora species listed as extinct in the wild. If listing of a species as extinct in the wild occurs, then a schedule will be added to the applicable notice.

### Specially protected species:

Listed by order of the Minister as specially protected under section 13(1) of the BC Act. Meeting one or more of the following categories: species of special conservation interest; migratory species; cetaceans; species subject to international agreement; or species otherwise in need of special protection.

Species that are listed as threatened species (critically endangered, endangered or vulnerable) or extinct species under the BC Act cannot also be listed as Specially Protected species.

# MI Migratory species

Fauna that periodically or occasionally visit Australia or an external Territory or the exclusive economic zone; or the species is subject of an international agreement that relates to the protection of migratory species and that binds the Commonwealth; and listing is otherwise in accordance with the ministerial guidelines (section 15 of the BC Act).

Includes 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 fauna subject to the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention), an environmental treaty under the United Nations Environment Program. Migratory species listed under the BC Act are a subset of the migratory animals, that are known to visit Western Australia, protected under the international agreements or treaties, excluding species that are listed as Threatened species.

Published as migratory birds protected under an international agreement under schedule 5 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018.* 

CD Species of special conservation interest (conservation dependent fauna)

Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened, and listing is otherwise in accordance with the ministerial guidelines (section 14 of the BC Act).

Published as conservation dependent fauna under schedule 6 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018.* 

#### OS Other specially protected species

Fauna otherwise in need of special protection to ensure their conservation, and listing is otherwise in accordance with the ministerial guidelines (section 18 of the BC Act).

Published as other specially protected fauna under schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice 2018.

#### P Priority species:

Possibly threatened species that do not meet survey criteria, or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of priority for survey and evaluation of conservation status so that consideration can be given to their declaration as threatened fauna or flora.

Species that are adequately known, are rare but not threatened, or meet criteria for near threatened, or that have been recently removed from the threatened species or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species 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.