



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3609/3
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore Pty Ltd

1.3. Property details

Property: Iron Ore (Mount Newman) Agreement Act 1964, Mineral Lease 244SA (AML 70/244)
Miscellaneous Licence 52/108
Local Government Area: Shire of East Pilbara
Colloquial name: Jimblebar ANSF Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
83		Mechanical Removal	Mineral production and associated infrastructure.

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 April 2015

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 extent in a regional context. Two Beard Vegetation Associations are located within the proposed clearing area (GIS Database):
-Beard Vegetation Association 82: Hummock grasslands, low tree steppe; snappy gum over *Triodia wiseana*; and
-Beard Vegetation Association 216: Low woodland; mulga (with spinifex) on rises.
A flora and vegetation assessment was undertaken by ENV Australia on 17 September and 4 to 6 November 2009. During the survey, there were 19 vegetation associations recorded within the application area (ENV Australia, 2009b):

Vegetation Association THG01:

Hummock grassland of *Triodia basedowii* with shrubland of *Acacia ancistrocarpa*, *Acacia tenuissima*, *Acacia aneura* and *Acacia stowardii* with scattered low trees of *Corymbia hamersleyana* and *Corymbia deserticola* subsp. *deserticola* on red-brown loam on plains/floodplains.

Vegetation Association THG02:

Open hummock grassland of *Triodia basedowii* with low open shrubland of *Bonamia rosea*, *Indigofera georgei* and *Ptilotus obovatus* with scattered low trees of *Corymbia hamersleyana* and *Eucalyptus gamophylla* (mallee) on red-brown loam on plains.

Vegetation Association THG03:

Hummock grassland of *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835), *Triodia basedowii* and *Triodia brizoides* with low open woodland of *Eucalyptus leucophloia* subsp. *leucophloia* with scattered shrubs of *Acacia bivenosa*, *Grevillea berryana* and *Eremophila latrobei* subsp. *latrobei* on red-brown loam on hills.

Vegetation Association THG04:

Hummock grassland of *Triodia brizoides* with open shrubland of *Acacia aneura* (mostly burnt) with very open tussock grassland of *Eriachne mucronata* on red-brown loam on ridge.

Vegetation Association THG05:

Hummock grassland of *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835), *Triodia wiseana* and *Triodia pungens* with low open shrubland of *Eremophila fraseri* subsp. *fraseri*, *Senna ferraria* and *Senna artemisioides* subsp. *oligophylla* x *helmsii* with scattered shrubs of *Grevillea wickhamii* subsp. *hispidula* on red-brown loam on plains.

Vegetation Association THG06:

Hummock grassland of *Triodia pungens* and *Triodia angusta* with high shrubland of *Acacia paraneura*, *Acacia aneura* and *Acacia tetragonophylla* with scattered low trees of *Eucalyptus leucophloia* subsp. *leucophloia* and *Eucalyptus trivalva* on red-brown loam on minor drainage lines.

Vegetation Association THG07:

Hummock grassland of *Triodia brizoides* with open shrubland of *Acacia bivenosa* and *Senna glutinosa* subsp. *pruinosa* with low scattered shrubs of *Eremophila cuneifolia* on red-brown loam on hill slope.

Vegetation Association THG08:

Hummock grassland of *Triodia brizoides* with high open shrubland of *Acacia bivenosa* and *Acacia aneura* with low open shrubland of *Scaevola acacioides* with very open tussock grassland of *Eriachne mucronata* on redbrown loam on steep hill slope.

Vegetation Association TCHG01:

Closed hummock grassland of *Triodia basedowii* and *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835) with high shrubland of *Acacia stowardii*, *Acacia pruinocarpa* and *Acacia aneura* on red-brown loam on plains.

Vegetation Association TCHG02:

Closed hummock grassland of *Triodia pungens* with shrubland of *Acacia coriacea* subsp. *coriacea*, *Acacia ancistrocarpa* and *Acacia bivenosa* with very open mallee of *Eucalyptus trivalva* and *Eucalyptus gamophylla* on red-brown sandy loam on drainage lines.

Vegetation Association TOHG01:

Open hummock grassland of *Triodia brizoides* with open shrubland of *Senna glutinosa* subsp. *pruinosa* and *Senna glutinosa* subsp. *luerssenii* and *Eremophila cuneifolia* on red-brown loam on rocky plains.

Vegetation Association COTG01:

Open tussock grassland of *Cymbopogon obtectus*, *Paraneurachne muelleri* and *Aristida inaequiglumis* with open shrubland of *Acacia ancistrocarpa*, *Solanum sturtianum* and *Ptilotus obovatus* on red-brown loamy sand on floodplains.

Vegetation Association TTG01:

Tussock grassland of *Themeda triandra*, *Chrysopogon fallax* and *Aristida holathera* var. *holathera* with shrubland of *Acacia ancistrocarpa*, *Trichodesma zeylanicum* and *Acacia elachantha* with scattered low trees of *Corymbia hamersleyana* on red-brown sandy loam on drainage lines.

Vegetation Association AHS01:

High shrubland of *Acacia aneura* (burnt) over open tussock grassland of *Themeda triandra* and *Chrysopogon fallax* (hayed-off) with low open woodland of *Corymbia hamersleyana* on red-brown loam on plains.

Vegetation Association THG1:

Hummock grassland of *Triodia lanigera* and *Triodia pungens* with open shrubland of *Acacia dictyophleba* and *Acacia trudgeniana* with scattered tall shrubs of *Hakea lorea* subsp. *lorea* on red-brown loam on floodplains.

Vegetation Association TOHG:

Open hummock grassland of *Triodia pungens* with open shrubland of *Gossypium robinsonii* and *Grevillea wickhamii* subsp. *hispidula* on red-brown loam on drainage lines.

Vegetation Association TCHG:

Closed hummock grassland of *Triodia wiseana* with open shrubland of *Acacia ancistrocarpa*, *Acacia tetragonophylla* and *Acacia aneura* var. *macrocarpa* with scattered low trees of *Eucalyptus leucophloia* subsp. *leucophloia* on red-brown loam on hill slopes.

Vegetation Association ELS:

Low shrubland of *Eremophila fraseri* subsp. *fraseri*, *Senna ferraria* and *Senna artemisioides* subsp. *oligophylla* over scattered hummock grass of *Triodia wiseana* and *Triodia pungens* on red-brown loam on quartz rises/plains.

Vegetation Association AHS:

High shrubland of *Acacia aneura* var. *macrocarpa* with open hummock grassland of *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835) on red-brown loam on drainage lines.

Clearing Description

Jimblebar ANSF Project

BHP Billiton Iron Ore Pty Ltd (here after referred to as BHP Billiton) proposes to clear up to 83 hectares of native vegetation within a total boundary of 216.9 hectares for the purpose of constructing an ammonium nitrate storage facility, above ground water supply pipeline and associated access tracks, temporary site offices, laydown areas, borrow pits and stockpiling of topsoil and vegetative matter (BHP Billiton Iron Ore, 2010).

The project is located approximately four kilometres to the north-west of the Jimblebar mine site and approximately 40 kilometres east of Newman, in the Shire of East Pilbara (GIS Database).

Vegetation Condition

Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994);

To:

Pristine: No obvious signs of disturbance (Keighery, 1994).

Comment

The majority of the application area was sighted as being in a 'pristine' to 'excellent' condition, whilst a small portion associated with previous vehicle tracks was in a 'good' condition (ENV Australia, 2009b).

Clearing permit CPS 3609/1 was granted by the Department of Mines and Petroleum on 8 April 2010 and was valid from 8 May 2010 to 8 May 2015. The clearing permit authorised the clearing of 80 hectares of native vegetation within an application area of 210 hectares. BHP Billiton amended CPS 3609/1 on 3 November 2011, increasing the amount of clearing to 83 hectares within an application area of 216.9 hectares.

BHP Billiton applied for an amendment to clearing permit CPS 3609/2 on 6 March 2015. BHP Billiton requested to: amend the purpose of clearing to mineral production and associated infrastructure; and amend the period in

which clearing is authorised, the permit expiry date and final reporting date.

3. Assessment of application against clearing principles

Comments **Proposal is not likely to be at variance to this Principle**

The amendment to change the purpose to mineral production and associated infrastructure, extend the duration of the permit to 30 November 2025, with clearing authorised until 30 November 2020, a reporting date of 1 October each year, and a final reporting date of 30 November 2025 is unlikely to result in any significant change to the environmental impacts of the proposed clearing. The size of the area approved to clear (83 hectares) and the permit boundaries remain unchanged.

The assessment against the clearing Principles remains consistent with the assessment contained in decision report CPS 3609/2.

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

Comments

There is one Native Title claim (WC05/6) over the areas under application (GIS Database). This claim has been registered with the Native Title Tribunal 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 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 throughout 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.

Methodology GIS Database:

- Aboriginal Sites of Significance
- Native Title Claims - Registered with the NNTT

4. References

BHP Billiton Iron Ore (2010) Supporting information for clearing permit application CPS 3609/1.

ENV Australia (2009a) Construction water supply pipeline and Ammonium Nitrate Storage Facility - Fauna assessment. Unpublished report for BHP Billiton Iron Ore.

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
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 <i>the 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 Threatened species:**
Specially protected under the *Wildlife Conservation Act 1950*, 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 the Department according to their level of threat using IUCN Red List criteria. For example Carnaby's Cockatoo *Calyptorhynchus latirostris* is specially protected under the *Wildlife Conservation Act 1950* as a threatened species with a ranking of Endangered.
Rankings:
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 Presumed Extinct species:**
Specially protected under the *Wildlife Conservation Act 1950*, 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 Migratory birds protected under an international agreement:**
Specially protected under the *Wildlife Conservation Act 1950*, 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 Other specially protected fauna:**
Specially protected under the *Wildlife Conservation Act 1950*, listed under Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- P1 Priority One - Poorly-known species:**
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 Priority Two - Poorly-known species:**
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.