

Public record pursuant to s. 39 of the *Environmental Protection Act 1986*

Proposal title: Third Party Referral – Alcoa Clearing Permit Application to clear native vegetation CPS 10626/1

Proposal description:

A third party has referred Alcoa of Australia Limited's (Alcoa) Clearing Permit Application CPS 10626/1 to clear native vegetation to the Environmental Protection Authority (EPA) under s. 38 of the *Environmental Protection Act 1986* (EP Act).

The clearing permit application submitted to the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) on 30 May 2024 was for the clearing of up to 20 hectares (ha) for the purposes of geotechnical investigations. The clearing permit application was subsequently amended in July 2024, to reduce the clearing to up to 11 ha of native vegetation within an 18.4 ha clearing footprint.

Alcoa intends to conduct geotechnical investigations within the Myara North region to assist in refining designs for the proposed infrastructure including haul roads, workshops, site offices, parking, laydown areas and drainage infrastructure. Groundwater bores will be installed to monitor groundwater on a quarterly basis for up to ten years. Ongoing access to the groundwater bores will be required for periodic maintenance.

Proposal location:

The geotechnical investigations are located at Myara North which is a future mine region included in Alcoa's Pinjarra Alumina Refinery Revised Proposal which was referred to the EPA in 2020 and is currently under assessment (Assessment number: 2253).

CMS number: APP-0025518

Date referral received: 09-07-2024

Date more information received: 23-08-2024

Referrer: Jarrahdale Forest Protectors

Proponent: Alcoa of Australia Limited

Potential significant effects:

The EPA considered the potential for impacts associated with the clearing of native vegetation for the proposal and considers based on the types of vegetation present, the scale of the impact and the mitigation measures in place, its unlikely that significant impacts are expected for flora and vegetation and terrestrial fauna. The EPA notes that the types of impact associated with the clearing of native vegetation for the proposal, including any rehabilitation of the impacted areas, can be regulated under Part V Division 2 of the EP Act (regulated via Department of Energy, Mines, Industry Regulation and Safety (DEMIRS)).

The EPA considered the potential for both direct and indirect impacts to heritage values. The EPA notes that heritage surveys have been conducted to inform the prediction of direct and indirect impacts to heritage values and any mitigation and management. The proponent continues to undertake consultation with representatives from the Gnaala Karla Booja Traditional Owner group on the proposal and the broader mining activities proposed in the region. No direct impacts to European and Aboriginal heritage sites or values are expected as a result of the proposal.

Preliminary key environmental factors: flora and vegetation, terrestrial fauna, social surroundings.

Public comment on referral information:

Do not assess:	11
Assess: a) Referral information	0
b) Environmental review - no public review	2
c) Public environmental review	351
<i>Total submissions:</i>	364

Decision: s. 38G(1) – Not assess

Summary of reasons pursuant to s. 38G(1)(c)

The EPA has decided not to assess the proposal because:

- The EPA considers that the likely environmental effects of the proposal can be mitigated by statutory decision-making processes to achieve consistency with the EPA's factor objectives.
- The EPA's decision has been made on the basis of the proponent implementing the proposal in accordance with the clearing permit application (CPS 10626/1) specifications about the size and purpose of the clearing and the mitigation hierarchy. Changes to expected implementation content and/or management which are likely to result in significant environmental effects have not been considered as part of the decision for this proposal and may result in a new referral being required for that different proposal.
- The proposal occurs on predominately disturbed land and designated access tracks on Mineral Lease 1SA located in the Shire of Serpentine-Jarrahdale. No threatened ecological communities or threatened species were identified during surveys conducted over the broader Myara North region. Sites of European and Aboriginal Heritage were observed within the Myara North Region and are expected to be avoided.
- The proposal will include the direct clearing of 0.24 ha of vegetation and the disturbance of a further 10.76 ha from drill rig and vehicle access and indirect impacts through the introduction or promotion of weeds and dieback. The level of vegetation removal is not expected to reduce vegetation quantity or quality in the area to the extent it affects ecological functioning or diversity because of the extent and type of vegetation remaining. The type of impact and the proposed mitigation measures including rehabilitation of the impacted areas, can be assessed and regulated through a native vegetation clearing permit under Part V Division 2 (Clearing) of the EP Act to likely be consistent with the EPA's objective.
- The proposal has the potential to impact on terrestrial fauna from the disturbance of 12 ha of fauna habitat and indirect impacts to ground-dwelling fauna from entrapment and predation. The level of disturbance is not expected to reduce habitat quantity or

quality in the area to the extent it affects habitat health or diversity because of the extent and type of habitat remaining. The type of impact and the proposed mitigation measures including the avoidance of all trees, large shrubs and hollow logs which may provide habitat for conservation significant fauna and the implementation of speed controls, can be assessed and regulated through a native vegetation clearing permit under Part V Division 2 (Clearing) of the EP Act to likely be consistent with the EPA's objective.

- The proposal has the potential to disturb European and Aboriginal heritage sites as a result of vehicle movements and drilling activities. The proponent has taken reasonable steps to consult with the Gnaala Karla Booja Traditional Owner group and proposed numerous mitigation measures, including the avoidance of all heritage sites. As a result, no direct impacts to heritage sites or values are expected from the proposal. The EPA is satisfied that the processes provided for under the *Aboriginal Heritage Act 1972* can mitigate potential direct impacts to Aboriginal heritage sites to consistent with the EPA objectives.
- The EPA considered cumulative impacts of the proposal with other activities within the Northern Jarrah Forest. It considers the small and temporary scale impacts from the proposal is unlikely to contribute to cumulative impacts which undermine achievement of EPA objectives.
- The EPA does not consider that the proposal impacts will combine or interact in a holistic way which requires assessment by the EPA.

Public advice

The EPA publishes the following public advice for the benefit of other decision-making authorities to ensure that their statutory decision-making processes achieve and assure environmental outcomes consistent with the EPA's environmental factor objectives:

- The proponent's clearing permit application (CPS 10626/1) specifications about the size and purpose of the clearing and the mitigation hierarchy are material to ensuring the proposal is not likely to have a significant impact on the environment.
- The assessment and regulation of the native vegetation clearing permit under Part V Division 2 (Clearing) of the EP Act should ensure the following outcomes are achieved:
 - biological diversity and ecological integrity are maintained.

Material information considered by the EPA in this decision

The EPA has considered the following material information in making its decision:

- Referral of a proposal under s.38 of the EP Act (9 July 2024) – Alcoa's Clearing Permit Application (CPS 106261)

- Clearing Permit Application (CPS 10626/1) and supporting information (Appendix 1 to 9) (30 May 2025)
- Myara North Geotechnical Investigation Environmental Management Plan (March 2024)
- DEMIRS advice (11 October 2024)
- EP Act s 3, s 4, Part IV, Admin Procedures, EPA factor and technical guidance

Appeals: There are no rights of appeal under the EP Act in respect of this decision.



Darren Walsh

Chair

Delegate of the Environmental Protection Authority

Date: 2 November 2024