



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 3399/2

Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: **Karara Mining Limited**

### 1.3. Property details

Property: General Purpose Lease 59/38

Local Government Area: Shire of Perenjori

Colloquial name: Karara to Tilley Rail Project

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
67		Mechanical Removal	Mineral Production

### 1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 12 February 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 application area (GIS Database):

Beard vegetation association 358: Shrublands; bowgada & *Acacia quadrimarginea* on stony ridges; and  
Beard vegetation association 363: Shrublands; bowgada scrub with scattered cypress pine.

Woodman Environmental Consulting (2009) undertook a vegetation survey over the application area during Spring 2008. The following vegetation communities were recorded within the application area (Karara Mining, 2009):

**T2:** Thicket to Scrub dominated by *Acacia burkittii* over Dwarf Scrub or Herbs on red loamy clay;

**T3:** Thicket to Open Scrub of mixed *Acacia* species over Heath dominated by *Thryptomene costata* or *Aluta aspera* subsp. *hesperia* on red silty-clay with gravel and ironstone;

**T5:** Thicket dominated by mixed *Melaleuca* and *Acacia* species on red silty-clay on flats and slopes;

**W1:** Open Low Woodland dominated by *Eucalyptus loxophleba* subsp. *supralaevis* over Thicket to Scrub of *Acacia* species over Dwarf Scrub of mixed species over Herbs on red loamy soils with gravel; and

**W3:** Open Low Woodland of *Eucalyptus kochii* subsp. *plenissima* over Thicket of mixed *Acacia* species on red loamy-clay.

##### Clearing Description

Karara to Tilley Rail Project.  
Karara Mining Limited propose to clear up to 67 hectares of native vegetation within a total boundary of 67 hectares for the purpose of mineral production. The project is located approximately 50 kilometres north-east of Perenjori, in the Shire of Perenjori.

##### Vegetation Condition

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

To:

Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).

##### Comment

The vegetation condition was assessed by botanists from Woodman Environmental Consulting.

Clearing permit CPS 3399/1 was granted on 14 January 2010, and was valid from 13 February 2010 to 13 February 2015. The clearing permit authorised the clearing of 67 hectares of native vegetation. An application to amend CPS 3399/1 was received by the Department of Mines and Petroleum on 27 January 2015 for the purpose of extending the duration of the permit by five years to 13 February 2020.

### 3. Assessment of application against clearing principles

#### Comments

The amendment to extend the period in which clearing is authorised by five years is unlikely to result in any significant change to the environmental impacts of the proposed clearing. The size of the area approved (67 hectares) and the permit boundaries remain unchanged.

The assessment against the clearing principles remains consistent with the assessment in decision report CPS 3399/1.

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

#### Comments

There are no Native Title claims over the area under application. 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 (Site ID: 20860) (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 Parks and Wildlife and the Department of Water, 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
- Native Title Claims - Filed at the Federal Court
- Native Title Claims - Determined by the Federal Court

### 4. References

- Karara Mining (2009) Native Vegetation Clearing Permit Application: Rail Loop and Associated Infrastructure. Unpublished report by Karara Mining Ltd, October 2009.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Woodman Environmental Consulting (2009) Flora and Vegetation Survey of the Railway Corridor and Associated Borrow Pits (Karara to Tilley Siding). Unpublished report for Karara Mining Ltd, July 2009.

### 5. Glossary

#### Acronyms:

<b>BoM</b>	Bureau of Meteorology, Australian Government
<b>DAA</b>	Department of Aboriginal Affairs, Western Australia
<b>DAFWA</b>	Department of Agriculture and Food, Western Australia
<b>DEC</b>	Department of Environment and Conservation, Western Australia (now DPaW and DER)
<b>DER</b>	Department of Environment Regulation, Western Australia
<b>DMP</b>	Department of Mines and Petroleum, Western Australia
<b>DRF</b>	Declared Rare Flora
<b>DotE</b>	Department of the Environment, Australian Government
<b>DoW</b>	Department of Water, Western Australia
<b>DPaW</b>	Department of Parks and Wildlife, Western Australia
<b>DSEWPaC</b>	Department of Sustainability, Environment, Water, Population and Communities (now DotE)
<b>EPA</b>	Environmental Protection Authority, Western Australia
<b>EP Act</b>	<i>Environmental Protection Act 1986</i> , Western Australia
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Federal Act)
<b>GIS</b>	Geographical Information System
<b>ha</b>	Hectare (10,000 square metres)
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>IUCN</b>	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
<b>PEC</b>	Priority Ecological Community, Western Australia
<b>RIWI Act</b>	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia

### **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 DPaW 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.

### **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.