



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3473/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Pilbara Manganese Pty Ltd

1.3. Property details

Property: Mining Lease 45/431
Mining Lease 45/638
Local Government Area: Shire of East Pilbara
Colloquial name: Demon Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 30 July 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. One Beard Vegetation Association is located within the application area (Shepherd, 2007):

173: Hummock grasslands; shrub steppe; kanji over soft spinifex and *Triodia wiseana* on basalt.

Mattiske Consulting conducted flora and vegetation surveys of Mining Leases 45/431 and 45/638 in May 2007 (Mattiske Consulting, 2007a; 2007b). These surveys identified two vegetation communities within the application area (Mattiske Consulting 2007a; 2007b):

Vegetation Type 1:

Woodland of *Eucalyptus camaldulensis* var. *obtusa* over *Acacia trachycarpa*, *Acacia inaequilatera* and *Ficus brachypoda* over *Cenchrus ciliaris* along major watercourses.

Vegetation Type 2:

Scrub or Thicket of *Carissa lanceolata*, *Petalostylis labicheoides*, *Acacia bivenosa* and *Acacia ancistrocarpa* over *Triodia pungens*, *Triodia basedowii*, *Cenchrus ciliaris* and *Chrysopogon fallax* along minor watercourses.

Clearing Description

Demon Project.
Pilbara Manganese Pty Ltd proposes to clear 62 hectares of native vegetation within a total boundary of approximately 91.7 hectares, for the purposes of mineral production. The project is located approximately 120 kilometres east of Nullagine, in the Shire of East Pilbara.

Vegetation Condition

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

To:

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

Comment

The vegetation condition rating is derived from information provided by MBS Environmental (2009). MBS Environmental (2009) reports the condition of the vegetation within the application area as being in generally very good condition except for areas of localised disturbances due to impacts from previous mining activities.

Clearing Permit 3473/1 was granted by the Department of Mines and Petroleum (DMP) on 14 January 2010 and authorised the clearing of 62 hectares of native vegetation for access tracks within a total boundary of approximately 120 hectares.

On 13 July 2015, Pilbara Manganese Pty Ltd applied to amend CPS 3473/1 to extend the permit expiry date from the 31 July 2015 to the 31 July 2020.

3. Assessment of application against clearing principles

Comments

The amendment to extend the permit duration 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 to clear (62 hectares) and the permit boundaries remain unchanged.

The assessment against the clearing principles remains consistent with the assessment contained in decision report CPS 3473/1.

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

Comments

There are is one Native Title claim (WC99/008) over the area under application (DAA, 2015). 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 located within the clearing permit 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 through the clearing process.

It is the proponent's responsibility to liaise with the Department of Environment Regulation, 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 DAA (2015)
GIS Database:
- Aboriginal Sites Register System

4. References

- DAA (2015) Department of Aboriginal Affairs (WWW Search – Aboriginal Heritage Inquiry System). Retrieved from <http://maps.dia.wa.gov.au/AHIS2/> on 17 July 2015
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of Government of Western Australia (2013).
- Mattiske Consulting (2007a) Flora and Vegetation Survey of the EAT Tenement, Woodie Woodie. Unpublished report. Mattiske Consulting Pty Ltd, Western Australia.
- Mattiske Consulting (2007b) Flora and Vegetation Survey of Tenement M45/638 (including Camp East, Paystar and Vespa Prospects), Woodie Woodie. Unpublished report. Mattiske Consulting Pty Ltd, Western Australia.
- MBS Environmental (2009) Woodie Woodie Operations, Clearing Permit (Purpose Permit) Application, Demon Project. Native Vegetation Management Plan and Assessment of Clearing Principles. Unpublished report. Martinick Bosch Sell Pty Ltd, Western Australia.
- Shepherd, D.P. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

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 the <i>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 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.