



1. Application details

1.1. Permit application details

Permit application No.: 4849/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Mulga Downs Iron Ore Pty Ltd

1.3. Property details

Property: Exploration Licence 47/2221
Exploration Licence 47/1315
Local Government Area: Shire of Ashburton
Colloquial name: Mulga Downs West

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.76		Mechanical Removal	Mineral Exploration and Associated Activities

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 13 March 2014

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 entirety of Western Australia. The following Beard vegetation associations have been recorded in the application area (GIS Database):

- 29: Sparse low woodland; mulga, discontinuous in scattered groups; and
- 175: Short bunch grassland - savanna/grass plain.

A flora and vegetation survey of the application area identified the following vegetation communities within the application area:

- (1): Low open woodland and sparse tall shrubland of *Acacia aneura* complex;
- (2): Low woodland of *Acacia aneura* complex with a sparse mid shrubland of *Acacia tetragonophylla* and *Eremophila longifolia* and mixed tussock grassland;
- (3): Low woodland of *Acacia aneura* complex with a sparse tussock grassland of *Cenchrus ciliaris* and *Chrysopogon fallax*;
- (4): Low open woodland of *Eucalyptus victrix* with a sparse tall shrubland of *Acacia synchronicia* and open tussock grassland of *Eriachne mucronata*;
- (5): Open tall shrubland of *Acacia distans* with scattered trees of *Eucalyptus victrix* and *Acacia aneura* complex;
- (6): Sparse tall to mid shrubland of *Acacia xiphophylla* and *Acacia synchronicia* with a sparse low shrubland of *Sclerolaena cuneata*; and
- (7): Open tall to mid shrubland of *Acacia synchronicia* with *Acacia tetragonophylla*.

Clearing Description

Mulga Downs West.

Mulga Downs Iron Ore Pty Ltd proposes to clear up to 0.76 hectares of native vegetation within a total application area of approximately 6.7 hectares to facilitate mineral exploration activities. The project is located approximately 77 kilometres north north-east of Tom Price, in the Shire of Ashburton.

Vegetation Condition

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

Comments

Vegetation condition in the application area was assessed using the condition scale implemented by Keighery (1994).

3. Assessment of application against clearing principles

Comments When the original clearing permit was issued, a flora and vegetation survey of the application area had not been undertaken due to poor weather conditions resulting from Tropical Cyclone Heidi (Maia Environmental Consultancy, 2012). The application area was surveyed between February and April 2012 (Maia Environmental Consultancy, 2012). During this survey 180 taxa representing 93 genera and 36 families were recorded in the application area (Maia Environmental Consultancy, 2012). *Fabaceae*, *Poaceae* and *Malvaceae* were the families with the highest number of recorded taxa in the application area (Maia Environmental Consultancy, 2012). No threatened flora species or range extensions were recorded during this survey (Maia Environmental Consultancy, 2012). Two priority flora taxa were recorded during the survey (Maia Environmental Consultancy, 2012):

- *Teucrium pilbaranum* (Priority 1); and
- *Rostellularia adscendens* var. *latifolia* (Priority 3).

A flora species similar in nature to *Bulbostylis burbidgeae* (Priority 4), but lacking the silky hairs usually present on *Bulbostylis burbidgeae*, was recorded during the survey (Maia Environmental Consultancy, 2012). This species was recorded in a flat clay pan habitat which is different in nature to the granitic soils, particularly at the base of granite outcrops and cliffs, *Bulbostylis burbidgeae* is usually recorded in (Maia Environmental Consultancy, 2012).

Six weed species were recorded during the survey: Bipinnate Beggartick (*Bidens bipinnata*), Buffel Grass (*Cenchrus ciliaris*), Colocynth (*Citrullus colocynthis*), Spiked Malvastrum (*Malvastrum americanum*), Purslane (*Portulaca oleracea*) and Mimosa Bush (*Vachellia farnesiana*) (Maia Environmental Consultancy, 2012). None of these species are Declared Organisms under the *Biosecurity and Agriculture Management Act 2007* (Department of Agriculture and Food, 2014).

The current version of this clearing permit contains conditions requiring the proponent to adopt weed hygiene practices and avoid the locations of conservation significant flora species, unless approval to disturb these species has been obtained from the relevant authorities. These conditions will be maintained on the new version of the permit and therefore the impact of clearing activities on the areas biodiversity is not expected to be different in nature from the impacts assessed for CPS 4849/1.

The proposed extension to the permits duration is not expected to cause environmental impacts in addition to or different from those assessed for CPS 4849/1. Based on current environmental information the assessment of the clearing principles is consistent with the assessment in the clearing permit decision report for CPS 4849/1.

Methodology Department of Agriculture and Food (2014)
Maia Environmental Consultancy (2012).

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

Comments

There are two Native Title Claims over the area under application (WC2003/003 and WC2011/006) (GIS Database). These claims have 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 sites of Aboriginal heritage significance in the vicinity of the application area. It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no sites of Aboriginal heritage significance are damaged through the clearing process.

It is the proponent's responsibility to liaise with the Department of Environment Regulation 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

- Department of Agriculture and Food (2014) BAMA Declared Organism search. Department of Agriculture and Food. <https://www.agric.wa.gov.au/organisms> (Accessed March 2014).
- Keighery, B.J. (1994) Bushland plant survey: a guide to plant community survey for the community. Wildflower Society of Western Australia (Inc). Nedlands, Western Australia.
- Maia Environmental Consultancy (2012) HPPL Mulga Downs West (E47/1315 & E47/2221) targeted flora surveys, February and April (2012). Report prepared for Mulga Downs Iron Ore Pty Ltd.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
CALM	Department of Conservation and Land Management (now DEC), Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia
DEH	Department of Environment and Heritage (federal based in Canberra) previously Environment Australia
DEP	Department of Environment Protection (now DEC), Western Australia
DIA	Department of Indigenous Affairs
DLI	Department of Land Information, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DoE	Department of Environment (now DEC), Western Australia
DoIR	Department of Industry and Resources (now DMP), Western Australia
DOLA	Department of Land Administration, Western Australia
DoW	Department of Water
EP Act	Environmental Protection Act 1986, 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
RIWI Act	Rights in Water and Irrigation Act 1914, Western Australia
s.17	Section 17 of the Environment Protection Act 1986, Western Australia
TEC	Threatened Ecological Community

Definitions:

{Atkins, K (2005). *Declared rare and priority flora list for Western Australia, 22 February 2005*. Department of Conservation and Land Management, Como, Western Australia} :-

- P1** **Priority One - Poorly Known taxa:** taxa which are known from one or a few (generally <5) populations which are under threat, either due to small population size, or being on lands under immediate threat, e.g. road verges, urban areas, farmland, active mineral leases, etc., or the plants are under threat, e.g. from disease, grazing by feral animals, etc. May include taxa with threatened populations on protected lands. Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
- P2** **Priority Two - Poorly Known taxa:** taxa which are known from one or a few (generally <5) populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
- P3** **Priority Three - Poorly Known taxa:** taxa which are known from several populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in need of further survey.
- P4** **Priority Four – Rare taxa:** taxa which are considered to have been adequately surveyed and which, whilst being rare (in Australia), are not currently threatened by any identifiable factors. These taxa require monitoring every 5–10 years.
- R** **Declared Rare Flora – Extant taxa (= Threatened Flora = Endangered + Vulnerable):** taxa which have been adequately searched for, and are deemed to be in the wild either rare, in danger of extinction, or otherwise in need of special protection, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.
- X** **Declared Rare Flora - Presumed Extinct taxa:** taxa which have not been collected, or otherwise verified, over the past 50 years despite thorough searching, or of which all known wild populations have been destroyed more recently, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.

{Wildlife Conservation (Specially Protected Fauna) Notice 2005} [Wildlife Conservation Act 1950] :-

- Schedule 1** **Schedule 1 – Fauna that is rare or likely to become extinct:** being fauna that is rare or likely to become extinct, are declared to be fauna that is need of special protection.
- Schedule 2** **Schedule 2 – Fauna that is presumed to be extinct:** being fauna that is presumed to be extinct, are declared to be fauna that is need of special protection.
- Schedule 3** **Schedule 3 – Birds protected under an international agreement:** being birds that are subject to an agreement between the governments of Australia and Japan relating to the protection of migratory birds and birds in danger of extinction, are declared to be fauna that is need of special protection.
- Schedule 4** **Schedule 4 – Other specially protected fauna:** being fauna that is declared to be fauna that is in need of special protection, otherwise than for the reasons mentioned in Schedules 1, 2 or 3.

{CALM (2005). *Priority Codes for Fauna*. Department of Conservation and Land Management, Como, Western Australia} :-

- P1** **Priority One: Taxa with few, poorly known populations on threatened lands:** Taxa which are known from few specimens or sight records from one or a few localities on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, active mineral leases. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P2** **Priority Two: Taxa with few, poorly known populations on conservation lands:** Taxa which are known from few specimens or sight records from one or a few localities on lands not under immediate threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, vacant Crown land, water reserves, etc. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P3** **Priority Three: Taxa with several, poorly known populations, some on conservation lands:** Taxa which are known from few specimens or sight records from several localities, some of which are on lands not under immediate threat of habitat destruction or degradation. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P4** **Priority Four: Taxa in need of monitoring:** Taxa which are considered to have been adequately surveyed, or for which sufficient knowledge is available, and which are considered not currently threatened or in need of special protection, but could be if present circumstances change. These taxa are usually represented on conservation lands.
- P5** **Priority Five: Taxa in need of monitoring:** Taxa which are not considered threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five years.

Categories of threatened species (*Environment Protection and Biodiversity Conservation Act 1999*)

- EX** **Extinct:** A native species for which there is no reasonable doubt that the last member of the species has died.
- EX(W)** **Extinct in the wild:** A native species which:
(a) is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; or
(b) has not been recorded in its known and/or expected habitat, at appropriate seasons, anywhere in its past range, despite exhaustive surveys over a time frame appropriate to its life cycle and form.
- CR** **Critically Endangered:** A native species which is facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with the prescribed criteria.
- EN** **Endangered:** A native species which:
(a) is not critically endangered; and
(b) is facing a very high risk of extinction in the wild in the near future, as determined in accordance with the prescribed criteria.
- VU** **Vulnerable:** A native species which:
(a) is not critically endangered or endangered; and
(b) is facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with the prescribed criteria.
- CD** **Conservation Dependent:** A native species which is the focus of a specific conservation program, the cessation of which would result in the species becoming vulnerable, endangered or critically endangered within a period of 5 years.