Government of **Western Australia**
Department of **Mines and Petroleum**

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4870/2
Permit type: Purpose

1.2. Proponent details

Proponent's name: **Process Minerals International Pty Ltd**

1.3. Property details

Property: Mining Lease 45/1189
Local Government Area: Town of Port Hedland
Colloquial name: Poondano Iron Ore Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
85		Mechanical Removal	Mineral Production and associated activities

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 27 June 2013

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. Two Beard vegetation associations have been mapped within the application area (GIS Database):

93: Hummock grasslands, shrub steppe, kanji over soft spinifex; and

619: Abydos Plain, medium woodland; river gum (*Eucalyptus camaldulensis*).

Astron Environmental Services (2009) undertook a flora and vegetation survey between late March 2008 and mid May 2008 over the Poondano Project area. The following 22 vegetation communities were recorded (Astron Environmental Services, 2009):

Mesas and Outcrops

AiTe - Scattered *Acacia inaequilatera* and *Acacia bivenosa* over *Triodia epactia* hummock grassland;

AoAaS - *Acacia orthocarpa* and *Acacia ancistrocarpa* Shrubland (with scattered *Corymbia hamersleyana* and *Acacia bivenosa*) over low open shrubland of *Acacia stellaticeps* over *Triodia epactia* hummock grassland;

AoCh - *Acacia orthocarpa open shrubland with scattered Corymbia hamersleyana over Triodia epactia hummock grassland*;

GwAb - *Grevillea wickhamii, Acacia bivenosa and Acacia ancistrocarpa, (Acacia inaequilatera) open shrubland over low scattered Acacia stellaticeps over Triodia epactia hummock grassland*;

Sandy or Stony Plains

AHOS - High open shrubland of *Acacia bivenosa/ Acacia ancistrocarpa/ Acacia inaequilatera* over *Triodia epactia* hummock grassland;

AiAaTe - *Acacia inaequilatera, Acacia ancistrocarpa* (and other mixed *Acacia* spp.) high open shrubland over *Triodia epactia* hummock grassland;

CAtAs - Scattered *Corymbia flavescens* over scattered *Acacia tumida* over low open shrubland of *Acacia stellaticeps* over *Triodia epactia* hummock grassland;

CcAa - Scattered *Corymbia candida* over scattered to open shrubland of *Acacia ancistrocarpa*, *Acacia inaequilatera* and *Acacia bivenosa* over *Triodia epactia* and *Triodia lanigera* hummock grassland.

ChAsTg - Scattered *Corymbia hamerslyana* over *Acacia stellaticeps* low open shrubland over *Triodia epactia* (*Triodia lanigera*) hummock grassland;

ChcAb - Scattered *Corymbia flavescens* over scattered *Hakea chordophylla* and *Acacia bivenosa* over *Acacia stellaticeps* over *Triodia epactia* hummock grassland;

CHSA - Scattered *Corymbia hamersleyana* over scattered *Acacia ancistrocarpa, Acacia bivenosa* and *Acacia inaequilatera* over scattered *Acacia stellaticeps* over *Triodia epactia* hummock grassland;

SATec - Scattered *Corymbia hamersleyana* over scattered *Acacia ancistrocarpa/ Acacia inaequilatera/ Acacia bivenosa/Acacia tumida* over scattered *Acacia orthocarpa* and *Acacia stellaticeps* over *Triodia epactia* hummock grassland;

SCzAT – Scattered *Corymbia zygophylla* over *Acacia tumida* and A*cacia ancistrocarpa* shrubland over low open shrubland of *Acacia stellaticeps* over *Triodia epactia* open grassland;

TeGSA - Scattered *Acacia inaequilatera* / *Acacia orthocarpa* / *Acacia ancistrocarpa* over scattered to low open shrubland of *Acacia stellaticeps* over *Triodia epactia* hummock grassland;

TeTs - *Triodia epactia* and *Triodia lanigera* closed hummock grassland (with scattered *Acacia bivenosa* and *Acacia ancistrocarpa*);

Drainage Associations

AaT - *Acacia ampliceps* high shrubland over *Triodia secunda* hummock grassland;

CAtr - *Scattered Corymbia flavescens* over scattered *Acacia trachycarpa* over scattered to low open shrubland of *Waltheria indica* and *Corchorus incanus ssp. Incanus* over *Cenchrus ciliaris* and *Cenchrus setiger* tussock grassland;

ChAa - Scattered *Corymbia hamersleyana* over scattered to open shrubland of *Acacia ancistrocarpa* over *Triodia epactia* hummock grassland;

ChEv – Low woodland of *Corymbia hamersleyana* and *Eucalyptus victrix* over scattered *Acacia trachycarpa*, *Acacia inaequilatera* and *Acacia ancistrocarpa* over *Triodia epactia* hummock grassland.

EvAa - Scattered to low open woodland of *Eucalyptus victrix* over open shrubland of *Acacia ampliceps* over scattered to low shrubland of *Acacia stellaticeps* over *Triodia epactia* hummock grassland;

EvAt - Scattered to low open woodland of *Eucalyptus victrix* and *Corymbia candida ssp. latifolia* over *Acacia tumida* and *Acacia colei* high open shrubland over *Triodia epactia* hummock grassland;

ChAt - Scattered *Corymbia hamersleyana* over scattered to open shrubland of *Acacia ancistrocarpa* over *Triodia epactia* hummock grassland;

MCW - Low woodland of *Corymbia hamersleyana, Eucalyptus victrix* and *Corymbia flavescens* over *Triodia epactia* and *Cenchrus ciliaris* grassland; and

SMg - Scattered to low open woodland of *Melaleuca glomerata* over scattered to open shrubland of *Crotalaria cunninghamii* over *Cenchrus ciliaris* tussock grassland and mixed sedgeland.

Clearing Description

Process Minerals International Pty Ltd (PMI) has applied to clear up to 85 hectares within an application area of approximately 632 hectares for the Poondano Iron Ore Project. The Poondano Iron Ore project consists of two operations, the Southwest and Central operations. The Central programme will comprise of conventional drill and blast methods of open cut mining to remove ore from the top three to eight metres of nine mesas. The Poondano Central operation will involve the mining of mesa tops, development of mine roads and interim stockpiling areas at Poondano Central and a haul road to link Poondano Central to Poondano Southwest. The Poondano Southwest operation will comprise of a processing plant, workshop, stockpiles, landfill and roads.

Vegetation Condition

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

To

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

Comment

The clearing application area is situated approximately 30 kilometres southeast of Port Hedland (GIS Database).

The vegetation condition and descriptions were derived from a survey conducted by Astron Environmental Services (2009).

CPS 4870/1 was valid from 5 May 2012 to 5 May 2017 and authorised the clearing of 35 hectares within a 327 hectare boundary. PMI applied to amend CPS 4870/1 on 9 April 2013 to increase the amount of clearing authorised to 85 hectares and increase the permit boundary to 632 hectares. The purpose of the amendment is to amalgamate this permit with CPS 4030/2 and add an additional area to expand mining operations at the Poondano Southwest area.

3. Assessment of application against clearing principles

Comments

The purpose of this amendment is to amalgamate CPS 4870/1 with CPS 4030/2 and increase the permit boundary to allow for additional mining in the Southwest project area.

The assessment of CPS 4030/2 did not identify any significant environmental issues. There was no species of Threatened or Priority flora recorded and the vegetation communities present are considered to be relatively widespread (Astron Environmental Services, 2009). Core habitat areas for Northern Quoll (*Dasyurus hallucatus*), Pilbara Leaf-nosed Bat (*Rhinonicteris aurantia*) and Ghost Bat (*Macrodermia gigas*) are not located within the CPS 4030/2 permit boundary. Impacts from the proposed clearing in this area can be managed by the previous permit conditions.

The amended permit boundary includes an additional 70 hectares that was not included in either CPS 4030/2 or CPS 4870/1. This area includes the vegetation type SCzAT which was not present in either permit areas. The remaining vegetation types within the additional area were all recorded in the previous permit boundaries. There was no Threatened or Priority Flora species recorded within the additional area (Astron Environmental Services, 2009). No watercourses are present within the additional area (GIS Database). No significant fauna habitats have been identified within the additional area.

The Poondano project was referred to the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), due to the presence of the Northern Quoll and Pilbara Leaf-nosed Bat within the project area. The project was deemed a 'controlled action' and required assessment under Section 95A of the EPBC Act with the level of assessment being set at Preliminary Documentation. Final approval for the project was given on 16 August 2011 and was subject to 13 conditions.

The assessment of the variance of the principles has not changed and can be found in decision report CPS 4870/1. Impacts from the proposed clearing can be managed by the previous permit conditons.

Methodology Astron Environmental Services (2009)
GIS Database:
- Hydrography, linear

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

Comments

There are two native title claims over the application area (GIS Database). Claim WC99/26 has been determined by the Federal Court of Australia and claim WC09/3 has been registered with the Native Title Tribunal on behalf of the claimant group (GIS Database). 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 (ie. 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 through the clearing process.

It is the proponents' responsibility to liaise with the Department of Environment and Conservation 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.

The clearing permit amendment was advertised on 15 April 2013 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received in relation to this application.

Methodology GIS Database:
- Aboriginal Sites of Significance
- Native Title Claims – Determined by the Federal Court
- Native Title Claims – Registered with the NNTT

4. References

Astron Environmental Services (2009) Poondano Flora and Vegetation Survey March - May 2008, Prepared for Polaris Metals Ltd. Unpublished report for Polaris Metals Ltd. Astron Environmental Services, August 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.

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.

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.