



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5032/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Tronox Management Pty Ltd

1.3. Property details

Property: Mining Lease 70/1198
Mining Lease 70/1213
Local Government Area: Shire of Irwin
Colloquial name: Dongara Exploration Programme

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 10 April 2014

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
<p>The vegetation of the application area has been broadly mapped as Beard vegetation association:</p> <p>378: Shrublands; scrub-heath with scattered <i>Banksia</i> spp., <i>Eucalyptus todiana</i> and <i>Xylomelum angustifolium</i> on deep sandy flats in the Geraldton Sandplain Region (GIS Database).</p> <p>Woodman Environmental Consultants (WEC) conducted vegetation mapping over the area as part of mapping several tenements in the Dongara area (WEC, 2009). Two Floristic Community Types (FCTs) were mapped over the application area:</p> <p>5a: Species rich woodlands and heaths on grey sand in the eastern portion of the Eneabba sandplain. Common species include <i>Conospermum boreale</i> subsp. <i>boreale</i>, <i>Ecdeiocolea monostachya</i>, <i>Eremaea beaufortioides</i>, <i>Hakea polyanthema</i> and <i>Banksia candolleana</i>; and</p> <p>6c: Heath to low heath dominated by <i>Banksia</i> spp. and <i>Melaleuca</i> spp. over <i>Ecdeiocolea monostachya</i> on grey or brown sandy clay or gravel on lower slopes and plains (WEC, 2009; WEC, 2011).</p>	<p>Dongara exploration programme.</p> <p>Tronox Management Pty Ltd proposes to clear up to 0.07 hectares of native vegetation within a boundary of approximately 0.26 hectares, for the purpose of a mineral exploration. The project is located in two separate areas approximately 15 kilometres apart, which are located approximately 30 and 42 kilometres south-east of Dongara, respectively, within the Shire of Irwin.</p>	<p>Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994);</p> <p>To:</p> <p>Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).</p>	<p>The vegetation condition is based on a description by botanists from WEC. WEC (2009) considered that the majority of vegetation within the Dongara tenements was in pristine or excellent condition, with exceptions including previous exploration disturbance. Aerial imagery shows that the northern section of the application area includes existing tracks (GIS Database).</p> <p>Clearing permit CPS 5032/1 was granted to Tiwest Pty Ltd by the Department of Mines and Petroleum (DMP) on 31 May 2012, and was valid from 23 June 2012 to 30 April 2014. The permit authorised the clearing of 0.07 hectares of native vegetation within two separate areas totalling approximately 0.26 hectares. An application for an amendment to clearing permit CPS 5032/1 was submitted to DMP on 13 March 2014, requesting an extension of the duration of the permit to 30 June 2017, a change in the name of the permit holder from Tiwest Pty Ltd to the new company name of Tronox Management Pty Ltd, and an update of the tenements listed on the permit by replacing E70/2263 with new tenement M70/1213 (which covers the same area). The size of the area approved to clear and the permit boundary remain unchanged.</p>

3. Assessment of application against clearing principles

Comments

The proposed amendment to extend the permit duration by three years, update the name of the permit holder, and update the tenements listed on the permit, is unlikely to result in any additional environmental impacts. The size of the area approved to clear (0.07 hectares) and the permit boundary remain unchanged.

The assessment against the clearing principles remains consistent with the previous version of the permit, CPS 5032/1.

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

Comments

There are two Native Title Claims (WC1997/072 and WC2004/002) over the area under application (GIS Database). These claims have been registered with the National Native Title Tribunal on behalf of the claimant groups. 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 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 proponent's responsibility to liaise with the Department of Environment Regulation, the Department of Water, and the Department of Parks and Wildlife, 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 - Determined by the Federal Court
- Native Title Claims - Filed at the Federal Court
- Native Title Claims - Registered with the NNTT

4. References

- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- WEC (2009) Dongara Tenements Flora and Vegetation Studies Regional FCT Analysis. Report Prepared by Woodman Environmental Consulting for Tiwest Pty Ltd, October 2009.
- WEC (2011) Dongara Exploration Drilling Programme 2012 Flora and Vegetation Impact Assessment. Report Prepared by Woodman Environmental Consulting for Tiwest Pty Ltd, December 2011.

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 the Department 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.