



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5652/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Westdeen Holdings Pty Ltd

1.3. Property details

Property: Mining Lease 70/307
Local Government Area: Shire of Dandaragan
Colloquial name: Jurien Bay Limesand Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
6.75		Mechanical Removal	Limesand extraction and associated activities

1.5. Decision on application

Decision on Permit Application:
Decision Date:

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 are located within the application area (GIS Database):

Beard vegetation association 129: Bare areas; dune sand;

Beard vegetation association 1026: Mosaic: Shrublands; *Acacia rostellifera*, *A. cyclops* (in the south) & *Melaleuca cardiophylla* (in the north) thicket / Shrublands; *Acacia lasiocarpa* & *Melaleuca acerosa* heath.

A site visit was conducted over the original permit area on 18 July 2013 and the vegetation was considered to be comprised of low coastal heath, which is dominated by *Acacia lasiocarpa*, *Melaleuca acerosa* and *Leptomeria spinosa* (Biggs and Associates Consulting Services, 2013). A follow up site visit was conducted by DMP environmental staff on 28 August 2013.

Clearing Description Jurien Lime Sand Project
Westdeen Holdings Pty Ltd proposes to clear up to 6.75 hectares of native vegetation within a total boundary of approximately 25.7 hectares, for the purpose of limesand extraction and associated activities. The project is located approximately six kilometres north of Jurien Bay in the Shire Dandaragan.

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 Clearing Permit CPS 5652/1 was granted by the Department of Mines and Petroleum on 19 December 2013, and approved the clearing of up to 4 hectares of native vegetation. On 15 March 2016, Westdeen Holdings Pty Ltd applied to amend CPS 5652/1 to increase the area approved to clear from 4 hectares to 6.75 and to increase the permit boundary from approximately 20 hectares to approximately 25.7 hectares.

The condition of the vegetation under application was determined via a DMP conducted site visit and aerial imagery.

3. Assessment of application against Clearing Principles

Comments

Westdeen Holdings Pty Ltd has applied to increase the amount of clearing authorised by 2.75 hectares and to increase the permit boundary by approximately 5.7 hectares.

The vegetation previously approved under CPS 5652/1 was sparsely vegetated, with some areas showing colonisation of a single shrub species. However, the vegetation within the amendment area appears to be in a mostly excellent condition and contains large areas of dense vegetation (GIS Database). While the vegetation within the amendment area is in better condition, the fauna habitats will likely be similar to those occurring within the original permit area. According to available datasets, there are 18 fauna species of conservation significance recorded within a 10 kilometre radius (local area) of the amendment area, of which, thirteen are

birds species that are either migratory or have the ability to vacate the area during clearing activities.

Biggs (2013) undertook a site inspection of the original permit area and concluded that five species of conservation significance may occur; the Chuditch western quoll (*Dasyurus geoffroii* - VU), Carnaby's cockatoo (*Calyptorhynchus latirostris* - EN), Malleefowl (*Leipoa ocellata*- VU), Dibbler (*Parantechinus apicalis* - EN) and Shield-backed trapdoor spider (*Idiosoma nigrum* – VU).

There are two Threatened flora species, one Priority 1 flora species, seven Priority 2 flora species, twelve Priority 3 flora species and nine Priority 4 flora species known from the local area (DPaW, 2016a).

The Department of Parks and Wildlife (DPaW) did not raise any specific concerns in relation to potential impacts to flora and fauna; however, DPaW advised that mining operations should continue to be restricted to the un-vegetated mobile dunes (DPaW, 2016b). The proponent has advised that the proposed amendment is required in order to provide access to the mobile dunes (Westdeen, 2016).

The amendment area is located within the Beekeepers Nature Reserve. There are extensive amounts of native vegetation remaining in the surrounding area (GIS Database) and the Beard vegetation associations mapped for the amendment area (Beard vegetation associations 129 and 1026) are well represented, retaining at least 80% of pre-European vegetation within the state and bioregion (Government of Western Australia, 2014). Based on aerial imagery, the vegetation under application does not provide important linkage within the local area and significant impacts to the nature reserve are unlikely to result from the proposed clearing.

There are no Threatened Ecological Communities (TECs) or Priority Ecological Communities (PECs) mapped within the amendment area. The closest PEC is situated approximately 18 kilometres east, north east.

The amendment area occurs on a mobile dune system where wind erosion occurs naturally. While the proposed clearing will result in the loss of vegetation which is currently preventing increased wind erosion, the proposed clearing is unlikely greatly exacerbate existing wind erosion regimes.

The assessment against the clearing principles remains consistent with the assessment contained in decision report CPS 5652/1.

Methodology

Biggs (2013)
DPaW (2016a)
DPaW (2016b)
Government of Western Australia (2014)
Westdeen (2016)

GIS Database:
- DPaW Tenure
- Groundwater Salinity
- Hydrographic Catchments – Catchments
- Hydrography, linear
- IBRA WA (Regions - Sub Regions)
- Imagery
- Pre-European Vegetation
- Public Drinking Water Source Areas (PDWSAs)
- Soils, statewide
- Threatened and Priority Flora List
- Threatened Ecological Sites Buffered
- Threatened and Priority Ecological Communities Buffers
- Threatened and Priority Ecological Communities Boundaries

Planning instrument, Native Title, RIWI Act Licence, EP Act Licence, Works Approval, Previous EPA decision or other matter.

Comments

There are two native title claims over the application area (WC2003/006 and WC1997/071) (DAA, 2016). 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*.

According to available datasets, there are no Sites of Aboriginal Significance located in the area applied to clear (DAA, 2016). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Sites of Aboriginal 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.

A mining proposal had been approved under the *Mining Act 1978*, allowing specific activities within Mining Lease 70/307. It is the proponent's responsibility to ensure that all activities are undertaken in accordance with existing Mining Act approvals. The proponent has advised that a revised Mining Proposal will be submitted to the Department of Mines and Petroleum.

Methodology DAA (2016)

4. References

- Biggs (2013) Supporting Information for CPS 5652/1. Report prepared for Westdeen Holdings Pty Ltd, by Biggs & Associates Consulting Services, July 2011.
- DAA (2016) Aboriginal Heritage Inquiry System, Department of Aboriginal Affairs, Perth, Western Australia <<http://maps.dia.wa.gov.au>> Accessed March 2016.
- DPaW (2015a) NatureMap, Department of Parks and Wildlife <<http://naturemap.dec.wa.gov.au>> (Accessed March 2016).
- DPaW (2016b) Advice received in relation to Clearing Permit Application CPS 5652/2. Species and Communities Branch, Department of Parks and Wildlife, Western Australia, March 2016.
- Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Environment and Conservation, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Westdeen (2016) Jurien Lime Sands Project. Native Vegetation Clearing Application Supporting Document. Westdeen Holdings Pty Ltd, Western Australia, March 2016

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
TEC	Threatened Ecological Community

Definitions:

{DPaW (2015) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

- T** **Threatened species:**
Published as Specially Protected under the *Wildlife Conservation Act 1950*, listed under Schedules 1 to 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora).
- Threatened fauna** is that subset of ‘Specially Protected Fauna’ declared to be ‘likely to become extinct’ pursuant to section 14(4) of the Wildlife Conservation Act.
- Threatened flora** is flora that has been declared to be ‘likely to become extinct or is rare, or otherwise in need of special protection’, pursuant to section 23F(2) of the Wildlife Conservation Act.
- The assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below.
- CR** **Critically endangered species**
Threatened species considered to be facing an extremely high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- EN** **Endangered species**
Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- VU** **Vulnerable species**
Threatened species considered to be facing a high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- EX** **Presumed extinct species**
Species which have been adequately searched for and there is no reasonable doubt that the last individual has died. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora.
- IA** **Migratory birds protected under an international agreement**
Birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and The Republic of Korea (ROKAMBA), and the Bonn Convention, relating to the protection of migratory birds. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- CD** **Conservation dependent fauna**
Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- OS** **Other specially protected fauna**
Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- P** **Priority species**
Species which are poorly known; or
Species that are adequately known, are rare but not threatened, and require regular monitoring. Assessment of Priority codes is based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.
- P1** **Priority One - Poorly-known species:**
Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes. Such

species are in urgent need of further survey.

P2 Priority Two - Poorly-known species:

Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, e.g. national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.

P3 Priority Three - Poorly-known species:

Species that are known from several locations, and the species does not appear to be under imminent threat, or from few but widespread locations 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 locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. Such species are in need of further survey.

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 are close to qualifying for Vulnerable, but are not listed as Conservation Dependent.

(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.

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.