



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5765/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Jupiter Mines Limited**

1.3. Property details

Property: General Purpose Lease 29/21
Miscellaneous Licences 29/116, 29/117, 29/123
Local Government Area: Shire of Menzies
Colloquial name: Yunndaga Rail Siding project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 24 September 2015

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description The clearing permit application area has been broadly mapped as the following Beard vegetation associations:
18: Low woodland; mulga (*Acacia aneura*);
20: Low woodland; mulga mixed with *Allocasuarina cristata* and *Eucalyptus* sp.;
251: Low woodland; mulga and *Allocasuarina cristata*.

The majority of the application area is mapped as vegetation association 251, while vegetation association 18 occurs at the northern end of the application area, and vegetation association 20 occurs over a very small section near the southern end of the application area.

A flora and vegetation survey conducted over the application area by Outback Ecology Services (Outback Ecology) identified the following six vegetation communities:

- Tall Shrubland on Stony Plains;
- Open Shrubland on Stony or Rocky Rises;
- Tall Shrubland Sandplains;
- Mallee Drainage and Sandplains;
- Mulga Drainage and Sandplains; and
- Shrubland Drainage and Sandplains; (Outback Ecology, 2013).

The most common community was 'Tall Shrubland on Stony Plains', representing approximately 52% of the survey area. The survey area was highly disturbed, due to historical grazing, mining, mineral exploration activities and weed infestation. A total of seventeen weed species were recorded within the survey area, with *Cenchrus ciliaris* (Buffel grass), *Pentameris airoides* (False Hairgrass) and *Carrichtera annua* (Ward's weed) being the most common and widespread (Outback Ecology, 2013).

Clearing Description Yunndaga Rail Siding project.
Jupiter Mines Limited (Jupiter Mines) proposes to clear up to 64 hectares of native vegetation within a total boundary of approximately 232 hectares, for the purpose of mining related transport infrastructure. The project is located approximately three kilometres northwest of Menzies, at its nearest point, in the Shire of Menzies.

Vegetation Condition Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994);
To
Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).

Comment

The vegetation condition was derived from vegetation surveys conducted by Outback Ecology (2013).

The proposal is to construct road and rail infrastructure to facilitate the transport of ore from the proposed Mt Mason Direct Shipping Ore (DSO) Hematite Project, which is located approximately 90 kilometres to the northwest of Menzies.

The project includes a haul road bypassing the town of Menzies, and additional infrastructure at the existing Yunndaga rail siding approximately six kilometres to the south of Menzies. The proposed haul road starts approximately three kilometres northwest of Menzies and passes to the west of the township, linking the Menzies-Sandstone Road to the Yunndaga rail siding. Proposed infrastructure at the Yunndaga rail siding includes: rail siding and tracks; ore stockpiles; administration buildings and amenities; septic tank; potable water tank; machinery storage area; maintenance facilities; access roads; hardstand areas; and drainage works (Jupiter Mines, 2013).

(The minesite development and sections of the haul road nearer to the minesite are approved under a separate clearing permit - CPS 5764/1.)

Clearing permit CPS 5765/1 was granted by the Department of Mines and Petroleum on 17 October 2013, authorising the clearing of up to 64 hectares of native vegetation within a boundary of approximately 232 hectares.

On 3 July 2015, the permit holder applied to amend CPS 5765/1 to extend the permit expiry date from 30 November 2015 to 30 November 2018, as the project had not yet commenced and no clearing had been undertaken.

3. Assessment of application against clearing principles

Comments

The amendment to extend the permit duration by three 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 (64 hectares) and the permit boundaries remain unchanged.

The assessment against the clearing principles remains consistent with the assessment contained in decision report CPS 5765/1.

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

Comments

There are no native title claims over the area under application (DAA, 2015).

There are two registered Aboriginal Sites of Significance overlapping the application area (DAA, 2015). 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 DAA (2015)

4. References

- DAA (2015) Aboriginal Heritage Enquiry System. Department of Aboriginal Affairs. <http://maps.dia.wa.gov.au/AHIS2/>
- Jupiter Mines (2013) Native Vegetation Clearing Permit Application - Menzies Bypass to Yunndaga Rail Siding. Prepared by KASA Consulting for Jupiter Mines Pty Ltd, July 2013.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Outback Ecology (2013) Jupiter Mines Limited Central Yilgarn Iron Project Level 1 Flora and Fauna Assessment - Menzies Bypass and Yunndaga Rail Siding. Outback Ecology Services, June 2013.

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.

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.