



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 6092/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: L and G Granite Pty Ltd

1.3. Property details

Property: Mining Lease 70/1300
Local Government Area: Shire of Dowerin
Colloquial name: Manmanning Quarry Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
14.291		Mechanical Removal	Quarrying Operations

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 June 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
Beard vegetation associations have been mapped for the whole of Western Australia and are useful to look at vegetation in a regional context. The following Beard vegetation association is located within the application area (GIS Database): 1024: Shrublands; mallee and casuarina thicket.	Manmanning Quarry. L and G Granite Pty Ltd (L and G Granite) proposes to clear up to 14.291 hectares of native vegetation within a total boundary of approximately 15.98 hectares for the purpose of quarrying operations. The project is located approximately 23 kilometres south of Cadoux, in the Shire of Dowerin.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994); To: Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).	Vegetation to be cleared comprises regrowth vegetation over a previously cleared area for granite quarrying operations.

3. Assessment of application against Clearing Principles

Comments

The application area occurs within the Merredin sub-region of the Avon Wheatbelt Interim Biogeographic Regionalisation for Australia (IBRA) (GIS Database), which has been subjected to widespread clearing for agricultural purposes. Pre-European vegetation of the application area is mapped as Beard vegetation association 1024: shrublands; mallee and casuarina thicket (GIS Database). Approximately 11.8% and 11.5% of this Beard vegetation association remains at a state and bioregional level, respectively, which equates to a conservation status of 'Vulnerable' (Department of Natural Resources and Environment, 2002; Government of Western Australia, 2013). The National Objectives and Targets for Biodiversity Conservation 2001-2005 advise that the retention of 30% or more of the pre-clearing extent of each ecological community is necessary to protect Australia's biodiversity. The remaining extent of this vegetation association is significantly below the recommended level of 30%, although it is represented in conservation estate in the subregion, including the nearby A Class Manmanning and Moonijin Nature Reserves (GIS Database).

	Pre-European area (ha)*	Current extent (ha)*	Remaining %*	Conservation Status**	Pre-European % in DPaW Managed Lands (and post clearing %)
IBRA Bioregion – Avon Wheatbelt	9,517,109	1,778,407	~18.7	Vulnerable	~2.4 (9.6)
IBRA Subregion - Merredin	6,524,181	1,368,789	~21.0	Vulnerable	~2.5 (9.1)
Local Government – Shire of Dowerin	186,268	13,837	~7.4	Endangered	~1.0 (12.7)
Beard veg assoc. – State					
1024	742,951	87,342	~11.8	Vulnerable	~1.1 (8.9)
Beard veg assoc. – Bioregion					
1024	738,927	84,756	~11.5	Vulnerable	~0.8 (6.6)
Beard veg assoc. – subregion					
1024	670,961	77,434	~11.5	Vulnerable	~0.7 (5.8)

* Government of Western Australia (2013)

** Department of Natural Resources and Environment (2002)

The application area has a long history of disturbance from agricultural and mining activities and the vegetation proposed to be cleared consists of very sparse regrowth vegetation which is no longer representative of Beard vegetation association 1024 (GIS Database; L and G Granite, 2014). The application area was originally cleared in the 1920s for the purpose of wheat cropping and sheep grazing, and has since been converted to a quarry which has been intermittently mined since 1976 (L and G Granite, 2014). Analysis of aerial imagery and site photographs provided by the proponent confirm that the vegetation of the application area is in a highly degraded condition (GIS Database; L and G Granite, 2014).

The application area occurs within an agricultural region and is surrounded largely by cleared farmland (GIS Database). However, some pockets of remnant vegetation occur which may provide important ecological linkages within this largely cleared landscape. The south-west corner of the application area and two additional small areas along the southern boundary of the application area contain the best quality vegetation within the application area, including some mature trees (GIS Database; L and G Granite, 2014). These areas lie immediately adjacent to an area of roadside vegetation to the south and may serve as an ecological linkage between nearby areas of remnant vegetation to the south-east and north-west of the application area, and leading towards the Manmanning Nature Reserve approximately eight kilometres to the north-west. As a result, these areas have been excluded from the area approved to clear. The clearing of the remaining area of sparse regrowth vegetation is unlikely to result in any further reduction in the current extent of Beard vegetation association 1024 at either a local or regional scale, or any further disruption to the remaining ecological linkages.

According to available databases, there are no Threatened or Priority flora, Threatened Ecological Communities, or Priority Ecological Communities within the application boundary (GIS Database). As a result of historic clearing and disturbance, it is unlikely that the application area constitutes critical habitat for conservation significant flora or fauna. A condition restricting the clearing of remnant trees will preserve any current habitat value of the application area.

There are no watercourses within or in the vicinity of the application area (GIS Database). Vegetation within the application area is not considered to be riparian in nature.

The nearest conservation area is the A Class Moonijin Nature Reserve vested in the Conservation Commission of WA (GIS Database). The Moonjin Nature Reserve is located 6.7 kilometres north, north-east of the application area (GIS Database), and is unlikely to be impacted by the proposed clearing.

The application area comprises a historic quarry operation (L and G Granite, 2014). It is unlikely that the clearing of regrowth vegetation will cause any further land degradation. The risk of weed invasion as a result of the proposed clearing may be minimised by the implementation of a weed management condition.

The proposed clearing is not within a Public Drinking Water Source Area (PDWSA), and is not likely to cause deterioration in the quality of surface or groundwater or increase the incidence or intensity of flooding (GIS

Database).

Based on the above, the proposal to clear 14.291 hectares of regrowth vegetation for the purpose of quarrying operations is unlikely to have any significant environmental impacts.

The assessment of the application identified that the clearing may be at variance to Principle (e), is not likely to be at variance to Principles (a), (b), (c), (d), (g) and (h), and is not at variance to Principles (f), (i) and (j).

Methodology Department of Natural Resources and Environment (2002)
Government of Western Australia (2013)
L and G Granite (2014)
GIS Database:
- DEC Tenure
- Evaporation Isoleths
- Groundwater Salinity
- Hydrography, linear
- IBRA WA (Regions - Sub Regions)
- Pre-European Vegetation
- Public Drinking Water Source Areas
- Rainfall, Mean Annual
- Threatened and Priority Flora
- Threatened Ecological Sites Buffered

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

Comments

There is one native title claim in the application area (GIS Database). This claim (WC2000/7) has been registered with the National 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 (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 Significance located in the area applied to clear (GIS Database). 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.

The clearing permit application was advertised on 12 May 2014 by the Department of Mines and Petroleum inviting submissions from the public. There were no submissions received.

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

4. References

Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
Government of Western Australia (2013) 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. 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.
L and G Granite (2014) Supporting information to clearing permit application. Prepared by L and G Granite 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.

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.