



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 6277/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Redstone Minerals Pty Ltd

1.3. Property details

Property: Mining Lease 52/1064
Local Government Area: Shire of Meekatharra
Colloquial name: Warrawanda South Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
29.65		Mechanical Removal	Sand Mining

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 August 2018

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description The vegetation of the application area is broadly mapped as the following Beard vegetation association:

216: Low woodland; mulga (with spinifex) on rises.

Clearing Description Warrawanda South Project.
Redstone Minerals Pty Ltd proposes to clear up to 29.65 hectares of native vegetation within a boundary of approximately 66.56 hectares, for the purpose of sand mining. The project is located approximately 32 kilometres south-east of Newman, within the Shire of Meekatharra.

Vegetation Condition Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).

Comment Vegetation condition was based on available aerial imagery and converted to the Keighery scale by the assessing officer.

The proponent has advised that clearing of native vegetation within the river will be minimal, as sand extraction will occur within non-vegetated sections of the river bed. The clearing permit under application is for the clearing of herbs and grasses that occur on these sandy areas, and are naturally removed during inundation events.

Clearing permit CPS 6277/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 6 November 2014 and was valid from 29 November 2014 to 29 November 2019. The permit authorised the clearing of up to 29 hectares of native vegetation within a boundary of approximately 29 hectares, for the purpose of sand mining.

On 29 June 2018, the Permit Holder applied to amend CPS 6277/1 to increase the amount of clearing authorised from 29 hectares to 29.65 hectares, and increase the permit boundary from 29 hectares to 66.56 hectares.

3. Assessment of application against Clearing Principles

Comments

Redstone Minerals Pty Ltd has applied to increase the area permitted to clear from 29 hectares to 29.65 hectares, and to increase the permit boundary from 29 hectares to 66.56 hectares.

According to aerial imagery and Redstone Minerals (2018), there are no new vegetation associations within the amendment area. The vegetation within the amended boundary is similar to the vegetation within the previous permit area (Redstone Minerals, 2018; GIS Database). There are no known Threatened or Priority Ecological Communities, and no known Threatened or Priority flora species identified within the amendment area (GIS Database). Available databases identified *Eremophila rigida* (Priority 3) and *Rhagodia* sp. Hamersley (M. Trudgen 17794) (Priority 3) as potentially occurring within the application area (GIS Database). Based on

habitat type and distribution, these species have the potential to occur within the application area (Redstone Minerals, 2018), however, the proposed clearing of an additional 0.65 hectares is not likely to impact the conservation status of these species.

The vegetation associations, landforms and fauna habitat types occurring within the amended application area remain consistent with those identified within the assessment for CPS 6277/1 and are well represented in the local area (GIS Database). The amendment area has potential habitat for the Bilby (*Macrotis lagotis* – Vulnerable) and the Glossy Ibis (*Plegadis falcinellus* – IA) (Redstone Minerals, 2018). The sandy embankments adjacent to Warrawanda Creek may provide suitable habitat for burrows, however the proponent has stated that this area will only be utilised for an access track and ramp (Redstone Minerals, 2018). The associated Mining Proposal also commits to a 3 metre exclusion zone from the embankments (excluding the access ramps) (Redstone Minerals, 2018). The Glossy Ibis is most likely to utilise the application area when mining operations are suspended in the wet season, and ponding occurs within Warrawanda Creek (Redstone Minerals, 2018). The proposed clearing of an additional 0.65 hectares of native vegetation is unlikely to have a significant impact on the availability of fauna habitat at a local or regional scale.

The proposed increase in clearing is unlikely to significantly impact surface water or groundwater. The application area is not located within a Public Drinking Water Source Area (GIS Database). Although the proposed clearing will likely cause some erosion, it is not likely to be significantly above the natural movement of sediments through the river. Potential impacts from erosion may be minimised through the existing restrictive clearing condition preventing the clearing of large trees from within the river bed. The proposed clearing is not likely to alter the incidence or intensity of flooding within the application area or surrounds.

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*. Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision report CPS 6277/1.

Methodology Redstone Minerals (2018)

GIS Database:

- Hydrography, Lakes
- Hydrography, Linear
- Imagery
- Public Drinking Water Source Areas
- Threatened and Priority Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffers
- Threatened and Priority Flora
- Threatened Fauna

Planning Instrument, Native Title, previous EPA decision or other matter.

Comments

There is one Native Title claim over the area under application (DPLH, 2018). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. 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 (DPLH, 2018). 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 Water and Environmental Regulation and the Department of Biodiversity Conservation and Attractions, 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 amendment application was advertised on 16 July 2018 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

Methodology DPLH (2018)

4. References

DPLH (2018) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage.
<http://maps.daa.wa.gov.au/AHIS/> (Accessed 31 July 2018).

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
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DBCA	Department of Biodiversity Conservation and Attractions, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
DEE	Department of the Environment and Energy, Australian Government
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia
DMP	Department of Mines and Petroleum, Western Australia (now DMIRS)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora
DoE	Department of the Environment, Australian Government (now DEE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
DWER	Department of Water and Environmental Regulation, Western Australia
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 (2017) 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 1950*.

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 1950*.

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.