Government of **Western Australia**
Department of **Mines and Petroleum**

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 6616/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Imerys Talc Australia Pty Ltd**

1.3. Property details

Property: Mining Lease 70/243
Local Government Area Shire of Three Springs
Colloquial name: South Dump Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
13.235		Mechanical Removal	Mineral Production and Associated Activities

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 July 2015

2. Background

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 and are useful to look at vegetation in a regional context. One vegetation association has been mapped within the application area (GIS Database):

352: Medium woodland; York gum

A botanical survey of the application area was undertaken by Jennifer Borger Botanical Consultant (Borger, 2008) in May 2008. The vegetation within the application area was described as the following (Borger, 2008):

Area D – South Dump

The vegetation at this site supports regrowth on cleared agricultural land. Most ground cover comprises of alien grasses and broad leaf weeds with scattered blue bush (*Maireana brevifolia*), *Enchylaena* sp and *Atriplex vesicaria*. *Atriplex* and *Rhagodia drummondii* occur mainly at the old bore site on the eastern edge of the current dump, with *Eucalyptus camaldulensis* (river red gum) which were planted several years ago. There are also two rows of *E.camaldulensis* growing on the western side of the ramp. These were planted at the same time as the smaller *E.camaldulensis* growing around the bore. The *Ptilotus* cover is dominant in much of the pasture area. No threatened species or communities were found.

Clearing Description

South Dump Project.

Imerys Talc Australia Pty Ltd proposes to clear up to 13.235 hectares of native vegetation within a total boundary of approximately 13.24 hectares, for the purposes of mineral production and associated activities. The project is located approximately 9 kilometres north-east of Three Springs, in the Shire of Three Springs.

Vegetation Condition

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).

Comment

Vegetation condition was determined by the assessing officer using the Keighery scale.

3. Assessment of application against Clearing Principles

Comments

The proposal to clear 13.235 hectares of native vegetation within a total boundary of 13.236 hectares for the purpose of mineral production and associated activities is unlikely to have any significant environmental impacts

The application area occurs within the Avon Wheatbelt Interim Biogeographic Regionalisation of Australia bioregion (GIS Database). The vegetation within the application area supports regrowth on cleared agricultural land. Most ground cover comprises of alien grasses and broad leaf weeds with scattered blue bush (*Maireana brevifolia*), *Enchylaena* sp and *Atriplex vesicaria* (Borger, 2008). The vegetation type identified within the application area is well represented locally and regionally and is not considered to be cricital to the survival of any indegenous fauna species (GIS Database).

No Threatened or Priority flora species and Threatened Ecological Communities or Priority Ecological Communities were recorded within the application area (Borger, 2008; GIS Database).

The application area is not located within any conservation area (GIS Database). There are no conservation areas within 10 kilometres of the application area (GIS Database).

There are no permanent or non-perennial watercourses or water bodies mapped within the proposed application area (GIS Database).

The land system associated with the application area has a low risk of erosion and the proposed clearing is not likely to cause a deterioration in the quality of surface or underground water or increase the incidence or intensity of flooding (GIS Database).

Borger (2008) identified several weed species during the botanical survey. Weeds have the potential to significantly change the dynamics of a natural ecosystem and lower the biodiversity of an area. Potential impacts to the biodiversity as a result of the proposed clearing may be minimised by the implementation of a weed management condition.

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*, and the proposed clearing is not likely to be at variance to Principles (a), (b), (c), (d), (e) (f), (g), (h), (i), and (j).

Methodology

Borger (2008)
Keighery (1994)
GIS Database:
- DPaW Tenure
- Hydrography, linear
- IBRA WA (Regions - Sub Regions)
- Pre-European Vegetation
- Public Drinking Water Source Areas
- Rangeland Land System Mapping
- 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 are two Native Title claims over the application area (WC1997/072 & WC2004/002) (DAA, 2015). These claims have 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 is one 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, 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 29 June 2015 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received.

Methodology

DAA (2015)
GIS Database:
- Aboriginal Sites Register System

4. References

Borger, J. (2008) Vegetation survey and rare flora search for Rio Tinto Minerals Asia Pacific (now Imerys) Three Springs Talc Operation. Report prepared by Jennifer Borger Botanical Consultant for Imerys Talc Australia Pty Ltd, Three Springs, Western Australia.

DAA (2015) Department of Aboriginal Affairs (WWW Search – Aboriginal Heritage Inquiry System). Retrieved from http://maps.dia.wa.gov.au/AHIS2/ on 26 June 2015.

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
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	*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
PEC	Priority Ecological Community, Western Australia
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:

{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 DPaW according to their level of threat using IUCN Red List criteria. For example Carnaby's Cockatoo *Calyptorynchus 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.