

# Surrender Decision Report

## 1 Application details and outcome

### 1.1. Permit application details

Permit number:	8991/2
Permit type:	Purpose permit
Applicant name:	Element 25 Limited
Application received:	24 April 2024
Application area:	265 hectares
Purpose of clearing:	Mineral production and associated activities
Method of clearing:	Mechanical Removal
Tenure:	Mining Lease 52/1074 Miscellaneous Licences 52/215, 52/218, 52/220 and 52/221
Location (LGA area):	Shire of Meekatharra
Colloquial name:	Butcherbird Manganese Project

### 1.2. Description of application

The permit holder applied to surrender Clearing Permit CPS 8991/2 as Clearing Permit CPS 9992/1 as of 15 April 2023 encompasses the same area, and therefore this permit is no longer required (Element 25, 2024).

### 1.3. Decision on application

Decision:	Surrender application accepted
Decision date:	17 July 2025
Decision area:	265 hectares of native vegetation, as depicted in Section 1.5, below.

### 1.4. Reasons for decision

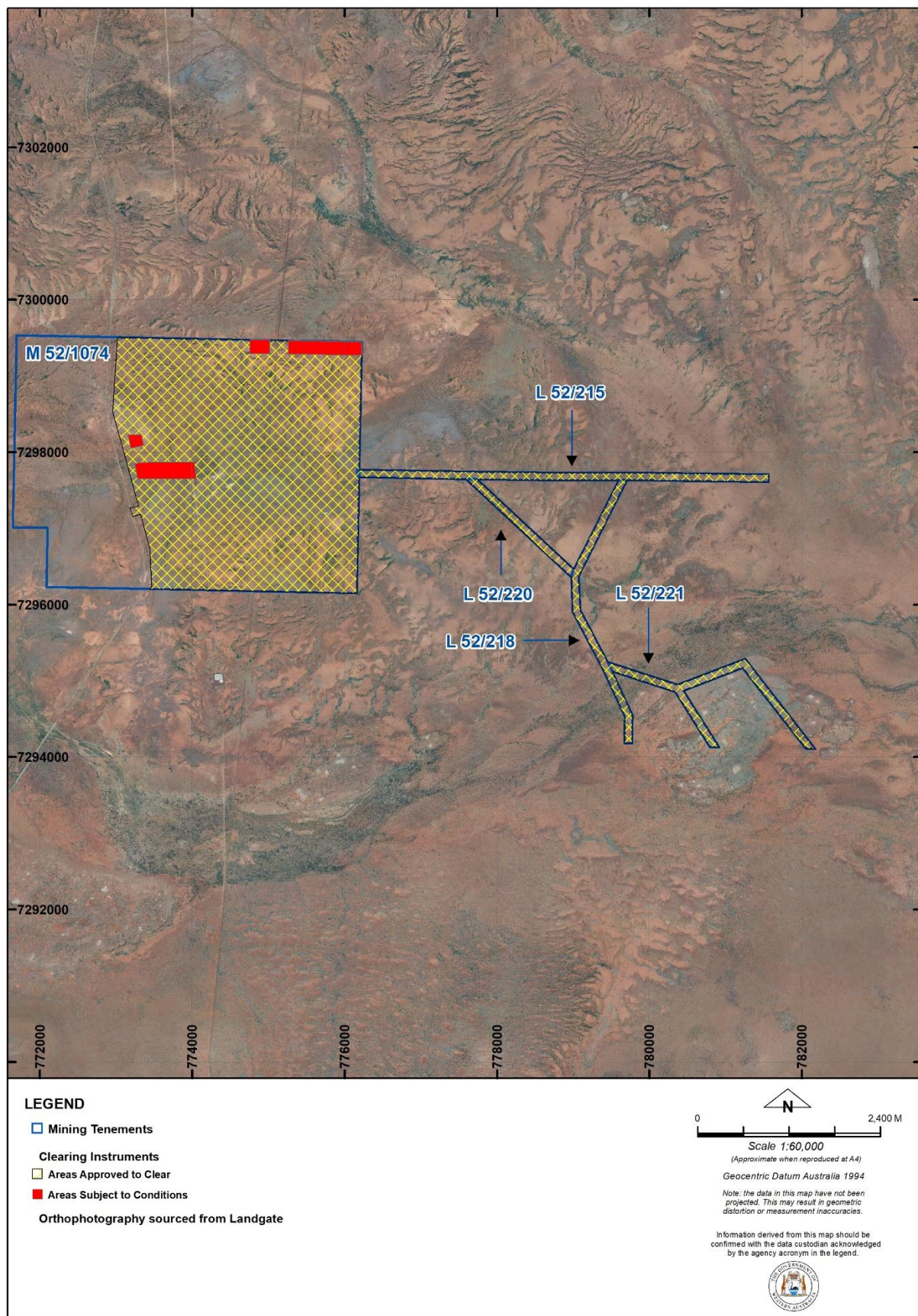
In making the decision, the Delegated Officer had regard for:

- a review of the permit holder's compliance with conditions of clearing permit CPS 8991/2 (section 2.1 of this report)
- other matters considered relevant to the decision (section 2.2 of this report).

The application to surrender was submitted, accepted and determined in accordance with sections 51M and 51MA of the *Environmental Protection Act 1986*.

After consideration of the above information, the Delegated Officer decided to accept the surrender of clearing permit CPS 8991/2

## 1.5. Site map



**Figure 1** Map of the application area. The areas cross-hatched yellow and shaded red indicate the areas which have been surrendered.

## 2 Assessment of surrender

### 2.1. Review of compliance with clearing permit conditions

On 16 July 2025, the Department of Mines, Petroleum and Exploration (the Department) reviewed the annual clearing permit report for Clearing Permit CPS 8991/2.

The Department's review of the permit holder's requirements under Clearing Permit CPS 8991/2 did not identify any non-compliance with the clearing permit conditions (Table 1).

**Table 1:** Compliance verification with the clearing permit conditions listed under CPS 8991/2.

CPS 8991/2 Clearing authorised under the following conditions	Compliance comments
<b>3. Area of Clearing</b> <p>The Permit Holder must not clear more than 265 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 8991/2.</p>	<p>The Department identified that the permit holder had cleared approximately 161.55 hectares out of 265 hectares permitted within the approved permit boundaries (MBS Environmental, 2022a; 2022b; 2023; GIS Database).</p>
<b>4. Type of Clearing Authorised – staged clearing</b> <p>The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised is enacted within six months of the authorised clearing being undertaken.</p>	<p>Cleared areas were used for the prescribed purpose for which they are authorised within the six month timeframe or earlier as stated in annual clearing report and confirmed by aerial imagery (MBS Environmental, 2023; GIS Database).</p>
<b>5. Clearing not authorised – flora management</b> <p>The Permit Holder shall not clear within the areas shaded red on attached Plan 8991/2</p>	<p>Aerial imagery and the annual clearing report confirm no clearing occurred within areas shaded red on the attached plan (MBS Environmental, 2023; GIS Database).</p>
<b>7. Avoid, minimise and reduce the impacts and extent of clearing</b> <p>In determining the amount of native vegetation to be cleared under this Permit, the Permit Holder must apply the following principles, set out in descending order of preference:</p> <ul style="list-style-type: none"> <li>(a) avoid the clearing of native vegetation;</li> <li>(b) minimise the amount of native vegetation to be cleared; and</li> <li>(c) reduce the impact of clearing on any environmental value.</li> </ul>	<p>Element 25 conducts clearing by designing site works to avoid or minimise clearing of native vegetation whenever possible (MBS Environmental, 2023).</p>
<b>8. Weed control</b> <p>When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of weeds:</p> <ul style="list-style-type: none"> <li>(a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;</li> <li>(b) ensure that no known <i>dieback</i> or <i>weed</i>-affected soil, <i>mulch</i>, <i>fill</i> or other material is brought into the area to be cleared; and</li> <li>(c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.</li> </ul>	<p>Element 25 implements internal weed management and hygiene procedures to address clearing permit conditions. Vehicle movements are restricted to designated roads and within work areas (MBS Environmental, 2023).</p>
<b>9. Vegetation management – watercourse and drainage line surface flow</b> <ul style="list-style-type: none"> <li>(a) where practicable the Permit Holder shall avoid clearing riparian vegetation; and</li> <li>(b) where a watercourse or wetland is to be impacted by clearing, the Permit Holder shall maintain the existing surface flow.</li> </ul>	<p>Where practicable Element 25 have avoided clearing of riparian vegetation (MBS Environmental, 2023).</p> <p>Aerial imagery indicated flooding occurred in the area adjacent to an area cleared for tracks (MBS Environmental, 2025b; GIS Database). The area where flooding occurred is outside of a developed drainage line, and tracks in this area were minor access tracks constructed at ground level (MBS Environmental, 2025b; Water Technology, 2012; GIS Database). Modelling indicates this area would experience</p>

	flooding following heavy rainfall events, as was the case for this instance (BoM, 2025; MBS Environmental, 2025b; Water Technology, 2012). If tracks were raised to construct culverts, this would likely obstruct sheetflow drainage (Water Technology, 2012). Therefore, it can be concluded that the observed flooding was not exacerbated by changes to surface water flow due to the clearing under CPS 8991/2, and the Permit Holder is compliant with Condition 9.
<b>11. Reporting</b> <p>(a) The Permit Holder shall provide a report to the <i>CEO</i> by 31 July each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and setting out the records required under Condition 10 of this Permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.</p> <p>(b) If no clearing authorised under this Permit was undertaken between 1 July and 30 June of the previous financial year, a written report confirming that no clearing under this permit has been carried out, must be provided to the <i>CEO</i> by 31 July of each year.</p> <p>(c) Prior to 2 October 2025, the Permit Holder must provide to the <i>CEO</i> a written report of records required under Condition 10 of this Permit where these records have not already been provided under Condition 11(a) or 11(b) of this Permit.</p>	<p>Clearing reports were required for the following reporting periods:</p> <ul style="list-style-type: none"> <li>• 2020-2021 financial year;</li> <li>• 2021-2022 financial year;</li> <li>• 2022-2023 financial year;</li> <li>• 2023-2024 financial year; and</li> <li>• 2024-2025 financial year.</li> </ul> <p>Clearing reports were received by the Department for the 2020-2021, 2021-2022 and 2022-2023 reporting periods (MBS Environmental, 2022a; 2022b; 2023).</p> <p>No clearing was conducted in the 2023-2024 or 2024-2025 reporting periods (MBS Environmental, 2025a). This is confirmed by aerial imagery.</p>

## 2.2. Relevant planning instruments and other matters

The surrender application was advertised on 7 June 2024 by the Department of Energy, Mines, Industry Regulation and Safety (now the Department of Mines, Petroleum and Exploration).

**End**

## Appendix A. References

- Bureau of Meteorology (BoM) (2025) Bureau of Meteorology Website – Climate Data Online, Newman Aero. Bureau of Meteorology. <http://www.bom.gov.au/climate/data/> (Accessed 16 July 2025).
- Element 25 Limited (Element 25) (2024) Application to surrender a clearing permit. Prepared for the Department of Energy, Mines, Industry Regulation and Safety, 22 August 2023.
- MBS Environmental (2022a) Butcherbird Manganese Project: Annual Report for Clearing Permit 8991/2. Prepared for the Department of Energy, Mines, Industry Regulation and Safety, 18 March 2022.
- MBS Environmental (2022b) Butcherbird Manganese Project: Annual Report for Clearing Permit 8991/2. Prepared for the Department of Energy, Mines, Industry Regulation and Safety, 27 July 2022.
- MBS Environmental (2023) Annual clearing reports for CPS 8991 and 9992/1. Prepared for the Department of Energy, Mines, Industry Regulation and Safety, 27 July 2023.
- MBS Environmental (2025a) Correspondence regarding clearing under CPS 8991/1. Received by the Department of Mines, Petroleum and Exploration, 15 July 2025.
- MBS Environmental (2025b) Correspondence regarding flooding in relation to CPS 8991/1. Received by the Department of Mines, Petroleum and Exploration, 15 July 2025.
- Water Technology Pty Ltd (Water Technology) (2012) Yanneri Hydrological Study. Prepared for Montezuma Mining Company, by Water Technology Pty Ltd, October 2012.