Department of Mines, Petroleum and Exploration

GOVERNMENT OF WESTERN AUSTRALIA

Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	11209/2
Permit type:	Purpose permit
Applicant name:	Pilgangoora Operations Pty Ltd
Application received:	21 July 2026
Application area:	87.34 hectares
Purpose of clearing:	Mineral production and associated activities
Method of clearing:	Mechanical removal
Tenure:	Mining Lease 45/1266, 45/1324
	Miscellaneous Licence 45/473, 45/484
Location (LGA area):	Shire of East Pilbara
Colloquial name:	Pilgangoora Lithium Tantalum Project

1.2. Description of clearing activities

Pilgangoora Operations Pty Ltd (POPL) proposes to clear up to 87.34 hectares of native vegetation within a boundary of approximately 230 hectares, for the purpose of mineral production and associated activities (POPL, 2026). The project is located approximately 80 kilometres south east of the town of Port Hedland, within the Shire of East Pilbara.

Clearing permit CPS 11209/1 was granted by the Department of Mines, Petroleum and Exploration on 29 May 2026 and was valid from 23 June 2026 to 22 June 2031. The permit authorised the clearing of up to 87.34 hectares of native vegetation within a boundary of approximately 230 hectares, for the purpose of mineral production and associated activities.

On 21 July 2026, the permit holder applied to amend CPS 11209/1 to add Mining Lease 45/1324 to the tenure on the permit (POPL, 2026). No other changes to the permit boundary or other conditions listed in CPS 11209/1 permit are required (POPL, 2026). Based on the most recent annual clearing report (reporting period 1 July 2025 to 30 June 2026, received 5 August 2026), no clearing has been cleared under CPS 11209/1 (PLS, 2026).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	22 October 2026
Decision area:	87.34 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed, and determined in accordance with sections 51KA(1) and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Mines, Petroleum and Exploration (DMPE) advertised the application for a public comment for a period of 7 days, and no submissions were received.

The assessment has not changed since the assessment for CPS 11209/1. The Delegated Officer determined that the proposed inclusion of Mining Lease 45/1324to the clearing permit is not likely to lead to an unacceptable risk to environmental values.

2. Detailed assessment of application

2.1. Avoidance and mitigation measures

While no evidence of avoidance or mitigation measures was provided to support the amendment application, noting the amendment is to add a mining tenement, it was deemed that no further consideration is required to minimise impacts on environmental values. Avoidance and mitigation measures proposed for the original clearing permit (CPS 11209/1) will still be implemented for the amended permit.

2.2. Assessment of impacts on environmental values

As the amendment being undertaken as part of CPS 11209/1 is to add a mining tenement, there is no change to previous assessments against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*.

2.3. Relevant planning instruments and other matters

The amendment application was advertised on 18 August 2026 by the Department of Mines, Petroleum and Exploration inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim (Nyamal People #1 - WAD20/2019, WC1999/008) over the area under application (DPLH, 2026). This claim has been determined by the Federal Court on behalf of the claimant group. 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, 2026). 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.

In February 2023 the proposed activities were referred to the Department of Climate Change, Energy, the Environment and Water (DCEEW) due to the proposed impacts to Northern Quoll and Pilbara Leaf-Nosed Bat critical habitats. DCEEW assessed the impacts of the proposed development on these species and granted approval (EPBC 2023/09471) with conditions on 13 March 2025. The approval was to construct and operate an open pit mine which involves land clearing, site preparation, drilling, blasting, excavation, haulage of material mine closure and rehabilitation. The approval was for the clearing of 87.34 hectares of native vegetation, including critical and supporting habitat which required an offset to be provided. The approval was granted with the following clearing limits:

- 4.62 hectares of critical habitat for the Northern Quoll (any foraging and dispersal habitat within a one kilometre buffer of denning habitat).
- 82.72 hectares of supporting habitat for the Northern Quoll (any foraging and dispersal habitat outside of the areas defined as critical habitat).
- 5.56 hectares of supporting habitat for the Pilbara Leaf-nosed Bat (foraging and dispersal habitats within 12 kilometres of critical habitat that is outside of the areas defined as critical habitat).

Other relevant authorisations required for the proposed land use include:

- A Mining Development and Closure Proposal approved under the *Mining Act 1978*

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.

3. Suitability of offsets

Through the detailed assessment outlined in the previous decision report for permit CPS 11209/1, the Delegated Officer has determined that the following significant residual impacts remain after the application of the avoidance and mitigation measures summarised in previous permit CPS 11209/1.

In accordance with Part 9 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), the proposed action was granted conditional approval (EPBC 2023/09471). To address residual significant impacts to Matters of National Environmental Significance, specifically Northern Quoll critical and supporting habitat and Pilbara Leaf-nosed Bat supporting habitat, the approval holder is required to provide financial contributions to the Pilbara Environmental Offsets Fund (PEOF), in accordance with the conditions of approval issued by the Department of Climate Change, Energy, the Environment and Water (DCCEW). In accordance with the DCCEW approval documents, the approval holder may clear no more than:

- 4.62 hectares of critical habitat for the Northern Quoll (any foraging and dispersal habitat within a one kilometre buffer of denning habitat);
- 82.72 hectares of supporting habitat for the Northern Quoll (any foraging and dispersal habitat outside of the areas defined as critical habitat); and
- 5.56 hectares of supporting habitat for the Pilbara Leaf-nosed Bat (foraging and dispersal habitats within 12 kilometres of critical habitat that is outside of the areas defined as critical habitat).

The offset requirements prescribed under the EPBC Act approval are distinct from, and are not intended to duplicate, any offset obligations that may arise under the Native Vegetation Clearing Permit issued pursuant to State legislation. Each approval regime operates independently, and offsets are applied in respect of separate statutory requirements; accordingly, there is no double counting or duplication of offset obligations.

End

Appendix A. Source of information

A.1. References

Department of Planning, Lands and Heritage (DPLH) (2026) Aboriginal Cultural Heritage Inquiry System. Department of Planning, Lands and Heritage. https://espatial.dplh.wa.gov.au/ACHIS/index.html?viewer=ACHIS (Accessed 9 September 2026).

Department of Primary Industries and Regional Development (DPIRD) (2026) NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. https://dpird.maps.arcgis.com/apps/webappviewer/index.html?id=662e8cbf2def492381fc915aaf3c6a0f (Accessed 9 September 2026).

Pilgangoora Operations Pty Ltd (POPL) (2026) Clearing permit application form, CPS 11209/2, received 21 July 2026.

PLS Limited (2026) Annual clearing report FY 2025-2026. Prepared for Pilgangoora Operations Pty Ltd, by PLS Limited, received 5 August 2026.

Glossary

Acronyms:

BC Act	*Biodiversity Conservation Act 2016,* Western Australia
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)
DCCEEW	Department of Climate Change, Energy, the Environment and Water, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
DEMIRS	Department of Energy, Mines, Industry Regulation and Safety (now DMPE)
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia (now DMPE)
DMP	Department of Mines and Petroleum, Western Australia (now DMPE)
DMPE	Department of Mines, Petroleum and Exploration
DoEE	Department of the Environment and Energy (now DCCEEW)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	*Environmental Protection Act 1986*, Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth 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
TEC	Threatened Ecological Community

Definitions:

DBCA (2023) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia:

Threatened species

T	Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under section 19(1), or is a rediscovered species to be regarded as threatened species under section 26(2) of the Biodiversity Conservation Act 2016 (BC Act).

Threatened fauna is the species of fauna that are listed as critically endangered, endangered or vulnerable threatened species.

Threatened flora is the species of flora that are listed as critically endangered, endangered or vulnerable threatened species.

The assessment of the conservation status of threatened species is in accordance with the BC Act listing criteria and the requirements of Ministerial Guideline Number 1 and Ministerial Guideline Number 2 that adopts the use of the International Union for Conservation of Nature (IUCN) Red List of Threatened Species Categories and Criteria, and is based on the national distribution of the species.

CR **Critically endangered species**

Threatened species considered to be "*facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines.

EN **Endangered species**

Threatened species considered to be "*facing a very high risk of extinction in the wild in the near future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as endangered under section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines.

VU **Vulnerable species**

Threatened species considered to be "*facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as vulnerable under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines.

Extinct species

Listed by order of the Minister as extinct under section 23(1) of the BC Act as extinct or extinct in the wild.

EX **Extinct species**

Species where "*there is no reasonable doubt that the last member of the species has died*", and listing is otherwise in accordance with the ministerial guidelines (section 24 of the BC Act).

EW **Extinct in the wild species**

Species that *"is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its life cycle and form*", and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).

Currently there are no threatened fauna or threatened flora species listed as extinct in the wild.

Specially protected species

SP **Specially protected species**

Listed by order of the Minister as specially protected under section 13(1) of the BC Act. Meeting one or more of the following categories: species of special conservation interest; migratory species; cetaceans; species subject to international agreement; or species otherwise in need of special protection.

Species that are listed as threatened species (critically endangered, endangered, or vulnerable) or extinct species under the BC Act cannot also be listed as specially protected species.

MI **Migratory species**

Fauna that periodically or occasionally visit Australia or an external Territory or the exclusive economic zone; or the species is subject of an international agreement that relates to the protection of migratory species and that binds the Commonwealth; and listing is otherwise in accordance with the ministerial guidelines (section 15 of the BC Act).

Migratory species include birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) or The Republic of Korea (ROKAMBA), and fauna subject to the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention), an environmental treaty under the United Nations Environment Program. Migratory species listed under the BC Act are a subset of the migratory animals, that are known to visit Western Australia, protected under the international agreements or treaties, excluding species that are listed as Threatened species.

CD **Species of special conservation interest (conservation dependent fauna)**

Species of special conservation need that are dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened, and listing is otherwise in accordance with the ministerial guidelines (section 14 of the BC Act).

Currently only fauna are listed as species of special conservation interest.

OS **Other specially protected species**

Species otherwise in need of special protection to ensure their conservation, and listing is otherwise in accordance with the ministerial guidelines (section 18 of the BC Act).

Currently only fauna are listed as species otherwise in need of special protection.

Priority species

P **Priority species**

Priority is not a listing category under the BC Act. The Priority Flora and Fauna lists are maintained by the department and are published on the department's website.

All fauna and flora are protected in WA following the provisions in Part 10 of the BC Act. The protection applies even when a species is not listed as threatened or specially protected, and regardless of land tenure (State managed land (Crown land), private land, or Commonwealth land).

Species that may possibly be threatened species that do not meet the criteria for listing under the BC Act because of insufficient survey or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of prioritisation for survey and evaluation of conservation status so that consideration can be given to potential listing as threatened.

Species that are adequately known, meet criteria for near threatened, or are rare but not threatened, or that have been recently removed from the threatened species list or conservation dependent or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species require regular monitoring.

Assessment of priority status 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 – known from few locations, none on conservation lands**

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, for example, 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 for threatened listing and appear to be under immediate threat from known threatening processes. These species are in urgent need of further survey.

P2 **Priority Two - Poorly-known species – known from few locations, some on conservation lands**

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, for example, 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 for threatened listing and appear to be under threat from known threatening processes. These species are in urgent need of further survey.

P3 **Priority Three - Poorly-known species – known from several locations**

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. These species need 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 a conservation dependent specially protected species.

(c) Species that have been removed from the list of threatened species or lists of conservation dependent or other specially protected species, during the past five years for reasons other than taxonomy.

(d) Other species in need of monitoring.

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.

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened 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 the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.