

19 June 2024

Department of Energy, Mines, Industry Regulation and Safety
Resource and Environmental Compliance Division
Locked Bag 100, East Perth WA 6892
nvab@dmirs.wa.gov.au

To Whom it May Concern,

RE – Mining Tenement M70/1382 - Clearing Permit Application

Please find herein information pertaining to an application for a clearing permit (purpose) on behalf of Regan Scott Grant.

A clearing permit (CPS 9648/1) was granted for Mining Tenement M70/1382 and Miscellaneous Licence L70/193 by the Department of Mines, Industry Regulation and Safety (DMIRS) on the 17th of September 2022. The permit provides for the clearing of 70 hectares (ha) of native vegetation within a total boundary of approximately 1,000 ha for the purpose of gypsum mining and associated activities. The mining tenement is adjacent to the Lockhart Nature Reserve, within the Shire of Lake Grace.

An amendment to this permit (9648/2) was granted on the 9th March 2023 removing Condition 9 relating to fauna management – Malleefowl, after an onsite survey and report was submitted demonstrating the absence of suitable habitat to support Malleefowl (refer to **Appendix A**).

The Mining Tenement for Lake Lockhart was granted in 2021 and mining has commenced in the 2023 season. This season was one of high sales and the entire area of CPS 9648/2 was mined and the operations were ceased prematurely due to no further area available under any approved clearing permit.

A further application to amend (CPS 9648/3) was submitted in June 2023 after guidance from DEMIRS to cover an additional 27 ha to the north of the existing area for future gypsum extraction (refer to **Figure 1**). After review by DEMIRS it was recommended in August 2023 that the application to amend be withdrawn and a new clearing permit application be submitted (CPS 10344/1). The approval process of this application is ongoing.

A Request for Further Information (RFI) in relation to this application has been provided by DEMIRS in January 2024 as a Priority Ecological Community (PEC) (Priority 3) (P3), *Assemblages of gypsum dunes of the central and southern wheatbelt*, has been mapped over the proposed clearing area in the time between the amendment applications. This RFI includes the requirement for further survey work to identify and delineate this PEC within the subject site.

As discussed within the previous clearing applications (CPS9468/2, 9468/3 and 10344/1), a flora and vegetation survey was completed which also covers the area in this application whereby a ridge containing 'Samphire shrubland/forbland' in 'Very Good' condition was identified (Rick 2019). Two Priority 3 species (*Angianthus halophilus* and *Frankenia* sp. Southern gypsum) and one Priority 4 species (*Haegiela tatei*) were identified within this vegetation type (Rick 2019).

Two forms of *Fitzwillia axilliflora*, a Priority 2 species, were also collected during the survey. The collection from the north of the tenement, outside the subject site is typical of the species. The other collection (*Fitzwillia* aff. *axilliflora*) occurring within the ridge containing the 'Samphire shrubland/forbland' has now been confirmed as a new species *Fitzwillia* aff. *Newdegate* (Rick 2019). No clearing will occur within this ridge, therefore no impacts to any conservation significant species is expected.

Further survey work has been requested to determine the extent of the new species in the locality. This survey work is not able to be undertaken until the spring survey season, but has been booked in with a botanist and will be undertaken as soon as possible.

The area in this application (herein referred to as the subject site, refer to **Figure 1**) is 133.6 ha in size and has been selected to provide a buffer to the mapped PEC and the ridge containing the 'Samphire shrubland/forbland' on which the Priority Species are likely to be found. It has also been located so that all conservation significant flora identified in the original flora and vegetation survey (Rick, 2019) has been avoided.

This application area will be included in the flora and vegetation surveys to be undertaken in the spring of 2024 in response to the RFI for CPS 10344/1 to confirm the Rick (2019) findings, and any conservation significant flora will be avoided as outlined in the original clearing permits for this site. However, the proponent would greatly appreciate this application being processed in the interim due to mining constraints.

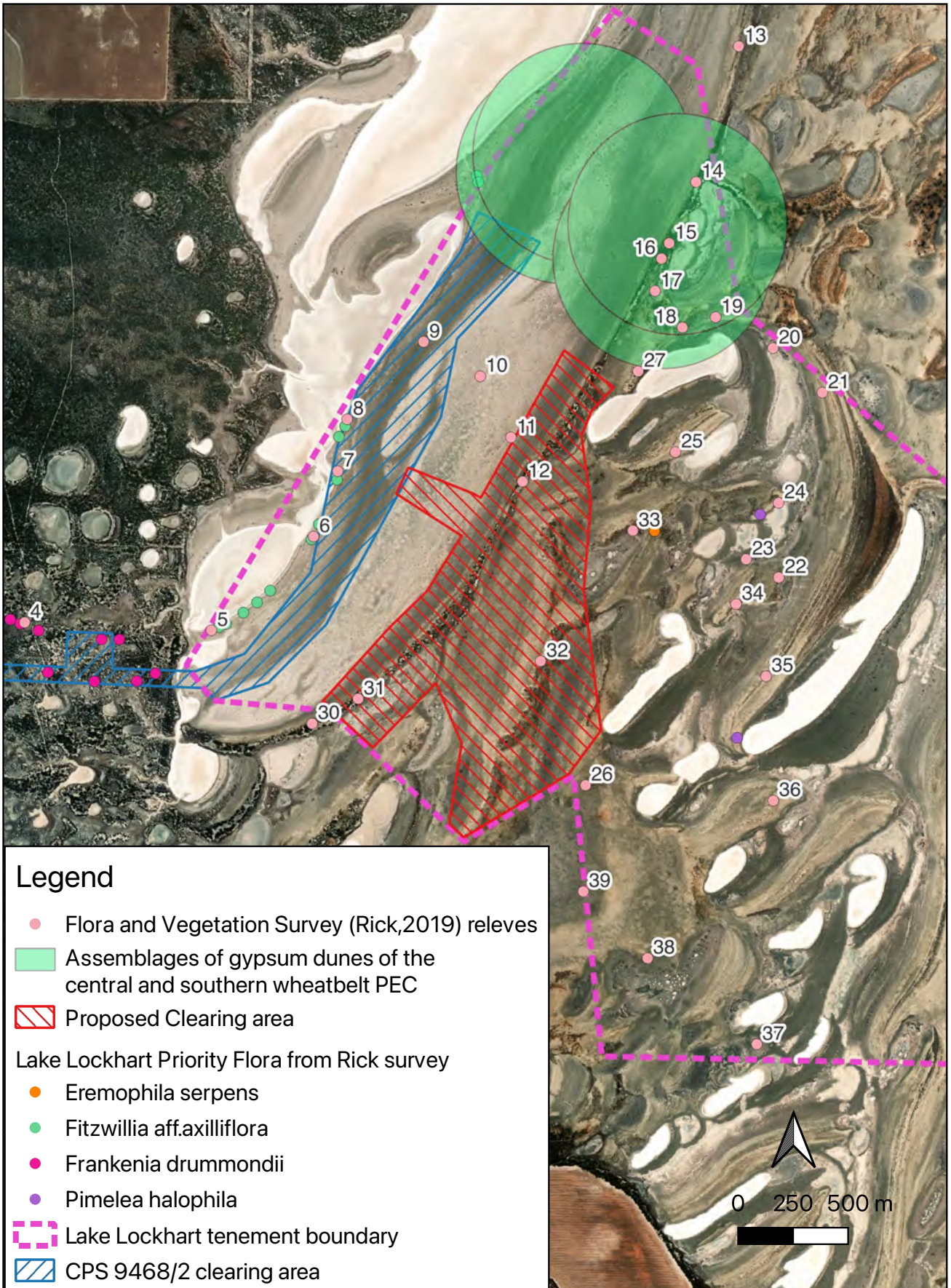
Given the location of the application area on a salt lake, mining is only possible during the dry summer months, approximately December to April. Therefore, it is essential that the clearing permit approval is received prior to this season to allow works to occur in the 2025 season. It is also important to note that this is the only sizeable area of gypsum available to farmers in the region, and it is an imperative resource for the continuation of farming.

Should you have any queries or require any additional information please do not hesitate to contact me.

Yours sincerely,



Phoebe Norman
Environmental Consultant
Mobile 0406 490 537



Legend

- Flora and Vegetation Survey (Rick,2019) relevés
- Assemblages of gypsum dunes of the central and southern wheatbelt PEC
- Proposed Clearing area
- Lake Lockhart Priority Flora from Rick survey
 - *Eremophila serpens*
 - *Fitzwillia aff.axilliflora*
 - *Frankenia drummondii*
 - *Pimelea halophila*
- ⋯ Lake Lockhart tenement boundary
- ▨ CPS 9468/2 clearing area

PROJECT	Lake Lockhart Gypsum Mine	Project Number	2458	Drawing Number	Revision
DRAWING TITLE	Figure 1 – Site Extent	Designed	PN	Figure 1	A
CLIENT	Regan Scott Grant	Drawn	PN	Checked	Approved
		Date	19/06/2024		
		Local Authority	Shire of Lake Grace		



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APPENDIX A – CLEARING PERMIT 9648/2



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	9648/2
Duration of Permit:	From 17 September 2022 to 16 September 2027
Permit Holder:	Regan Scott Grant

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I - CLEARING AUTHORISED

1. Land on which clearing is to be done

Mining Lease 70/1382
Miscellaneous Licence 70/193

2. Clearing authorised (purpose)

The Permit Holder is authorised to clear native vegetation for the purpose of gypsum extraction and associated activities.

3. Area of Clearing

The Permit Holder must not clear more than 70 hectares of native vegetation within the areas cross-hatched yellow in Figure 1 of Schedule 1.

4. Type of Clearing Authorised

The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised is enacted within three months of the authorised clearing being undertaken.

PART II - MANAGEMENT CONDITIONS

5. Avoid, minimise and reduce the impacts and extent of clearing

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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

6. Weed control

- (a) 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*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) ensure that no known or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (b) At least once in each 12 month period for the term of this Permit, the Permit Holder must remove or kill any weeds growing within areas cleared under this Permit.

7. Vegetation Management

- (a) where practicable the Permit Holder shall avoid clearing *riparian vegetation*; and
- (b) where a *wetland* is to be impacted by clearing, the Permit Holder shall ensure that the existing surface flow is maintained.

8. Fauna Management

The Permit Holder must conduct clearing activities in a slow, progressive manner into one direction to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

PART III - RECORD KEEPING AND REPORTING

9. Records to be kept

The Permit Holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none">(a) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;(b) the date that the area was cleared;(c) the size of the area cleared (in hectares);(d) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with Condition 5; and(e) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with Condition 6; and(f) actions taken in accordance with Conditions 7 and 8.

10. Reporting

- (a) The Permit Holder shall provide a report to the *CEO* 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 9 of this Permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (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 *CEO* by 31 July of each year.
- (c) Prior to 16 September 2027, the Permit Holder must provide to the *CEO* a written report of records required under Condition 9 of this Permit where these records have not already been provided under Condition 10(a) or 10(b) of this Permit.

DEFINITIONS

In this Permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	the Chief Executive Officer of the Department responsible for administering the clearing provisions contained within the <i>Environmental Protection Act 1986</i> or an Officer with delegated authority under Section 20 of the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition/s	a condition to which this clearing permit is subject under section 51H of the EP Act.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
fill	means material used to increase the ground level, or to fill a depression.
mulch	means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
riparian vegetation	has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulation 2004.
weed/s	means any plant – (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i> ; or (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.
wetland/s	means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.

END OF CONDITIONS



Travis Inman
 General Manager Mine Closure and Environmental Services
 Resource and Environmental Compliance Division
 09 March 2023

Officer with delegated authority under Section 20
 of the *Environmental Protection Act 1986*

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).



Figure 1: Map of the boundary of the area within which clearing may occur

APPENDIX B – ANNUAL CLEARING REPORT



ANNUAL COMPLIANCE REPORT

M70/1382 & L70/193

CPS 9648/2

July 2023

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Document Control

Version	Date	Author	Reviewer
V1	30/6/2023	PN	KMT
Filename	2351_Annual Report 23_V1		

This report has been prepared by Accendo Australia Pty Ltd in accordance with the scope limitations provided in this report, or as otherwise agreed, between the Client and Accendo.

This report is strictly limited to the matters stated in it and is not to be read as extending, by implication, to any other matter in connection with the matters addressed in it.

This report has been prepared based upon data and other information provided by the Client and other individuals and organisations, most of which are referred to in the report, which Accendo has not independently verified or checked beyond the agreed scope of work. Accendo does not accept liability in connection with such unverified information.

The conclusions and recommendations in this report are based on assumptions made by Accendo described in this report where and as they are required. Accendo disclaims liability arising from any of the assumptions being incorrect.

The report is based on site specific conditions encountered and information received at the time of preparation of this report or the time that site investigations were undertaken. Accendo disclaims responsibility for any changes that may have occurred after this time.

The preparation of this report has been undertaken and performed in a professional manner, in consideration of the scope of services and in accordance with environmental consulting practices. No other warranty is made.

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Figure 1. Extent of the subject site.

1 INTRODUCTION

1.1 Background

Regan Scott Grant proposed to clear up to 70 hectares (ha) of native vegetation within a boundary of approximately 1000 ha, for the purpose of gypsum extraction and associated activities. The project is located within mining tenement M70/1382 and miscellaneous licence L70/193, adjacent to the Lockhart Nature Reserve, within the Shire of Lake Grace.

The mining tenement for Lake Lockhart was granted in 2021 and mining is expected to commence in the 2023 season. Works to date have involved the construction of the access roads and laydown areas.

Subsequently, the Department of Mines, Industry Regulation and Safety (DMIRS) on behalf of the Government of Western Australia granted a Clearing Permit (CPS 9648/1) under section 51E of the *Environmental Protection Act 1986* (EP Act) for the purpose of gypsum extraction and associated activities on the 17th September 2022. An amendment to this permit (9648/2) was granted on the 9th March 2023 removing Condition 9 relating to fauna management – Malleefowl, after an onsite survey and report was submitted demonstrating the absence of suitable habitat to support Malleefowl (refer to **Appendix A**).

1.2 Purpose of this Report

Subject to Condition 10 of the Clearing Permit (CPS 9648/2), the proponent is required to submit to the DMIRS an annual report addressing compliance with the Conditions of the Clearing Permit. Specifically, Condition 10 stipulates the following:

10. Reporting

- (a) *The Permit Holder shall provide a report to the CEO 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 9 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.*

This report addresses the status and compliance of the vegetation clearing within tenements M70/1382 and L70/193 against the conditions in the Clearing Permit (CPS 9648/2) for the period 1st July 2021 to 30th June 2022.

2 PROJECT STATUS AND COMPLIANCE

2.1 Project Status

A breakdown of the works completed during this monitoring period is provided below within **Table 1**.

Table 1. Progress of works.

Date	Works
1 st March to 27 th April 2022	Clearing of vegetation within all areas demarcated in Figure 1 .

2.2 Compliance

This report addresses the status and compliance of the project against the prescribed Conditions provided within the DMIRS Clearing Permit (CPS 9648/2) for the reporting period between 1st July 2021 to 30th June 2022 (refer to **Table 3**).

The approval condition or management measure is provided with a note on its status of compliance, a general comment and related source of evidence. Generic expressions that are used to identify the status of each item are provided below in **Table 2**.

Table 2. Compliance status expressions.

Status	Description
Compliant	'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
Non-compliant	A designation of 'non-compliance' should be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
Not applicable	A designation of 'not applicable' should be given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period.

Table 3. Conditions and Compliance Assessment.

Condition Number	Condition	Compliance Status	Evidence/Comments
Part I - Clearing Authorised			
1.	Land on which clearing is to be done Mining Lease 70/1382 Miscellaneous Lease L70/193	Compliant	All clearing has occurred within mining lease M70/1382 and miscellaneous lease L70/193.
2.	Clearing authorised (purpose) The Permit Holder is authorised to clear native vegetation for the purpose of gypsum extraction and associated activities.	Compliant	All clearing was undertaken for the purpose of gypsum extraction and associated activities. To date, all works commenced have been associated with the construction of the access track and lay down areas.
3.	Area of clearing The Permit Holder must not clear more than 70 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow in Figure 1 of Schedule 1.	Compliant	A total of 7.22 hectares was cleared during the reporting period (refer to Figure 1).
4.	Type of clearing authorised The permit holder shall not clear native vegetation unless the purpose for which the clearing is authorised is enacted within three months of the authorised clearing being undertaken.	Compliant	Clearing was undertaken for the purpose of gypsum extraction and the area was processed within three months of clearing.
Part II – Management Conditions			
5.	Avoid, minimise and reduce the impacts and extent of clearing In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit holder must apply the following principles, set out in descending order of preference: a) Avoid the clearing of native vegetation; b) Minimise the amount of native vegetation to be cleared; and c) Reduce the impact of clearing on any environmental value.	Compliant	These principles have been considered during the planning of the clearing areas with consideration given during the design of the haul tracks and laydown areas with the same areas used every year to minimise the clearing footprint. Clearing is also minimised by targeting the best areas of gypsum only. The impact of clearing on environmental values has been further reduced by restricting clearing to areas within the salt lake which contain limited flora and fauna.
6.	Weed Control	Compliant	a)

Condition Number	Condition	Compliance Status	Evidence/Comments
	<p>a) 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"> i. Clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared; ii. Ensure that no known or <i>weed-</i> affect soil, <i>mulch, fill</i> or other material is brought into the area to be cleared; and iii. Restrict the movement of machines and other vehicles to the limits of the areas to be cleared. <p>b) At least once in each 12 month period for the term of the Permit, the Permit Holder must remove or kill any weeds growing within areas cleared under this Permit.</p>		<ul style="list-style-type: none"> i. All machinery is cleaned prior to entering the site and remains on site during the season. Access to the clearing area is restricted to the Permit Holder’s equipment with customer and contract vehicle movements restricted to the access road leading to the ramp only. ii. No soil, mulch, fill or other material has been brought onto site. All material utilised to create internal infrastructure is sourced from site, extracted from areas consisting of low grade gypsum. iii. Access for contractors and customers is restricted to constructed roads and ramps within the tenement. Signage is erected to direct traffic to remain within these areas. <p>b) Weed control treatment was not required during this reporting period as works have only commenced in the second half of the reporting period.</p>
7.	<p>Vegetation Management</p> <ul style="list-style-type: none"> a) Where practicable the Permit Holder shall avoid clearing <i>riparian vegetation</i>; and b) Where a <i>wetland</i> is to be impacted by clearing, the Permit Holder shall ensure that the existing surface flow is maintained. 		<ul style="list-style-type: none"> a) Clearing of riparian vegetation was not undertaken during the reporting period. b) Clearing undertaken does not impact the surface flow of any wetland.
8.	<p>Fauna Management</p> <p>The Permit Holder must conduct clearing activities in a slow, progressive manner into one direction to allow fauna to move into adjacent native vegetation ahead of the clearing activity.</p>		<p>Clearing was undertaken progressively and slowly from west to east to allow fauna to move into adjacent native vegetation.</p>

Part III – Record Keeping and Reporting

Condition Number	Condition	Compliance Status	Evidence/Comments						
9.	<p>Records to be kept The Permit Holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1:</p> <p>Table 1: Records that must be kept</p> <table border="1" data-bbox="360 427 1267 1107"> <thead> <tr> <th data-bbox="360 427 421 507">No.</th> <th data-bbox="421 427 689 507">Relevant Matter</th> <th data-bbox="689 427 1267 507">Specifications</th> </tr> </thead> <tbody> <tr> <td data-bbox="360 507 421 1107">1.</td> <td data-bbox="421 507 689 1107">In relation to the authorised clearing activities generally.</td> <td data-bbox="689 507 1267 1107"> <ul style="list-style-type: none"> a) The location where the clearing occurred recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Austral 1994 (GDA94), expressing the geographic coordinates in Eastings and Northings; b) The date that the area was cleared; c) The size of the area cleared (in hectares); d) Actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with Condition 5; and e) Actions taken to minimise the risk of the introduction and spread of weeds in accordance with Condition 6.; and f) Actions taken in accordance with Condition 7 and 8. </td> </tr> </tbody> </table>	No.	Relevant Matter	Specifications	1.	In relation to the authorised clearing activities generally.	<ul style="list-style-type: none"> a) The location where the clearing occurred recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Austral 1994 (GDA94), expressing the geographic coordinates in Eastings and Northings; b) The date that the area was cleared; c) The size of the area cleared (in hectares); d) Actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with Condition 5; and e) Actions taken to minimise the risk of the introduction and spread of weeds in accordance with Condition 6.; and f) Actions taken in accordance with Condition 7 and 8. 	Compliant	<p>Required records of activities undertaken during the reporting period have been maintained and supplied as part of this annual report and are provided below:</p> <ul style="list-style-type: none"> a) Excavation Area – Please refer to attached shapefile. b) Clearing was undertaken during the period 1st March 2023 to 27th April 2023. c) Please refer to response to Condition 3. d) Please refer to response to Condition 5. e) Please refer to response to Condition 6. f) Please refer to response to Condition 7 & 8.
No.	Relevant Matter	Specifications							
1.	In relation to the authorised clearing activities generally.	<ul style="list-style-type: none"> a) The location where the clearing occurred recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Austral 1994 (GDA94), expressing the geographic coordinates in Eastings and Northings; b) The date that the area was cleared; c) The size of the area cleared (in hectares); d) Actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with Condition 5; and e) Actions taken to minimise the risk of the introduction and spread of weeds in accordance with Condition 6.; and f) Actions taken in accordance with Condition 7 and 8. 							
9.	<p>Reporting</p> <ul style="list-style-type: none"> a) The Permit Holder shall provide a report to the CEO 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 9 of this Permit in relation to clearing carried out between 1 July and 30 June of the previous financial year. 	Compliant	Reporting requirements are addressed in this annual report.						

Condition Number	Condition	Compliance Status	Evidence/Comments
	<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 by 31 July of each year.</p> <p>c) Prior to 16 September 2027, the Permit Holder must provide to the CEO a written report of records required under Condition 9 of this Permit where these records have not already been provided under Condition 10(a) or 10(b) of this Permit.</p>		

3 SUMMARY

Regan Scott Grant has undertaken clearing of 7.22 hectares (ha) of native vegetation, for the purpose of gypsum mining and associated activities within the mining tenement M70/1285 and miscellaneous licence L70/193, adjacent to the Lockhart Nature Reserve, within the Shire of Lake Grace.

The mining tenement for Lake Lockhart was granted in 2021 and mining is expected to commence in the 2023 season. Works to date have involved the construction of the access roads and laydown areas.




Subsequently, the DMIRS on behalf of the Government of Western Australia granted a Clearing Permit (CPS 9648/1) under section 51E of the EP Act for the purpose of gypsum extraction and associated activities on the 17th September 2022. An amendment to this permit (9648/2) was granted on the 9th March 2023 removing Condition 9 relating to fauna management – Malleefowl, after an onsite survey and report was submitted demonstrating the absence of suitable habitat to support Malleefowl.

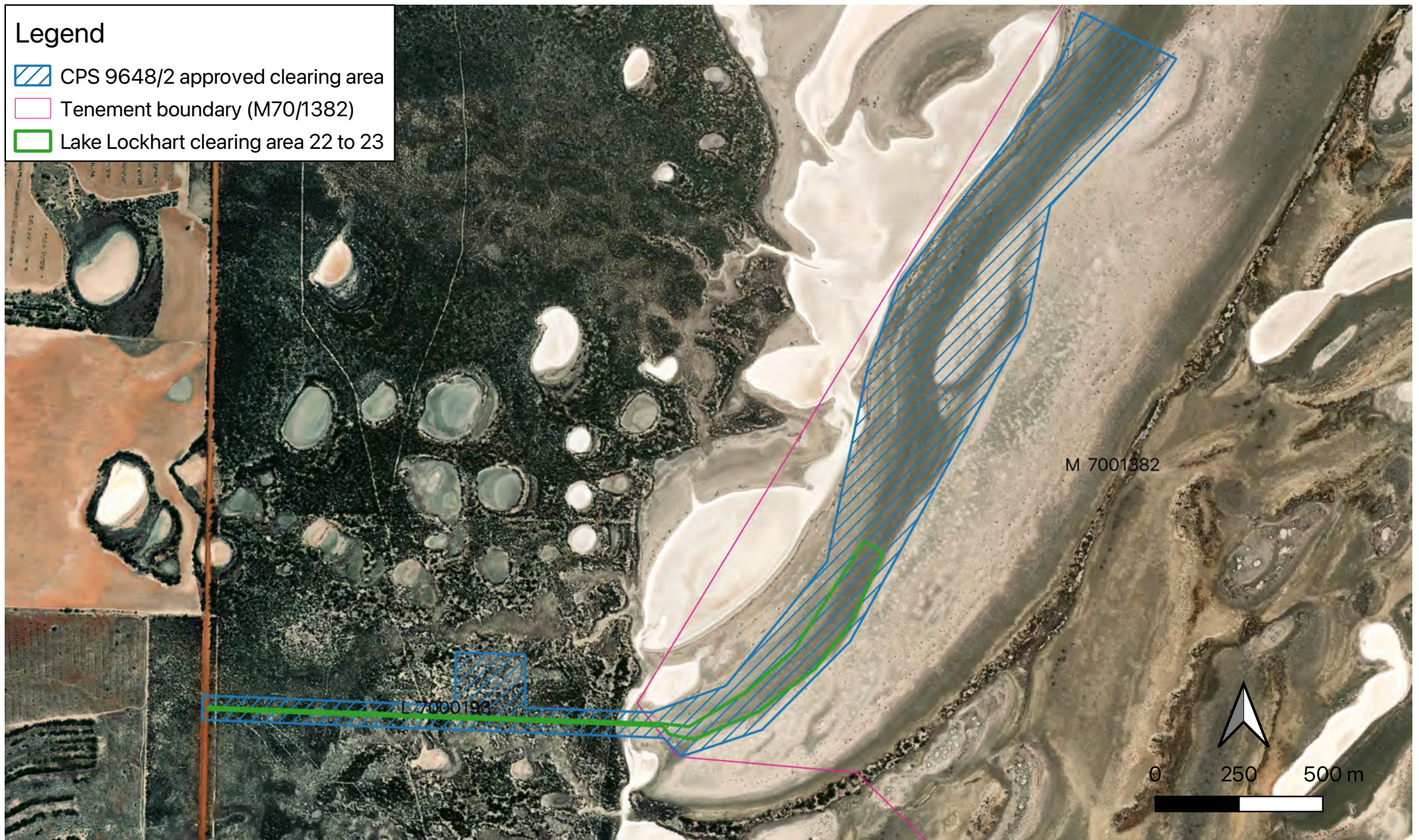
Accordingly, this report addresses the status and compliance of the action against the prescribed Conditions provided within the DMIRS Clearing Permit (CPS 9648/2) for the reporting period between 1st July 2022 and 30th June 2023.

The assessment revealed that compliance was achieved with all Conditions referenced in the DMIRS Clearing Permit 9648/2.

FIGURES

Legend

-  CPS 9648/2 approved clearing area
-  Tenement boundary (M70/1382)
-  Lake Lockhart clearing area 22 to 23



PROJECT Lake Lockhart

DRAWING TITLE Figure 1 - Site Extent

CLIENT Regan Scott Grant



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Project Number 2352
Drawing Number Figure 1
Revision A
Date 20/06/2023
Sheet 1 of 1

Designed PN
Drawn PN
Checked
Approved
Local Authority Shire of Lake Grace

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APPENDIX A – MALLEEFOWL SURVEY

Lakeside Minerals

Malleefowl Survey



Prepared for: **Lakeside Minerals**

Magenta Rd, Magenta WA 6355

Prepared by: **Mike Bamford and Eliza-Joyce Mellersh**

MJ & AR Bamford CONSULTING ECOLOGISTS

23 Plover Way

Kingsley WA 6026



10th January 2023

1 Introduction

Bamford Consulting Ecologists (BCE) was commissioned by Lakeside Minerals to conduct a targeted Malleefowl mound survey within their tenement on Lake Lockhart. Lake Lockhart is a natural salt lake located approximately 390km south-east of Perth. Located in the Mallee bioregion and Western Mallee sub-bioregion, Lake Lockhart is part of a network of salt lakes in the south-west of Western Australia and is a natural source of gypsum (Department of Water, 2008). Gypsum is a naturally-occurring source of sulphur and is the targeted resource for Lakeside Minerals. This report presents the results of the Malleefowl mound survey in the access track and proposed clearing zone.

Lakeside minerals is authorised under their clearing permit (EPA 1986) to:

- (a) Within two weeks prior to undertaking any clearing, engage an *environmental specialist* to conduct an inspection of the area to be cleared to identify *active (in use) Malleefowl (Leipoa ocellata) mounds*.
- (b) Where an *active (in use) Malleefowl mound* is identified under Condition 10(a) of this Permit, the Permit

Holder shall ensure that no clearing occurs within 50 metres of the mound, during the months of September through to January, unless first approved by the *CEO*.

1.1 Survey area

The survey area consists of an access track (and laydown area) and a proposed clearing zone; these are located west of the tenement which lies entirely on Lake Lockhart (**Figure 1-1**). The entire survey area is approximately 0.9km² in size, with the access track approximately 0.1km² in size and the proposed clearing zone approximately 0.8km² in size (**Figure 1-1**).



Figure 1-1 Location of survey area showing tenement boundary (purple), access track (red), proposed clearing zone (grey), and GPS tracks of personnel during site visit (blue and yellow).

1.2 Malleefowl

The Malleefowl (*Leipoa ocellata*) is currently federally-listed as Vulnerable on the *Environment and Biodiversity Conservation* (EPBC) Act 1999 and state-listed as Vulnerable on the *Western Australian Biodiversity Conservation* (BC) Act 2016. Malleefowl lives within scrubland and woodland dominated by eucalyptus woodland and wattle species (Burbidge 2004; DotE 2019; DAWE 2022). The Malleefowl is distributed throughout the Southern third of Australia in suitable semi-arid habitats (Menkhorst *et al.* 2017). They are restricted to arid and semi-arid regions of WA with populations known from the Mallee bioregion.

The Malleefowl is threatened due to impacts from feral predation, mortality of individuals (such as roadkill), and habitat loss and fragmentation. Protecting breeding habitat and avoiding impact to active breeding mounds is critical to their survival. As a result, Lakeside Minerals is required to search for active Malleefowl mounds within two weeks prior to any planned clearing to ensure breeding mounds are not impacted by clearing activities in accordance to their clearing permit (EPA 1986).

2 Methods

The survey area was visited on 21st of October 2022 by Eliza-Joyce Mellersh (BSc.) and Sebastian Lloyd (Volunteer). This involved walking along and within the boundaries of the access track and proposed clearing area and searching 50 m either side of the personnel for mounds.

Malleefowl mounds are distinctive in the landscape, and even very old mounds can be obvious.

Figure 1-1 shows the GPS tracks taken by survey personnel. Opportunistic records of all fauna were recorded at all times.

3 Results

3.1 Overview

No active or inactive Malleefowl mounds were recorded throughout the survey area. Eight bird species were opportunistically recorded in the survey area (Appendix 1); these species are considered typical of the area and none is of conservation significance.

3.2 Access Track

The access track is 1 km long and 8 m wide with the layby area 300 m wide (**Figure 1-1**).

Vegetation and substrate within the access track is primarily *Melaleuca* shrubland with sporadic emergent *Eucalyptus* Mallee with an understorey of salt-tolerant shrubs, such as *Tecticornia*, on white sandy soils (Figure 3-1).



Figure 3-1. Vegetation within access track

3.3 Proposed Clearing Zone

The proposed clearing zone is located on the salt lake and is approximately 2.6 km long and between 180 m – 400 m wide. Vegetation and substrate within the proposed clearing zone consists of an understorey of salt-tolerant shrubs, such as *Tecticornia*, on sandy white soils. No Malleefowl mounds were recorded within or adjacent to the proposed clearing zone.



Figure 3-2. Vegetation in proposed clearing zone

4 Summary

No active or inactive Malleefowl mounds were found throughout the survey area and neither the access track nor the salt lake provides the sort of habitat that the species uses for mound construction. As suitable Malleefowl habitat does not occur on salt lakes, no further Malleefowl surveys will be required as part of this clearing proposal. However, should the mining tenement boundaries move towards woodland vegetation, further Malleefowl surveys will be required as woodland is suitable for Malleefowl breeding.

Appendix

Appendix 1. Birds recorded opportunistically during site visit.

Common Name	Species
Red-capped Plover	<i>Charadrius ruficapillus</i>
Grey Currawong	<i>Strepera versicolor</i>
Australian Raven	<i>Corvus coronoides</i>
Australian Magpie	<i>Gymnorhina tibicen</i>
Horsfield's Bronze Cuckoo	<i>Chrysococcyx osculans</i>
Rufous Whistler	<i>Pachycephala rufiventris</i>
Crested Bellbird	<i>Oreoica gutturalis</i>
Galah	<i>Eolophus roseicapilla</i>

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