



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 3565/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Focus Minerals (Laverton) Pty Ltd

### 1.3. Property details

Property: Miscellaneous Licence 38/164  
Local Government Area: Shire of Laverton  
Colloquial name: Fish to Burtville Haul Road project

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
23		Mechanical Removal	Road construction and maintenance

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 12 June 2014

## 2. Site Information

### 2.1. Existing environment and information

#### 2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
<p>The application area has been broadly mapped as Beard Vegetation Association 18: Low woodland; mulga (<i>Acacia aneura</i>) (GIS Database).</p> <p>Goldfields Landcare Services conducted a flora and vegetation survey of the application area in August and September 2009. Seven vegetation units were identified within the survey area (Goldfield Landcare Services, 2009):</p> <p><b>Drainage Tract Mulga Shrublands (DRMS)</b> Sparse mulga scrub (10 – 30% Projected Foliage Cover (PFC) &gt;2 metres) with <i>Acacia craspedocarpa</i> and <i>Eremophila oldfieldii</i> subsp. <i>angustifolia</i> over mid dense heath (30% - 70% PFC 1 – 2 metres) of <i>Acacia tetragonophylla</i>, <i>Senna</i> spp., <i>Eremophila scoparia</i> and <i>Scaevola spinescens</i> over very sparse open dwarf scrub (2 – 10% PFC &lt;1 metre) of <i>Eremophila glutinosa</i>, <i>Maireana</i> spp., <i>Ptilotus obovatus</i> and <i>Sclerolaena bicornis</i> on orange sandy loam.</p> <p><b>Degraded Drainage Tract Mulga Shrublands (Degraded DRMS)</b> Scattered tall shrubs of <i>Acacia aneura</i> and <i>Acacia craspedocarpa</i> (&lt;2% PFC &gt;2 metres) over scattered shrubs (&lt;2% PFC 1 – 2 metres) of <i>Eremophila scoparia</i> and <i>Senna artemisioides</i> over very sparse open dwarf scrub (2 – 10% PFC &lt;1 metre) of <i>Ptilotus obovatus</i>, <i>Maireana</i> spp., <i>Atriplex</i> spp., <i>Frankenia interioris</i> var. <i>interioris</i> and <i>Sclerolaena</i> spp. on pink sandy soil.</p> <p><b>Frankenia low shrublands (FRAN)</b> Sparse low scrub (10 – 30% PFC 1 – 2 metres) of <i>Cratystylus subspinescens</i> over very sparse open dwarf scrub (2 – 10% PFC &lt;1 metre) of <i>Maireana pyramidata</i>, <i>Maireana glomerata</i>, <i>Atriplex quinii</i> and <i>Frankenia interioris</i> var. <i>interioris</i> on pink sandy loam covered in quartz pebbles and cobbles.</p> <p><b>Granite Hill Mixed Shrublands (GRHS)</b> Mid dense thicket (30 – 70% PFC &gt;2 metres) of <i>Acacia stowardii</i>,</p>	<p>Fish to Burtville haul road.</p> <p>Focus Minerals (Laverton) Pty Ltd proposes to clear up to 23 hectares of native vegetation, within a total boundary of approximately 141 hectares, for the purpose of construction and maintenance of a haul road. The project is located approximately 35 kilometres south-east of Laverton, in the Shire of Laverton.</p>	<p>Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994);</p> <p>To</p> <p>Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).</p>	<p>The vegetation condition rating is derived from information provided by Goldfields Landcare Services (2009). Crescent Gold (2010) reports that the vegetation has been impacted by pastoral activity, the proximity of the application area to the historical Burtville town with its associated human and mining activity, road, borrow pits and old mining operations. Furthermore, fire history has played an important part in shaping the vegetation patterns, particularly on the spinifex dominated sandplains (Crescent Gold, 2010).</p> <p>Clearing permit CPS 3565/1 was granted to Crescent Gold Limited by the Department of Mines and Petroleum on 4 March 2010, and was valid from 3 April 2010 to 31 July 2015. The permit approved the clearing of 23 hectares of native vegetation for the purposes of road construction and maintenance.</p>

*Acacia aneura* var. *major*, *Acacia ramulosa* var. *ramulosa* and *Eremophila oldfieldii* subsp. *angustifolia* over sparse low scrub (10 – 30% PFC 1 – 2 metres) of *Eremophila scoparia*, *Dodonaea rigida*, *Scaevola spinescens* and *Senna* spp. over mid dense low heath (30 – 70% PFC <1 metre) of *Ptilotus obovatus*, *Maireana georgei* and *Senna* spp. on a mix of granite, ironstone and quartz rocks.

#### **Sandplain Mulga – Spinifex Shrublands (SAMU)**

Mid dense mulga thicket (30 – 70% PFC >2 metres) with occasional emergent *Eucalyptus youngii* over mid dense heath (30 – 70% PFC 1 – 2 metres) of *Acacia aneura*, *Acacia craspedocarpa*, *Eremophila latrobei* subsp. *filiformis* and *Eremophila forrestii* subsp. *forrestii* over mid dense hummock grassland of *Triodia basedowii* on orange sand.

#### **Stony Bluebush Mixed Shrublands (SBMS)**

Scattered shrubs (<2% PFC 1 – 2 metres) of *Maireana sedifolia*, *Maireana pyramidata* and *Senna artemisioides* subsp. *x sturtii* with occasional *Eremophila oldfieldii* subsp. *angustifolia* over sparse dwarf scrub (10 – 30 % PFC <1 metre) of *Frankenia interioris* var. *interioris* and *Maireana georgei* on sandy loam covered in quartz rubble.

#### **Stony Ironstone Mulga Shrublands (SIMS)**

Sparse mulga scrub (10 – 30% PFC >2 metres) with *Acacia craspedocarpa* and *Acacia ramulosa* over sparse low scrub (10 – 30% PFC 1 – 2 metres) of *Acacia tetragonophylla*, *Scaevola spinescens*, *Eremophila latrobei* subsp. *latrobei*, *Eremophila margarethae* and *Sida calyxhymenia* over very sparse dwarf scrub (2 – 10% PFC <1 metre) of *Eremophila forrestii* subsp. *forrestii*, *Ptilotus obovatus* and *Maireana georgei* on orange loam covered with ironstone pebbles and quartz pebbles and cobbles.

On 15 April 2014, Focus Minerals (Laverton) Pty Ltd applied to amend CPS 3565/1 to change the annual reporting date from 31 July to 30 September each year, and to change the name of the permit holder from Crescent Gold Limited to Focus Minerals (Laverton) Pty Ltd, due to a change of company name.

### **3. Assessment of application against clearing principles**

#### **Comments**

The amendment to change the name of the permit holder will not change the environmental impacts of the proposed clearing. The size of the area approved to clear (23 hectares) and the permit boundaries remain unchanged.

The assessment against the clearing principles remains consistent with the assessment in decision report CPS 3565/1.

### **Planning instrument, Native Title, Previous EPA decision or other matter.**

#### **Comments**

There is one Native Title claim (WC99/001) over the area under application (GIS Database). This claim has been registered with the 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*.

According to available databases there are no 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, the Department of Water, and the Department of Parks and Wildlife, to determine whether a Works Approval, Water Licence, Bed and Banks Permit, or any other licences or approvals are required for the proposed works.

#### **Methodology**

GIS Database:  
- Aboriginal Sites of Significance  
- Native Title Claims - Determined by the Federal Court  
- Native Title Claims - Filed at the Federal Court  
- Native Title Claims - Registered with the NNTT

## 4. References

- Crescent Gold (2010) Clearing Permit Application Supporting Documentation, January 2010.
- Goldfields Landcare Services (2009) Flora and Vegetation Survey of Portion of Proposed Fish Haul Road (L38/0164). Unpublished Report. Goldfields Landcare Services, Laverton, Western Australia.
- 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:

<b>BoM</b>	Bureau of Meteorology, Australian Government
<b>DAA</b>	Department of Aboriginal Affairs, Western Australia
<b>DAFWA</b>	Department of Agriculture and Food, Western Australia
<b>DEC</b>	Department of Environment and Conservation, Western Australia (now DPaW and DER)
<b>DER</b>	Department of Environment Regulation, Western Australia
<b>DMP</b>	Department of Mines and Petroleum, Western Australia
<b>DRF</b>	Declared Rare Flora
<b>DotE</b>	Department of the Environment, Australian Government
<b>DoW</b>	Department of Water, Western Australia
<b>DPaW</b>	Department of Parks and Wildlife, Western Australia
<b>DSEWPaC</b>	Department of Sustainability, Environment, Water, Population and Communities (now DotE)
<b>EPA</b>	Environmental Protection Authority, Western Australia
<b>EP Act</b>	<i>Environmental Protection Act 1986</i> , Western Australia
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Federal Act)
<b>GIS</b>	Geographical Information System
<b>ha</b>	Hectare (10,000 square metres)
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>IUCN</b>	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
<b>PEC</b>	Priority Ecological Community, Western Australia
<b>RIWI Act</b>	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
<b>s.17</b>	Section 17 of the <i>Environment Protection Act 1986</i> , Western Australia
<b>TEC</b>	Threatened Ecological Community

### Definitions:

{DPaW (2013) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

<b>T</b>	<b>Threatened species:</b> Specially protected under the <i>Wildlife Conservation Act 1950</i> , 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 the Department according to their level of threat using IUCN Red List criteria. For example Carnaby's Cockatoo <i>Calyptorhynchus latirostris</i> is specially protected under the <i>Wildlife Conservation Act 1950</i> as a threatened species with a ranking of Endangered.  <u>Rankings:</u> 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.
<b>X</b>	<b>Presumed Extinct species:</b> Specially protected under the <i>Wildlife Conservation Act 1950</i> , 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).
<b>IA</b>	<b>Migratory birds protected under an international agreement:</b> Specially protected under the <i>Wildlife Conservation Act 1950</i> , 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.
<b>S</b>	<b>Other specially protected fauna:</b> Specially protected under the <i>Wildlife Conservation Act 1950</i> , listed under Schedule 4 of the Wildlife

- 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.