



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4369/3
Permit type: Purpose Permit

1.2. Proponent details

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

1.3. Property details

Property: Mining Lease 38/40
Mining Lease 38/48
Mining Lease 38/101
Mining Lease 38/143
Mining Lease 38/342
Mining Lease 38/535
Mining Lease 38/693
Miscellaneous Licence 38/92
Local Government Area: Shire of Laverton
Colloquial name: Apollo Gold Mine

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
300		Mechanical Removal	Mineral Production

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 Beard vegetation associations have been mapped for the whole of Western Australia and are useful to look at vegetation in a regional context. One Beard vegetation association has been mapped within the application area (GIS Database):

Beard vegetation association 18: Low woodland; mulga (*Acacia aneura*).

Onshore Environmental Consultants Pty Ltd (Brearley, 2001) conducted a flora survey of the application area and surrounding areas on 18 to 23 April 2001, and described the vegetation communities of the application area as follows:

1. Chenopod Shrublands

1A. *Frankenia* and Chenopod Dwarf Scrub (D) in Drainage Foci;

2. Acacia Shrublands

2A. *Acacia aneura* and *A. quadrimarginea* Open Scrub on Banded Iron (BIF) Ridge Tops;

2B. *Acacia aneura* and *A. quadrimarginea* and *A. ramulosa* Open Scrub on Scree Slopes below Banded Iron (BIF) Ridges;

2C. Mixed *Acacia* spp. Open Scrub over Greenstone Hills;

3. Eremophila Shrublands

3A. *Eremophila margarethae* Dwarf Scrub (C) over *Eragrostis eriopoda* Low Grass on Sand;

3B. *Eremophila margarethae* Dwarf Scrub (C) over Mixed Chenopod Dwarf Scrub (D) on Sand;

3C. *Eremophila forrestii* Low Scrub B over *Eragrostis eriopoda* and *Monachather paradoxus* Low Grass (B) on Deep Sandy Banks;

3D. *Eragrostis eriopoda* and *Monachather paradoxus* Low Grass (B) on Deep Sandy Banks;

4. Acacia Woodlands

4A. Mixed *Acacia* spp. Open Low Woodland (B) on Stony Plains;

4B. Open Mulga Low Woodland (A) on Stony Ironstone Plains;

4C. Mixed *Acacia* spp. Open Low Woodland (B) over *Eremophila fraseri* Low Scrub (B);

4D. Mulga Open Low Woodland (A) over *Ptilotus obovatus* Dwarf Scrub (C);

5. Casuarina Woodlands

5A. *Casuarina pauper* Low Woodland (A) along Minor Drainage Lines;

6. Acacia Forest

6A. Mulga Low Forest (A) along Major Drainage Lines;

7. Mosaic of Communities

Breakaway Landform Units

7A. Summit Flats: Mulga Low Woodland B over *Olearia humilis* Open Dwarf Scrub (C);

7B. Scree Slopes: *Eucalyptus celastroides* Low Woodland (B);

7C. Colluvial Base: Dwarf Scrub (C); and

7D. Drainage Channels: Low Forest (A).

Clearing Description

Apollo Gold Mine.

Focus Minerals (Laverton) Pty Ltd proposes to clear up to 300 hectares of native vegetation, within a total boundary of approximately 2,170 hectares, for the Apollo Gold Mine, Emerald Gold Mine and Aurora Gold Mine projects. The application area is located in the East Murchison subregion of Western Australia and is situated approximately 4 kilometres east of the Laverton town site (GIS Database).

Vegetation Condition

Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994);

To:

Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

Comment

The clearing of vegetation is required for the development of open pits, and associated waste dumps, run of mine (ROM) pads, haul roads, a dewatering pipeline and other associated infrastructure for mineral production.

The vegetation will be cleared using a rubber wheeled tractor. The vegetation and topsoil will be stockpiled separately for use in rehabilitation.

The vegetation condition was derived from a vegetation survey conducted by Onshore Environmental Consultants Pty Ltd (Brearley, 2001).

Clearing permit CPS 4369/1 was granted on 14 July 2011, and was valid from 6 August 2011 to 6 August 2016. The clearing permit authorised the clearing of 180 hectares of native vegetation. An application for an amendment to clearing permit CPS 4369/1 was submitted by Crescent Gold Limited on 20 February 2012. The proponent requested an increase in the amount of clearing authorised from 180 hectares to 300 hectares. Amendment CPS 4369/2 was granted on 17 May 2012. An application for an amendment was submitted to the DMP on 15 April 2014 to change the reporting date and change the name of the permit holder from 'Crescent Gold Limited' to 'Focus Minerals (Laverton) Pty Ltd' due to a company name change.

3. Assessment of application against clearing principles

Comments

Focus Minerals (Laverton) Pty Ltd has applied to change the permit holder from Crescent Gold Limited to Focus Minerals (Laverton) Pty Ltd. The amount of clearing authorised and the clearing permit boundary will remain unchanged. There are no additional environmental impacts associated with this amendment. Therefore, the assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 4369/2.

Methodology

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

Comments

There are no native title claims over the area under application. This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. However, the tenement 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 Site 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 Sites of Aboriginal 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.

Methodology

GIS Database

- Aboriginal Sites of Significance

- Native Title Claims – Registered with the NNTT

4. References

- Brearley, D. (2001) Flora and Vegetation of the Chatterbox Prospect and Haul Road, Prepared for Placer (Granny Smith) by Onshore Environmental Consultants Pty Ltd, May 2001.
- 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
CALM	Department of Conservation and Land Management (now DEC), Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia
DEH	Department of Environment and Heritage (federal based in Canberra) previously Environment Australia
DEP	Department of Environment Protection (now DEC), Western Australia
DIA	Department of Indigenous Affairs
DLI	Department of Land Information, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DoE	Department of Environment (now DEC), Western Australia
DoIR	Department of Industry and Resources (now DMP), Western Australia
DOLA	Department of Land Administration, Western Australia
DoW	Department of Water
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
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:

{Atkins, K (2005). *Declared rare and priority flora list for Western Australia, 22 February 2005*. Department of Conservation and Land Management, Como, Western Australia} :-

- P1** **Priority One - Poorly Known taxa:** taxa which are known from one or a few (generally <5) populations which are under threat, either due to small population size, or being on lands under immediate threat, e.g. road verges, urban areas, farmland, active mineral leases, etc., or the plants are under threat, e.g. from disease, grazing by feral animals, etc. May include taxa with threatened populations on protected lands. Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
- P2** **Priority Two - Poorly Known taxa:** taxa which are known from one or a few (generally <5) populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
- P3** **Priority Three - Poorly Known taxa:** taxa which are known from several populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in need of further survey.
- P4** **Priority Four – Rare taxa:** taxa which are considered to have been adequately surveyed and which, whilst being rare (in Australia), are not currently threatened by any identifiable factors. These taxa require monitoring every 5–10 years.
- R** **Declared Rare Flora – Extant taxa (= Threatened Flora = Endangered + Vulnerable):** taxa which have been adequately searched for, and are deemed to be in the wild either rare, in danger of extinction, or otherwise in need of special protection, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.
- X** **Declared Rare Flora - Presumed Extinct taxa:** taxa which have not been collected, or otherwise verified, over the past 50 years despite thorough searching, or of which all known wild populations have been destroyed more recently, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.

{Wildlife Conservation (Specially Protected Fauna) Notice 2005} [Wildlife Conservation Act 1950] :-

- Schedule 1** **Schedule 1 – Fauna that is rare or likely to become extinct:** being fauna that is rare or likely to become extinct, are declared to be fauna that is need of special protection.
- Schedule 2** **Schedule 2 – Fauna that is presumed to be extinct:** being fauna that is presumed to be extinct, are

declared to be fauna that is need of special protection.

- Schedule 3** **Schedule 3 – Birds protected under an international agreement:** being birds that are subject to an agreement between the governments of Australia and Japan relating to the protection of migratory birds and birds in danger of extinction, are declared to be fauna that is need of special protection.
- Schedule 4** **Schedule 4 – Other specially protected fauna:** being fauna that is declared to be fauna that is in need of special protection, otherwise than for the reasons mentioned in Schedules 1, 2 or 3.

{CALM (2005). *Priority Codes for Fauna*. Department of Conservation and Land Management, Como, Western Australia} :-

- P1** **Priority One: Taxa with few, poorly known populations on threatened lands:** Taxa which are known from few specimens or sight records from one or a few localities on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, active mineral leases. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P2** **Priority Two: Taxa with few, poorly known populations on conservation lands:** Taxa which are known from few specimens or sight records from one or a few localities on lands not under immediate threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, vacant Crown land, water reserves, etc. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P3** **Priority Three: Taxa with several, poorly known populations, some on conservation lands:** Taxa which are known from few specimens or sight records from several localities, some of which are on lands not under immediate threat of habitat destruction or degradation. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P4** **Priority Four: Taxa in need of monitoring:** Taxa which are considered to have been adequately surveyed, or for which sufficient knowledge is available, and which are considered not currently threatened or in need of special protection, but could be if present circumstances change. These taxa are usually represented on conservation lands.
- P5** **Priority Five: Taxa in need of monitoring:** Taxa which are not considered threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five years.

Categories of threatened species (*Environment Protection and Biodiversity Conservation Act 1999*)

- EX** **Extinct:** A native species for which there is no reasonable doubt that the last member of the species has died.
- EX(W)** **Extinct in the wild:** A native species which:
(a) is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; or
(b) has not been recorded in its known and/or expected habitat, at appropriate seasons, anywhere in its past range, despite exhaustive surveys over a time frame appropriate to its life cycle and form.
- CR** **Critically Endangered:** A native species which is facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with the prescribed criteria.
- EN** **Endangered:** A native species which:
(a) is not critically endangered; and
(b) is facing a very high risk of extinction in the wild in the near future, as determined in accordance with the prescribed criteria.
- VU** **Vulnerable:** A native species which:
(a) is not critically endangered or endangered; and
(b) is facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with the prescribed criteria.
- CD** **Conservation Dependent:** A native species which is the focus of a specific conservation program, the cessation of which would result in the species becoming vulnerable, endangered or critically endangered within a period of 5 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.