Government of **Western Australia**
Department of **Mines and Petroleum**

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 6468/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: **Imerys Talc Australia Pty Ltd**

1.3. Property details

Property: Mining Lease 70/243
Local Government Area: Shire of Three Springs
Colloquial name: Three Springs Talc Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
4.69		Mechanical Removal	Stockpile Extension

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 26 March 2015

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 (Government of Western Australia, 2013; GIS Database):

- 352: Medium woodland; York gum

A flora survey has not been conducted over the application area. Botanical consultant Jennifer Borger (Borger) conducted a flora survey over other areas of the Three Springs Talc Project in 2008. Borger (2008) generally described the vegetation as regrowth on cleared agricultural land. The vegetation is primarily annual grasses and broad leaf weeds, with some *Eucalyptus loxophleba* and *Maireana brevifolia* (Borger, 2008).

Photos of the application area provided by the proponent shows that the area is dominated by weed species with very little native vegetation cover (Imerys, 2015).

Clearing Description

Three Springs Talc Project.
Imerys Talc Australia Pty Ltd (Imerys) proposes to clear 4.69 hectares of native vegetation for the purpose of extending a stockpile area. The project is located approximately 10 kilometres east north-east of Three Springs, in the Shire of Three Springs.

Vegetation Condition

Completely degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

Comment

The vegetation condition was assessed by Borger (2008) and the assessing officer by way of photographs of the application area provided by the proponent (Imerys, 2015).

The purpose of the clearing is to extend the existing stockpile area by approximately 100 metres.

3. Assessment of application against clearing principles

Comments

The application area is located within the Merredin subregion of the Avon Wheatbelt Interim Biogeographic Regionalisation for Australia (IBRA) bioregion (GIS Database). A flora survey has not been undertaken over the application area however one has been undertaken over other parts of the Three Springs Talc Project by Borger (2008). These areas were found to be previously cleared agricultural land with sparse regrowth of native vegetation amongst pastoral weeds (Borger, 2008). Photos of the application area provided by the proponent (Imerys, 2015) confirm that the area proposed to be cleared contains very little native vegetation.

Beard vegetation association 352: medium woodland; York gum occurs within the application area (GIS

Database). Approximately 17% of this vegetation association remains in the State (Government of Western Australia, 2013). Although this is below the "threshold level" recommended by the Environmental Protection Authority for retaining biodiversity (EPA, 2000), it should be noted that the application area has been cleared to establish farmland and mainly consists of non-native pasture species and some minor native regrowth (Imerys, 2015). The area applied to be cleared does not represent a significant remnant of native vegetation.

According to available databases, there are no known records of Threatened or Priority flora within or in close proximity to the application area (GIS Database). The flora survey of the adjacent areas conducted by Borger (2008) did not record any Threatened or Priority flora species. Given the highly degraded nature of the vegetation within the application area, it is considered unlikely that any conservation significant flora species are present.

No Threatened or Priority Ecological Communities were recorded within the application area (GIS Database).

A fauna survey has not been undertaken over the application area. Rio Tinto Pty Ltd undertook an inspection of the Three Springs Talc Project in 2008 and found no significant fauna habitats (Rio Tinto Pty Ltd, 2008). Photos of the application area provided by the proponent (Imerys, 2015) shows that the area is relatively denuded of native vegetation and is not likely to provide significant fauna habitat.

There are no watercourses or wetland areas within the application area (GIS Database). The small scale clearing of predominantly pasture species is not likely to impact the quality of surface or groundwater water, nor likely to cause or exacerbate the incidence or intensity of flooding. The area is relatively flat (GIS Database) and the risk of land degradation is considered to be minimal.

Methodology

Borger (2008)
EPA (2000)
Government of Western Australia (2013)
Imerys (2015)
Rio Tinto Pty Ltd (2008)
GIS Database:
- DEC Tenure
- IBRA WA (Regions – Sub Regions)
- Hygrography, Linear
- Pre-European Vegetation
- Threatened and Priority Flora
- Threatened Ecological Communities
- Threatened Fauna
- Topographic Contours, Statewide

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

Comments

There are two native title claims (WC1997/072 and WC2004/002) over the application area (GIS Database). These claims have been registered with the National 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 (ie. 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 occurring over 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.

The clearing permit application was advertised on 23 February 2015 by the Department of Mines and Petroleum inviting submissions from the public. There were no submissions received.

Methodology

GIS Database:
- Aboriginal Sites of Significance
- Native Title Claims - Registerd with the NNTT

4. References

Borger (2008) Beneficiation Plant Project Vegetation Survey for Luzenac Australia Pty Ltd, Three Springs Talc Operation, Western Australia.

EPA (2000) Environmental protection of native vegetation in Western Australia. Clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2. December 2000. Environmental Protection Authority, Western Australia.

Government of Western Australia (2013) 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full

Report). Current as of October 2012. WA Department of Environment and Conservation, Perth.
Imerys (2015) Supporting information for clearing permit application CPS 6468/1. Unpublished Report.
Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
Rio Tinto Pty Ltd (2008) Supporting information for clearing permit application CPS 2554/1. Unpublished Report.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DPaW and DER)
DER	Department of Environment Regulation, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DRF	Declared Rare Flora
DotE	Department of the Environment, Australian Government
DoW	Department of Water, Western Australia
DPaW	Department of Parks and Wildlife, Western Australia
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DotE)
EPA	Environmental Protection Authority, Western Australia
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
PEC	Priority Ecological Community, Western Australia
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:

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

T — **Threatened species:**
Specially protected under the *Wildlife Conservation Act 1950,* 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 DPaW according to their level of threat using IUCN Red List criteria. For example Carnaby's Cockatoo *Calyptorynchus latirostris* is specially protected under the *Wildlife Conservation Act 1950* as a threatened species with a ranking of Endangered.

Rankings:
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.

X — **Presumed Extinct species:**
Specially protected under the *Wildlife Conservation Act 1950,* 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).

IA — **Migratory birds protected under an international agreement:**
Specially protected under the *Wildlife Conservation Act 1950,* 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.

S — **Other specially protected fauna:**
Specially protected under the *Wildlife Conservation Act 1950,* listed under Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice.

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.

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.