



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 6630/2

Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: MacPhersons Resources Limited

### 1.3. Property details

Mining Lease 25/355

Mining Lease 26/490

Miscellaneous Licence 25/35

Miscellaneous Licence 25/36

Local Government Area:

City of Kalgoorlie-Boulder

Colloquial name:

Boorara Prospect

### 1.4. Application

Clearing Area (ha)

No. Trees

Method of Clearing

For the purpose of:

70

Mechanical Removal

Mining Infrastructure

### 1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 28 May 2020

## 2. Site Information

### 2.1. Existing environment and information

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

##### Vegetation Description

The vegetation of the application area is broadly mapped as the following Beard vegetation associations:  
468: Medium woodland; salmon gum & goldfields blackbutt; and  
1241: Succulent steppe; bluebush (GIS Database).

The application area and surrounds was surveyed by Mattiske Consulting Pty Ltd (Mattiske) in November 2012 and in April and September 2014. The following vegetation types were identified within the application area (Mattiske, 2012; 2014):

##### Eucalypt Woodlands

E1: Very Open Woodland of *Eucalyptus ravida*, *Eucalyptus stricklandii*, *Eucalyptus transcontinentalis* and *Eucalyptus salmonophloia* over mixed *Eremophila* species over *Atriplex nummularia* and mixed shrubs on flats with red/brown clay soils and scattered quartz pebbles.

E2: Dense Low Forest of *Eucalyptus ravida* and *Eucalyptus celastroides* over *Eremophila interstans* subsp. *virgata* and mixed *Eremophila* species, *Exocarpos aphyllus* and occasional mixed shrubs on flats with red/brown clay soils.

E3: Open Woodland of *Eucalyptus stricklandii* with occasional *Eucalyptus ravida* and *Eucalyptus salmonophloia* over *Casuarina pauper* over *Eremophila interstans* subsp. *virgata* and *Exocarpos aphyllus* over *Atriplex nummularia*, *Atriplex vesicaria* and mixed shrubs on flats with rocky red/brown clay soils.

E4: Open Woodland of *Eucalyptus salmonophloia* with occasional *Eucalyptus transcontinentalis* and *Eucalyptus celastroides* subsp. *celastroides* over *Atriplex nummularia*, *Exocarpos aphyllus* and *Eremophila interstans* and mixed shrubs on flats with red/brown clay soils.

E5: Open Low Woodland of *Eucalyptus stricklandii*, *Casuarina pauper* and occasional *Eucalyptus griffithsii* over *Santalum spicatum* and *Acacia burkittii* over *Dodonaea lobulata*, mixed *Eremophila* species and other mixed shrubs over occasional *Triodia scariosa* on flats with red/brown clay soils with scattered ironstone and quartz pebbles.

E6: Open Woodland of *Eucalyptus salmonophloia*, *Eucalyptus celastroides*, *Eucalyptus ?yilgarnensis*, *Eucalyptus ravida*, and *Eucalyptus stricklandii* over *Eremophila interstans*, mixed *Atriplex* species, *Exocarpos aphyllus*, and mixed shrubs and Chenopods on flats with red/brown clay soils with scattered ironstone pebbles.

E7: Open Woodland of *Eucalyptus griffithsii* and *Eucalyptus lesouefii* over *Acacia burkittii*, mixed *Eremophila* species, *Dodonaea lobulata* and *Atriplex nummularia* over mixed shrubs with red/brown clay soils.

E8: Open Woodland of *Eucalyptus ravida*, *Eucalyptus stricklandii*, *Eucalyptus transcontinentalis* and *Eucalyptus celastroides* subsp. *celastroides* over *Atriplex nummularia* and mixed shrubs on flats with red/brown clay soils.

E9: Open Woodland of *Eucalyptus griffithsii* over mixed *Acacia* and *Eremophila* species over mixed shrubs on flats with red/brown clay soils.

E10: Thicket of *Eucalyptus griffithsii* over *Acacia* and *Eremophila* species and mixed shrubs on red/brown clay soils with calcrete pebbles.

E11: Low woodland of *Eucalyptus ravida*, *Melaleuca sheathiana* and occasional *Eucalyptus lesouefii* over *Eremophila* and mixed shrubs on flats with red/brown clay soils and scattered ironstone pebbles.

E12: Closed woodland of *Eucalyptus lesouefii* over mixed *Eremophila* species and *Atriplex nummularia* over mixed shrubs on lower-slopes with red/brown soils.

E13: Closed woodland of *Eucalyptus ravida* over mixed *Eremophila* species and mixed shrubs on flats with red/brown clay soils.

E14: Open woodland of *Eucalyptus ?lesouefii*, *Eucalyptus griffithsii* and *Casuarina pauper* over *Melaleuca sheathiana*, *Santalum spicatum* and mixed *Eremophila* species over *Atriplex nummularia* and mixed shrubs on flats with red/brown clay soils.

#### **Mixed Shrublands and Scrubs**

A2: Open Shrubland of *Acacia burkittii* and *Acacia tetragonophylla* with occasional *Santalum spicatum* and *Casuarina pauper* over sparse mixed shrubs on upper slopes with gravel soils and numerous lateritic outcrops.

A3: Open Shrubland of *Acacia burkittii* over Chenopod and mixed shrubs on flats with red/brown clay soils.

A4: Open Shrubland of *Acacia ?sibirica* and *Acacia tetragonophylla* over mixed *Eremophila* species over mixed shrubs on flats with red/brown clay soils.

C1: Open Chenopod Shrubland of *Atriplex nummularia*, *Atriplex vesicaria* and *Senna artemisioides* subsp. *filifolia* and *Eremophila scoparia* over *Scaevola spinescens* and mixed *Maireana* species on seasonally inundated drainage lines with red/brown clay soils.

C2: Open Low Chenopod Shrubland of *Cratystylis subspinescens*, *Maireana ?pyramidata*, *Maireana sedifolia*, *Maireana triptera*, *Atriplex nummularia*, *Eremophila scoparia* and *Senna artemisioides* subsp. *filifolia* on flats with red/brown clay loam soils.

<b>Clearing Description</b>	<p>Boorara Prospect</p> <p>MacPhersons Resources Limited proposes to clear 70 hectares of native vegetation within a total boundary of approximately 402 hectares for the purpose of mining infrastructure. The project is located approximately 15 kilometres east of Kalgoorlie, in the City of Kalgoorlie-Boulder.</p>
<b>Vegetation Condition</b>	<p>Pristine: No obvious signs of disturbance (Keighery, 1994).</p> <p>To</p> <p>Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).</p>
<b>Comment</b>	<p>The vegetation condition was derived from vegetation surveys conducted by Mattiske (2012; 2014).</p> <p>The proposed clearing is for mining infrastructure, such as access roads, laydown areas, pipeline corridors, waste rock dump and heap leach pad.</p> <p>Clearing permit CPS 6630/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 13 August 2015 and was valid from 5 September 2015 to 5 September 2020. The permit authorised the clearing of up to 70 hectares of native vegetation within a boundary of approximately 402 hectares, for the purpose of mining infrastructure.</p> <p>On 20 April 2020, MacPhersons Resources Ltd applied to amend CPS 6630/1 to extend the permit duration by five years.</p>

### **3. Assessment of application against Clearing Principles**

<b>Comments</b>	<p>The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the <i>Environmental Protection Act 1986</i>. Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision report CPS 6630/1.</p>
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## Planning Instrument, Native Title, previous EPA decision or other matter.

### Comments

There are two native title claims (WC2017/001; WC2017/007) over the area under application (DPLH, 2020). These claims have been registered with the National Native Title Tribunal on behalf of the claimant groups. 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*.

There are no registered Aboriginal Sites of Significance within the application area (DPLH, 2020). 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 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.

The amendment application was advertised on 11 May 2020 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

**Methodology** DPLH (2020)

## 4. References

- DPLH (2020) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage.  
<http://maps.daa.wa.gov.au/AHIS/> (Accessed 1 May 2020).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske (2012) Flora and Vegetation Survey – Proposed Borefield Corridor. Report prepared for MacPhersons Resources, by Mattiske Consulting Pty Ltd, December 2012.
- Mattiske (2014) Flora and Vegetation Values on the Boorara Project Area including Desktop Fauna Assessment. Report prepared for MacPhersons Resources, by Mattiske Consulting Pty Ltd, November 2014.

## 5. Glossary

### Acronyms:

<b>BoM</b>	Bureau of Meteorology, Australian Government
<b>DAA</b>	Department of Aboriginal Affairs, Western Australia (now DPLH)
<b>DAFWA</b>	Department of Agriculture and Food, Western Australia (now DPIRD)
<b>DBCA</b>	Department of Biodiversity, Conservation and Attractions, Western Australia
<b>DEC</b>	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
<b>DoEE</b>	Department of the Environment and Energy, Australian Government
<b>DER</b>	Department of Environment Regulation, Western Australia (now DWER)
<b>DMIRS</b>	Department of Mines, Industry Regulation and Safety, Western Australia
<b>DMP</b>	Department of Mines and Petroleum, Western Australia (now DMIRS)
<b>DPIRD</b>	Department of Primary Industries and Regional Development, Western Australia
<b>DPLH</b>	Department of Planning, Lands and Heritage, Western Australia
<b>DRF</b>	Declared Rare Flora
<b>DoE</b>	Department of the Environment, Australian Government (now DoEE)
<b>DoW</b>	Department of Water, Western Australia (now DWER)
<b>DPaW</b>	Department of Parks and Wildlife, Western Australia (now DBCA)
<b>DSEWPaC</b>	Department of Sustainability, Environment, Water, Population and Communities (now DoEE)
<b>DWER</b>	Department of Water and Environmental Regulation, Western Australia
<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>TEC</b>	Threatened Ecological Community

## **Definitions:**

{DBC (2019) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia}:-

### **T            Threatened species:**

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 that subset of 'Specially Protected Fauna' listed under schedules 1 to 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for Threatened Fauna.

**Threatened flora** is that subset of 'Rare Flora' listed under schedules 1 to 3 of the *Wildlife Conservation (Rare Flora) Notice 2018* for Threatened Flora.

The assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below.

### **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. Published under schedule 1 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for critically endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for critically endangered flora.

### **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. Published under schedule 2 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for endangered flora.

### **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. Published under schedule 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for vulnerable fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for vulnerable flora.

## **Extinct Species:**

### **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).

Published as presumed extinct under schedule 4 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for extinct fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for extinct flora.

### **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. If listing of a species as extinct in the wild occurs, then a schedule will be added to the applicable notice.

## **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).  
Includes birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and 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.  
Published as migratory birds protected under an international agreement under schedule 5 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.
- CD Species of special conservation interest (conservation dependent fauna)**  
Fauna of special conservation need being species 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).  
Published as conservation dependent fauna under schedule 6 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.
- OS Other specially protected species**  
Fauna 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).  
Published as other specially protected fauna under schedule 7 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.
- P Priority species:**  
Possibly threatened species that do not meet survey criteria, 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 priority for survey and evaluation of conservation status so that consideration can be given to their declaration as threatened fauna or flora.  
Species that are adequately known, are rare but not threatened, or meet criteria for near threatened, or that have been recently removed from the threatened species or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species require regular monitoring.  
Assessment of Priority codes 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**  
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, e.g. 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 and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey.
- P2 Priority Two - Poorly-known species**  
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, e.g. 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 and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.
- P3 Priority Three - Poorly-known species**  
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. Such species are in need of 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 Conservation Dependent.

(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.

**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.