



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 7740/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Coventry Enterprises Pty Ltd

### 1.3. Property details

Property: Exploration Licence 59/2177  
Local Government Area: Shire of Dalwallinu  
Colloquial name: Mineral Exploration Project

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 16 November 2017

## 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 association:

437: Shrublands; mixed acacia thicket on sandplain (GIS Database).

A flora and vegetation survey was conducted over the application area by botanical consultant Jennifer Borger during September 2015. The following vegetation associations were recorded within the application area (Borger, 2015):

1. Salmon gum (*Eucalyptus salmonophloia*) woodland to open woodland;
2. York gum (*E. loxophleba* subsp. *supralaevis*) low open woodland to low woodland;
3. *Acacia acuminata* tall shrubland; and,
4. *Melaleuca hamata*, *Acacia anthochaera*, *A. sibina* and *Eucalyptus kochii* shrubland.

**Clearing Description** Mineral Exploration Project  
Coventry Enterprises Pty Ltd proposes to clear up to 0.93 hectares of native vegetation within a boundary of approximately 0.93 hectares, for the purpose of mineral exploration. The project is located approximately 50 kilometres north-east of Dalwallinu, within the Shire of Dalwallinu.

**Vegetation Condition** Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).

**Comment** The vegetation condition was derived from a vegetation survey conducted by Jennifer Borger (2015).

The proposed clearing is for mineral exploration, which will consist of constructing access tracks and drill pads.

## 3. Assessment of application against Clearing Principles

### Comments

Coventry Enterprises Pty Ltd (Coventry) has applied to clear 0.93 hectares of native vegetation for the purpose of clearing access tracks and drill pads for their exploration programme on Exploration Licence 59/2177.

A vegetation and flora survey has been undertaken over the application area, which recorded a total of 72 flora

taxa, mostly represented by the Fabaceae, Asteraceae, Chenopodiaceae and Myrtaceae families (Borger, 2015). Borger (2015) notes that the area has a moderate level of diversity, however there have been some impacts from historical timber removal and fires. Given the linear shape of the application area, the proposed clearing is not likely to impact on any restricted or isolated vegetation communities, as the vegetation within the application area is continuous with the surrounding area (GIS Database). No weeds were recorded in the application area (Borger, 2015). Impacts to biodiversity may be minimised through the implementation of a weed management condition.

According to NatureMap (DPaW, 2017), 20 conservation significant flora species occur within 20 kilometres of the application area, consisting of one Threatened species and 14 Priority species. Of these, Borger (2015) determined that eight Priority flora species that prefer sandplain type habitat may occur within the application area. The field component of the flora survey did not record any individuals of Threatened or Priority flora within or adjacent to the application area.

The application area intersects with *Eucalyptus salmonophloia* (Salmon gum) and *Eucalyptus loxophleba* subsp. *supraevis* (York Gum) woodlands, which are considered indicator species for the Eucalypt Woodlands of the Western Australian (WA) Wheatbelt Threatened Ecological Community (TEC) (Threatened Species Scientific Committee, 2015). Advice was sought from the Department of Biodiversity, Conservation and Attractions (DBCA, 2017), who advised that Vegetation Unit 1 corresponds with the TEC; Vegetation Unit 2 may correspond; and Vegetation Units 3 and 4 are unlikely to correspond to the TEC, except where Salmon Gum occurs with York Gum in those areas. Although this TEC has been highly fragmented by historical clearing across the WA Wheatbelt, DBCA (2017) advise that remnants of the TEC are more intact in the vicinity of the application area. Given the total area of clearing will be 0.93 hectares and the linear nature of the clearing, DBCA (2017) considers that the impact of the proposed clearing on the TEC is likely to be minimal. The proponent has advised that the alignment of the proposed exploration track will avoid trees and large shrubs where possible (Borger, 2015).

The application area is comprised of Eucalypt woodlands on sandplains with some shallow granite outcrops (Borger, 2015). This fauna habitat type is well represented in the local area.

The following conservation significant fauna species have been recorded within 20 kilometres of the application area and may use vegetation within the application area for habitat (DPaW, 2017):

- Curlew Sandpiper (*Calidris ferruginea* – Vulnerable, Specially Protected Fauna);
- Shield-backed Trapdoor Spider (*Idiosoma nigrum* – Vulnerable);
- Malleefowl (*Leipoa ocellata* - Vulnerable);
- Common Sandpiper (*Actitis hypoleucos* - Specially Protected Fauna);
- Red-necked Stint (*Calidris ruficollis* - Specially Protected Fauna);
- Gull-billed Tern (*Gelochelidon nilotica* - Specially Protected Fauna);
- Rainbow Bee-eater (*Merops ornatus* - Specially Protected Fauna); and
- Hooded Plover (*Thinornis rubricollis* – Priority 4).

The Curlew sandpiper, Common sandpiper, Red-necked stint, Gull-billed turn, Rainbow bee-eater and Hooded plover are highly mobile species and can access habitat outside of the application area.

Vegetation within the application area is considered suitable habitat for the Shield-backed trapdoor spider (Avon Catchment Council, 2007). Given, the low level of clearing and extent of similar vegetation outside of the application area (Borger, 2015), the proposed clearing is not likely to significantly impact on this species.

The application area may be suitable for Malleefowl however Borger (2015) did not record any active or historical Malleefowl mounds in or around the application area.

There are no watercourses within the application area and the vegetation recorded is not associated with any watercourses or wetlands (Borger, 2015; GIS Database).

According to Borger (2015) the soils of the application area are predominantly clay loams on a gently undulating plain. There are areas of shallow granite outcropping where water runoff is minimal. Given the relatively small amount of clearing and the low risk of erosion, the proposed clearing is not likely to cause any appreciable land degradation.

The relatively small amount of clearing is not likely to cause a deterioration in the quality of surface or groundwater or increase the incidence or intensity of flooding (GIS Database).

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*, and the proposed clearing may be at variance to Principle (d), is not likely to be at variance to Principles (a), (b), (c), (g), (h), (i), and (j), and is not at variance to Principles (e) and (f).

**Methodology** Avon Catchment Council (2007)  
Borger (2015)  
DBCA (2017)  
DPaW (2017)  
Threatened Species Scientific Committee (2015)

GIS Database:

- DPaW Tenure
- Hydrography, Lakes
- Hydrography, Linear
- IBRA Australia
- Imagery
- Pre-European Vegetation
- Public Drinking Water Source Areas
- Soils, Statewide
- Threatened and Priority Flora
- Threatened and Priority Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffered
- Threatened Fauna

#### **Planning Instrument, Native Title, previous EPA decision or other matter.**

##### **Comments**

There is one native title claim (WC1997/072) over the area under application (DPLH, 2017). This claim has 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 (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 (DPLH, 2017). 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 September 2017 by the Department of Mines, Industry Regulation and Safety (DMIRS), inviting submissions from the public. One submission was received raising no objections.

**Methodology** DPLH (2017)

#### **4. References**

- Avon Catchment Council (2007) Shield-backed Trapdoor Spider (*Idiosoma nigrum*) Conservation Plan 2008-2013. Avon Catchment Council, Western Australia.
- Borger (2015) Vegetation and Flora Survey of Proposed Drill Locations and Access Track. Report prepared for Coventry Enterprises Pty Ltd, by Jennifer Borger, September 2015.
- DBCA (2017) Advice received in relation to Clearing Permit Application CPS 7740/1. Species and Communities Branch, Department of Biodiversity, Conservation and Attractions, Western Australia, November 2017.
- DPaW (2017) NatureMap. Department of Parks and Wildlife (now Department of Biodiversity Conservation and Attractions). <http://naturemap.dpaw.wa.gov.au> (Accessed November 2017).
- DPLH (2017) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage. <http://maps.daa.wa.gov.au/AHIS/> (Accessed November 2017).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Threatened Species Scientific Committee (2015) Approved Conservation Advice (including listing advice) for the Eucalypt Woodlands of the Western Australian Wheatbelt. Department of the Environment, Canberra.

## 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>DEE</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 DEE)
<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 DEE)
<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:

{DPaW (2017) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

<b>T</b>	<b>Threatened species:</b> Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , listed under Schedules 1 to 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora).  <b>Threatened fauna</b> is that subset of 'Specially Protected Fauna' declared to be 'likely to become extinct' pursuant to section 14(4) of the <i>Wildlife Conservation Act 1950</i> .  <b>Threatened flora</b> is flora that has been declared to be 'likely to become extinct or is rare, or otherwise in need of special protection', pursuant to section 23F(2) of the <i>Wildlife Conservation Act 1950</i> .  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.
<b>CR</b>	<b>Critically endangered species</b> Threatened species considered to be facing an extremely high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
<b>EN</b>	<b>Endangered species</b> Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
<b>VU</b>	<b>Vulnerable species</b> Threatened species considered to be facing a high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i> , in Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.

- EX Presumed extinct species**  
Species which have been adequately searched for and there is no reasonable doubt that the last individual has died. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora.
- IA Migratory birds protected under an international agreement**  
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 the Bonn Convention, relating to the protection of migratory birds. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- CD Conservation dependent fauna**  
Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- OS Other specially protected fauna**  
Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- P Priority species**  
Species which are poorly known; or  
Species that are adequately known, are rare but not threatened, and 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.