



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 8052/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Galaxy Lithium Australia Limited

### 1.3. Property details

Property: Mining Lease 74/244  
Local Government Area: Shire of Ravensthorpe  
Colloquial name: Mt Cattlin Project

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
80		Mechanical Removal	Mineral Production and Associated Activities

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 15 November 2018

## 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:

352: Medium woodland; York gum; and  
934: Shrublands; mallee scrub (*Eucalyptus nutans*) (GIS Database).

A flora and vegetation survey was conducted over the application area by botanists from Mattiske Consulting Pty Ltd (Mattiske) during December 2017. Previous flora and vegetation surveys by ENV Australia in April 2008 and Botanica Consulting in 2008 partly overlapped the application area. The following vegetation associations were recorded within the application area (Mattiske, 2018):

**W1:** *Eucalyptus* spp. mid mallee woodland dominated by *Eucalyptus myriadena* subsp. *myriadena* over *Templetonia retusa*, *Rhagodia ?crassifolia* and *Dodonaea ptarmicaefolia* mid sparse shrubland over *Austrostipa puberula*, *Austrostipa elegantissima* and *Rytidosperma caespitosum* isolated grasses on brown clay-loam soils on slopes.

**W2:** *Eucalyptus oleosa* subsp. *corvina* mid mallee woodland over *Daviesia scoparia* mid sparse shrubland over *Acacia erinacea*, *Rhagodia ?crassifolia* and *Sclerolaena uniflora* low sparse shrubland on brown clay-loam soils on slopes.

**W3:** *Eucalyptus myriadena* subsp. *myriadena* and *Eucalyptus cernua* mid mallee woodland over *Acacia bifaria* (P3), *Rhagodia ?crassifolia* and *Senna artemisioides* subsp. *filifolia* low sparse shrubland over *Austrostipa puberula* isolated grasses on brown clay-loam soils on slopes.

**W4:** *Eucalyptus* spp. mid mallee woodland dominated by *Eucalyptus myriadena* subsp. *myriadena* over *Acacia redolens*, *Rhagodia ?crassifolia* and *Olearia muelleri* low sparse shrubland over *Austrostipa exilis*, *Austrostipa* sp. and *Rytidosperma caespitosum* low sparse grassland on brown clay-loam soils on slopes.

**W5:** *Eucalyptus* spp. mixed mid mallee woodland over *Templetonia retusa* mid sparse shrubland over *Austrostipa puberula* and *Rytidosperma caespitosum* low sparse grassland on pale brown gravelly clay-loam soils on slopes.

**S1:** *Acacia sulcata* var. *platyphylla*, *Santalum acuminatum* and *Melaleuca elliptica* mid open shrubland over *Dodonaea caespitosa*, *Astroloma* sp. and *Hibbertia* sp. low sparse shrubland over *Lepidosperma diurnum* and *Neurachne alopecuroidea* isolated clumps of sedges and grasses on red-brown clay loam soils on rocky slopes adjacent to creeklines and drainage lines.

**CR:** *Dodonaea ptarmicaefolia*, *Melaleuca cuticularis* and *Melaleuca elliptica* mid sparse shrubland over *Tecticornia ?pergranulata* subsp. *pergranulata* low sparse chenopod shrubland, with occasional emergent *Eucalyptus occidentalis*, on red-brown clay-loam soils on creeklines.

#### Clearing Description

Mt Cattlin Project.  
Galaxy Lithium Australia Limited proposes to clear up to 80 hectares of native vegetation, within a boundary of approximately 109 hectares, for the purpose of mineral production and associated activities. The project is located approximately 1 kilometre north of Ravensthorpe, within the Shire of Ravensthorpe.

**Vegetation Condition** Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994);  
To:  
Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

**Comment** The vegetation condition was derived from a vegetation survey conducted by Mattiske (2018).

The proposed clearing is for an expansion of the Mt Cattlin Lithium Project.

Clearing permit CPS 8052/1 was granted by the Department of Mines, Industry Regulation and Safety on 30 August 2018. The permit authorised the clearing of up to 80 hectares of native vegetation within a boundary of approximately 189 hectares, for the purpose of mineral production and associated activities. Clearing permit CPS 8052/1 was subject to an appeal, with the effect of the appeal being that the clearing permit was deemed not to have been granted until the appeal was resolved.

There were four grounds of appeal:

1. Lack of security for the Salmon Gum woodland.
2. Endangered Carnaby's Cockatoo use the area.
3. Lack of security for the vegetation on eastern side of application area.
4. Diversion of Cattlin Creek.

Discussions were held between the appellant, permit holder and the Office of the Appeals Convenor. The appeal was withdrawn on 4 October 2018 on the understanding that Galaxy Lithium Australia Limited would reduce the clearing permit boundary, addressing grounds of appeal 1 to 3.

On 8 October 2018, the Permit Holder applied to amend CPS 8052/1. This amendment is to reduce the permit boundary from approximately 189 hectares to approximately 109 hectares, in line with the correspondence provided between Galaxy Lithium Australia Limited and the appellant. The amount of clearing authorised remains unchanged.

### 3. Assessment of application against Clearing Principles

#### Comments

The amendment application reduces the clearing permit boundary from approximately 189 hectares to approximately 109 hectares. The amount of clearing authorised remains unchanged at 80 hectares.

A flora and vegetation survey of the area recorded seven vegetation communities within the application area (Mattiske, 2018). None of the vegetation communities were identified as being a Threatened or Priority Ecological Community (TEC/PEC) (Mattiske, 2018).

Areas of excellent condition vegetation occurred within the eastern side of clearing permit area CPS 8052/1 and had very small populations of weeds compared to the western side (Mattiske, 2018). In the reduced permit area, the eastern boundary has been reduced to exclude most of the vegetation mapped as being in excellent condition (Mattiske 2018).

The clearing permit area for CPS 8052/1 had a total of 462 living and 21 deceased plants of Priority 3 flora species *Acacia bifaria* recorded within it (Mattiske, 2018), although the proposed clearing would not have cleared all the plants. The reduced permit area for CPS 8052/2 includes 412 living and 21 deceased *A. bifaria* individuals (Mattiske, 2018).

The fauna survey of the original application area identified seven broad fauna habitats and six of these are still within the reduced permit area (Ninox, 2018). The habitat type 'Woodlands with Salmon Gum' has been excised from the southern part of the permit area; the other six habitat types are described in the decision report for CPS 8052/1.

The reduced permit area still forms part of a larger remnant of vegetation that acts as an ecological linkage between two intact areas of vegetation north and south of the application area (GIS Database). However, the width of the permit area has been reduced by the amendment, and now spans less than half of the width of this vegetated corridor (GIS Database).

The amendment 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 is at variance to Principle (f), may be at variance to Principle (b), (e) and (h), and is not likely to be at variance to Principles (a), (c), (d), (g), (i) and (j).

**Methodology** Mattiske (2018)  
Ninox (2018)

GIS Database:  
- DPaW Tenure  
- Hydrography, Lakes  
- Hydrography, Linear

- IBRA Australia
- Imagery
- Landsystem Rangelands
- Pre-European Vegetation
- Public Drinking Water Source Areas
- Soils, Statewide
- Threatened and Priority Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffers
- Threatened and Priority Flora
- Threatened Fauna

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

### Comments

The permit area is within the South West Native Title Settlement area (DPLH, 2018). This settlement resolves Native Title rights and interests over an area of approximately 200,000 square kilometres within the south west of Western Australia. 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 (Site ID 26270) within the application area (DPLH, 2018). 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 15 October 2018 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 (2018)

## 4. References

- DPLH (2018) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage.  
<http://maps.daa.wa.gov.au/AHIS/> (Accessed 2 November 2018).
- 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 (2018) Flora and Vegetation Assessment Mt Cattlin Project Area. Report Prepared by Mattiske Consulting Pty Ltd for Galaxy Lithium Australia, February 2018.
- Ninox (2018) Desktop Assessment of Vertebrate Fauna of the Proposed Ravensthorpe Spodumene Project, Western Australia. Report Prepared by Ninox Wildlife Consulting and Biostat Pty Ltd for Galaxy Resources Ltd, February 2018.

## 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>	<p><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).</p> <p><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>.</p> <p><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>.</p> <p>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.</p>
<b>CR</b>	<p><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.</p>
<b>EN</b>	<p><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.</p>
<b>VU</b>	<p><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.</p>
<b>EX</b>	<p><b>Presumed extinct species</b> 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 <i>Wildlife Conservation Act 1950</i>, 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.</p>
<b>IA</b>	<p><b>Migratory birds protected under an international agreement</b> 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 <i>Wildlife Conservation Act 1950</i>, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.</p>
<b>CD</b>	<p><b>Conservation dependent fauna</b> 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 <i>Wildlife Conservation Act 1950</i>, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.</p>
<b>OS</b>	<p><b>Other specially protected fauna</b> Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.</p>

**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.