



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 8250/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Classic Minerals Limited

### 1.3. Property details

Property: Exploration Licence 74/467  
Local Government Area: Shire of Kondinin  
Colloquial name: N/A

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 14 March 2019

## 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: 936: Medium woodland; salmon gum.

A flora and vegetation survey was conducted over the application area by Terratree during September and October, 2018. The following seven vegetation associations were recorded within the application area (Terratree, 2018):

EuMpMa: Tall open woodland of *Eucalyptus urna* and *Eucalyptus extensa* over *Melaleuca pauperiflora* subsp. *pauperiflora*, *Melaleuca adnata* and *Melaleuca thyoides* shrubland over low sparse *Microcybe albiflora*, *Exocarpos aphyllus* and *Olearia muelleri* understorey;

EeMsWc: Low mallee open woodland of *Eucalyptus eremophila* subs *eremophila* and *Eucalyptus pileata* over shrubland of *Melaleuca scalena* over low understorey of *Westringia cephalantha* var. *cephalantha*, *Leucopogon fimbriatus* and *Hibbertia gracillipes*. Lateritic sandy gravels;

EsDnEd: Tall open forest of *Eucalyptus salmonophloia* over mallee woodland of *Eucalyptus yilgarnensis* over open shrubland of *Daviesia nematophylla*, *Dodonaea stenozyga*, *Templetonia rossii* and *Santalum acuminatum* over low understorey of *Eremophila decipiens*, *Acacia intricata* and *Acacia deficiens*. Clay loam;

EsMhHg: Sparse open mallee woodland of *Eucalyptus subangusta* subsp. *subangusta*, *Eucalyptus pileata* and *Eucalyptus scyphocalyx* over closed shrubland of *Melaleuca hamata*, *Allocasuarina acutivalvis* subsp. *acutivalvis* over understorey of *Hibbertia gracillipes* and *Gastrolobium spinosum*;

EfAbAd: Mallee woodland of *Eucalyptus flocktoniae* subsp. *flocktoniae* and *Eucalyptus pileata* over shrubland of *Acacia binata*, *Melaleuca johnsonii*, and *Acacia sclerophylla* var. *teretiuscula* over understorey of *Acacia deficiens* and *Grevillea huegelii*;

EcDnAb: Mallee woodland of *Eucalyptus calycogona* subsp. *calycogona*, *Eucalyptus extensa* and *Eucalyptus salubris* over shrubland of *Daviesia nematophylla*, *Melaleuca pauperiflora* subsp. *pauperiflora*, *Daviesia aphylla* and *Melaleuca villosisepala* over understorey of *Acacia binata*, *Pultenaea arida*, *Grevillea acuarria* and *Acacia deficiens*; and

EfMvGh: Mallee woodland of *Eucalyptus flocktoniae* subsp. *flocktoniae* over shrubland of *Melaleuca villosisepala* and *Melaleuca adnata* over understorey of *Grevillea huegelii* and *Acacia binata*.

#### Clearing Description

Project Name.  
Classic Minerals Limited proposes to clear up to 5.1 hectares of native vegetation within a boundary of approximately 7.2 hectares, for the purpose of mineral exploration and associated activities. The project is located approximately 30 kilometres west of Varley, within the Shire of Kondinin.

**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 Terratree (2018).

### 3. Assessment of application against Clearing Principles

#### Comments

The application area occurs within the Western Mallee IBRA sub-Bioregion (GIS Database). This sub-region is characterised by clays and silts underlain by kankar, exposed granite, sandplains, isolated uplands of laterite pavements and salt lake systems (on a granite basement) (CALM, 2002). Mallee communities can be found on a variety of surfaces and *Eucalyptus* woodlands occur mainly on fine-textured soils, with scrub-heath on sands and laterite (CALM, 2002). Mallee over myrtaceous-proteaceous heaths on duplex (sand over clay) soils are common (CALM, 2002). *Melaleuca* shrublands characterise alluvia, and *Halosarcia* low shrublands occur on saline alluvium (CALM, 2002). A mosaic of mixed eucalypt woodlands and mallee occur on calcareous earth plains and sandplains overlying Eocene limestone strata in the east (CALM, 2002).

More than 75 per cent of the Western Mallee IBRA subregion has been cleared for agriculture (CALM, 2002). The proposed clearing area occurs within that part of the state that has been cleared for agricultural purposes (Intensive Land Use Zone) with previous work visible from aerial imagery (GIS Database). The Western Mallee subregion covers an area of approximately 3,082,511 hectares.

The vegetation within the application area is in an 'excellent' condition based on the flora survey and viewing of aerial imagery (Terratree, 2018; GIS Database). Previous tracks and exploration are visible across the proposed clearing area (GIS Database).

The Beard vegetation association mapped over the area under application (Beard vegetation association 936) is well represented, retaining over 56 % of pre-European levels of vegetation within the state and 96% for the bioregion (Department of Natural Resources and Environment, 2002; Government of Western Australia, 2018).

No Threatened flora were identified within the application area during the flora survey (Terratree, 2018). Five species of Priority flora were found from nine locations within the Kat Gap survey area, however, none of these locations were within the proposed disturbance footprint (Terratree, 2019).

The application area is located approximately seven kilometres northwest of the Jackson Nature Reserve (GIS Database). Given the distance between the application area and Nature Reserve, the proposed clearing is not considered likely to have any impacts on the values of the Jackson Nature Reserve.

No introduced plant taxa (weeds) were identified within the application area (Terratree, 2018). The proposed clearing activities have the potential to result in the introduction or spread of weed species, which may negatively impact on the biodiversity of the local area. Potential impacts to biodiversity as a result of the proposed clearing may be minimised by the implementation of a weed management condition.

No Threatened Ecological Communities (TEC) or Priority Ecological Communities (PEC) are known within the application area (GIS Database). The nearest known TEC or PEC is the Priority 3, Priority Ecological Community (PEC) "Ironcap Hills vegetation complexes," located approximately 700 metres north of the application area. Given the distance between the PEC and proposed disturbance, it is unlikely to result in any significant impacts to this community.

There are no major or minor watercourses mapped as occurring within the application area (GIS Database) and given the location and relatively small scale of the proposed clearing, land degradation issues are unlikely to arise as a result.

The application to clear 5.1 hectares of native vegetation for the purpose of mineral exploration is unlikely to have any significant environmental impacts on the local area or region.

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

**Methodology** CALM (2002)  
Department of Natural Resources and Environment (2002)  
Government of Western Australia (2018)  
Terratree (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 amendment application was advertised on 17 December 2019 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. One submission was received in relation to this application, raising concerns over the potential impacts to Aboriginal Sites of Significance and heritage.

There are no Native Title claims over the area under application (DPLH, 2019). 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, 2019). 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.

**Methodology**    [DPLH \(2019\)](#)

## 4. References

- CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions. Department of Conservation and Land Management.
- DPLH (2019) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage. <http://maps.daa.wa.gov.au/AHIS/> (Accessed 11 March, 2019).
- Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
- Government of Western Australia (2018) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions. <https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics>.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Terratree (2018) Detailed Flora and Vegetation Survey and Priority Flora Survey, Classic Minerals Phase 2. Unpublished report prepared for Classic Minerals Limited by Terratree Pty Ltd, November 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:**

{DBCA (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.