



# Surrender Decision Report

## 1 Application details and outcome

### 1.1. Permit application details

<b>Permit number:</b>	CPS 8574/1
<b>Permit type:</b>	Purpose permit
<b>Applicant name:</b>	FMR Investments Pty Ltd
<b>Application received:</b>	30 January 2023
<b>Application area:</b>	7 hectares of native vegetation
<b>Purpose of clearing:</b>	Extractive Industry
<b>Method of clearing:</b>	Mechanical
<b>Property:</b>	Lot 102 on Deposited Plan 40393, Karramindie
<b>Location (LGA area/s):</b>	Shire of Coolgardie
<b>Localities (suburb/s):</b>	Karramindie

### 1.2. Description of clearing activities

The application is to surrender clearing permit 8574/1, granted on 10 December 2019, for the proposed clearing of 7 hectares of native vegetation, within Lot 102 on Deposited Plan 40393, Karramindie for the purpose of clay extraction.

The application has been made due to FMR Investments Pty Ltd (Permit Holder) have completed all clearing of native vegetation within the application area and subsequently extract clay from this location. FMR Investments Pty Ltd have completed all clearing of native vegetation within the application area and subsequently extract clay from this location. The application has been made due to FMR Investments Pty Ltd advising that the rehabilitation of the cleared areas is no longer applicable as Tailings Storage Facility 4 (TSF4) has now been constructed in accordance with DWER Works Approval W6547/2021/1 within the cleared footprint area. Future rehabilitation of TSF4 will be undertaken as part of the Mine Closure Plan (FMR, 2023a).

### 1.3. Decision on application

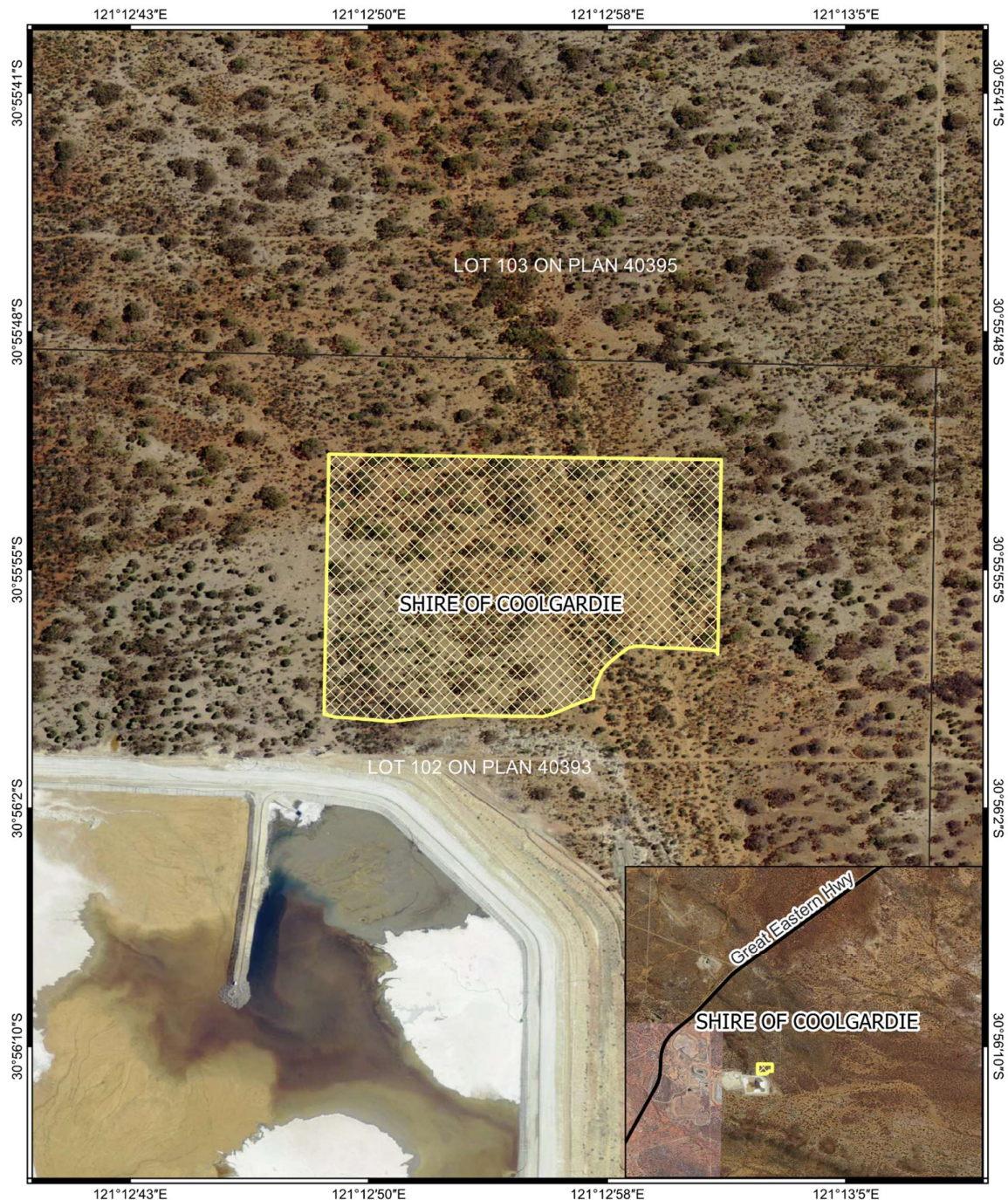
<b>Decision:</b>	Surrendered
<b>Decision date:</b>	25 July 2023
<b>Decision area:</b>	7 hectares of native vegetation, as depicted in Section 1.5, below.

### 1.4. Reasons for decision

The application to surrender Clearing Permit CPS 8574/1 was made in accordance with sections 51MA of the *Environmental Protection Act 1986* (EP Act) and received by the Department of Water and Environmental Regulation (DWER) on 30 January 2023.


In undertaking the assessment, the Delegated Officer had regard for a review of the permit holder's compliance with conditions of Clearing Permit CPS 8574/1 (section 2.1 of this report); and other matters considered relevant to the decision (section 2.2 of this report). After consideration of the above information, the Delegated Officer decided to grant the surrender to clearing permit CPS 8574/1.

**1.5. Site map**



**Legend**


- CPS areas approved to clear
- Land Tenure (LGATE\_226) - SLIP
- Local Government Authorities



0      75      150      225      300 m

1:3,000

Projection: GDA2020



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Figure 1 Map of the application area. The area crosshatched yellow indicate the area which have been surrendered.

## 2 Assessment of surrender

### 2.1. Assessment

The surrender application was assessed by reviewing the compliance of the Permit Holder's proposed works with the conditions imposed on the approved clearing permit.

The original 7 hectares of clearing occurred prior to the issue of CPS 8574/1 and the permit was granted by DWER to resolve the compliance issue (FMR, 2023a). A tailings storage facility (TSF4) was constructed in accordance with DWER Works Approval W6547/2021/1 within the approved clearing area under CPS 8574/1. As part of the DWER Works Approval L4680/1988/13, which included TSFs for the Greenfields Processing Site and was amended to include TSF4, a Mine Closure Plan was required which included the revegetation and rehabilitation of the area once works had been completed (FMR, 2023b). The applicant applied for the surrender of CPS 8574/1 and noted that Conditions 8b-e which required revegetation and rehabilitation of the area within 12 months following completion of the material extraction were no longer considered applicable due to the Mine Closure Plan. Condition 10 was not met during the two years prior to the submission of the surrender application, although once submitted, a completion report detailing the records was provided.

The DWER's Compliance and Enforcement branch confirmed that 7 hectares of clearing had occurred under Clearing Permit 8574/1.

### 2.2. Relevant planning instruments and other matters

On 7 July 2023, DWER accepted the application to surrender Clearing Permit CPS 8574/1 and in accordance with section 51MA of the *Environmental Protection Act 1986 (EP Act)*, invited the Permit Holder to provide comments on the proposed decision to surrender the permit.

On 13 July 2023, the Permit Holder advised they had no comments on DWER's proposed decision (FMR, 2023c).

**End**

## Appendix A. References

FMR Investments Pty Ltd (FMR) (2023a) *Clearing permit surrender application CPS 8574/1*, received 30 January 2023 (DWER Ref: DWERDT718654).

FMR Investments Pty Ltd (FMR) (2023b) *Mine Closure Plan in relation to CPS 8574/1*, received 1 March 2023 (DWER Ref: DWERDT744111).

FMR Investments Pty Ltd (FMR) (2023c) *FMR waive 28 day consultation period*, received 1 March 2023 (DWER Ref: DWERDT744111).