



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8623/1
Permit type: Purpose

1.2. Proponent details

Proponent's name: ACH Minerals Pty Ltd

1.3. Property details

Property: Exploration Licence 74/311
Exploration Licence 74/486
Local Government Area: Shire of Ravensthorpe
Colloquial name: Ravensthorpe Gold Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 19 September 2019

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description Beard vegetation associations have been mapped for the whole of Western Australia and are useful to look at vegetation in a regional context. One vegetation association has been mapped within the application area (GIS Database):

516: Shrublands: mallee scrub, black marlock.

A targeted flora survey was undertaken by Animal Plant Mineral in October 2017, however no vegetation mapping has been undertaken over the application area.

Clearing Description Ravensthorpe Gold Project.
ACH Minerals Pty Ltd proposes to clear up to 0.46 hectares within a boundary of 1.359 hectares for the purpose of mineral exploration. The project is located approximately 12 kilometres south-east of Ravensthorpe in the Shire of Ravensthorpe.

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

Vegetation Condition The vegetation condition was derived from aerial imagery.

3. Assessment of application against clearing principles

Comments

The application area occurs within the Fitzgerald (ESP1) sub-region of the Esperance Plains Bioregion of the Interim Biogeographic Regionalisation of Australia (IBRA) (GIS Database). This sub-region is characterised by myrtaceous and proteaceous scrub and mallee heaths on sand plains overlying Eocene sediments. Herbfields and heaths occur on abrupt granite tors and quartzite ranges that rise from the plain, while *Eucalypt* woodlands occur in the gullies and alluvial foot-slopes (CALM, 2002).

The vegetation within the application area is in an 'excellent' condition based on viewing of aerial imagery (GIS Database). Parts of the application area have been previously disturbed by an existing access track and a firebreak (GIS Database). The application area is not known to be within a dieback risk area (GIS Database).

The application area is located within the Ravensthorpe Range Area, Register of National Estate (GIS Database). The Ravensthorpe Range Area has been identified as containing a unique biological niche within the State, containing many rare and endemic plant species and the only natural locality of several *Eucalypt* species (DEE, 2019). A desktop and targeted flora survey was undertaken by Animal Plant Mineral in October 2017 to identify conservation significant flora and ecological communities within the application area (Animal Plant Mineral, 2017).

A total of 23 flora species were recorded during the flora survey (Animal Plant Mineral, 2017). No Threatened flora were located during the survey, however three Priority flora species were identified by Animal Plant Mineral (2017):

- *Melaleuca sophisma* – P1
- *Hydrocotyle* sp. *Decipiens* – P2
- *Hibbertia hamata* – P3

The highest density of Priority flora species was occurring within a drainage line located towards the southern extent of the drill line area (Animal Plant Mineral, 2017). Potential impacts to conservation significant flora as a result of the proposed clearing may be minimised by the implementation of a flora management condition.

Two Threatened Ecological Communities (TEC) and three Priority Ecological Communities (PEC) were identified as potentially occurring in the area during the desktop surveys of the region (Animal Plant Mineral, 2017). The published descriptions of the TECs and PECs along with field observations were used to assess these vegetation types against any of the identified conservation significant communities in the region (Animal Plant Mineral, 2017). During the field survey it was identified that the 'Proteaceae dominated Kwongan shrublands of the Southeast Coastal Floristic Province of WA' TEC was present adjacent to the application area (Animal Plant Mineral, 2017). Given the purpose of clearing and small size of the application area, it is considered unlikely that the proposed clearing will result in any significant impact to the TEC.

There are a number of conservation significant fauna that have been recorded within 10 kilometres of the application area (DPaW, 2019). Similar habitat is present throughout the surrounding region (GIS Database). Given the small scale of the clearing (0.46 hectares), the proposed clearing is not likely to significantly impact habitat for local fauna species.

Numerous minor non-perennial watercourses dissect the application area (GIS Database). There are many similar drainage lines scattered throughout the local area, which will likely only flow following a significant rain event. Potential impacts to vegetation growing in association with a watercourse may be minimised by the implementation of a watercourse management condition.

The application area is located approximately 3 kilometres north of Kundip Nature Reserve (GIS Database). Given the distance between the application area and Kundip Nature Reserve, the proposed clearing is not considered likely to have any impacts on the Kundip Nature Reserve.

The mapped Beard vegetation association (Beard vegetation association 516) is well represented, with more than 54% of pre-European levels of native vegetation remaining within the State and Bioregion (Government of Western Australia, 2016; 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 is at variance to Principle (d) and (f), may be at variance to Principle (a), is not likely to be at variance to Principles (b), (c), (g), (h), (i), and (j), and is not at variance to Principle (e).

Methodology

Animal Plant Mineral (2017)
CALM (2002)
DEE (2019)
DPaW (2019)
Government of Western Australia (2016)

GIS Database:

- Clearing Regulations – Environmentally Sensitive Areas
- Clearing Regulations – Instruments
- DPaW Tenure
- Dieback Occurrence
- Hydrography, Linear
- IBRA Australia
- Imagery
- Pre-European Vegetation
- Public Drinking Water Source Areas
- 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 are three Native Title claims (WC2003/006; WC1996/109; WC1998/070) over the area under application (GIS Database). Two of these claims have been registered with the Native Title Tribunal on behalf of the claimant group and the other has been filed at the Federal Court of Australia. 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 located within the clearing permit application area (GIS Database). 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 application was advertised on 19 August 2019 by the Department of Mines, Industry Regulation and Safety (DMIRS), inviting submissions from the public. No submissions were received in relation to this application.

Methodology DPLH (2019)

4. References

- Animal Plant Mineral (2017) Targeted survey for declared conservation significant flora and ecological communities to support exploration drilling within the Ravensthorpe Copper / Gold Project area. Prepared for ACH Minerals Pty Ltd by Animal Plant Mineral, 2017.
- CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions. Department of Conservation and Land Management.
- DEE (2019) Australian Heritage Places Inventory. Department of Environment and Energy, Australian Government. <https://dmzapp17p.ris.environment.gov.au/ahpi/action/search/heritage-search/record/RNE9393> (Accessed 16 September 2019).
- DPaW (2019) NatureMap, Department of Parks and Wildlife <https://naturemap.dpaw.wa.gov.au/> (Accessed 16 September 2019)
- DPLH (2019) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <http://maps.daa.wa.gov.au/AHIS/> (Accessed 16 September 2019).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Government of Western Australia (2016) 2016 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2016. WA Department of Parks and Wildlife, Perth.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DBCA	Department of Biodiversity Conservation and Attractions, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
DEE	Department of the Environment and Energy, Australian Government
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia
DMP	Department of Mines and Petroleum, Western Australia (now DMIRS)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora
DoE	Department of the Environment, Australian Government (now DEE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
DWER	Department of Water and Environmental Regulation, Western Australia
EPA	Environmental Protection Authority, Western Australia
EP Act	<i>Environmental Protection Act 1986</i> , Western Australia
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Federal Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia

IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
TEC	Threatened Ecological Community

Definitions:

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

T	<p>Threatened species: 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>Threatened fauna 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>Threatened flora 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>
CR	<p>Critically endangered species 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>
EN	<p>Endangered species 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>
VU	<p>Vulnerable species 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>
EX	<p>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 <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>
IA	<p>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 <i>Wildlife Conservation Act 1950</i>, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.</p>
CD	<p>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 <i>Wildlife Conservation Act 1950</i>, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.</p>
OS	<p>Other specially protected fauna 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	<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.</p>

- 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.