Government of **Western Australia**
Department of **Mines and Petroleum**

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 2899/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Focus Minerals (Laverton) Pty Ltd**

1.3. Property details

Property: Mining Lease 38/270
Mining Lease 38/345
Miscellaneous Licence 38/153
Local Government Area: Shire of Laverton
Colloquial name: Mary Mac South Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 June 2014

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. One Beard vegetation association has been mapped within the application area (GIS Database):

18: Low woodland; mulga (*Acacia aneura*).

The application area was surveyed by Western Botanical staff in July 2007 and J & J Tucker Environmental Solutions staff in June 2008 (MBS Environmental, 2008). The following vegetation types were identified within the application area.

Rocky Slopes

Banded Ironstone Formation (BIF): *Acacia aneura, Acacia* sp. aff. *quadrimarginea, A. tetragonophylla* open scrub over open low scrub of *Eremophila latrobei* subsp. *brucei*, *Hibiscus gardneri* over *Cheilanthes sieberi* subsp. *sieberi, Isotoma petraea, Ptilotus helipteroides* subsp. *helipteroides* very open herbs and *Eriachne mucronata, Enneapogon caerulescens*, *Cymbopogon ambiguus* very open grasses.

Stony Ironstone Mulga Shrub lands (SIMS): *Acacia aneura, Acacia ramulosa* var. *ramulosa*, *Acacia* spp. aff. *quadrimarginea* scrub over *Eremophila forrestii* subsp. *forrestii, Scaevola spinescens* (narrow leaf form), *Senna artemisioides* subsp. *helmsii, Senna artemisioides* subsp. *filifolia* low scrub.

Plains:

Lateritic Hardpan Mulga Shrub land (LHMS): *Acacia aneura*, *Acacia ramulosa* var. *ramulosa* scrub over *Ptilotus obovatus, Ptilotus schwartzii* var. *schwartzii, Solanum lasiophyllum* open dwarf scrub over *Eragrostis eriopoda* open grass.

Drainage Lines:

Drainage Tract Mulga Shrub land (DRMS): Vegetation composition is highly variable and is largely composed of species common to surrounding vegetation units. Dominated by *Acacia aneura* low forest over highly variable understorey, reflecting species present in adjacent habitats, consisting of shrubs, grasses and herbs.

Six weed species were recorded within the application area (MBS Environmental, 2008). These included: Ruby Dock (*Acetosa vesicaria*), Tumbleweed (*Salsola tragus*), Peppercorn Tree (*Schinus molle*) and Athel Pine (*Tamarix aphylla*) (J & J Tucker Environmental Solutions, 2008).

Clearing Description

Mary Mac South Project.
Focus Minerals (Laverton) Pty Ltd proposes to clear up to 43 hectares of native vegetation within a total boundary of approximately 232.6 hectares for the purpose of mineral production. The project is located approximately 2

	kilometres south west of Laverton, in the Shire of Laverton.
Vegetation Condition	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).
Comment	The vegetation condition was derived from a vegetation survey conducted by Western Botanical (2007) and J & J Tucker Environmental Solutions (2008). Clearing Permit CPS 2899/1 was granted by the Department of Mines and Petroleum (DMP) on 11 June 2009 and authorised the clearing of up to 43 hectares of native vegetation within a total boundary of 232.6 hectares. On 15 April 2014 Focus Minerals (Laverton) Pty Ltd applied to change the name of the permit holder to Focus Minerals (Laverton) Pty Ltd due to a company name change. It was subsequently identified that a change to the reporting date of the clearing permit and an extension of duration was also required.

3. Assessment of application against clearing principles

Comments

The amendment to change the name of the permit holder will not change the environmental impacts of the proposed clearing. The size of the area approved to clear and the permit boundaries remain unchanged.

The assessment against the clearing principles remains consistent with the assessment in decision report CPS 2899/1.

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

There are no Native Title Claims over the area under application (GIS Database). 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 (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 Environment Regulation, the Department of Parks and Wildlife, and the Department of Water, 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

GIS Database
- Aboriginal Sites of Significance
- Native Title Claims - Registered with the NNTT
- Native Title Claims – Filed at the Federal Court

4. References

J & J Tucker Environmental Solutions (2008) Report No 030508 on Flora survey Carried Out for Crescent Gold at West Laverton Prospect Near Laverton. Prepared for Crescent Gold Ltd. Unpublished report dated June 2008

MBS Environmental (2008) Purpose Permit Application: Laverton Gold Project, Mary Mac South. Native Vegetation Management Plan and Assessment of Clearing Principles. Prepared for Crescent Gold Limited. Unpublished Report dated November 2008

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Western Botanical (2007) Flora and Vegetation of the Craiggiemore Project Area and Associated Haul Road Alignment. Prepared for MBS Environmental Pty Ltd. Unpublished Report dated November 2007.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
CALM	Department of Conservation and Land Management (now DEC), Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia
DEH	Department of Environment and Heritage (federal based in Canberra) previously Environment Australia
DEP	Department of Environment Protection (now DEC), Western Australia
DIA	Department of Indigenous Affairs
DLI	Department of Land Information, Western Australia
DMP	Department of Mines and Petroleum, Western Australia

DoE	Department of Environment (now DEC), Western Australia
DoIR	Department of Industry and Resources (now DMP), Western Australia
DOLA	Department of Land Administration, Western Australia
DoW	Department of Water
EP Act	Environmental Protection Act 1986, Western Australia
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (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
RIWI Act	Rights in Water and Irrigation Act 1914, Western Australia
s.17	Section 17 of the Environment Protection Act 1986, Western Australia
TEC	Threatened Ecological Community

Definitions:

{Atkins, K (2005). *Declared rare and priority flora list for Western Australia, 22 February 2005.* Department of Conservation and Land Management, Como, Western Australia} :-

P1	**Priority One - Poorly Known taxa**: taxa which are known from one or a few (generally <5) populations which are under threat, either due to small population size, or being on lands under immediate threat, e.g. road verges, urban areas, farmland, active mineral leases, etc., or the plants are under threat, e.g. from disease, grazing by feral animals, etc. May include taxa with threatened populations on protected lands. Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
P2	**Priority Two - Poorly Known taxa**: taxa which are known from one or a few (generally <5) populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
P3	**Priority Three - Poorly Known taxa**: taxa which are known from several populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in need of further survey.
P4	**Priority Four – Rare taxa**: taxa which are considered to have been adequately surveyed and which, whilst being rare (in Australia), are not currently threatened by any identifiable factors. These taxa require monitoring every 5–10 years.
R	**Declared Rare Flora – Extant taxa** *(= Threatened Flora = Endangered + Vulnerable)*: taxa which have been adequately searched for, and are deemed to be in the wild either rare, in danger of extinction, or otherwise in need of special protection, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.
X	**Declared Rare Flora - Presumed Extinct taxa**: taxa which have not been collected, or otherwise verified, over the past 50 years despite thorough searching, or of which all known wild populations have been destroyed more recently, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.

{Wildlife Conservation (Specially Protected Fauna) Notice 2005} [Wildlife Conservation Act 1950] :-

Schedule 1	**Schedule 1 – Fauna that is rare or likely to become extinct:** being fauna that is rare or likely to become extinct, are declared to be fauna that is need of special protection.
Schedule 2	**Schedule 2 – Fauna that is presumed to be extinct:** being fauna that is presumed to be extinct, are declared to be fauna that is need of special protection.
Schedule 3	**Schedule 3 – Birds protected under an international agreement:** being birds that are subject to an agreement between the governments of Australia and Japan relating to the protection of migratory birds and birds in danger of extinction, are declared to be fauna that is need of special protection.
Schedule 4	**Schedule 4 – Other specially protected fauna:** being fauna that is declared to be fauna that is in need of special protection, otherwise than for the reasons mentioned in Schedules 1, 2 or 3.

{CALM (2005). *Priority Codes for Fauna.* Department of Conservation and Land Management, Como, Western Australia} :-

P1	**Priority One: Taxa with few, poorly known populations on threatened lands**: Taxa which are known from few specimens or sight records from one or a few localities on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, active mineral leases. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
P2	**Priority Two: Taxa with few, poorly known populations on conservation lands**: Taxa which are known from few specimens or sight records from one or a few localities on lands not under immediate threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, vacant Crown land, water reserves, etc. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
P3	**Priority Three: Taxa with several, poorly known populations, some on conservation lands**: Taxa which are known from few specimens or sight records from several localities, some of which are on lands not under immediate threat of habitat destruction or degradation. The taxon needs urgent survey and evaluation of

conservation status before consideration can be given to declaration as threatened fauna.

P4 **Priority Four: Taxa in need of monitoring**: Taxa which are considered to have been adequately surveyed, or for which sufficient knowledge is available, and which are considered not currently threatened or in need of special protection, but could be if present circumstances change. These taxa are usually represented on conservation lands.

P5 **Priority Five: Taxa in need of monitoring**: Taxa which are not considered threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five years.

Categories of threatened species (*Environment Protection and Biodiversity Conservation Act 1999*)

EX **Extinct:** A native species for which there is no reasonable doubt that the last member of the species has died.

EX(W) **Extinct in the wild:** A native species which:
(a) is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; or
(b) has not been recorded in its known and/or expected habitat, at appropriate seasons, anywhere in its past range, despite exhaustive surveys over a time frame appropriate to its life cycle and form.

CR **Critically Endangered:** A native species which is facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with the prescribed criteria.

EN **Endangered:** A native species which:
(a) is not critically endangered; and
(b) is facing a very high risk of extinction in the wild in the near future, as determined in accordance with the prescribed criteria.

VU **Vulnerable:** A native species which:
(a) is not critically endangered or endangered; and
(b) is facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with the prescribed criteria.

CD **Conservation Dependent:** A native species which is the focus of a specific conservation program, the cessation of which would result in the species becoming vulnerable, endangered or critically endangered within a period of 5 years.