



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3560/4
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Paddington Gold Pty Ltd

1.3. Property details

Property: Mining Lease 24/170
Local Government Area: City of Kalgoorlie - Boulder
Colloquial name: Enterprise Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 May 2016

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 Beard vegetation association:

2901: mosaic: medium woodland; *Allocasuarina cristata* & goldfields blackbutt Shrublands; *Acacia quadrimarginea* thicket (GIS Database).

Botanica Consulting (2015) conducted a Level 1 flora and vegetation survey of the application area between 15 and 16 December 2015. The vegetation of the application area was classified into 9 broad vegetation types:

Eucalyptus Woodlands

CLP-EW1

Low woodland *Eucalyptus salmonophloia*/E. *transcontinentalis* over low scrub of *Eremophila scoparia*/ *Exocarpos aphyllus* and dwarf scrub of *Atriplex nummularia* subsp. *spatulata*/ *Maireana georgei* on clay-loam Woodlands plain; and

CLP-EW2

Forest of *Eucalyptus ravida* over open low scrub of *Eremophila scoparia* and low heath of *Maireana oppositifolia*/ *Ptilotus obovatus* on clay-loam plain.

Casuarina Forests and Woodlands/Eucalypt Woodland

CLP-CFW/EW1

Low woodland of *Casuarina pauper*/ *Eucalyptus clelandii* over low scrub of *Eremophila scoparia*/ *Eremophila pustulata*/ *Scaevola spinescens* and dwarf scrub of *Acacia erinacea*/ *Olearia muelleri* on undulating clay loam plain.

Mallee Woodlands and Shrublands

CLP-MWS1

Open tree mallee of *Eucalyptus ebbanaensis* subsp. *ebbanaensis* over scrub of *Acacia ramulosa* var. *ramulosa*/ *Senna artemisioides* subsp. *filifolia* and dwarf scrub of *Olearia muelleri*/ *Ptilotus obovatus* on clay-loam plain.

Acacia Forests and Woodlands

RH-AFW1

Low woodland of *Acacia ramulosa* var. *ramulosa*/ *A. quadrimarginea* over low scrub of *Eremophila granitica*/ *Melaleuca hamata* and open dwarf scrub of *Solanum lasiophyllum* on rocky hillslope.

Casuarina forest and Woodlands

RH-CFW1

Low woodland of *Casuarina pauper* over low scrub of *Eremophila scoparia*/ *Acacia acuminata* and open dwarf scrub of *A. erinacea*/ *Senna artemisioides* subsp. *filifolia*/ *Dodonaea lobulata* on rocky hillslope.

Eucalypt Woodlands

RH-EW1

Low woodland of *Eucalyptus clelandii* over low scrub of *Acacia erinaceus*/ *Eremophila scoparia* and open dwarf scrub of *Dodonaea lobulata*/ *Senna artemisioides* subsp. *filifolia* on rocky hillslope.

Mallee Woodlands and Shrublands

RH-MWS1

Open tree mallee of *Eucalyptus griffithsii* over low woodland of *Acacia acuminata*/*Eremophila scoparia*/*Scaevola spinescens* and dwarf scrub of *Olearia muelleri*/*Ptilotus obovatus* rocky hillslope; and

RH-MWS2

Tree mallee of *Eucalyptus flavida* over heath of *Eremophila pustulata* and dwarf scrub of *Westringia rigida* on rocky hillslope.

There are also cleared degraded areas within the application area.

Clearing Description	Enterprise Project. Paddington Gold Pty Ltd (Paddington) proposes to clear up to 200 hectares of native vegetation within a total boundary of 713 hectares for the purpose of mineral production. The project is located approximately 50 kilometres north-west of Karlgoorlie, in the City of Kalgoorlie - Boulder.
Vegetation Condition	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994); To: Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).
Comment	Clearing permit CPS 3560/1 was granted by the Department of Mines and Petroleum on 25 March 2010 and was valid from 24 April 2010 to 24 April 2015. The clearing permit authorised the clearing of 100 hectares within an area of approximately 713 hectares. On 13 October 2011, CPS 3560/1 was amended to increase the area authorised to clear from 100 hectares to 200 hectares. On 8 January 2015, CPS 3560/2 was amended to extend the permit duration to 24 April 2018. An application for an amendment to clearing permit 3560/3 was received on 24 February 2016 to increase the amount of clearing from 200 to 300 hectares and increase the clearing permit boundary from 713 to 819 hectares.

3. Assessment of application against clearing principles

Comments

Paddington Gold Pty Ltd has applied to increase the area permitted to clear from 200 hectares to 300 hectares and the permit boundary from 713 hectares to 819 hectares.

A recent Level 1 flora and vegetation survey of the amendment area by Botanica Consulting (2015) did not identify any additional vegetation communities occurring within the extended permit boundary. One Priority Flora taxon, *Gnephosis intonsa* (Priority 3), is known to occur within the local area based on previous flora surveys (GHD, 2009). The known location of this taxon was searched, however was not present. Botanica Consulting (2015) identified an additional location of *Gnephosis intonsa* where approximately twelve dead individuals were present within vegetation type CLP-EW1.

None of these vegetation communities are considered to be of higher diversity than those assessed within clearing permit decision report CPS 3560/3 and the vegetation types are not considered to be a remnant locally or regionally. No vegetation communities recorded are considered to be Threatened or Priority Ecological Communities (GIS Database).

Aerial imagery suggests similar faunal habitats in the surrounding local and regional area is consistent with those assessed in clearing permit decision report CPS 3560/3 (GIS Database). A targeted Malleefowl mound search was undertaken by Botanica Consulting (2016) during 12 to 14 January 2016. No active mounds were identified within the application area, and two inactive mounds that have been identified within previous Malleefowl monitoring periods were re-visited and remain inactive. An additional inactive Malleefowl mound was identified within the amendment area (Botanica Consulting, 2016).

Therefore, the proposed clearing is not likely to be at variance to Principles (a), (b), (c) and (d), and is not at variance to Principle (e).

There are no permanent watercourses or wetlands within the amendment area (GIS Database). Two ephemeral watercourses were identified within the amendment area (GIS Database); however Botanica Consulting (2015) did not identify any riparian vegetation growing in association with these. The proposed clearing remains at variance to Principle (f).

Current environmental information has been reviewed and the assessment of clearing principles (g), (h), (i) and (j) is consistent with the assessment in clearing permit decision report CPS 3560/4.

Methodology	Botanica Consulting (2015) Botanica Consulting (2016) GHD (2009) GIS Database
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Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

There is one native title claim over the application area. This claim (WC1999/003) has been registered with the Native Title Tribunal on behalf of the claimant group (Department of Aboriginal Affairs, 2016). 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 is one registered Site of Aboriginal Significance located in the area applied to clear (Department of Aboriginal Affairs, 2016). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Sites of Aboriginal 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.

The clearing permit application was advertised on 14 March 2016 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received.

Methodology Department of Aboriginal Affairs (2016)

4. References

- Botanica Consulting (2015) Level 1 Flora & Vegetation Survey of the Enterprise Stage 4 Tenement: M24/170. Prepared for Norton Gold Fields Limited, December 2015.
- Botanica Consulting (2016) Breeding Season Malleefowl Survey 2015-2016. Prepared for Norton Gold Fields Limited, January 2016.
- Department of Aboriginal Affairs (2016) Aboriginal Heritage Enquiry System. Government of Western Australia, <http://maps.dia.wa.gov.au/AHIS2/>. (Accessed 5 April 2016).
- GHD Pty Ltd (2009) Paddington Gold Pty Ltd, Enterprise Development Activities Flora and Fauna Assessment. Unpublished report for Paddington Gold Pty Ltd.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DPaW and DER)
DER	Department of Environment Regulation, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DRF	Declared Rare Flora
DotE	Department of the Environment, Australian Government
DoW	Department of Water, Western Australia
DPaW	Department of Parks and Wildlife, Western Australia
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DotE)
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 (2015) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

T **Threatened species:**
Published as Specially Protected under the *Wildlife Conservation Act 1950*, 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).

Threatened fauna is that subset of 'Specially Protected Fauna' declared to be 'likely to become extinct' pursuant to section 14(4) of the Wildlife Conservation Act.

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 Wildlife Conservation Act.

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. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- EN Endangered species**
Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- VU Vulnerable species**
Threatened species considered to be facing a high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
- EX 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 *Wildlife Conservation Act 1950*, 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.
- IA 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 *Wildlife Conservation Act 1950*, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- CD 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 *Wildlife Conservation Act 1950*, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- OS Other specially protected fauna**
Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the *Wildlife Conservation Act 1950*, in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- 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.