



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: CPS 3823/2
Permit type: Purpose

1.2. Proponent details

Proponent's name: Minjar Gold Pty Ltd

1.3. Property details

Property: Mining Lease 59/420
Mining Lease 59/458
Local Government Area: Shire of Yalgoo
Colloquial name: Monaco Gold Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 1 November 2012

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):

202 – Shrublands; Mulga & *Acacia quadrimarginea*.

Mattiske Consulting Pty Ltd (2009) undertook a flora and vegetation survey of the Monaco project area (including the majority of proposed clearing area) in July 2009. The following six vegetation communities were described from the application area:

Woodlands

E1 - Low Open Woodland of *Eucalyptus horistes* over *Acacia ramulosa* var. *ramulosa* with *Melaleuca lateriflora* subsp. *acutifolia* with mixed shrubs over *Maireana georgei*, *Eremophila georgei*, *Olearia humilis*, *Ptilotus obovatus*, *Rhagodia drummondii* and mixed low shrubs on orange sandy loam on flats;

C2 - Woodland of *Callitris columellaris* and *Allocasuarina acutivalvis* subsp. *prinsepiana* over *Eremophila forrestii* with *Aluta aspera* subsp. *hesperia* and mixed low shrubs on deep orange sandy loams on flats;

Acacia Shrublands

A6 - Tall Open Scrub of *Acacia ramulosa* var. *ramulosa* with *Acacia burkittii*, *Acacia tetragonophylla* and *Grevillea obliquistigma* subsp. *obliquistigma* over *Philotheca brucei* subsp. *brucei* and *Scaevola spinescens* over annuals on orange brown sandy loam with rock cover on flats;

A7 - Tall Shrubland of *Acacia ramulosa* var. *ramulosa* with *Acacia sibina* over *Eremophila forrestii* with *Hibbertia stenophylla* and mixed shrubs over *Monachather paradoxus* and *Amphipogon caricinus* var. *caricinus* on orange sandy loam on flats;

A8 - Tall Shrubland of *Acacia ramulosa* var. *ramulosa* with *Allocasuarina acutivalvis* subsp. *prinsepiana*, *Grevillea obliquistigma* subsp. *obliquistigma*, *Acacia sibina* and *Acacia burkittii* over *Aluta aspera* subsp. *hesperia*, *Eremophila latrobei* subsp. *latrobei* and *Drummondita fulva* (P3) over *Monachather paradoxus*, *Cheilanthes adiantoides* and mixed low shrubs and annuals on orange brown sandy loam with rock cover on flats and slopes; and

A10 - Open Shrubland of *Acacia burkittii* with *Acacia sibina* and *Grevillea obliquistigma* subsp. *obliquistigma* over *Aluta aspera* subsp. *hesperia* with *Eremophila forrestii* and *Baeckea benthamii* (ms) on orange sandy loam on flats.

Clearing Description

Minjar Gold Pty Ltd have applied to clear up to 30.69 hectares of native vegetation at the Monaco project area to expand an existing open cut pit and waste rock dump, and to establish an ore transfer station, access roads and associated infrastructure (Minjar Gold Pty Ltd, 2010).

Native vegetation and topsoil removed during clearing operations will be stockpiled separately for use in future rehabilitation works (Minjar Gold Pty Ltd, 2010).

Vegetation Condition

Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994);

To

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

Comment

The vegetation condition rating is derived from information provided by (Minjar Gold Pty Ltd, 2010), Mattiske Consulting Pty Ltd (2009) and analysis of aerial photography and satellite imagery.

Clearing permit CPS 3823/1 was granted by the Department of Mines and Petroleum on 26 August 2010 and allowed for the clearing of 30.69 hectares of native vegetation. An application to amend this permit was received by the Department of Mines and Petroleum on 10 September 2012. The application requested an extension of the expiry date from 31 December 2012 to 31 December 2016 and re-orientation of the permit boundary.

3. Assessment of application against clearing principles

Comments

Minjar Gold Pty Ltd has applied to increase the duration of the permit from 31 December 2012 to 31 December 2016. Additionally, Minjar Gold Pty Ltd has applied to re-orientate the permit boundary.

Current environmental information over the application area has been assessed and determined that the re-orientation of the permit boundary is not likely to cause any additional impacts to those identified in clearing permit decision report CPS 3823/1. The potential impact to Malleefowl (*Leipoa ocellata*) (Vulnerable under the *Environment Protection and Biodiversity Conservation Act 1999*) remains consistent with the assessment in clearing permit decision report CPS 3823/1. Therefore, potential impacts to Malleefowl as a result of the proposed clearing may be minimised by the continuation of a fauna management condition.

Through review of a flora survey conducted by Mattiske Consulting (2009), APM (2012) has identified an additional 6-10 *Drummondita fluva* (P3) individuals and an additional 6-10 *Micromyrtus trudgenii* individuals within the application area. Both of these species are considered to be locally abundant and the proposed clearing is considered unlikely to significantly impact on these species.

The assessment of all clearing principles remains consistent with the assessment in clearing permit decision report CPS 3823/1.

Methodology

APM (2012)
Mattiske Consulting (2009)

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

Comments

There is one Native Title Claim (WC97/72) over the area under application (GIS Database). This claim has been registered with the National Native Title Tribunal. 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 and Conservation 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 24 September 2012 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received in relation to the proposed clearing.

Methodology

GIS Database:
- Aboriginal Sites of Significance
- Native Title Claims – Registered with the NNTT

4. References

- APM (2012) Support information for a clearing permit amendment Minjar Gold Pty Ltd Monaco Expansion – Minjar Gold Project. Application for Amendment to Clearing Permit (Purpose Permit) CPS 3823/1). Unpublished report prepared for Minjar Pty Ltd dated September 2012. Animal Plant Mineral 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.
- Mattiske Consulting Pty Ltd (2009) Flora and Vegetation Survey of the Monaco Project Area within tenements M59/420 and M59/458, Minjar Project Area. Prepared for Golden Stallion Resources Pty Ltd. September 2009.
- Minjar Gold Pty Ltd (2010) Monaco Project - Application for a Purpose Clearing Permit. June 2010.

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.

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.