



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4006/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: GWR Group Limited

1.3. Property details

Property: Mining Lease 53/971
Mining Lease 53/972
Mining Lease 53/1018
Mining Lease 53/1078
Miscellaneous Licence 53/146
Local Government Area: Shire of Wiluna
Colloquial name: John William Douth Open Pit

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 14 April 2016

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 extent in a regional context. The following Beard vegetation association is located within the application area:

202: Shrublands; mulga & *Acacia quadrimarginea* scrub.

A number of flora and vegetation surveys have been conducted within and surrounding the application area. The following vegetation communities have been recorded within the application area (Keith Lindbeck and Associates, 2010):

SIMS-B – Stony Ironstone Mulga Shrublands on rocky slopes and crests, frequently on Banded Iron Formation (BIF). Described as an *Acacia aneura* var. *microcarpa* shrubland with *Grevillea beryana* occurring on rocky outcrops usually on BIF above *Prostanthera campbellii*, *Eremophila latrobei* subsp. *latrobei*, *E. punctata*, over scattered *Ptilotus schwartzii* and *Cheilanthes brownie*;

SIMS-M – Stony Ironstone Mid-slope Mulga Shrubland. Mid-slope habitat associated with iron rich outcrops. It consists of *Acacia aneura* var. *microcarpa*, with scattered *A. pruinocarpa* above *Eremophila latrobei* subsp. *latrobei*, *Dodonaea petiolaris*, *Hamieria kempeana* subsp. *muelleri*, *Eremophila flabellata*, with *E. jucunda* subsp. *jucunda*, and *Ptilotus rotundifolius*;

DRAS – Drainage Tract Acacia Shrubland. Occurs in areas where there is more concentrated run-on. It ranges from a scattered to close tall shrubland, sometimes woodland with understorey development inversely related to upper storey cover. Species common to DRAS are also common to other sclerophyll shrubland habitats;

ASET – Acacia Shrubland over *Eremophila* and *Triodia*. Mixed Acacia shrubland generally comprised of *Acacia aneura* over mid to low shrubs including *Eremophila punctata*, *E. latrobei*, *E. forrestii*, over *Triodia melvillei*;

SIMS-C – Stony Ironstone Mulga Shrublands on rocky slopes and crests. Commonly occurring upland habitat associated with ironstone or laterite; dominated by *Acacia aneura* var. *microcarpa*, with *Grevillea beryana*, above *Eremophila latrobei* subsp. *latrobei* often with *Stenanthemum petraeum*, *Eremophila punctata*, *E. jucunda* subsp. *jucunda*, and *Sida* sp. *Golden calyces glabrous*;

SIME – Stony Ironstone Mulga with *Eremophila forrestii* Shrubland. Commonly occurring mulga shrubland associated with the lower slopes of the hills and ridges in the survey area. It is dominated by *Acacia aneura* var. *microcarpa*, above *Eremophila forrestii* often with *E. punctata*, *E. flabellata* and *E. jucunda* subsp. *jucunda*;

SAES – Stony Acacia *Eremophila* Shrubland. Occurs as nearly level stony plains below areas of greater relief in both greenstone and granite dominated landscapes. Soils are generally shallow (<60 centimetres) red stony

earths. SAES can be summarised as an open *Acacia aneura* shrubland on stony red earth over scattered *Eremophila* species, *Sida ectogama*, *Ptilotus obovatus*, and *P. schwartzii*;

OALS - Open Acacia Shrubland on ironstone or laterite over low scattered shrubs. Varying habitat generally dominated by *Acacia quadrimarginea* and/or *A. balsamea* with *Acacia aneura* and often *Acacia cuthbertsonii* subsp. *cuthbertsonii* over *Scaevola spinescens*, *Eremophila latrobei* subsp. *latrobei*, *Ptilotus obovatus* and *E. flabellata*. OALS frequently occurs on lateritic low rises, low outcrops of weathered BIF, rough quartz slopes and upper breakaway surfaces; and

BRXS – Breakaway Mixed Shrublands. Varied habitat closely allied with BCLS (breakaway footslopes chenopod low shrubland) in that it shares the same physical environmental characteristics. It is generally a scattered *Acacia* species shrubland above *Eremophila* species, *Ptilotus obovatus*, with *Scaevola spinescens*, and often with emergent *Eucalyptus carnei* near the foot slope edges of the breakaway scarp. It has also been recorded as a moderately close tall to mid shrubland.

Clearing Description	John William Douth Open Pit Project. Golden West Resources Ltd has applied to clear up to 64 hectares within an application area of approximately 249.4 hectares for the purpose of mineral production. The project is located approximately 34 kilometres south-west of Wiluna in the Shire of Wiluna.
Vegetation Condition	Pristine: No obvious signs of disturbance (Keighery, 1994). to Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).
Comment	The purpose of the application is to develop the John William Douth Open Pit. This includes the construction of an open pit, waste rock dump, magazine, work area and ore storage (Keith Lindbeck and Associates, 2010). The vegetation condition was assessed by a botanist from Recon Environmental. Clearing permit CPS 4006/1 was granted by the Department of Mines and Petroleum on 24 March 2011 and authorised the clearing of 64 hectares within a boundary of 249.4 hectares.

3. Assessment of application against clearing principles

Comments

The permit holder has applied to extend the duration of the permit by an additional ten years to 16 April 2026. The amount of clearing authorised and permit boundary remain unchanged. They have also requested that the permit holder is changed from Golden West Resources Ltd to GWR Group Ltd to reflect the change in company name.

The vegetation units SIMS-B and SIMS-M are almost exclusively found within the boundary of the 'Wiluna West vegetation complexes (banded ironstone formation)' Priority Ecological Community (Recon, 2010). Recent advice from the Department of Parks and Wildlife (2015) indicates that these communities are of particular significance given their restricted distribution and presence of Banded Ironstone Formation endemic species. There is approximately 23.08 hectares and 59.01 hectares of the SIMS-B and SIMS-M vegetation units respectively within the permit boundary. Potential impacts to these communities may be minimised by the implementation of a restricted clearing condition.

The proposed amendment is unlikely to result in any significant change to the environmental impacts of the proposed clearing. The assessment against the clearing principles remains consistent with the assessment contained in decision report CPS 4006/1.

Methodology Department of Parks and Wildlife (2015)
Recon (2010)

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

Comments

There is one Native Title Claim (WC2007/003) over the area under application (Department of Aboriginal Affairs, 2016). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. 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*.

According to available databases, there is one registered Aboriginal Site of Significance within the application area (Department of Aboriginal Affairs, 2016). 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, 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 Department of Aboriginal Affairs (2016)

4. References

- Department of Aboriginal Affairs (2016) Aboriginal Heritage Inquiry System, Government of Western Australia, Department of Aboriginal Affairs < <http://maps.dia.wa.gov.au/AHIS2/>> (Accessed 8 March 2016).
- Department of Parks and Wildlife (2015) Advice received in relation to Clearing Permit Application CPS 6726/1, Species and Communities Branch, Department of Parks and Wildlife, Western Australia, 21 October 2015.
- Keith Lindbeck and Associates (2010) Golden West Resources - John William Douth Pit. Native Vegetation Clearing Permit Application Supporting Document. Report prepared for Golden West Resources Ltd by Keith Lindbeck and Associates, September 2010.
- Recon Environmental (2010) Joyner's Find Hills Regional Vegetation Survey. Report prepared for Golden West Resources by Recon Environmental, March 2010.

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.