



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 4033/3

Permit type: Purpose

### 1.2. Proponent details

Proponent's name: Saracen Gold Mines Pty Ltd

### 1.3. Property details

Property: Mining Lease 31/30  
Mining Lease 31/380  
Mining Lease 31/381

Local Government Area: Shire of Menzies

Colloquial name: Margaret's Project

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 20 December 2018

## 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 the following Beard vegetation association:  
**400:** Succulent steppe with open low woodland; mulga over bluebush (GIS Database).

A flora and vegetation survey was conducted over the application area by Botanica Consulting on 12 and 13 July 2010. The following vegetation associations were recorded within the application area (Botanica, 2010):

**Creepline Vegetation** - Upper-storey of *Acacia burkittii*, *Santalum lanceolatum* and *Santalum spicatum*. The midstorey included *Eremophila longifolia*, *Acacia tetragonophylla* and *Maireana pyramidata*. The lower-storey included *Sida calyxhymentia*, *Maireana triptera* and *Cheilanthes sieberi* subsp. *sieberi*. Many germinants of Asteraceae species were found within this vegetation unit;

**Maireana pyramidata Chenopod Shrubland** - Upper-storey of *Santalum lanceolatum*, *Acacia aneura*, *Acacia burkittii*, *Acacia tetragonophylla* and *Hakea preissii*. The middle canopy included *Maireana sedifolia*, *Maireana pyramidata*, *Pittosporum angustifolium*, *Themeda triandra* and *Eremophila longifolia*. The lower-storey included *Scaevola spinescens*, *Eremophila clarkei* and *Solanum ferocissimum*;

**Maireana sedifolia Chenopod Shrubland** - Upper-storey comprised *Santalum lanceolatum*, *Acacia aneura*, *Acacia burkittii*, *Acacia tetragonophylla* and *Hakea preissii*. The middle canopy included *Maireana sedifolia*, *Maireana pyramidata*, *Pittosporum angustifolium*, *Themeda triandra* and *Eremophila longifolia*. The lower-storey included *Scaevola spinescens*, *Eremophila clarkei* and *Solanum ferocissimum*;

**Mulga Woodland** - Upper-storey *Acacia ramulosa*, *Acacia aneura*, *Acacia tetragonophylla* and *Casuarina pauper*. The middle canopy included *Maireana sedifolia*, *Maireana pyramidata*, *Maireana triptera*, *Themeda triandra* and *Eremophila longifolia*. The lower-storey included *Scaevola spinescens*, *Eremophila clarkei* and *Solanum ferocissimum* (Botanica, 2010).

**Clearing Description** Margaret's Project.  
Saracen Gold Mines Pty Ltd proposes to clear up to 126 hectares of native vegetation within a boundary of approximately 294 hectares, for the purposes of mineral production. The project is located approximately 120 kilometres east of Menzies, within the Shire of Menzies.

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

**Comment** The vegetation condition was derived from a vegetation survey conducted by Botanica Consulting (Botanica, 2010).

The proposed clearing is for the development of the Margaret's mining area, including a mine pit and associated mining related infrastructure.

Clearing permit CPS 4033/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 9 December 2010 and was valid from 1 January 2011 to 31 January 2014. The permit authorised the clearing of up to 126 hectares of native vegetation within a boundary of approximately 294 hectares, for the purpose of mineral production.

CPS 4033/2 was granted on 19 December 2013, extending the permit duration to 31 January 2019. The area of clearing authorised and the permit boundaries remained unchanged.

On 12 November 2018, the Permit Holder applied to amend CPS 4033/2 to extend the permit expiry date from 31 January 2019 to 31 January 2024.

### 3. Assessment of application against Clearing Principles

#### Comments

The Permit Holder has applied to amend the clearing permit to extend the permit duration by five years to 31 January 2024. The size of the area approved to clear (126 hectares), and the permit boundaries remain unchanged. The amendment is unlikely to result in any significant change to the environmental impacts of the proposed clearing (GIS Database).

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*. Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision reports CPS 3934/1 and 3934/2.

#### Methodology

GIS Database:  
- DPaW Tenure  
- Hydrography, Lakes  
- Hydrography, Linear  
- Imagery  
- Pre-European Vegetation  
- Public Drinking Water Source Areas  
- Threatened and Priority Ecological Communities boundaries  
- Threatened and Priority Flora  
- Threatened Fauna

### Planning Instrument, Native Title, previous EPA decision or other matter.

#### Comments

There is one Native Title claim (WC2017/001) over the area under application (DPLH, 2018). 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*.

There are no registered Aboriginal Sites of Significance within the application area (DPLH, 2018). 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.

**Methodology** DPLH (2018)

### 4. References

- Botanica (2010) Level 1 Flora and Vegetation Survey (Tenements: M31/0003, M31/0004, M31/0005, M31/0006, M31/0030, M31/0059, M31/0076, M31/0190, M31/0381, E31/0621, L31/0011). Report prepared for Saracen Mineral Holdings Pty Ltd, by Botanica Consulting, July 2010.
- DPLH (2018) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage. <http://maps.daa.wa.gov.au/AHIS/> (Accessed 17 December 2018).
- 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:

<b>BoM</b>	Bureau of Meteorology, Australian Government
<b>DAA</b>	Department of Aboriginal Affairs, Western Australia (now DPLH)
<b>DAFWA</b>	Department of Agriculture and Food, Western Australia (now DPIRD)
<b>DBCA</b>	Department of Biodiversity Conservation and Attractions, Western Australia
<b>DEC</b>	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
<b>DEE</b>	Department of the Environment and Energy, Australian Government
<b>DER</b>	Department of Environment Regulation, Western Australia (now DWER)
<b>DMIRS</b>	Department of Mines, Industry Regulation and Safety, Western Australia
<b>DMP</b>	Department of Mines and Petroleum, Western Australia (now DMIRS)
<b>DPIRD</b>	Department of Primary Industries and Regional Development, Western Australia
<b>DPLH</b>	Department of Planning, Lands and Heritage, Western Australia
<b>DRF</b>	Declared Rare Flora
<b>DoE</b>	Department of the Environment, Australian Government (now DEE)
<b>DoW</b>	Department of Water, Western Australia (now DWER)
<b>DPaW</b>	Department of Parks and Wildlife, Western Australia (now DBCA)
<b>DSEWPaC</b>	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
<b>DWER</b>	Department of Water and Environmental Regulation, Western Australia
<b>EPA</b>	Environmental Protection Authority, Western Australia
<b>EP Act</b>	<i>Environmental Protection Act 1986</i> , Western Australia
<b>EPBC Act</b>	<i>Environmental Protection and Biodiversity Conservation Act 1999</i> (Federal Act)
<b>GIS</b>	Geographical Information System
<b>ha</b>	Hectare (10,000 square metres)
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>IUCN</b>	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
<b>PEC</b>	Priority Ecological Community, Western Australia
<b>RIWI Act</b>	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
<b>TEC</b>	Threatened Ecological Community

### Definitions:

{DPaW (2017) **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 1950*.

**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 1950*.

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.