



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 4221/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: MMG Golden Grove Pty Ltd

### 1.3. Property details

Property: Mining Lease 59/195  
Mining Lease 59/227  
Local Government Area: Shire of Yalgoo  
Colloquial name: Golden Grove Open Pit Project

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
133.6		Mechanical Removal	Mineral Production and Associated Activities

### 1.5. Decision on application

Decision on Permit Application: Grant  
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** The clearing permit application area has been broadly mapped as the following Beard vegetation association: 420: Shrublands; bowgada & jam scrub (GIS Database).

Woodman Environmental Consulting Pty Ltd (Woodman) reviewed previous surveys done over the area, and reported that the following six plant communities have been recorded within the application area (Woodman, 2010):

#### **Acacia Woodlands:**

**AW3:** Open low woodland or tall shrubland of mixed *Acacia* species over scattered shrubs and dense annual species dominated by mixed *Asteraceae* species and *Austrostipa trichophylla*.

**AW4:** Open low woodland or tall shrubland of mixed *Acacia* species over scattered shrubs and dense annual species dominated by *Monachather paradoxus* and *Waitzia acuminata*.

**AW6:** Open low woodland of *Acacia ramulosa*, *Acacia burkittii* and *Acacia tetragonophylla* over chenopods and annuals.

#### **Shrublands:**

**S10:** Open low shrubland of *Mirbelia rhagodioides*, *Thryptomene costata* and *Baeckea sp.* with emergent *Acacia grasbyi* and mixed *Acacia* species.

**S11:** Open low shrubland of *Mirbelia rhagodioides*, *Thryptomene costata*, *Aluta aspera subsp. hesperia*, *Baeckea sp.* and *Hemigenia benthamii* over scattered annual species.

**S12:** Very open low shrubland of *Acacia aneura var. aneura*, *Acacia ramulosa var. ramulosa* and *Acacia aulacophylla* over *Dodonaea petiolaris*, *Ptilotus obovatus*, *Olearia stuartii*, *Philotheca brucei*, *Philotheca sericea* and *Mirbelia rhagodioides*.

**Clearing Description** Golden Grove Open Pit Project.  
MMG Golden Grove Pty Ltd (MMG) proposes to clear up to 133.6 hectares of native vegetation within a boundary of approximately 280 hectares, for the purpose of mineral production and associated activities. The project is located approximately 115 kilometres northeast of Morawa, within the Shire of Yalgoo.

**Vegetation Condition** Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).  
To  
Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

**Comment**

The vegetation condition was derived from a report by Coffey Environments (2011).

Clearing permit CPS 4221/1 was granted by the Department of Mines and Petroleum on 28 April 2011 and authorised the clearing of up to 123.9 hectares of native vegetation within a boundary of approximately 280 hectares.

On 19 January 2016, the Permit Holder applied to amend CPS 4221/1 to increase the area approved to clear from 123.9 hectares to 133.6 hectares, and to extend the permit expiry date from 31 May 2016 to 31 May 2019. The permit boundary will remain unchanged.

### 3. Assessment of application against clearing principles

**Comments**

MMG Golden Grove Pty Ltd has applied to increase the amount of clearing authorised by 9.7 hectares, to allow for the expansion of existing mining operations and construction of additional mining related infrastructure, within the existing clearing permit boundary (MMG, 2016). The permit holder has also applied to extend the permit duration by three years.

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 proposed amendment is unlikely to result in any significant change to the environmental impacts of the proposed clearing (GIS Database).

The assessment of the proposed clearing against the clearing principles remains consistent with the assessment in decision report CPS 4221/1.

**Methodology** MMG (2016)

GIS Database:

- DPaW Tenure
- Hydrography, lakes
- Hydrography, linear
- Pre-European Vegetation
- Threatened and Priority Flora
- Threatened and Priority Ecological Communities (TEC/PEC) - Boundaries
- Threatened and Priority Ecological Communities (TEC/PEC) - Buffered

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

**Comments**

The clearing permit amendment application was advertised on 15 February 2016 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received in relation to this application.

There is one registered native title claim (WC1997/072) over the area under application (DAA, 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 are no registered Aboriginal Sites of Significance located within the application area (DAA, 2016; 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 Water, and the Department of Parks and Wildlife, 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** DAA (2016)

GIS Database:

- Aboriginal Sites Register System

## 4. References

- Coffey Environments (2011) Vegetation Clearing Permit Application for the Golden Grove Open Pit Project. Report prepared for MMG Golden Grove Pty Ltd, by Coffey Environments Pty Ltd, January 2011.
- DAA (2016) Aboriginal Heritage Enquiry System. Department of Aboriginal Affairs. <http://maps.dia.wa.gov.au/AHIS2/> (Accessed 11 March 2016).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- MMG (2016) Application for an amendment to a clearing permit. MMG Golden Grove Pty Ltd, January 2016.
- Woodman (2010) Minerals and Metals Group Golden Grove Pit Project. Flora and Vegetation Impact Assessment. Report prepared for MMG Golden Grove Pty Ltd, by Woodman Environmental Consulting Pty Ltd, December 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	<p><b>Threatened species:</b> Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, 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).</p> <p><b>Threatened fauna</b> is that subset of 'Specially Protected Fauna' declared to be 'likely to become extinct' pursuant to section 14(4) of the Wildlife Conservation Act.</p> <p><b>Threatened flora</b> 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.</p> <p>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.</p>
CR	<p><b>Critically endangered species</b> Threatened species considered to be facing an extremely high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.</p>
EN	<p><b>Endangered species</b> Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.</p>

- 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.