



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4841/3
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Independence Jaguar Pty Ltd

1.3. Property details

Property: Mining Lease 37/44
Mining Lease 37/1132
Mining Lease 37/1153
Mining Lease 37/1230
Mining Lease 37/1257
Mining Lease 37/1290
Exploration Licence 37/258
Local Government Area: Shire of Leonora
Colloquial name: Jaguar Base Metals Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 March 2017

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. Two Beard vegetation associations have been mapped within the application area (GIS Database):

Beard vegetation association 18: Low woodland; Mulga (*Acacia aneura*); and

Beard vegetation association 28: Open low woodland; Mulga.

A number of flora surveys have been conducted within the application area. Outback Ecology Services (2009) described the vegetation as being dominated by Mulga woodlands, shrubs and ephemeral creek lines. Typical vegetation consisted of: "Low (Open) Woodland of *Acacia aneura* over Open Shrubland of *Acacia* and *Eremophila* spp. over Low Open Shrubland of *Eremophila* spp.". *Acacia aneura* and *Eremophila* species were present in virtually every quadrat and relevé with *Eremophila margarethae* dominating the understorey over much of the survey area.

Ecotec (2007a) described the main vegetation type as acacia shrubland associated primarily with clay-loam soils which tends toward acacia woodland where deep clay-loam soils are present (Ecotec, 2007a). In addition to many of the flora species found elsewhere within the application area, the creek lines support *Eucalyptus camaldulensis* and often a dense understorey of predominately *Acacia* species (Ecotec, 2007b). Smaller creek lines and drainage channels tend to be densely vegetated with acacias (Ecotec, 2007b). Rocky hills in the area characteristically have very little topsoil and sparse vegetation with flora species present generally consistent with the surrounding low lying areas, comprising predominately *Acacia* and *Eremophila* species. Ecotec (2007a) also noted the presence of mulga "groves" at the foot of drainage lines descending from the hills.

Clearing Description

Jaguar Base Metals Project
Independence Jaguar Limited proposes to clear up to 100 hectares of native vegetation within a total boundary of approximately 3,882 hectares, for the purpose of mineral production and mineral exploration. The project is located approximately 45 kilometres north, north west of Leonora, in the Shire of Leonora.

Vegetation Condition

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

To

Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

Comment

The vegetation condition was derived from aerial imagery and flora and vegetation survey conducted Jims Seeds, Weeds & Trees (2004) and Outback Ecology Services (2009).

Clearing Permit CPS 4841/1 was granted by the Department of Mines and Petroleum (DMP) for mineral production and mineral exploration on 8 March 2012 and authorised the clearing of 100 hectares of native vegetation within a total boundary of approximately 3,882 hectares.

Amended clearing permit CPS 4841/2 was granted on 30 July 2015 for the purpose of changing the permit holder name from Jabiru Metals Limited to Independence Jaguar Limited. The permit boundary area and clearing amount remained unchanged.

On 14 February 2017, Independence Jaguar Limited applied to amend CPS 4841/2 in order to change the permit holder name from Independence Jaguar Limited to Independence Jaguar Pty Ltd and extend the duration by 5 years. The permit boundary area and clearing amount remained unchanged.

3. Assessment of application against clearing principles

Comments

The amendment to change the permit holder name from Independence Jaguar Limited to Independence Jaguar Pty Ltd and extend the permit duration by 5 years is unlikely to result in any significant environmental impacts. The size of the area approved to clear (100 hectares) and the permit boundaries remain unchanged.

The assessment against the clearing principles remains consistent with the assessment contained in decision report CPS 4841/1.

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

Comments

There are no native title claims over the area under application (DAA, 2017). 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 are at least 12 registered Aboriginal sites of significance occurring within, or within close proximity to, the application area (DAA, 2107; 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 (2017)

GIS Database:
- Aboriginal Sites of Significance

4. References

DAA (2017) Aboriginal Heritage Inquiry System, Department of Aboriginal Affairs, Perth, Western Australia < <http://maps.dia.wa.gov.au> > (Accessed March 2017).

Ecotec (WA) Pty Ltd (2007a) Flora and Vegetation Assessment of the Teutonic Bore Area. Unpublished report for Jabiru Metals Limited, January 2007.

Ecotec (WA) Pty Ltd (2007b) Fauna Assessment of the Teutonic Bore Area. Unpublished report for Jabiru Metals Limited, January 2007.

Jims Seeds, Weeds & Trees (2004) Flora Survey – Jaguar/Teutonic Bore. Unpublished report for Pilbara Mines Limited, September 2004.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Outback Ecology Services (2009) Jabiru Metals Bentley Stage 1, Vegetation and Flora survey. Unpublished report for Jabiru Metals Limited, October 2009.

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>Environmental 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.