



Clearing Permit Decision Report

1. Application details and outcome

1.1. Permit application details

Permit number:	4841/4
Permit type:	Purpose Permit
Applicant name:	Round Oak Jaguar Pty Ltd
Application received:	19 October 2021
Application area:	100 hectares
Purpose of clearing:	Mineral production and mineral exploration
Method of clearing:	Mechanical Removal
Tenure:	Exploration Licence 37/258, Mining Leases 37/44, 37/1132, 37/1153, 37/1230, 37/1257, 37/1290
Location (LGA area/s):	Shire of Leonora
Colloquial name:	Jaguar Base Metals Project

1.2. Description of clearing activities

The Jaguar Base Metals Project is located approximately 45 kilometres north, north west of Leonora within the Shire of Leonora. Round Oak Jaguar Pty Ltd proposes to clear up to 100 hectares of native vegetation within a boundary of approximately 3,882 hectares, for the purposes of mineral production and mineral exploration.

Clearing Permit CPS 4841/1 was granted by the former Department of Mines and Petroleum (DMP) on 8 March 2012 for mineral production and mineral exploration. The permit 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 updating the permit holder name from Jabiru Metals Limited to Independence Jaguar Limited. The permit boundary and total area of clearing authorised remained unchanged.

Amended clearing permit CPS 4841/3 was granted on 23 March 2017. The amendment updated the permit holder name from Independence Jaguar Limited to Independence Jaguar Pty Ltd and extended the permit duration by five years. The permit boundary and total area of clearing authorised remained unchanged.

On 19 October 2021, the Permit Holder applied to amend CPS 4841/3 to extend the permit duration until 2032, as the mine will continue to operate for an indefinite period. The permit holder name will also be updated from Independence Jaguar Limited to Round Oak Jaguar Pty Ltd. The permit boundary and total area of clearing authorised remain unchanged.

The proponent has reported that approximately 27.856 hectares has been cleared pursuant to permit 4841/3 (as of 30 June 2021), most of which was for the establishment of a tailings storage facility on Mining Lease 37/1153.

1.3. Decision on application and key considerations

Decision:	Granted
Decision date:	17 March 2022
Decision area:	100 hectares of native vegetation

1.4. Reasons for decision

This clearing permit amendment application was made in accordance with section 51KA of the *Environmental Protection Act 1986* (EP Act) and was received by the Department of Mines, Industry Regulation and Safety (DMIRS) on 19 October 2021. DMIRS advertised the application for public comment for a period of 7 days, and no submissions were received.

In undertaking the assessment, the Delegated Officer had regard for the site characteristics, relevant datasets, supporting information provided by the applicant including the results of previous flora and vegetation surveys and fauna surveys, the Clearing Principles set out in Schedule 5 of the EP Act, and any other matters considered relevant to the assessment.

The assessment of the amendment application remains consistent with the assessment of previous versions of the permit (CPS 4841/1, 4841/2 and 4841/3). The Delegated Officer determined that extending the duration of the permit by a further five years is unlikely to result in any significant additional impacts to environmental values.

After consideration of the available information, the Delegated Officer determined that the proposed amendment is not likely to lead to an unacceptable risk to the environment. The Delegated Officer decided to grant the amended clearing permit with the existing permit conditions.

2. Assessment of application

2.1. Avoidance and mitigation measures

The Permit Holder has advised that all native vegetation clearing at the mine site is managed by a 'Permit To Work' (PTW) system which requires all clearing to be signed off by a company environmental representative, surveyor and authorised PTW duty officer. The Delegated Officer notes that this internal system minimises the risk of unauthorised clearing taking place at the mine site.

The Delegated Officer is satisfied that the applicant has made a reasonable effort to avoid and minimise potential impacts of the proposed clearing on environmental values.

2.2. Assessment of impacts on environmental values

A number of flora and vegetation and fauna surveys have previously been undertaken over the Jaguar and Bentley mine areas, including the permit area. These include Jims Seeds, Weeds & Trees (2004), Biota (2005), IRC Environment (2005), Ecotec (WA) Pty Ltd (2007a), Ecotec (WA) Pty Ltd (2007b), Ecotec (WA) Pty Ltd (2009) and Outback Ecology Services (2009). These surveys provide a useful baseline of vegetation, flora and fauna values of the local area before the Jaguar and Bentley mines were constructed, and during the early years of the mining operations. However, the Delegated Officer notes that these surveys now range from 13-18 years of age. There is a potential that some environmental values may have changed since these surveys were undertaken.

Based on the findings of previous vegetation, flora and fauna surveys, and desktop interpretation of available GIS databases and other information, the assessment of the amendment application remains consistent with the assessment contained in previous versions of the decision report (Government of Western Australia, 2019; Western Australian Herbarium, 1998-; GIS Database).

2.3. Relevant planning instruments and other matters

There is one native title claim (WC2018/005) over the area under application (DPLH, 2022). 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 numerous registered Aboriginal Sites of Significance within the application area (DPLH, 2022). 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.

The clearing permit amendment application was advertised on 26 October 2021 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

The permit holder has applied to extend the duration of the permit by approximately ten years, to 2032. The Delegated Officer considers that a five year extension is more appropriate, given the vegetation, flora and fauna surveys used for the assessment of the clearing principles now range from 13-18 years of age. It is recommended that any future permit duration extension requests are supported by contemporary biological surveys, undertaken in accordance with the latest technical guidance for environmental impact assessment (such as EPA, 2016a and EPA, 2016b).

DMIRS notes that the company name Independence Jaguar Pty Ltd is no longer current, and the company is now known as Round Oak Jaguar Pty Ltd. Amended clearing permit 4841/4 will reflect the company name change.

DMIRS also notes that Exploration Licence 37/258, Mining Leases 37/44, 37/1132 and 37/1153 will expire prior to the expiration of the clearing permit. Should a renewal of the tenements not be granted by DMIRS, any clearing permit granted will no longer be valid over those tenements.

Appendix A - References and databases

1. GIS datasets

Publicly available GIS Databases used (sourced from www.data.wa.gov.au):

- Aboriginal Heritage Places (DPLH-001)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- IBRA Vegetation Statistics

Restricted GIS Databases used:

- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

2. References

Biota (2005) Proposed Jaguar Mine Fauna Habitat and Fauna Assemblage Survey. Unpublished report for Jabiru Metals Limited dated February 2005.

Department of Planning, Lands and Heritage (DPLH) (2022) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 25 February 2022).

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.

Ecotec (WA) Pty Ltd (2009) Fauna Habitat Assessment Bentley Project Area. Unpublished report for Jabiru Metals Limited dated September 2009.

Environmental Protection Authority (EPA) (2016a) Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment. Available from: http://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/EPA%20Technical%20Guidance%20-%20Flora%20and%20Vegetation%20survey_Dec13.pdf.

Environmental Protection Authority (EPA) (2016b) Technical Guidance – Terrestrial Fauna Surveys. Available from: https://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/Tech%20guidance-%20Terrestrial%20Fauna%20Surveys-Dec-2016.pdf.

Government of Western Australia (2019) 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions. <https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics>

IRC Environment (2005) Teutonic Bore / Jaguar Mine Site Rare Flora Survey. Unpublished report for Jabiru Metals Limited dated 8 June 2005.

Jims Seeds, Weeds & Trees (2004) Flora Survey – Jaguar/Teutonic Bore. Report prepared for Pilbara Mines Limited, by Jims Seeds, Weeds & Trees, 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.

Western Australian Herbarium (1998-) FloraBase - the Western Australian Flora. Department of Biodiversity, Conservation and Attractions, Western Australia. <https://florabase.dpaw.wa.gov.au/> (Accessed 25 February 2022).