



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4959/3
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Edna May Operations Pty Ltd

1.3. Property details

Property: Mining Lease 77/88
Mining Lease 77/124
General Purpose Lease 77/122
Local Government Area: Shire of Westonia
Colloquial name: Edna May Gold Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
27.18		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 Beard vegetation associations have been mapped for the whole of Western Australia and are useful to look at vegetation in a regional context. The following Beard vegetation association is located within the permit area (GIS Database):

536: Medium woodland; morrell & rough fruited mallee (*Eucalyptus corrugata*).

A flora and vegetation survey was conducted over Mining Leases 77/88 and 77/124 by Paul Armstrong and Associates and Curtin University of Technology (Curtin University) on 22 and 23 October 2002, which included the permit area (Armstrong, 2003; GIS Database). The field survey identified four vegetation units within the mining leases. The following three vegetation units were recorded within the area covered by the previous version of the clearing permit (CPS 4959/2) (MBS, 2012; 2013):

1. Mixed Eucalypt Low Forest: Upper stratum (10-15 metres) of *Eucalyptus longicornis*, *E. yilgarnensis*, *E. salubris*, and *E. corrugata*. Second stratum (2-4 metres) dominated by *Melaleuca lanceolata*, including *Senna* sp, *Acacia* sp, *Eremophila* sp, and *Dodonaea* sp. over low open scrub (to 0.5 metres) including *Atriplex* sp, *Olearia* sp, *Scaevola* sp and *Maireana* sp.

2. Gimlet Low Forest: Upper stratum (10-12 metres) of *E. salubris*, understory (0.5-2 metres) of *Acacia* sp., *Eremophila* sp., *Maireana* sp. and *Melaleuca lanceolata*, over low grasses (to 0.5 metres) including *Austrostipa* sp., and *Ptilotus* sp.

3. Dense Thicket with Various Dominants: Upper stratum (2-4 metres) of *Allocasuarina* sp, *Acacia acuminata* and *Melaleuca uncinata*. Understory (0.2-1 metres) of *Acacia* sp, *Melaleuca* sp, *Eremophila* sp, *Grevillea* sp. Over low grasses, groundcovers and herbs (to 0.3 metres) including *Austrostipa* sp, *Dianella* sp, and *Waitzia accuminata*.

The vegetation within the additional 0.78 hectare area applied to clear under the current amendment application (CPS 4959/3) has been identified as the Gimlet Low Forest vegetation unit (Edna May, 2016).

Clearing Description Edna May Gold Project.
Edna May Operations Pty Ltd proposes to clear up to 27.18 hectares of native vegetation within a total boundary of approximately 27.18 hectares for the purpose of mineral production and associated activities. The project is located approximately 500 metres north-northeast of the town of Westonia (at the nearest point), within the Shire of Westonia.

Vegetation Condition Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994);
To
Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

Comment

The vegetation condition description is based on analysis of aerial photography and reports from vegetation surveys conducted over the previous permit area and more recently over the amendment application area (Armstrong, 2003; Edna May, 2016; GIS Database).

The permit area is located at the site of an operational gold mine. Mining has occurred at the site on an intermittent basis since 1911 and continuously since 2009/2010.

Clearing permit CPS 4959/1 was granted by the Department of Mines and Petroleum (DMP) on 7 June 2012, authorising the clearing of up to 20 hectares of native vegetation, for mineral production purposes. On 5 July 2013 the permit holder applied to amend the permit to increase the amount of clearing to 26.4 hectares and increase the clearing permit boundary. The additional 6.4 hectares of clearing was required to widen an existing access road, construct a new haul road and improve the safety of historical mine workings. Amended permit CPS 4959/2 was granted on 29 August 2013.

On 5 February 2016 the Permit Holder applied to amend CPS 4959/2 to increase the area approved to clear from 26.4 hectares to 27.18 hectares, and to increase the permit boundary by the same amount. The additional 0.78 hectare area is required to allow for the widening of an existing haul road to improve the safety of the haul road.

3. Assessment of application against clearing principles

Comments

Edna May Operations Pty Ltd (Edna May) has applied to amend the clearing permit to increase the amount of clearing authorised and increase the permit boundary by 0.78 hectares, for the purpose of widening an existing haul road at the Edna May minesite.

The amendment area consists of two areas located on either side of the existing haul road. These areas are located on the edge of a large remnant of native vegetation, and immediately adjacent to substantial areas of existing disturbance from mining and agricultural activities (Edna May, 2016; GIS Database).

There are no Priority flora species, or Threatened or Priority Ecological Communities recorded within or in close proximity to the permit area (Edna May, 2016; GIS Database). The Threatened Flora species *Eremophila resinosa* is known to occur within and surrounding the Edna May mine site (Edna May, 2016). The amendment area and nearby areas have been intensively searched, and *Eremophila resinosa* does not occur within or in close proximity to the amendment area (Edna May, 2016).

The amendment areas are unlikely to represent significant habitat for fauna in comparison to less disturbed or more protected parts of the Westonia Town Common. No unusual habitat features such as caves, wetlands or permanent pools occur within the amendment areas (Edna May, 2016; GIS Database). Due to the location on the edge of the remnant and the close proximity to disturbed areas, the vegetation to be cleared is unlikely to provide a significant fauna refuge or fauna linkage role. The nearest Department of Parks and Wildlife managed land is the Sandford Rocks Nature Reserve, located approximately 6 kilometres north-east of the application area (GIS Database). The small area of additional clearing is unlikely to have any impact on linkages to this or any other conservation area.

The permit area is broadly mapped as Beard vegetation association 536: Medium woodland; morrell & rough fruited mallee (*Eucalyptus corrugata*) (GIS Database), which retains approximately 41 percent and 35 percent of the pre-European extent at the State and Bioregional level, respectively (Government of Western Australia, 2014). At this level, the vegetation association is considered to have a conservation status of "Depleted" (Department of Natural Resources and Environment, 2002). However, it remains above the 30 percent threshold level recommended in the National Objectives and Targets for Biodiversity Conservation, below which, species loss appears to accelerate exponentially at an ecosystem level (EPA, 2000). The proposed clearing of an additional 0.78 hectares will not reduce this level below the 30 per cent threshold and will not alter the conservation status of this Beard vegetation association.

The majority of the 0.78 hectare amendment area falls within the Westonia Town Common (Crown Reserve 14983), while approximately 0.2 hectares of the amendment area (at the northern end) is located on the edge of an adjoining area of remnant vegetation within farmland (GIS Database). The Westonia Town Common covers a total area of approximately 2,000 hectares, and forms part of a larger remnant which is recognised as a significant remnant of native vegetation in a region that has been extensively cleared, predominantly for agricultural purposes (Edna May, 2016; GIS Database). However, the small areas of additional clearing, located immediately adjacent to existing disturbance, are not in themselves considered to be significant remnants in either a local or regional context. The additional clearing on the edge of this remnant vegetation is unlikely to have any significant impact on the environmental values of the remnant or the Crown Reserve.

There are no watercourses or wetlands within the amendment area, and the small additional area of clearing is unlikely to have any significant impact on groundwater or surface water quantity or quality. The soil types in the region are generally resistant to erosion (Schoknecht, 2002), and the additional clearing is unlikely to result in land degradation or increase the incidence of flooding.

The vegetation associations, landforms and fauna habitat types found within the amendment area are similar to those found within the previous permit area and are well represented in the region (GIS Database). The additional 0.78 hectares of clearing is unlikely to result in any significant additional environmental impacts at a local or regional scale.

The assessment of the previous permit area can be found in decision report 4959/2. 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*, and the proposed additional 0.78 hectares of clearing is not likely to be at variance to Principles (a), (b), (c), (d), (e), (g), (h), (i) and (j) and is not at variance to Principle (f).

Methodology Department of Natural Resources and Environment (2002)
Edna May (2016)
EPA (2000)
Government of Western Australia (2014)
Schoknecht (2002)

GIS Database:
- Cadastre
- DPaW Tenure
- Hydrography, lakes
- Hydrography, linear
- Imagery
- Pre-European vegetation
- Reserves
- Threatened and Priority Ecological Communities Boundaries
- Threatened and Priority Ecological Communities Buffers
- Threatened and Priority Flora

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

Comments

There are no Native Title Claims 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 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.

The clearing permit amendment application was advertised on 29 February 2016 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received in relation to this application.

Methodology DAA (2016)

GIS Database:
- Aboriginal Sites Register System

4. References

- Armstrong (2003) Floral Components for a Notice of Intent, Westonia Gold Mine (M77/88 and M77/124). Report prepared for Westonia Mines Limited by Paul Armstrong and Associates, 16 January 2003.
- Bamford (2002) Vertebrate Fauna of the Westonia Mine Lease. Report prepared for Knight Piesold Consulting by Bamford Consulting Ecologists, 10 December 2002.
- DAA (2016) Aboriginal Heritage Enquiry System. Department of Aboriginal Affairs. <http://maps.dia.wa.gov.au/AHIS2/> (Accessed 6 April 2016).
- Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
- Edna May (2016) Application for an Amendment to Native Vegetation Clearing Permit CPS 49592. Edna May Operations Pty Ltd, January 2016.
- EPA (2000) Environmental Protection of Native Vegetation in Western Australia. Clearing of Native Vegetation, with Particular Reference to the Agricultural Area. Position Statement No. 2. December 2000. Environmental Protection Authority, Western Australia.
- Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Parks and Wildlife, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- MBS (2012) Edna May Gold Project Clearing Permit (Purpose Permit) Application M77/88, M77/124 Native Vegetation Management Plan and Assessment of Clearing Principles. Report prepared for Evolution Mining by MBS Environmental, March 2012.
- MBS (2013) Amendment to Native Vegetation Clearing Permit CPS 4959/1, Edna May Operations. MBS Environmental, July 2013.
- Schoknecht (2002) Soil Groups of Western Australia. A simple guide to the main soils of Western Australia. Resource Management Technical Report 246. Edition 3.

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 <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). 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.
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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.