



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 5035/3  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Doray Minerals Limited

### 1.3. Property details

Property: Mining Lease 51/870  
Local Government Authority: Shire of Meekatharra  
Colloquial name: Andy Well Gold Project

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 26 March 2015

## 2. Background

### 2.1. Existing environment and information

#### 2.1.1. Description of the native vegetation under application

##### Vegetation Description

The application area has been broadly mapped as the following two Beard vegetation associations (GIS Database):

- 29: Sparse low woodland; mulga, discontinuous in scattered groups; and
- 39: Shrublands; mulga scrub.

Mattiske Consulting Pty Ltd (2011) undertook a desktop survey and a flora and vegetation survey between 11 May and 14 May 2011 over the wider Andy Well exploration licence (E51/1217), which includes Mining Lease 51/870 and the clearing permit application area. A total of 69 sample sites were surveyed. Ten plant communities were identified within the survey area, five of which occur within the application area (Mattiske, 2011):

##### Shrublands

**S1:** Open scrub of *Eremophila galeata* and emergent *Acacia aneura* var. *aneura* and *Acacia tetragonophylla* over *Ptilotus obovatus* var. *obovatus* and *Solanum lasiophyllum* over *Aristida contorta*, *Eriachne pulchella* subsp. *dominii* and other grass species on orange clay flats with variable quantities of quartz and other pebbles.

**S2:** Open scrub of *Acacia aneura* var. *aneura*, *Acacia pteraneura* and occasional *Acacia tetragonophylla* over mixed *Eremophila* species and *Ptilotus obovatus* var. *obovatus* over *Aristida contorta*, *Eriachne pulchella* subsp. *dominii* and *Dysphania kalpari* on orange sandy/loam to clay/loam flats with occasional coverage of pebbles.

**S3:** Tall scrub of *Acacia aneura* var. *aneura*, *Acacia ayersiana* and *Acacia tetragonophylla* over *Eremophila galeata* over *Ptilotus macrocephalus* over *Eragrostis pergracilis*, *Paspalidium basicladum* and other grass species and mixed herbaceous species on orange clay/loam flats and floodplains.

##### Clearing Description

Andy Well Gold project. Doray Minerals Limited proposes to clear up to 127 hectares of native vegetation within a total boundary of approximately 1,106 hectares for the purpose of a mine pit and mining related infrastructure. The project is located approximately 50 kilometres northeast of Meekatharra, in the Shire of Meekatharra.

##### Vegetation Condition

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

To

Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

##### Comment

The vegetation condition was derived from a survey conducted by Mattiske Consulting Pty Ltd (2011).

Clearing permit CPS 5035/1 was granted by the Department of Mines and Petroleum on 21 June 2012, and was valid from 14 July 2012 to 14 July 2017. On 27 October 2014, Doray Minerals Limited applied to amend CPS 5035/1 to increase the area approved to clear from 77.5 hectares to 87 hectares, and to extend the permit expiry date to 14 July 2019. There was no change to the permit boundary. This amendment was granted by the Department of Mines and Petroleum on the 18 December 2014.

On 6 February 2015, Doray Minerals Limited applied to amend CPS 5053/2 to increase the area approved to clear from 87 hectares to 127 hectares and to extend the permit boundary over the entire tenement.

## Woodlands

**W1:** Woodland of *Acacia aneura* var. *aneura*, *Acacia ayersiana* and *Acacia tetragonophylla* over *Eremophila galeata* over *Ptilotus macrocephalus* over *Eragrostis pergracilis*, *Paspalidium basicladum* and other grass species and mixed herbaceous species on orange clay/loam flats.

## Flowlines

**C1:** Tall scrub of *Acacia tetragonophylla*, *Acacia fuscaneura*, *Acacia craspedocarpa* and *Grevillea striata* over occasional *Eremophila galeata* over mixed grass and herbaceous species on flowlines with orange loam.

## 3. Assessment of application against Clearing Principles

### Comments

Doray Minerals Ltd has applied to increase the area approved to clear by approximately 40 hectares, to 127 hectares in total and to increase the total clearing boundary to 1106 hectares.

A flora and vegetation survey covering the amended application area was conducted by Mattiske in May 2011 (Mattiske, 2011). None of the vegetation associations within the amended application area represent a threatened or priority ecological community and no threatened or priority flora species were recorded within the amended application area (MWH, 2015).

Three introduced (exotic) taxa were recorded within the application area: *Portulaca oleracea* (Common Purslane), *Bidens bipinnata* (Bipinnate Beggartick), and *Oxalis corniculata* (Yellow Wood Sorrel). None of these are Declared Plant species pursuant to section 37 of the *Agricultural and Related Resources Protection Act 1976*.

Bamford Consulting Ecologists conducted a fauna assessment incorporating a desktop review and Level 1 reconnaissance field survey over the application area in December 2011 (Bamford, 2012). The fauna habitat types identified during the survey were relatively common and widely represented throughout the region therefore the proposed clearing is unlikely to have a significant impact on fauna habitat availability at a local or regional scale (MWH, 2015).

There are no permanent wetlands or watercourses within the amended application area (GIS Database). There are two ephemeral drainage lines that intersect the application area however the flora and vegetation survey did not identify any riparian vegetation growing in association with these drainage lines (Mattiske, 2011).

The soil types within the amended application area are consistent with the soils of the original application area and the proposed additional clearing is not likely to impact on surface water quality nor increase the incidence or intensity of flooding (GIS Database).

The assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision report CPS 5035/2.

**Methodology** Bamford (2012)  
Matiskke (2011)  
MWH (2015)  
GIS Database:  
- Hydrography, linear  
- Threatened Ecological Sites Buffered  
- Threatened and Priority Flora

## Planning instrument, Native Title, RIWI Act Licence, EP Act Licence, Works Approval, Previous EPA decision or other matter.

### Comments

There is one Native Title Claim (WC1999/046) over the area under application (GIS Database). 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 several registered Aboriginal Sites of Significance within the application area (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 Parks and Wildlife, and the Department of Water, 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 amendment application was advertised on 23 February 2015 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received in relation to this application.

### Methodology

GIS Database:

- Aboriginal Sites of Significance
- Native Title Claims - Determined by the Federal Court
- Native Title Claims - Filed at the Federal Court
- Native Title Claims - Registered with the NNTT

## 4. References

- Bamford Consulting Ecologists (2012) Fauna Assessment of the Andy Well Mining Lease Area. Prepared for Doray Minerals Limited. January 2012.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske Consulting Pty Ltd (2011) Flora and Vegetation of the Andy Well Survey Area. Prepared for Doray Minerals Limited. June 2011.
- MWH Consulting Pty Ltd (2015) Suzie Open Pit Development Clearing Permit CPS 5035 Amendment Application on M51/870. Prepared for Doray Minerals Limited. February 2015.

## 5. Glossary

### Acronyms:

<b>BoM</b>	Bureau of Meteorology, Australian Government
<b>DAA</b>	Department of Aboriginal Affairs, Western Australia
<b>DAFWA</b>	Department of Agriculture and Food, Western Australia
<b>DEC</b>	Department of Environment and Conservation, Western Australia (now DPaW and DER)
<b>DER</b>	Department of Environment Regulation, Western Australia
<b>DMP</b>	Department of Mines and Petroleum, Western Australia
<b>DRF</b>	Declared Rare Flora
<b>DotE</b>	Department of the Environment, Australian Government
<b>DoW</b>	Department of Water, Western Australia
<b>DPaW</b>	Department of Parks and Wildlife, Western Australia
<b>DSEWPaC</b>	Department of Sustainability, Environment, Water, Population and Communities (now DotE)
<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>Environment 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>s.17</b>	Section 17 of the <i>Environmental Protection Act 1986</i> , Western Australia
<b>TEC</b>	Threatened Ecological Community

## **Definitions:**

{DPaW (2013) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

- T**      **Threatened species:**  
Specially protected under the *Wildlife Conservation Act 1950*, listed under Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna or the Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora).  
  
Threatened Fauna and Flora are further recognised by the Department according to their level of threat using IUCN Red List criteria. For example Carnaby's Cockatoo *Calyptorhynchus latirostris* is specially protected under the *Wildlife Conservation Act 1950* as a threatened species with a ranking of Endangered.
- Rankings:**  
CR: Critically Endangered - considered to be facing an extremely high risk of extinction in the wild.  
EN: Endangered - considered to be facing a very high risk of extinction in the wild.  
VU: Vulnerable - considered to be facing a high risk of extinction in the wild.
- X**      **Presumed Extinct species:**  
Specially protected under the *Wildlife Conservation Act 1950*, listed under Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora (which may also be referred to as Declared Rare Flora).
- IA**     **Migratory birds protected under an international agreement:**  
Specially protected under the *Wildlife Conservation Act 1950*, listed under Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice.  
Birds that are subject to an agreement between governments of Australia and Japan, China and The Republic of Korea relating to the protection of migratory birds and birds in danger of extinction.
- S**      **Other specially protected fauna:**  
Specially protected under the *Wildlife Conservation Act 1950*, listed under Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice.
- P1**     **Priority One - Poorly-known species:**  
Species that are known from one or a few collections or sight records (generally less than five), all on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, Shire, rail reserves and Main Roads WA road, gravel and soil reserves, and active mineral leases and under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more localities but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes.
- P2**     **Priority Two - Poorly-known species:**  
Species that are known from one or a few collections or sight records, some of which are on lands not under imminent threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, unallocated Crown land, water reserves, etc. Species may be included if they are comparatively well known from one or more localities but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes.
- P3**     **Priority Three - Poorly-known species:**  
Species that are known from collections or sight records from several localities not under imminent threat, or from few but widespread localities 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 localities but do not meet adequacy of survey requirements and known threatening processes exist that could affect them.
- 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 do not qualify for Conservation Dependent, but that are close to qualifying for Vulnerable.  
(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.
- P5**     **Priority Five - Conservation Dependent species:**  
Species that are not threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five years.

**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.