



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5127/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Regis Resources Limited

1.3. Property details

Property: General Purpose Lease 38/30
General Purpose Lease 38/31
General Purpose Lease 38/32
Mining Lease 38/237
Mining Lease 38/250
Mining Lease 38/343
General Purpose Lease 38/29
Miscellaneous Licence 38/212
Miscellaneous Licence 38/219

Local Government Area: Shire of Laverton
Colloquial name: Rosemont Gold Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 21 March 2013

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. One Beard vegetation association has been mapped within the application area (GIS Database; Government of Western Australia, 2011):

18: Low woodland; mulga (*Acacia aneura*); and

A flora and vegetation surveys of the application area conducted by Matiske Consulting (2012) identified the following seventeen vegetation associations within the area:

A1: Low open woodland of *Acacia aneura* var. *aneura* with *Acacia ayersiana* over *Acacia ramulosa* var. *linophylla*, *Acacia tetragonophylla*, *Eremophila pungens* (P4), *Eremophila punctata* and *Eremophila forrestii* subsp. *forrestii* on red-orange sandy loams on flats and slopes.

A2: Low open woodland of *Acacia aneura* var. *aneura* with *Acacia ayersiana* and *Grevillea berryana* over *Acacia ramulosa* var. *ramulosa*, *Acacia tetragonophylla* and mixed *Eremophila* spp. over *Ptilotus obovatus*, *Eragrostis eriopoda* and *Eriachne mucronata* on orange sandy/clay-loams on flats.

A5: Low open woodland to open shrubland of *Acacia aneura* and *Acacia aneura* var. *aneura* with *Acacia ayersiana*, *Acacia burkittii* and *Acacia tetragonophylla* over *Senna artemisioides* subsp. *filifolia* over mixed annual herbs on orange sandy-loams in minor drainage lines.

A11: Open to semi-closed shrubland of *Acacia incurvaneura* over *Eremophila pungens* (P4) and *Hibiscus burtonii* over *Ptilotus drummondii* and mixed grasses on flats with red clay soil.

A12: Open shrubland of *Acacia incurvaneura* and *Acacia mulganeura* over *Acacia tetragonophylla* and *Eremophila oldfieldii* over *Ptilotus obovatus*, *Hibiscus burtonii* and *Solanum lasiophyllum* over mixed grasses on flats to lower slopes with red gravelly clay soil and quartz pebbles.

A13: Semi-closed to open shrubland of *Acacia mulganeura*, *Acacia incurvaneura*, *Acacia tetragonophylla* and *Acacia craspedocarpa* over *Ptilotus obovatus*, *Hibiscus burtonii* and *Solanum lasiophyllum* on flats with red clay soil and quartz pebbles.

A14: Open to semi-closed shrubland of *Acacia incurvaneura* and occasional *Acacia mulganeura*, *Acacia quadrimarginea*, *Acacia pteraneura* and *Acacia tetragonophylla* over *Hibiscus burtonii* and *Ptilotus obovatus* over *Solanum lasiophyllum*, *Ptilotus drummondii*, *Enchylaena tomentosa* and mixed grasses on flats with clay soil.

A15: Open to semi-closed shrubland of *Acacia incurvaneura*, *Acacia mulganeura* and *Acacia tetragonophylla* over *Eremophila oldfieldii* over *Ptilotus obovatus*, *Hibiscus burtonii* and *Solanum lasiophyllum* over mixed grasses on flats with red clay soils and occasional quartz pebbles.

A15a: Degraded A15 vegetation community.

A16: Closed to open shrubland of *Acacia incurvaneura*, *Acacia burkittii*, *Acacia tetragonophylla* and *Acacia craspedocarpa* over *Senna artemisioides* subsp. *x artemisioides* over *Ptilotus obovatus* and *Hibiscus burtonii* over *Cheilanthes sieberi* subsp. *sieberi* and mixed grasses on minor creek lines with red clay soils.

A17: Closed to semi-open shrubland of *Acacia incurvaneura*, *Acacia pteraneura*, *Acacia craspedocarpa* and *Acacia tetragonophylla* over *Hibiscus burtonii* over *Sida* sp. dark green fruits (S. Van Leeuwen 2260), *Solanum lasiophyllum* and *Abutilon cryptopetalum* over *Cheilanthes sieberi* subsp. *sieberi* and mixed grasses on minor creek lines with red clay soil.

A18: Closed shrubland of *Acacia incurvaneura*, *Acacia mulganeura*, *Acacia craspedocarpa* and *Acacia tetragonophylla* over *Eremophila latrobei* subsp. *latrobei* and *Psyrax suaveolens* over *Grevillea deflexa* and *Hibiscus burtonii* over *Sida fibulifera* and mixed grasses on minor creek lines with red clay soil.

A19: Open shrubland of *Acacia burkittii* over *Eremophila oldfieldii* and *Senna artemisioides* subsp. *filiformis* over *Ptilotus obovatus* over mixed grasses on flats with red clay soil and quartz pebbles.

A20: Open to semi-closed shrubland of *Acacia incurvaneura* and *Acacia quadrimarginea* over *Ptilotus obovatus*, *Baeckea* sp. Melita Station (H. Pringle 2738) and *Ptilotus schwartzii* over mixed grasses on red clay loams with numerous granitic outcropping on slopes and ridges.

C1: Low open Chenopod shrubland of *Maireana pyramidata* and *Cratystylis subspinescens* with emergent *Acacia aneura* var. *aneura* and *Hakea preissii* over *Frankenia setosa*, *Maireana georgei*, *Maireana planifolia*, *Maireana tomentosa* and *Sclerolaena eriacantha* on orange clayloams on flats.

C2: Very open Chenopod shrubland of *Maireana pyramidata* over *Maireana triptera*, *Sclerolaena eriacantha*, *Solanum lasiophyllum*, *Frankenia georgei* and mixed grasses with occasional emergent *Acacia ?cuthbertsonii*, *Hakea preissii* and *Eremophila oldfieldii* on flats with red clay soil and quartz pebbles.

C3: Open Chenopod shrubland of *Tecticornia pergranulata*, *Maireana pyramidata*, *Frankenia georgei* and *Sclerolaena fusiformis* on flats with red clay soil and quartz pebbles.

C4: Open Chenopod shrubland of *Tecticornia pergranulata*, *Maireana triptera*, *Maireana pyramidata*, *Mirbelia rhagodioides*, *Sclerolaena eriacantha* and mixed grasses with occasional thickets of *Acacia incurvaneura*, *Acacia burkittii*, *Acacia tetragonophylla*, *Exocarpos aphyllus* and/or *Senna artemisioides* subsp. *filifolia* on lower slopes to flats dissected by minor creek lines with red clay soil and quartz pebbles.

Clearing Description Regis Resources Limited is proposing to clear up to 635 hectares of native vegetation within a 1,638 hectare boundary. The application area incorporates the Rosemont minesite, a borefield, access roads and associated infrastructure. The amendment is required as additional tenure has been granted since clearing permit CPS 5127/1 was applied for and subsequently granted.

Vegetation Condition Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994);

To

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

Comment

Clearing permit CPS 5127/1 was granted by the Department of Mines and Petroleum on 16 August 2012 and allowed for the clearing of 460 hectares of native vegetation within a 792 hectare permit boundary. An application to amend clearing permit CPS 5127/1 was received by the Department of Mines and Petroleum on 23 January 2013. The application requested a 175 hectare increase to the amount of clearing permitted and an 846 hectare increase to the permit boundary.

3. Assessment of application against clearing principles

Comments

Regis Resources Limited has applied to increase the permit boundary by 846 hectares to 1,638 hectares and increase the amount of clearing by 175 hectares to 635 hectares.

A flora survey of the current CPS 5127/1 clearing permit area and the additional application area was conducted by Mattiske Consulting (2012). This survey identified three locations of Priority 4 flora taxa *Eremophila pungens* within the additional application area. As discussed in clearing permit CPS 5127/1 decision report, the number of individual plants for this species is estimated to be in the thousands in the surrounding areas. It is therefore considered unlikely that the proposed clearing will impact on the conservation of this species. No Threatened Flora species, or Threatened or Priority Ecological Communities have been recorded within the application area (Mattiske Consulting, 2012; GIS Database). The assessment of clearing principles (a), (c) and (d) therefore remains consistent with the assessment in clearing permit decision report CPS 5127/1.

A fauna survey of the additional application area conducted by Terrestrial Ecosystems (2012) did not identify any further impact to conservation significant fauna species than those assessed in clearing permit decision report CPS 5127/1. While the increase in clearing will invariably have a higher impact on the fauna habitats within the local area, these habitats are common both locally and regionally. The proposed clearing is therefore not considered to be impacting upon a significant habitat for fauna indigenous to Western Australia.

The additional area covers two new land systems, Ararak land system and Steer land system (GIS Database), which are not generally susceptible to erosion and moderately susceptible to erosion, respectively (Pringle et al., 1994). Potential soil erosion as a result of the proposed clearing may be minimised by the continuation of the staged clearing condition imposed on clearing permit CPS 5127/1.

Current environmental information has been reviewed and the assessment of all clearing principles is consistent with the assessment in clearing permit decision report CPS 5127/1.

Methodology

Mattiske Consulting (2012)
 Terrestrial Ecosystems (2012)
 GIS Database:
 - DEC Tenure
 - Hydrographic Catchments - Catchments
 - Hydrography, linear
 - IBRA WA (Regions - Sub Regions)
 - Pre-European Vegetation
 - Public Drinking Water Source Areas (PDWSAs)
 - Rangeland Land System Mapping
 - Threatened Ecological Sites Buffered
 - 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 (GIS Database). 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 (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 and Conservation 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 clearing permit application was advertised on 11 February 2013 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

4. References

- Government of Western Australia (2011) 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, 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.
- Mattiske Consulting (2012) Flora and Vegetation Survey of Rosemount Gold Project Tenements, Haul Road Corridor and Slurry Pipeline. Unpublished report prepared for Regis Resources Limited dated January 2013.
- Pringle, H. J. R., Van Vreeswyk, A. M.E. and Gilligan, S.A. (1994). An inventory and condition survey of the north-eastern Goldfields, Western Australia, Technical Bulletin No. 87, Department of Agriculture, Western Australia, Perth.
- Terrestrial Ecosystems (2012) Level 1 Fauna Risk Assessment for Two Waste Dumps either side of the proposed Rosemount Project Area (G38/29, G38/30, G38/31, G38/32) and a Slurry Pipeline from the Rosemount mine to the Garden Well processing plant (L38/219). Unpublished report prepared for Regis Resources Limited dated January 2013.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
CALM	Department of Conservation and Land Management (now DEC), Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia
DEH	Department of Environment and Heritage (federal based in Canberra) previously Environment Australia
DEP	Department of Environment Protection (now DEC), Western Australia
DIA	Department of Indigenous Affairs
DLI	Department of Land Information, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DoE	Department of Environment (now DEC), Western Australia
DoIR	Department of Industry and Resources (now DMP), Western Australia
DOLA	Department of Land Administration, Western Australia
DoW	Department of Water
EP Act	Environmental Protection Act 1986, Western Australia
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (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
RIWI Act	Rights in Water and Irrigation Act 1914, Western Australia
s.17	Section 17 of the Environment Protection Act 1986, Western Australia
TEC	Threatened Ecological Community

Definitions:

{Atkins, K (2005). *Declared rare and priority flora list for Western Australia, 22 February 2005*. Department of Conservation and Land Management, Como, Western Australia} :-

P1	Priority One - Poorly Known taxa: taxa which are known from one or a few (generally <5) populations which are under threat, either due to small population size, or being on lands under immediate threat, e.g. road verges, urban areas, farmland, active mineral leases, etc., or the plants are under threat, e.g. from disease, grazing by feral animals, etc. May include taxa with threatened populations on protected lands. Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
P2	Priority Two - Poorly Known taxa: taxa which are known from one or a few (generally <5) populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in urgent need of further survey.
P3	Priority Three - Poorly Known taxa: taxa which are known from several populations, at least some of which are not believed to be under immediate threat (i.e. not currently endangered). Such taxa are under consideration for declaration as 'rare flora', but are in need of further survey.
P4	Priority Four – Rare taxa: taxa which are considered to have been adequately surveyed and which, whilst being rare (in Australia), are not currently threatened by any identifiable factors. These taxa require monitoring every 5–10 years.
R	Declared Rare Flora – Extant taxa (= Threatened Flora = Endangered + Vulnerable): taxa which have been adequately searched for, and are deemed to be in the wild either rare, in danger of extinction, or otherwise in need of special protection, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.
X	Declared Rare Flora - Presumed Extinct taxa: taxa which have not been collected, or otherwise verified, over the past 50 years despite thorough searching, or of which all known wild populations have been

destroyed more recently, and have been gazetted as such, following approval by the Minister for the Environment, after recommendation by the State's Endangered Flora Consultative Committee.

{Wildlife Conservation (Specially Protected Fauna) Notice 2005} [Wildlife Conservation Act 1950] :-

- Schedule 1** **Schedule 1 – Fauna that is rare or likely to become extinct:** being fauna that is rare or likely to become extinct, are declared to be fauna that is need of special protection.
- Schedule 2** **Schedule 2 – Fauna that is presumed to be extinct:** being fauna that is presumed to be extinct, are declared to be fauna that is need of special protection.
- Schedule 3** **Schedule 3 – Birds protected under an international agreement:** being birds that are subject to an agreement between the governments of Australia and Japan relating to the protection of migratory birds and birds in danger of extinction, are declared to be fauna that is need of special protection.
- Schedule 4** **Schedule 4 – Other specially protected fauna:** being fauna that is declared to be fauna that is in need of special protection, otherwise than for the reasons mentioned in Schedules 1, 2 or 3.

{CALM (2005). Priority Codes for Fauna. Department of Conservation and Land Management, Como, Western Australia} :-

- P1** **Priority One: Taxa with few, poorly known populations on threatened lands:** Taxa which are known from few specimens or sight records from one or a few localities on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, active mineral leases. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P2** **Priority Two: Taxa with few, poorly known populations on conservation lands:** Taxa which are known from few specimens or sight records from one or a few localities on lands not under immediate threat of habitat destruction or degradation, e.g. national parks, conservation parks, nature reserves, State forest, vacant Crown land, water reserves, etc. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P3** **Priority Three: Taxa with several, poorly known populations, some on conservation lands:** Taxa which are known from few specimens or sight records from several localities, some of which are on lands not under immediate threat of habitat destruction or degradation. The taxon needs urgent survey and evaluation of conservation status before consideration can be given to declaration as threatened fauna.
- P4** **Priority Four: Taxa in need of monitoring:** Taxa which are considered to have been adequately surveyed, or for which sufficient knowledge is available, and which are considered not currently threatened or in need of special protection, but could be if present circumstances change. These taxa are usually represented on conservation lands.
- P5** **Priority Five: Taxa in need of monitoring:** Taxa which are not considered threatened but are subject to a specific conservation program, the cessation of which would result in the species becoming threatened within five years.

Categories of threatened species (Environment Protection and Biodiversity Conservation Act 1999)

- EX** **Extinct:** A native species for which there is no reasonable doubt that the last member of the species has died.
- EX(W)** **Extinct in the wild:** A native species which:
(a) is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; or
(b) has not been recorded in its known and/or expected habitat, at appropriate seasons, anywhere in its past range, despite exhaustive surveys over a time frame appropriate to its life cycle and form.
- CR** **Critically Endangered:** A native species which is facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with the prescribed criteria.
- EN** **Endangered:** A native species which:
(a) is not critically endangered; and
(b) is facing a very high risk of extinction in the wild in the near future, as determined in accordance with the prescribed criteria.
- VU** **Vulnerable:** A native species which:
(a) is not critically endangered or endangered; and
(b) is facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with the prescribed criteria.
- CD** **Conservation Dependent:** A native species which is the focus of a specific conservation program, the cessation of which would result in the species becoming vulnerable, endangered or critically endangered within a period of 5 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.