



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 5127/3  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Regis Resources Limited

### 1.3. Property details

Property: Mining Lease 38/237  
Mining Lease 38/250  
Mining Lease 38/343  
Mining Lease 38/1259  
Mining Lease 38/1260  
Mining Lease 38/1261  
Mining Lease 38/1262  
Mining Lease 38/1263

Local Government Area: Shire of Laverton

Colloquial name: Rosemount Gold Project

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 24 September 2015

## 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. One Beard vegetation association has been mapped within the application area (GIS Database):

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

A flora and vegetation survey of the application area conducted by Mattiske 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 *Psyrdrax 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*, *Baekkea* 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*.

<b>Clearing Description</b>	Rosemount Gold Project. Regis Resources Limited (Regis) has applied to clear up to 785 hectares of native vegetation within a boundary of approximately 1,661 hectares for the purpose of Mineral Production. The application area is approximately 86 kilometres north of Laverton, in the Shire of Laverton.
<b>Vegetation Condition</b>	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994);  To  Excellent: Vegetation structure intact; disturbance affecting individual species, weeds nonaggressive (Keighery, 1994).
<b>Comment</b>	Clearing permit CPS 5127/1 was granted by the Department of Mines and Petroleum on 16 August 2012 and authorised the clearing of 460 hectares of native vegetation within a boundary of approximately 792 hectares for the purpose of mineral production. On 21 March 2013, the permit was amended to increase the total permitted clearing to 635 hectares and increase the permit boundary to 1,638 hectares.

### 3. Assessment of application against clearing principles

#### Comments

Regis has applied to amend CPS 5127/2 for the purpose of increasing the area authorised to be cleared from 635 hectares to 785 hectares and increasing the permit boundary from 1,638 hectares to 1,661 hectares. The increase is to facilitate the expansion of operations.

A flora survey of the current CPS 5127/2 clearing permit area was conducted by Mattiske Consulting (2012). This survey identified three locations of Priority 4 flora taxa *Eremophila pungens* within the survey 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 amendment 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 5127/2.

A fauna survey of the 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 5127/2. 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 (Terrestrial Ecosystems, 2012).

Current environmental information has been reviewed and the assessment of all clearing principles is consistent with the assessment in clearing permit decision report CPS 5127/2.

**Methodology** Matiske Consulting (2012)  
Terrestrial Ecosystems (2012)  
GIS Database:  
- DPaW Tenure  
- Hydrography, linear  
- Pre-European Vegetation  
- Threatened and Priority Flora  
- Threatened Ecological Communities

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

##### **Comments**

There are no native title claims over the application area (Department of Aboriginal Affairs (DAA), 2015). 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 (ie. 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 is one registered Aboriginal Site of Significance occurring in the vicinity of the application area (DAA, 2015). 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 20 July 2015 by the Department of Mines and Petroleum inviting submissions from the public. There were no submissions received.

**Methodology** DAA (2015)

#### **4. References**

- DAA (2015) Aboriginal Heritage Enquiry System. Department of Aboriginal Affairs, Government of Western Australia. <http://maps.dia.wa.gov.au/AHIS2/default.aspx>.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Matiske Consulting (2012) Flora and Vegetation Survey of Rosemont Gold Project Tenements, Haul Road Corridor and Slurry Pipeline. Unpublished report prepared for Regis Resources Limited.
- Terrestrial Ecosystems (2012) Level 1 Fauna Risk Assessment for Two Waste Dumps either side of the proposed Rosemont Project Area (G38/29, G38/30, G38/31, G38/32) and a Slurry Pipeline from the Rosemont mine to the Garden Well processing plant (L38/219). Unpublished report prepared for Regis Resources Limited.

#### **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

PEC	Conservation Union
RIWI Act	Priority Ecological Community, Western Australia
s.17	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
TEC	Section 17 of <i>the Environment Protection Act 1986</i> , Western Australia
	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 DPaW 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:**
- 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.
  - 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.
  - 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:**

- 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.

