



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 6185/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: **Hanking Gold Mining Pty Ltd**

1.3. Property details

Property: Mining Lease 77/352
Mining Lease 77/811
Local Government Area: Shire of Yilgarn
Colloquial name: Cornishman Gold Mine

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 9 October 2014

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 vegetation association has been mapped within the application area (GIS Database):

1068: Medium woodland; salmon gum, morel, gimlet & *Eucalyptus sheathiana*.

A level 2 flora survey of the greater Cornishman area was undertaken by Recon Environmental from 31 October to 4 November 2007. The following vegetation community was identified within the application area (Read, 2014):

Plain *Eucalyptus longicornis* Saltbush Woodland (PESW-L): Open *Eucalyptus longicornis* and *E. melanoxyton* woodland with frequent *Melaleuca pauperiflora* above *Eremophila scoparia* and *Atriplex vesicaria*.

Clearing Description Cornishman Gold Mine Project.
Hanking Gold Mining Pty Ltd proposes to clear 16.76 hectares of native vegetation for the purposes of mineral production. The project is located approximately 6.5 kilometres south-east of Southern Cross in the Shire of Yilgarn.

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

to

Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).

Vegetation Condition The vegetation condition was derived from a report prepared by Read (2014). Weather conditions preceding the survey were below average, resulting in limited amounts of ephemerals and grasses and a lack of flowering material on perennials.

3. Assessment of application against clearing principles

Comments

The application area is located directly adjacent to the existing Cornishman Gold Mine. The vegetation is in a 'very good' to 'good' condition due to mining activities in the area. The vegetation community within the application area was common within the greater survey boundary (Read, 2014). This vegetation community is not a Threatened or Priority Ecological Community (Read, 2014).

A total of 123 flora taxa from 61 genera and 26 families were recorded within the larger survey area (Read, 2014). No species of Threatened flora have been recorded within the application area (Read, 2014; GIS Database). There were three species of Priority flora recorded during the flora survey, however, these were

not recorded within the application area or within the same vegetation community (Read, 2014). The proposed clearing is not likely to impact on any significant flora species.

A level 2 fauna survey was conducted over four areas of remnant vegetation in the Southern Cross area during November 2007 and April/May 2008 (Western Wildlife, 2008). This survey included the Cornishman Belt remnant which the application area is located within, however no trapping sites were located within the application area. The Cornishman Belt covers an area of 4,700 hectares and extends from Southern Cross to Marvel Loch (Western Wildlife, 2008). It is comprised mostly of tall Eucalypt woodlands and some tall shrublands and is likely to be important for landscape level fauna movement (Western Wildlife, 2008). Whilst the application area is located within a significant remnant in the region, the proposed clearing is not likely to impact on the ability of the remnant to act as an ecological linkage (GIS Database).

The fauna survey recorded two amphibian, 22 reptile, 57 bird, and eight native mammal species within the Cornishman Belt remnant (Western Botanical, 2008). The following four species of conservation significance were recorded within the Cornishman Belt remnant (Western Wildlife, 2008):

- Malleefowl (*Leipoa ocellata* - Vulnerable);
- Peregrine Falcon (*Falco peregrinus* - Schedule 4);
- Western Rosella (*Platycercus icterotis xanthogenys* - Priority 4); and
- Rainbow Bee-eater (*Merops ornatus* - Migratory).

The fauna survey recorded a single Malleefowl from the shrubland at the south of the Cornishman Belt along with two recently active mounds and one inactive mound (Western Wildlife, 2008). Given this, Malleefowl are likely to breed and forage in the shrubland in the southern part of the Cornishman Belt (Western Wildlife, 2008). The application area is located in the north of the Cornishman Belt remnant and does not contain shrubland habitat. The other bird species may utilise the application area, however the proposed clearing of 16.76 hectares is not expected to significantly impact these species.

The application area is not located within any conservation areas (GIS Database). The nearest conservation area is an un-named Nature Reserve 11 kilometres north-west of the application area (GIS Database). There are no watercourses within the application area (GIS Database). The proposed clearing is not likely to impact on the quality of surface or groundwater in the local area.

The 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 clearing is not likely to be at variance to Principles (a), (b), (c), (d), (g), (h), (i), and (j), and is not at variance to Principles (e) and (f).

Methodology Read (2014)
Western Wildlife (2008)
GIS Database:
- DEC Tenure
- Hydrography, linear
- Southern Cross 50cm Orthomosaic
- Threatened and Priority Flora
- Threatened Ecological Sites Buffered

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

Comments

There is one Native Title claim (WC2013/009) over the area under application (GIS Database). This claim has been filed at the Federal Court of Australia. 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 located within the clearing permit 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, 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 clearing permit application was advertised on 18 August 2014 by the Department of Mines and Petroleum inviting submissions from the public. There was one submission received stating no objections to the proposed clearing.

Methodology GIS Database:
- Aboriginal Sites of Significance
- Native Title Claims - Filed at the Federal Court

4. References

- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Read, T.J. (2014) Flora and Vegetation Survey: Cornishman to Axehandle. Unpublished report prepared for Hanking Gold Mining Pty Ltd by Recon Environmental, dated July 2014.
- Western Wildlife (2008) St Barbara Limited, Southern Cross Operations: Baseline Fauna Survey; Spring 2007 & Autumn 2008. Unpublished report for St Barbara Limited, dated 12 April 2008.

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.