



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 7240/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Gascoyne Resources Limited

1.3. Property details

Property: Mining Lease 59/749
Local Government Area: Shire of Mount Magnet
Colloquial name: Dalgaranga Gold Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
455		Mechanical Removal	Mineral Production and associated activities

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 16 November 2017

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description The amended clearing permit application area has been broadly mapped as the following Beard vegetation associations:
18: Low woodland; mulga (*Acacia aneura*); and
395: Hummock grasslands, mixed sandplain; bowgada, mallee, heath and spinifex (GIS Database).

A Level 1 flora and vegetation survey was conducted by Native Vegetation Solutions during May and June 2016 over an area of approximately 2,051 hectares, which included the original permit area and the amendment application area (Clark Lindbeck, 2016; Native Vegetation Solutions, 2016).

The following seven vegetation communities were recorded within the original permit area (Clark Lindbeck, 2016; Native Vegetation Solutions, 2016):

Open mulga woodland;

Mulga over *Acacia ramulosa* and *Eremophila forrestii* shrubland;

Mulga over *Thryptomene costata* and *Eremophila glutinosa* shrubland;

Open mulga shrubland over stony plains;

Acacia aneura and *Acacia craspedocarpa* over *Eremophila jucunda* open shrubland with herbaceous understorey;

Mulga over Chenopod shrubland; and

Mulga woodland over *Acacia grasbyi* and *Acacia rhodophloia*.

The amendment application area includes the following four additional vegetation communities (Clark Lindbeck, 2016; 2017; Native Vegetation Solutions, 2016):

Rehabilitation vegetation;

Acacia burkittii shrubland;

Acacia aneura over *Eremophila exilifolia* and *Eremophila* shrubland on hill slopes; and

Acacia grasbyi shrubland over laterite breakaways.

Clearing Description	Dalgaranga Gold Project. Gascoyne Resources Limited (Gascoyne Resources) proposes to clear up to 455 hectares of native vegetation within a boundary of approximately 1,654 hectares, for the purposes of mineral production and mining related infrastructure. The project is located approximately 60 kilometres northwest of Mount Magnet, within the Shire of Mount Magnet.
Vegetation Condition	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994); To Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).
Comment	The vegetation condition was derived from a vegetation survey conducted by Native Vegetation Solutions (Native Vegetation Solutions, 2016). The Dalgaranga project proposes to recommence and further develop mining operations at the former Golden Wings and Gilbeys minesites which ceased operations in 2001. The application area includes existing mine pits and mining related infrastructure. Clearing will be required for the upgrade of the existing minesite infrastructure and development of additional infrastructure (Clark Lindbeck, 2016). Clearing permit CPS 7240/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 17 November 2016 and was valid from 10 December 2016 to 31 December 2021. The permit authorised the clearing of up to 227 hectares of native vegetation within a permit boundary of approximately 943 hectares, for the purpose of mineral production and associated activities. On 13 July 2017, the Permit Holder applied to amend CPS 7240/1 to increase the amount of clearing authorised to 455 hectares, and increase the permit boundary to approximately 1654 hectares, to allow for further minesite development.

3. Assessment of application against clearing principles

Comments

Gascoyne Resources Limited has applied to amend the permit to increase the amount of clearing authorised by 228 hectares, and to increase the permit boundary by approximately 711 hectares. The additional clearing is required for the further development of open pits and waste dumps at the Dalgaranga project (Clark Lindbeck, 2017).

The amendment application areas are immediately adjacent to and surrounding the previously granted area, and the amendment extends the permit boundary over the full extent of Mining Lease 59/749.

The permit area is located within the Western Murchison subregion of the Murchison Interim Biogeographic Regionalisation of Australia (IBRA) bioregion (GIS Database). The Western Murchison subregion is characterised by mulga low woodlands, often rich in ephemerals, on outcrop and extensive hardpan wash-plains that dominate the subregion (CALM, 2002). The dominant land-use of the subregion is grazing (CALM, 2002).

The amendment represents a substantial increase in both the amount of proposed clearing and the permit boundary. The total area of proposed clearing (455 hectares) represents approximately 27.5 percent of the amended clearing permit area (1,654 hectares). The amended application area is broadly mapped as Beard vegetation associations 18 and 395 (GIS Database). The majority of the amendment areas are mapped as Beard vegetation association 18, which is consistent with the original permit area (GIS Database). Approximately 99% of the pre-European extent of these vegetation associations remains uncleared at both the state and bioregional level (Government of Western Australia, 2016). Hence, the vegetation proposed to be cleared does not represent a significant remnant of native vegetation in an area that has been extensively cleared.

No Threatened flora, Priority flora, Threatened Ecological Communities or Priority Ecological Communities have been recorded within the application area (GIS Database), and none were found during the flora and vegetation surveys (Clark Lindbeck, 2017). Analysis of aerial imagery indicates that the vegetation associations and landform types occurring within the amendment areas are similar to those occurring within the original permit boundary, and are well represented in the region (GIS Database). The areas proposed to be cleared are unlikely to represent an area of higher biodiversity than surrounding areas.

Level 1 fauna surveys were conducted over historical mining areas and the original clearing permit area during 2013 and 2016 (Clark Lindbeck, 2016; MBC, 2016). A fauna survey over the proposed amendment areas was conducted on 10 – 12 May 2017 (Clark Lindbeck, 2017; MBC, 2017).

The majority of the fauna habitats occurring within the amendment application areas were also found within the original permit area. Only one additional fauna habitat, described as “rocky outcrops”, was recorded within the amendment application areas (Clark Lindbeck, 2017). The fauna and fauna habitats occurring within the

application area are considered to be typical of the region, and are well represented in surrounding areas (Clark Lindbeck, 2016; 2017; MBC, 2016). Although the proposed additional clearing will impact on fauna habitats at a local scale, it is not likely to have a significant impact on fauna or fauna habitats in a regional context.

Several fauna species of conservation significance have the potential to occur within the application area, based on known distributions and available habitats (Clark Lindbeck, 2017), however the majority of these species are highly mobile and the proposed clearing is unlikely to impact the conservation status of any fauna species. One extinct Malleefowl mound was found in 2016 within the Dalgaranga project area (Clark Lindbeck, 2016), located outside of the original permit area but within the proposed amendment area (Clark Lindbeck, 2017). The 2017 fauna survey included a targeted search for Malleefowl mounds within small areas of denser vegetation which were considered to be the most likely to provide suitable Malleefowl breeding habitat, however no additional Malleefowl mounds were located (MBC, 2017). MBC (2017) concluded that, although Malleefowl previously nested within the project area, and may still forage through the area, there was no evidence to suggest that Malleefowl were currently using the application area for breeding.

The amendment areas have suffered some previous disturbance from historical mining and grazing activities, however the vegetation condition was generally considered to range from Good to Very Good on the Keighery scale (Clark Lindbeck, 2017).

The amendment areas are broadly mapped as occurring within the Jundee, Violet, and Yanganoo land systems (GIS Database). These land systems also occur within the original permit area (GIS Database). Continued implementation of the existing staged clearing condition will minimise the risk of erosion, however, the additional areas of clearing proposed are unlikely to result in appreciable land degradation.

There are no permanent watercourses or wetlands within the amendment areas (GIS Database). Two minor seasonal drainage lines occur within the south-western corner of the amendment area. Clearing of riparian vegetation should be avoided, where possible, however, given the ephemeral nature of the drainage lines, any impacts to vegetation growing in association with watercourses are expected to be minimal. The climate of the region is arid (CALM, 2002) and ephemeral drainage lines are only likely to flow briefly following significant rainfall events. Localised flooding may occur following heavy rainfall, however, the additional clearing is unlikely to have any significant impact on surface or groundwater quality, or on the incidence or intensity of flooding.

The application areas do not fall within any conservation areas. However, the western edge of the amended permit boundary adjoins approximately three kilometres of the eastern boundary of the DBCA (formerly DPaW) managed former Noongal pastoral lease (GIS Database). The proposed additional 228 hectares of clearing is unlikely to cause any significant additional disruption to ecological linkages to the DBCA managed land. However, clearing in close proximity to the western tenement boundary should be avoided, to minimise the risk of spread of weeds into the DBCA managed land. Two weed species, *Rumex vesicarius* (Ruby Dock) and *Carrichtera annua* (Ward's Weed) were recorded during the survey of the application area (Clark Lindbeck, 2017). Continued implementation of the existing weed management condition may minimise the risk of further spread of weeds.

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*. Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision report CPS 7240/1.

Methodology

CALM (2002)
Clark Lindbeck (2016)
Clark Lindbeck (2017)
Government of Western Australia (2016)
MBC (2016)
MBC (2017)

GIS Database:

- DPaW Tenure
- Hydrography, Lakes
- Hydrography, Linear
- IBRA Australia
- Imagery
- Landsystem Rangelands
- Pre-European Vegetation
- Public Drinking Water Source Areas
- Soils, Statewide
- Threatened and Priority Flora
- Threatened and Priority Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffered
- Threatened Fauna

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

Comments

There are no registered native title claims over the area under application (DPLH, 2017). 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 (DPLH, 2017). 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 Water and Environmental Regulation and the Department of Biodiversity Conservation and Attractions, to determine whether a Works Approval, Water Licence, Bed and Banks Permit, or any other licences or approvals are required for the proposed works.

It is noted that the proposed clearing may impact on a protected matter under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). The proponent may be required to refer the project to the (Federal) Department of the Environment and Energy for environmental impact assessment under the EPBC Act. The proponent is advised to contact the Department of the Environment and Energy for further information regarding notification and referral responsibilities under the EPBC Act.

The amendment application was advertised on 24 July 2017 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

Methodology DPLH (2017)

4. References

- CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographic Subregions in 2002. Department of Conservation and Land Management, Western Australia.
- Clark Lindbeck (2016) Dalgara Gold Project Supporting Document for Clearing Permit Application. Report prepared for Gascoyne Resources Ltd, by Clark Lindbeck and Associates Pty Ltd, August 2016.
- Clark Lindbeck (2017) Dalgara Gold Project Supporting Document for Clearing Permit (CPS 7240/1) Amendment Application. Report prepared for Gascoyne Resources Ltd, by Clark Lindbeck and Associates Pty Ltd, July 2017.
- DPLH (2017) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage.
<http://maps.daa.wa.gov.au/AHIS/> (Accessed 6 November 2017).
- Government of Western Australia (2016) 2016 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2016. 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.
- MBC (2016) Level 1 Fauna Assessment and Level 2 Targeted Malleefowl Survey Dalgara. Report prepared for Gascoyne Resources Ltd, by MBContracting Environmental, June 2016.
- MBC (2017) Level 1 Fauna Assessment and Level 2 Targeted Malleefowl Survey. Extension of Dalgara Gold Project – Part Two. Report prepared for Gascoyne Resources Ltd, by MBContracting Environmental, June 2017.
- Native Vegetation Solutions (2016) Level 1 Flora and Vegetation Survey Gascoyne Resources Dalgara Tenements. Report prepared for Clark Lindbeck and Associates Pty Ltd, by Native Vegetation Solutions, June 2016.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DBCA	Department of Biodiversity Conservation and Attractions, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
DEE	Department of the Environment and Energy, Australian Government
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia
DMP	Department of Mines and Petroleum, Western Australia (now DMIRS)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora
DoE	Department of the Environment, Australian Government (now DEE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)

DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
DWER	Department of Water and Environmental Regulation, Western Australia
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 (2017) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia):-

- T** **Threatened species:**
Published as Specially Protected under the *Wildlife Conservation Act 1950*, 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.

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.