



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 7318/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Carnegie Gold Pty Ltd

1.3. Property details

Property: Mining Lease 30/255
Local Government Area: Shire of Menzies
Colloquial name: Davyhurst Gold Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 December 2021

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. Two beard vegetation associations are located within the application area (GIS Database):

468: Medium woodland; salmon gum & goldfields blackbutt; and

538: Shrublands; *Acacia brachystachya* scrub.

A flora and vegetation survey of the application area undertaken by Borger (2016) identified nine broad vegetation communities (Borger, 2016):

1 (a): Drainage line (near entrance). *Acacia fuscaneura*, *Eucalyptus salubris* and *E. griffithsii* woodland over *Acacia burkittii* and *Santalum spicatum* tall shrubland over *Eremophila ericalyx*, *Senna artemisioides* subsp. *filifolia*, *Scaevola spinescens*, *Pimelea microcephala* and *Marsdenia australis* (vines) open shrubland;

1 (b): Drainage line (South of TSF). *Eucalyptus salubris*, *E. oleosa mallee* woodland over *Acacia ramulosa*, *A. caesaneura*, *A. tetragonophylla*, *A. burkittii*, *A. colletioides*, *Santalum spicatum* and *Eremophila decipiens* tall shrubland over *Solanum nummularium* and *Cheilanthes sieberi* subsp. *sieberi* low sparse shrubs and ferns;

2: *Eucalyptus griffithsii*, *E. oleosa* open mallee woodland to mallee woodland over *Acacia fuscaneura*, *A. aptaneura*, *Grevillea juncifolia*, *Eremophila decipiens* subsp. *decipiens* tall open shrubland over *Acacia tetragonophylla*, *A. ramulosa* var. *ramulosa*, *A. burkittii*, *Eremophila interstans*, *E. ericalyx*, *Dodonaea lobulata* open shrubland over *Prostanthera althoferi* subsp. *althoferi*, *Dodonaea lobulata*, *Senna artemisioides* subsp. *filifolia* low sparse shrubland;

3: *Eucalyptus salubris* subsp. *salubris* low woodland over *Senna artemisioides* subsp. *filifolia*, *Scaevola spinescens*, *Exocarpos aphyllus*, *Atriplex nummularia* subsp. *spathulata*, *A. semibaccata* sparse shrubland over *Ptilotus obovatus*, *Sclerolaena* sp. low isolated shrubs and forbs;

4: *Eucalyptus salubris* and *E. griffithsii* woodland over *Acacia tetragonophylla*, *Senna artemisioides* subsp. *filifolia*, *Scaevola spinescens*, *Acacia burkittii*, *A. prainii*, and *Marsdenia australis* (vines) open shrubland to shrubland over *Ptilotus obovatus* and *Maireana triptera* low sparse shrubland;

5: *Eucalyptus griffithsii*, *E. clelandii*, *Casuarina pauper* low mallee woodland over *Acacia burkittii*, *A. tetragonophylla*, *Senna artemisioides* subsp. *filifolia*, *Santalum spicatum* open shrubland over *Dodonaea lobulata*, *D. viscosa* subsp. *angustissima*, *Acacia tetragonophylla*, *A. burkittii* shrubland over *Scaevola spinescens*, *Olearia muelleri*, *Ptilotus obovatus*, *Enchylaena tomentosa*, *Maireana trichoptera* low open shrubland over *Cheilanthes sieberi* subsp. *sieberi* isolated ferns to sparse fernland;

8: Isolated emergent pockets of *Eucalyptus oleosa* mallee over *Acacia ramulosa* var. *ramulosa*, *Phebalium canaliculatum*, *Prostanthera grylloana*, *Eremophila ericalyx*, *Acacia prainii* over *Triodia* sp. low open hummock grassland;

9 (a): *Eucalyptus salmonophloia*, *E. clelandii*, *E. lesouefii*, *E. salubris* isolated trees to open woodland over *Eremophila decipiens*, *Santalum spicatum*, *Acacia tetragonophylla*, *Dodonaea lobulata* tall open shrubland to isolated tall shrubs over *Atriplex nummularia* subsp. *spathulata*, *A. bunburyana*, *Scaevola spinescens*, *Senna artemisioides* subsp. *filifolia*, *Eremophila scoparia*, *E. ionantha*, *Senna artemisioides* subsp. x *artemisioides* low open shrubland over *Keraudrenia integrifolia*, *Solanum lasiophyllum* isolated low shrubs over *Eriachne pulchella* isolated grass tussocks; and

9 (b): *Eucalyptus lesouefii* woodland over *Acacia tetragonophylla*, *Acacia erinacea*, *Scaevola spinescens* open shrubland; western slope; moderate gradient; exposed granite/ gneiss; ground cover and understorey mostly cleared; historic mining; shafts & spoil dumps.

Clearing Description	Davyhurst Gold Project. Carnegie Gold Pty Ltd proposes to clear up to 50 hectares of native vegetation within a total boundary of approximately 223.73 hectares, for the purpose of mineral production and associated infrastructure. The project is located approximately 53 kilometres southwest of Menzies, in the Shire of Menzies.
Vegetation Condition	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994). To Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).
Comment	The vegetation condition within the application area was determined during a flora and vegetation undertaken by Borger (2016). The proposed clearing is for the re-commencement of mineral processing activities at the Davhurst Gold Project via additional infrastructure such as a power station, bulk fuel facility, roads, and a tailings dam (Borger, 2016). The application area was previously approved to clear however the clearing permit expired in 2010. The application area has been previously subjected to mining, pastoral and forestry (timber cutting) activities, and consequently parts of the area are considered to be degraded. Clearing permit CPS 7318/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 8 December 2016 and was valid from 31 December 2016 to 31 December 2021. The permit authorised the clearing of up to 50 hectares of native vegetation within a boundary of approximately 223.73 hectares, for the purpose of mineral production and associated infrastructure. On 5 October 2021, the Permit Holder applied to amend CPS 7318/1 to update the tenure listed on the permit and to extend the permit duration. The permit boundary and amount of proposed clearing remains unchanged.

3. Assessment of application against Clearing Principles

Comments

The permit holder has applied to update the tenure listed on the permit and to extend the permit duration by five years. The permit boundary and amount of proposed clearing remains unchanged. Mining Leases 30/5, 30/42, 30/73 and 30/80 were replaced by Mining Lease 30/255 in 2017. A total of 42.93 hectares has been cleared up until 1 July 2021 (Orabanda Mining, 2021).

The amendment area is located within the Eastern Murchison subregion of the Murchison Bioregion of the Interim Biogeographic Regionalisation for Australia (GIS Database). The Eastern Murchison subregion is characterised by broad plains of red-brown soils and breakaway complexes as well as red sand plains. The vegetation of this subregion is dominated by Mulga Woodlands often rich in ephemerals, hummock grasslands, saltbush shrublands and *Halosarcia* shrublands (CALM, 2002).

A flora and vegetation survey was undertaken over the amendment area by Borger (2016). No Threatened or Priority flora were recorded during the survey (Borger, 2016). No Priority Ecological Communities (PECs) or Threatened Ecological Communities (TECs) are known to occur within the area and none were identified during the flora and vegetation survey (Borger, 2016; GIS Database).

No fauna surveys have been undertaken over the amendment area. A database search of the amendment area with a 15 kilometre radius found no known records of Threatened or Priority fauna (DBCA, 2007-; GIS Database). Malleefowl (*Leipoa ocellata*) have the potential to occur within the amendment area however no signs of their presence have been noted (Eastern Goldfields Limited, 2016). The vegetation associations identified within the amendment area are considered to be well represented in the surrounding area and are unlikely to act as significant habitat for fauna in the region (Eastern Goldfields Limited, 2016). It is also noted that over 85% of the total area authorised to clear has already been cleared via the existing clearing permit.

Several weeds species are known from the local area and region. Weed invasion has the potential to alter the biodiversity of an area. Potential impacts to biodiversity as a result of the proposed clearing may be minimised by maintaining the weed management condition.

The amendment area intercepts four landsystems:

- **Bunyip Land System:** The Bunyip Land System is described as a gilgaied drainage tract, draining greenstone hills supporting mixed halophytic shrublands occasionally with a black oak (*Casuarina pauper*) overstorey. This land system is generally not susceptible to land erosion.
- **Moriarty Land System:** The Moriarty Land System is described as low greenstone rises and stony plains supporting halophytic and acacia shrublands with patchy eucalypt overstoreys. This system is moderately susceptible to water erosion, particularly if perennial shrub cover is substantially reduced or the soil surface is disturbed;
- **Marmion Land System:** The Marmion Land System is described as gently undulating sandplains with mixed tall shrubland and hummock grasslands. If vegetation cover is removed the sand soils may become susceptible to wind erosion; and
- **Yowie Land System:** The Yowie Land System is described as sandy plains supporting tall shrubland of mulga (*Acacia aneura complex*) and bowgada (*Acacia ramulosa*) with patchy wanderrie grasses. This land system is generally not susceptible to land erosion (GIS Database).

As two of the four landsystems identified within the amendment area have the potential to be impacted by erosion, it is recommended to maintain the staged clearing condition.

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 7318/1.

Methodology

Borger (2016)
CALM (2002)
DBCA (2007-)
Eastern Goldfields Limited (2016)
Orabanda Mining (2021)

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 Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffers
- Threatened and Priority Flora
- Threatened Fauna

Planning Instrument, Native Title, previous EPA decision or other matter.

Comments

There are two native title claims (WC2017/001 and WC2017/007) over the area under application (DPLH, 2021). These claims have been registered with the National Native Title Tribunal on behalf of the claimant groups. 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, 2021). 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.

The amendment application was advertised on 15 October 2021 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 (2021)

4. References

- Borger, J. (2016) Level 1 Vegetation and Flora Survey of proposed disturbance areas at the Davyhurst Mine Site, Service Corridor and battery borefield. Report prepared for Carnegie Gold Pty Ltd, by Jennifer Borger, June 2016.
- CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions. Department of Conservation and Land Management, Western Australia
- DBCA (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Biodiversity, Conservation and Attractions. <https://naturemap.dbca.wa.gov.au/> (Accessed 21 November 2021).
- DPLH (2021) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 22 November 2021).
- Eastern Goldfields Limited (2016) Additional information received in relation to clearing permit CPS 7318/1. Eastern Goldfields Limited, October 2016.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Orabanda Mining (2021) Carnegie Gold Pty Ltd – Davyhurst Gold Project – 2020/21 Annual Report – For Purpose Permit CPS 7318/1. Unpublished report prepared by Carnegie Gold Pty Ltd, July 2021.

5. Glossary

Acronyms:

BC Act	<i>Biodiversity Conservation Act 2016</i> , Western Australia
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)
DAWE	Department of Agriculture, Water and the Environment, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
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)
DoEE	Department of the Environment and Energy (now DAWE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	<i>Environmental Protection Act 1986</i> , Western Australia
EPA	Environmental Protection Authority, 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:

{DBCA (2019) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia}:-

T **Threatened species:**

Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under section 19(1), or is a rediscovered species to be regarded as threatened species under section 26(2) of the *Biodiversity Conservation Act 2016* (BC Act).

Threatened fauna is that subset of 'Specially Protected Fauna' listed under schedules 1 to 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for Threatened Fauna.

Threatened flora is that subset of 'Rare Flora' listed under schedules 1 to 3 of the *Wildlife Conservation (Rare Flora) Notice 2018* for Threatened Flora.

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 in the immediate future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines. Published under schedule 1 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for critically endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for critically endangered flora.

EN Endangered species

Threatened species considered to be “*facing a very high risk of extinction in the wild in the near future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as endangered under section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines. Published under schedule 2 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for endangered flora.

VU Vulnerable species

Threatened species considered to be “*facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as vulnerable under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines. Published under schedule 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for vulnerable fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for vulnerable flora.

Extinct Species:

EX Extinct species

Species where “*there is no reasonable doubt that the last member of the species has died*”, and listing is otherwise in accordance with the ministerial guidelines (section 24 of the BC Act).

Published as presumed extinct under schedule 4 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for extinct fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for extinct flora.

EW Extinct in the wild species

Species that “*is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its life cycle and form*”, and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).

Currently there are no threatened fauna or threatened flora species listed as extinct in the wild. If listing of a species as extinct in the wild occurs, then a schedule will be added to the applicable notice.

Specially protected species:

Listed by order of the Minister as specially protected under section 13(1) of the BC Act. Meeting one or more of the following categories: species of special conservation interest; migratory species; cetaceans; species subject to international agreement; or species otherwise in need of special protection.

Species that are listed as threatened species (critically endangered, endangered or vulnerable) or extinct species under the BC Act cannot also be listed as Specially Protected species.

MI Migratory species

Fauna that periodically or occasionally visit Australia or an external Territory or the exclusive economic zone; or the species is subject of an international agreement that relates to the protection of migratory species and that binds the Commonwealth; and listing is otherwise in accordance with the ministerial guidelines (section 15 of the BC Act).

Includes 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 fauna subject to the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention), an environmental treaty under the United Nations Environment Program. Migratory species listed under the BC Act are a subset of the migratory animals, that are known to visit Western Australia, protected under the international agreements or treaties, excluding species that are listed as Threatened species.

Published as migratory birds protected under an international agreement under schedule 5 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

CD Species of special conservation interest (conservation dependent fauna)

Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened, and listing is otherwise in accordance with the ministerial guidelines (section 14 of the BC Act).

Published as conservation dependent fauna under schedule 6 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

OS Other specially protected species

Fauna otherwise in need of special protection to ensure their conservation, and listing is otherwise in accordance with the ministerial guidelines (section 18 of the BC Act).

Published as other specially protected fauna under schedule 7 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

P Priority species:

Possibly threatened species that do not meet survey criteria, or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of priority for survey and evaluation of conservation status so that consideration can be given to their declaration as threatened fauna or flora.

Species that are adequately known, are rare but not threatened, or meet criteria for near threatened, or that have been recently removed from the threatened species or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species 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.
- (c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened 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 the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.