



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 7471/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Opis Resources Pty Ltd

1.3. Property details

Property: Exploration Licences 69/3424, 69/3425
Local Government Area: Shire of Ngaanyatjaraku
Colloquial name: Mt Squires Project

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 15 February 2018

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description The vegetation of the application area is broadly mapped as the following Beard vegetation associations:

18: Low woodland; mulga (*Acacia aneura*);
39: Shrublands; mulga scrub;
236: Hummock grasslands, shrub steppe; mulga and mallee (marble gum) over hard spinifex; and
252: Hummock grasslands, shrub steppe; mulga and mallee over soft spinifex (GIS Database).

Clearing Description Mt Squires Project.
Opis Resources Pty Ltd proposes to clear up to 50 hectares of native vegetation within a boundary of approximately 75,127 hectares, for the purpose of mineral exploration. The project is located approximately 87 kilometres east of Warburton, within the Shire of Ngaanyatjaraku.

Vegetation Condition Pristine: No obvious signs of disturbance (Keighery, 1994).
to
Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).

Comment The vegetation condition was assessed by botanists from Western Botanical (2016).

The proposed clearing is for exploration activities.

Clearing permit CPS 7471/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 12 April 2017 and is valid from 6 May 2017 to 30 May 2022. The permit authorised the clearing of up to 50 hectares of native vegetation within a boundary of approximately 30,350 hectares, for the purpose of mineral exploration.

On 12 December 2017, the Permit Holder applied to amend CPS 7471/1 to increase the permit boundary to approximately 75,127 hectares.

3. Assessment of application against Clearing Principles

Comments

Opis Resources Pty Ltd (Opis) has applied to increase the permit boundary of CPS 7471/1 to align the permit with the tenement boundaries for Exploration Licences 69/3424 and 69/3425 (the amendment area). The amount of authorised clearing will remain unchanged. The proposed amendment is to support Opis' exploration programme for the Mt Squires Project.

The vegetation within the amendment area is likely to resemble the vegetation within the existing permit boundary. Although the full extent of the permit area has not been surveyed, numerous flora and vegetation surveys have been undertaken over portions of the permit area and surrounds since 2001. Western Botanical undertook a desktop review of these historical surveys for clearing permit CPS 7471/1 (Western Botanical, 2016). Western Botanical (2016) concluded that the flora recorded in the study area was highly representative of the broader Central Ranges biogeographical region. CALM (2002) has also noted that flora species within the Central Ranges bioregion are wide ranging, and often occur in one or more adjacent bioregions. There are no records of any Threatened or Priority Ecological Communities in the amendment area (Western Botanical, 2016; GIS Database).

There are no records of Threatened flora species within the amendment area (GIS Database). Based on flora databases and previous surveys, the following Priority flora species may potentially occur within the amendment area (DPaW, 2018; Western Botanical, 2016; GIS Database):

- *Indigofera warburtonensis* (Priority 1)
- *Thryptomene* sp. Warburton (Priority 1)
- *Amaranthus centralis* (Priority 3)
- *Calotis latiuscula* (Priority 3)
- *Goodenia gibbosa* (Priority 3)

These five Priority flora species were also found within the existing permit area. A flora management condition was placed on CPS 7471/1 to minimise impacts to Priority flora. This condition will be implemented in the amendment area.

Brush-tailed Mulgara (*Dasyercus blythi*), Malleefowl (*Leipoa ocellata*) and Greater Bilby (*Macrotis lagotis*) were considered likely to occur within the existing permit area. A fauna management condition was placed on CPS 7471/1 to minimise potential impacts to Brush-tailed Mulgara and Bilby burrows, and Malleefowl mounds. It is considered likely that the amendment area contains similar habitat for these species. Considering the area of clearing is not increasing, the proposed amendment is not likely to have a significantly greater impact on these species, and any potential impacts from the amendment will be managed under the existing fauna management condition.

The application area is not within or in close proximity to a Public Drinking Water Source Area, and there are no permanent watercourses or wetlands within the additional permit areas (GIS Database). As the area of clearing is not changing, the proposed amendment is not likely to result in appreciable land degradation.

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 7471/1.

Methodology CALM (2002)
DPaW (2018)
Western Botanical (2016)

GIS Database:
- DPaW Tenure
- Hydrography, Lakes
- Hydrography, Linear
- IBRA Australia
- Imagery
- 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 is one native title claim over the area under application (DPLH, 2018). This claim has been determined by the Federal Court on behalf of the claimant group. 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 two registered Aboriginal Sites of Significance within the application area (DPLH, 2018). 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 25 December 2017 by the Department of Mines, Industry Regulation and Safety (DMIRS), inviting submissions from the public. No submissions were received in relation to this application.

Methodology DPLH (2018)

4. References

- CALM (2002) Biological Summary of the 2002 Biodiversity Audit for Western Australia, A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions in 2002 - Central Ranges 1 (CR1) - Mann-Musgrave Block subregion. Department of Conservation and Land Management, Western Australia.
- DPaW (2018) NatureMap. Department of Parks and Wildlife. <http://naturemap.dec.wa.gov.au> (Accessed 12 January 2018).
- DPLH (2018) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage. <http://maps.daa.wa.gov.au/AHIS/> (Accessed 15 January 2018).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Western Botanical (2016) Desktop Review of Flora, Vegetation and Fauna, Mt Squires Tenements E69/3432 and E 69/3425. Report prepared for Cassini Resources, by Woodman Environmental Consulting Pty Ltd, September 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 1950*.
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 1950*.
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.