



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 9472/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Pantoro South Pty Ltd

1.3. Property details

Property: Mining Lease 63/142
Local Government Area: Shire of Dundas
Colloquial name: Gladstone-Everlasting Mine Dewatering Pipeline

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.16		Mechanical Removal	Dewatering pipeline and associated activities

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 3 March 2022

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 Beard vegetation association 9: Medium woodland; coral gum (*Eucalyptus torquata*) and goldfields blackbutt (*E. lesouefii*) (GIS Database).

A flora and vegetation survey was conducted over the application area by Matiske Consulting Pty Ltd (Matiske) from 29 March to 3 April 2020. There was one vegetation association recorded within the application area:

NW2 – Open Mallee Woodland - Open mallee woodland of *Eucalyptus planipes* and occasional *Eucalyptus longissima* over sparse mid-low shrubland of *Allocasuarina helmsii*, *Eremophila* spp. and *Westringia rigida* over open-sparse low hummock grassland of *Triodia scariosa* on occasionally rocky redbrown sandy clayey loam on flats to midslopes (Matiske, 2020).

Clearing Description Gladstone-Everlasting Mine Dewatering Pipeline.
Pantoro South Pty Ltd proposes to clear up to 0.16 hectares of native vegetation within a boundary of approximately 1 hectare, for the purpose of a dewatering pipeline and associated activities. The project is located approximately 4 kilometres north-east of Norseman, within the Shire of Dundas.

Vegetation Condition Pristine: No obvious signs of disturbance (Keighery, 1994);
To:
Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

Comment The vegetation condition was derived from a vegetation survey conducted by Matiske (2020).

The proposed clearing is for a dewatering pipeline and minor supporting infrastructure within an 'un-named' Nature Reserve (R6043). The proposed pipeline and minor supporting infrastructure is for dewatering of the Gladstone-Everlasting mine which forms part of the greater Norseman Gold Project.

3. Assessment of application against Clearing Principles

Comments

The clearing permit application area is located within the Eastern Goldfields subregion of the Interim Biogeographic Regionalisation for Australia Coolgardie Bioregion (GIS Database). The Eastern Goldfields subregion is characterised Mallees, Acacia thickets and shrub-heaths on sandplains. Diverse *Eucalyptus* woodlands occur around salt lakes, on ranges, and in valleys. Salt lake support dwarf shrublands of samphire. Woodlands and *Dodonaea* shrubland occur on basic granitoides of the Fraser Range. The area is rich in endemic Acacias (CALM, 2002). Over 97% of the pre-European extent of this vegetation association remains uncleared at both the state and bioregional level (Government of Western Australia, 2019). The vegetation proposed to be cleared does not represent a significant remnant of native vegetation in an area that has been

extensively cleared. The proposed clearing for a pipeline and associated service/access track will follow the same route as was installed in 2004 for previous dewatering operations (Pantoro, 2021).

A flora and vegetation survey was undertaken over the application area by Mattiske (2020), and identified the vegetation type NW2 within the application area to be common within the local and regional area (GIS Database). No Threatened or Priority Flora, Threatened or Priority Ecological Communities were recorded within the application area (Mattiske, 2020; GIS Database).

There was one faunal habitat identified within the application area; Mallee woodland over spinifex (Western Wildlife, 2021). No conservation significant species were recorded within the application area.

The vegetation type, faunal habitat type and landforms occurring within the application area are well represented in the region (Mattiske, 2020; Pantoro, 2021; Western Wildlife, 2021; GIS Database), and the proposed clearing of 0.16 hectares of native vegetation is unlikely to result in any significant environmental impacts.

The application area occurs within an 'un-named' nature reserve (6043) which is managed by DBCA for the purpose of conserving flora and fauna (GIS Database). The proposed clearing of 0.16 hectares of native vegetation is unlikely to have any significant impact on the environmental values of the nature reserve if potential weed issues are appropriately managed. Potential impacts to the un-named nature reserve as a result of the proposed clearing may be minimised by the implementation of a weed management condition. Impacts to fauna may occur if species move outside the nature reserve into the adjacent application area. Potential impacts to fauna may be minimised by the implementation of a directional clearing condition, which requires the clearing to be undertaken in a slow, progressive manner into one direction to allow sufficient time for mobile fauna to escape.

There are no permanent watercourses or wetlands within the application area (GIS Database). There was no riparian vegetation identified within the application area (Mattiske, 2020).

There are no Public Drinking Water Areas in the vicinity of the application area (GIS Database). The proposed clearing of 0.16 hectares is unlikely to result in appreciable land degradation, or have any significant impact on surface or groundwater quality, or on the incidence or intensity of flooding (GIS Database).

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

Methodology

CALM (2002)
Mattiske (2020)
Pantoro (2021)
Western Wildlife (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

The application was advertised on 9 November 2021 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim over the area under application (DPLH, 2022). This claim has been registered with the National Native Title Tribunal 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 no registered Aboriginal Sites of Significance within the application area (DPLH, 2022). 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.

Advice was sought from the Department of Biodiversity, Conservation and Attractions (DBCA) on the clearing permit application as it intersects an un-named Nature Reserve which is managed by DBCA for the purpose of conserving flora and fauna. No comments were provided on the basis that mining-related activities are taken in accordance with the document 'Gladstone-Everlasting and Slippers Mines – Dewatering Pipeline within Nature Reserve (R6043) Mining Proposal and Mine Closure Plan – Version 3.0 – Dated 16/11/2021' under the *Mining Act 1978*.

The application area is part of a larger Norseman Gold Project area which was referred to the Environmental Protection Authority (EPA) under Part IV, section 38 of the *Environmental Protection Act 1986* on 25 March 2021. The EPA decided to 'not assess' the proposal on 20 September 2021 (Pantoro, 2021).

Methodology DPLH (2022)
Pantoro (2021)

4. References

- CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographic Subregions in 2002. Department of Conservation and Land Management, Western Australia.
- DPLH (2022) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 13 January 2022).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske (2020) Flora & Vegetation Assessment Norseman Gold Project, Norseman. Prepared for Pantoro Ltd, by Mattiske Consulting Pty Ltd, July 2020.
- Pantoro (2021) Norseman Gold Project – Supporting Document – Native Vegetation Clearing Permit (Purpose Permit) Application, Assessment of Clearing Principles. Gladstone-Everlasting Mine (M63/142) Dewatering Pipeline within Nature Reserve (R6043). Pantoro South Pty Ltd, October 2021.
- Western Wildlife (2021) Norseman Gold Project: Basic Vertebrate Fauna Survey and Targeted Malleefowl Survey 2020. Prepared for Pantoro Limited, by Western Wildlife, February 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.