



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	10246/1
Duration of Permit:	From 24 October 2024 to 24 October 2035
Permit Holder:	Iluka Rare Earths Pty Ltd

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I - CLEARING AUTHORISED

1. Land on which clearing is to be done

Mineral Sands (Eneabba) Agreement Act 1975, Mineral Lease 267SA (AML 70/267)
Mining Lease 70/821

2. Clearing authorised (purpose)

The Permit Holder is authorised to clear native vegetation for the purpose of construction and expansion of haulage roads and associated mining infrastructure.

3. Area of Clearing

The Permit Holder must not clear more than 3.3 hectares of native vegetation within the areas shaded yellow in Figures 1 and 2 of Schedule 1.

4. Staged Clearing

The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised begins within 3 months of the clearing being undertaken.

5. Directional clearing

The Permit Holder shall must:

- conduct all clearing authorised under this permit in one direction towards adjacent vegetation; and
- allow a reasonable time for fauna present within the area being cleared to move into that adjacent native vegetation ahead of the clearing activity.

6. Period in which clearing is Authorised

The Permit Holder must not clear any native vegetation after 24 October 2029.

PART II - MANAGEMENT CONDITIONS

7. Avoid, minimise and reduce the impacts and extent of clearing

In determining the amount of native vegetation to be cleared under this Permit, the Permit Holder must apply the following principles, set out in descending order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

8. Weed and dieback control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds and dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no known *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (d) only move soils in *dry conditions*; and
- (e) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is transferred to areas of comparable *soil disease status*.

9. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared;
- (b) within 12 months following completion of clearing authorised under this Permit, *revegetate* and *rehabilitate* the areas that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) ripping the ground on the contour to remove soil compaction;
 - (ii) laying the vegetative material and topsoil retained under Condition 9(a) on the cleared area; and
 - (iii) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land.
- (c) within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 9(b) of this Permit:
 - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
 - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under Condition 9(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.

10. Offset – Revegetation

Within 12 months of the commencement of *clearing* authorised under this permit, and no later than 24 October 2025, the Permit Holder must implement and adhere to the revegetation commitments in ‘CPS 10246/1 - Iluka Rare Earths Pt Ltd - Offset Proposal’, as retained on DEMIRS file A0687/202301, Object ID A81154902 and ‘CPS 10246/1 - Iluka Rare Earths Pty Ltd - Closure Plan Eneabba East Operations M267SA, M70/821’, Object ID A81431005 including but not limited to the following actions:

- (a) commence *revegetating* and *rehabilitating* the areas shaded red on attached Figure 1 and 3 of Schedule 1 by:
 - (i) undertaking an extensive pre-planting weed control programme;
 - (ii) deliberately *planting* native vegetation that will provide suitable foraging habitat for *black cockatoos species*;
 - (iii) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area;
 - (iv) ensure planting is undertaken at the *optimal time*;

- (b) establishing at least four 10 x 10 metre quadrat monitoring sites within the *rehabilitated* areas;
- (c) engage an *environmental specialist* to monitor and determine the species composition, structure and density of the area *revegetated* and *rehabilitated* at least once every year for ten (10) years;
- (d) fencing the *rehabilitated* areas;
- (e) implementing hygiene protocols by cleaning earth-moving machinery of soil and vegetation prior to entering and leaving the site;
- (f) undertaking annual weed control activities;
- (g) achieve the following completion criteria after the ten year monitoring period for the areas *revegetated* and *rehabilitated* under this Permit; and

Completion criteria (CC)	Monitoring (method, frequency)	Timing	Thresholds triggers and remedial actions
CC1: No declared weeds present in revegetation	Visual inspection for weeds bi-annually to identify declared weeds	By 10 years post planting	Any declared weeds are treated within three months of identification
CC2: Select, establish and maintain a minimum of 6 species that provide Carnaby's Black Cockatoo habitat in revegetation prior to completion	Annual monitoring by an <i>environmental specialist</i> , of native plant species within the four monitoring quadrats required by Condition 10(b). Completion criteria must be met and maintained for two years	By 10 years post planting	Infill planting will be conducted if scheduled monitoring shows minimum standard has not been met
CC3: A minimum of 20% plant cover will be established in revegetation at completion	Annual monitoring by an <i>environmental specialist</i> , of cover of native plant species within the four monitoring quadrats required by Condition 10(b). Completion criteria must be met and maintained for two years	By 10 years post planting	Infill planting will be conducted if scheduled monitoring shows minimum standard has not been met

- (h) The Permit Holder must engage an *environmental specialist* to undertake remedial actions for areas *revegetated* and *rehabilitated* where monitoring indicates that *revegetation* has not met the completion criteria, outlined in Condition 10(g), including;
 - (i) *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in the minimum targets detailed in Condition 10(g) and ensuring only *local provenance* seeds and propagating material are used;
 - (ii) undertake further *weed* control activities; and
 - (iii) annual monitoring of the *revegetated* and *rehabilitated* site, until the completion criteria, outlined in Condition 10(g) are met.

11. Offset – Conservation Covenant

Two years prior to completion of *revegetation* commitments under Condition 10 of this Permit and no later than 24 October 2033 the Permit Holder shall:

- (a) give a conservation covenant under section 30B of the *Soil and Land Conservation Act 1945* setting aside the area shaded red on attached Figure 1 and 3 of Schedule 1 for the protection and management of vegetation in perpetuity; and
- (b) provide to the CEO a copy of the executed conservation covenant.

PART III - RECORD KEEPING AND REPORTING

12. Records to be kept

The Permit Holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	(a) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings; (b) the date that the area was cleared; (c) the size of the area cleared (in hectares); (d) actions taken in accordance with Condition 4; (e) actions taken in accordance with Condition 5; (f) actions taken in accordance with Condition 6; (g) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with Condition 7; and (h) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with Condition 8.
2.	In relation to the <i>revegetation</i> and <i>rehabilitation</i> management pursuant to Condition 9	(a) the location of any areas <i>revegetated</i> and <i>rehabilitated</i> , recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings; (b) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; and (c) the size of the area <i>revegetated</i> and <i>rehabilitated</i> (in hectares).
3.	In relation to the offset pursuant to Condition 10	(a) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; (b) the size of the area <i>revegetated</i> and <i>rehabilitated</i> (in hectares); (c) the date that the area was <i>revegetated</i> and <i>rehabilitated</i> ; and (d) actions taken to give a conservation covenant in accordance with Condition 11 of this Permit.

13. Reporting

- (a) The Permit Holder shall provide a report to the *CEO* by 30 March each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and setting out the records required under Condition 12 of this Permit in relation to clearing carried out between 1 January and 31 December of the previous calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January and 31 December of the previous calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the *CEO* by 30 March of each year.
- (c) Prior to 24 October 2035, the Permit Holder must provide to the *CEO* a written report of records required under Condition 12 of this Permit where these records have not already been provided under Condition 13(a) or 13(b) of this Permit.

DEFINITIONS

In this Permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	the Chief Executive Officer of the Department responsible for administering the clearing provisions contained within the <i>Environmental Protection Act 1986</i> or an Officer with delegated authority under Section 20 of the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition/s	a condition to which this clearing permit is subject under section 51H of the EP Act.
dry conditions	Means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
direct seeding	Means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species.
environmental specialist	means a person who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit, or who is approved by the CEO as a suitable environmental specialist.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
fill	means material used to increase the ground level, or to fill a depression.
local provenance	means native vegetation seeds and propagating material from natural sources within 50 kilometres in the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion of the area cleared.
mulch	means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
optimal time	optimal time means the period from May to June for undertaking planting.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
regeneration	means <i>revegetation</i> that can be established from in situ seed banks contained either within the topsoil or seed-bearing <i>mulch</i> .
rehabilitate / rehabilitated / rehabilitation	means actively managing an area containing native vegetation in order to improve the ecological function of that area.
revegetate / revegetated / revegetation	means the re-establishment of a cover of <i>local provenance</i> native vegetation in an area using methods such as natural <i>regeneration</i> , <i>direct seeding</i> and/or <i>planting</i> , so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
soil disease status	means soil types either infested, not infested, uninterpretable or not interpreted with a pathogen.

Term	Definition
weed/s	means any plant – <ul style="list-style-type: none"> <li data-bbox="536 293 1418 360">(a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or <li data-bbox="536 367 1418 468">(b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or <li data-bbox="536 474 1418 510">(c) not indigenous to the area concerned.

END OF CONDITIONS



Danielle Risbey | General Manager - Mine Closure and Environmental Services
 Resource and Environmental Compliance Division
 1 October 2024

*Officer with delegated authority under Section 20
 of the Environmental Protection Act 1986*

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

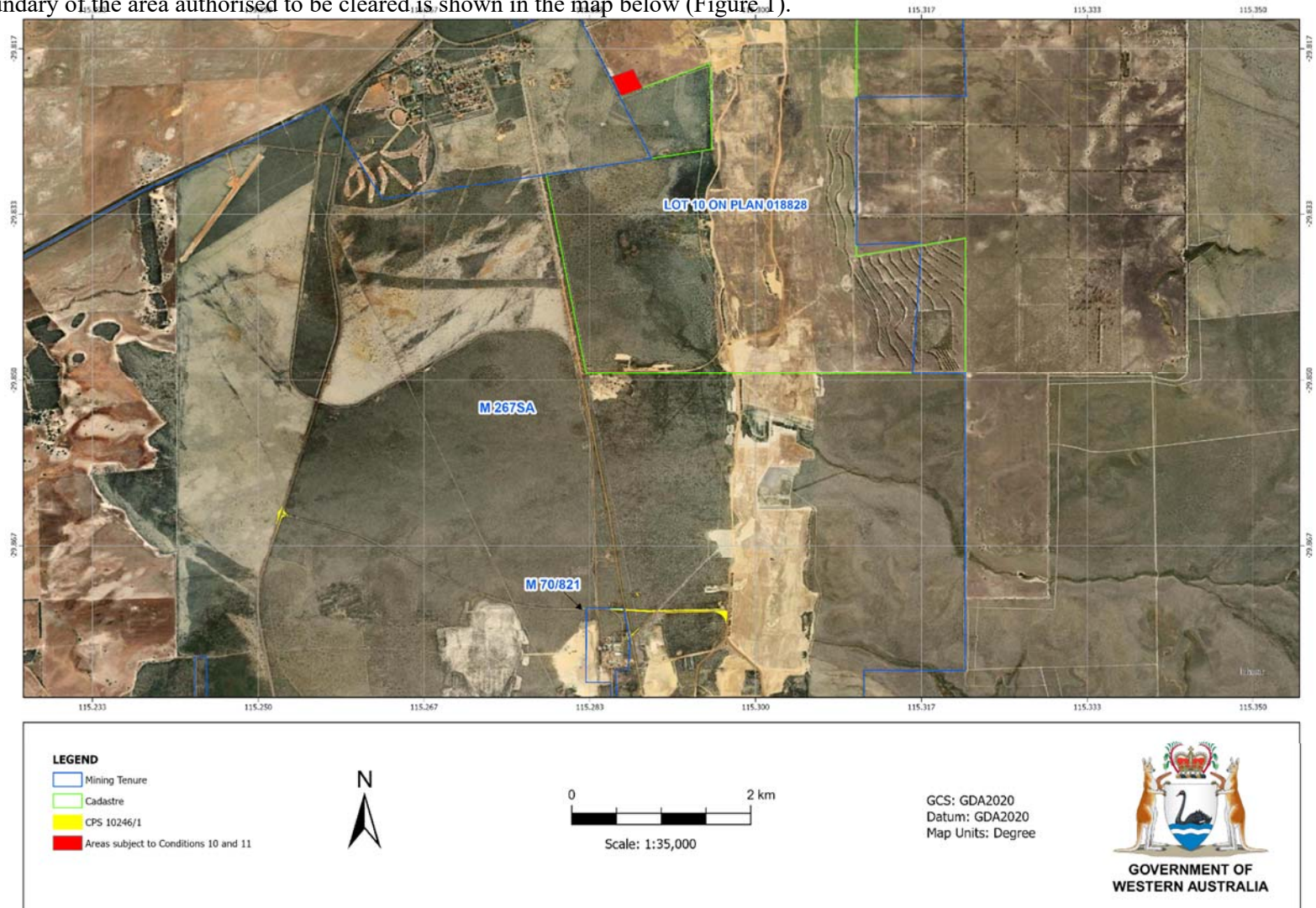


Figure 1: Map of the boundary of the area within which clearing may occur (shaded yellow) and areas subject to Conditions 10 and 11 (shaded red)

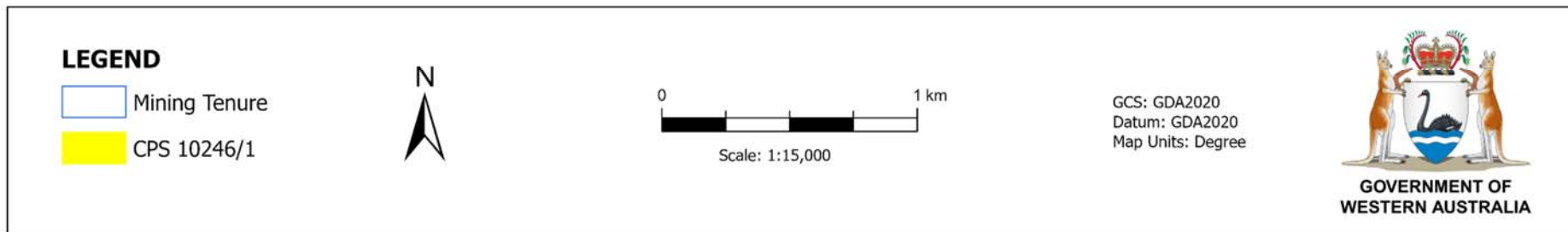
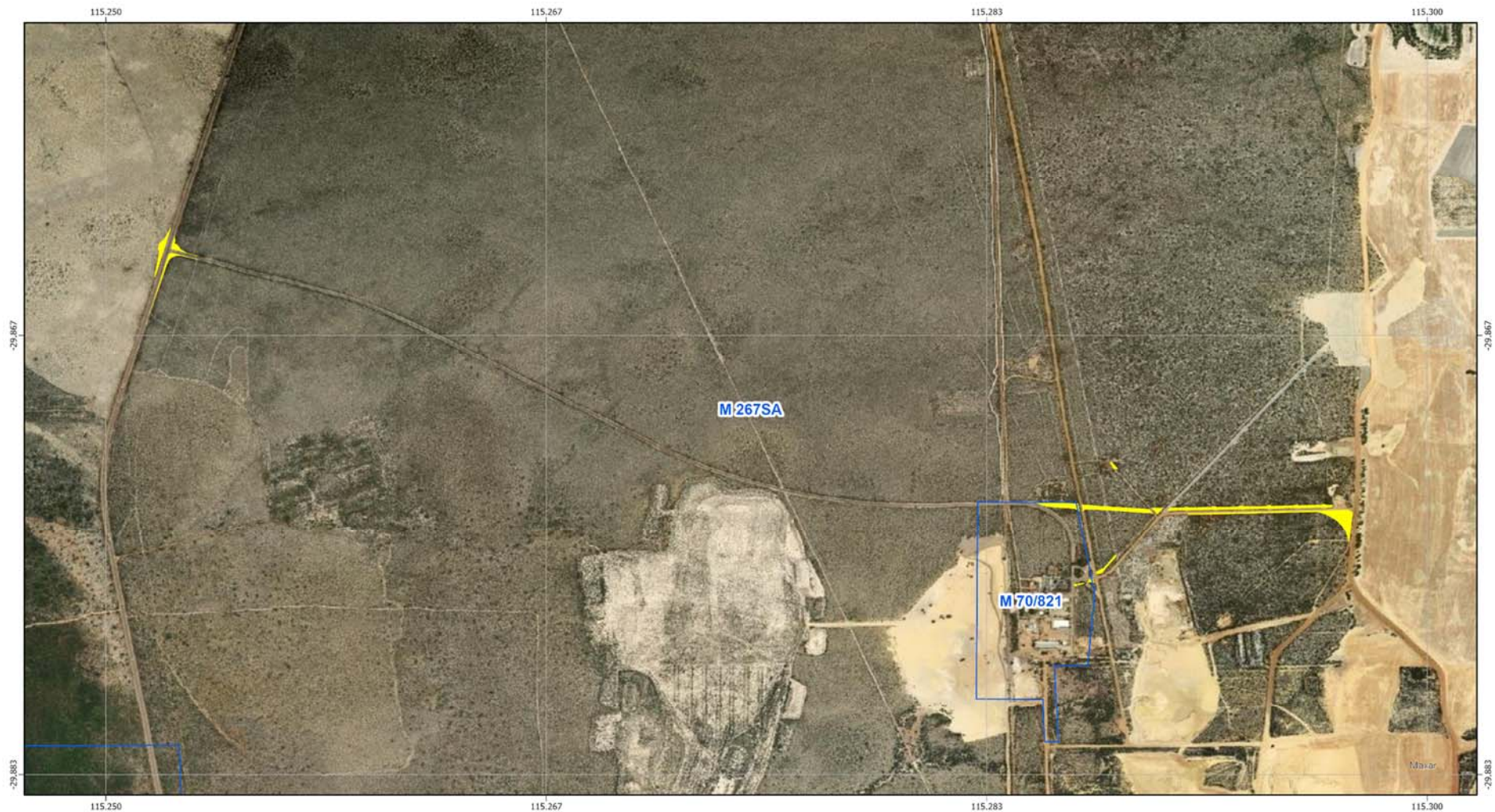


Figure 2: Map of the boundary of the area within which clearing may occur

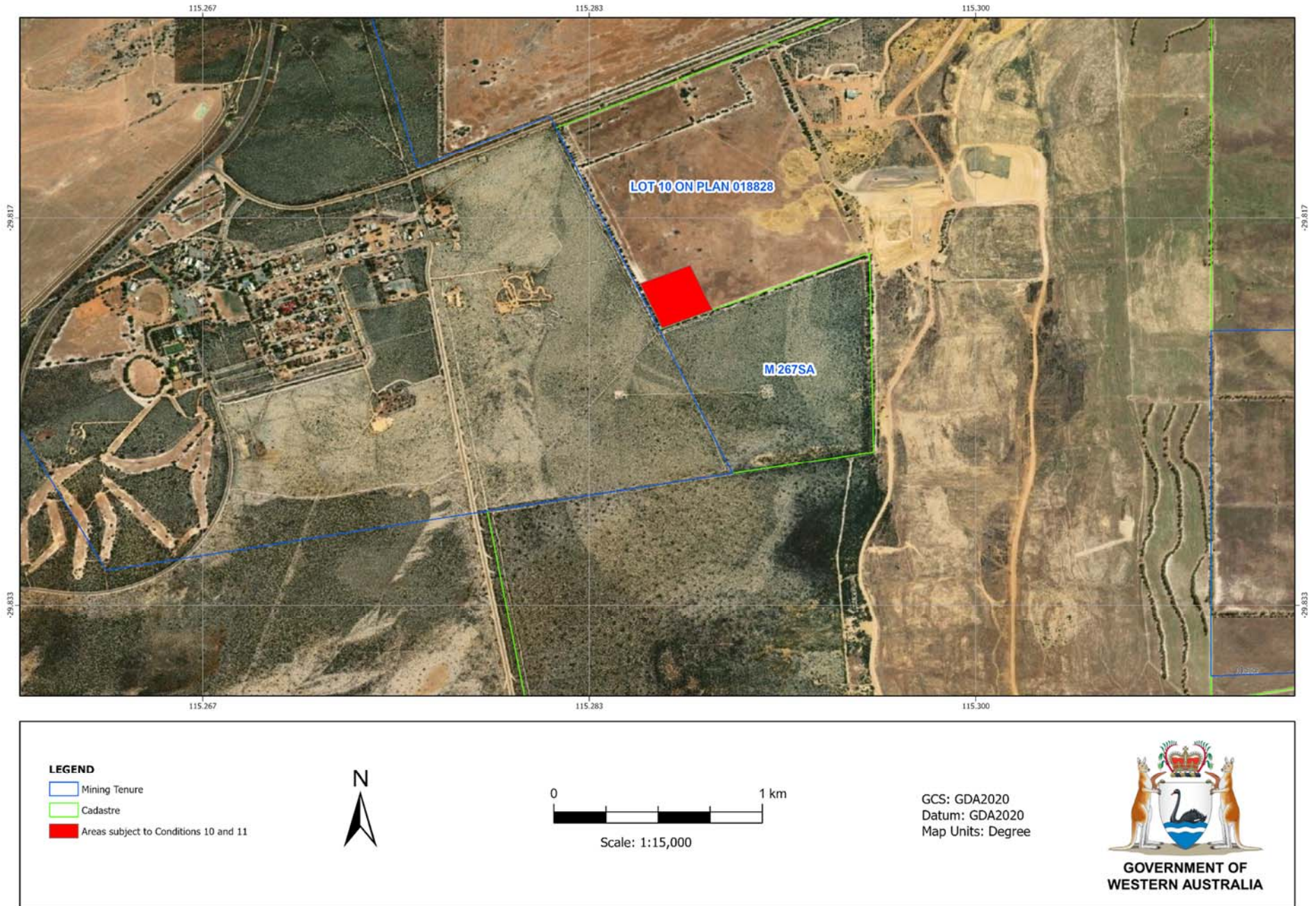


Figure 3: Map of the offset boundary of the area subject to Conditions 10 and 11