



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	2446/4
<b>Duration of Permit:</b>	From 27 September 2008 to 31 December 2028
<b>Permit Holder:</b>	Hamersley Iron 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**  
*Iron Ore (Hamersley Range) Agreement Act 1963, Mineral Lease 4SA (AML 70/4)*
- 2. Purpose for which clearing may be done**  
Clearing for the purposes of mineral exploration.
- 3. Area of Clearing**  
The Permit Holder must not clear more than 48 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow or shaded red on attached Plan 2446/4.
- 4. Restricted Clearing**  
The Permit Holder shall only clear native vegetation within the areas shaded red on attached Plan 2446/4 for the purpose of access tracks.
- 5. Period in which clearing is authorised**  
The Permit Holder shall not clear any native vegetation after 31 July 2023.
- 6. Application**  
This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

### **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 authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:
  - (a) avoid the clearing of native vegetation;
  - (b) minimise the amount of native vegetation to be cleared; and
  - (c) reduce the impact of clearing on any environmental value.

## 8. Weed 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*:

- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (ii) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

## 9. Flora management

(a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to conduct a *targeted flora survey* of the Permit Area for the presence of the following *priority flora*:

- (i) *Hibiscus* sp. Gurinbiddy Range (M.E. Trudgen MET 15708);
- (ii) *Hibiscus* sp. Mt Brockman (E Thoma ET 1354); and
- (iii) *Sida* sp. Hamersley Range (K. Newbey 10692).

(b) Where *priority flora* is identified under Condition 9(a) of this permit, the Permit Holder shall ensure that:

- (i) no clearing occurs within 10 metres of the identified *priority flora*, unless first approved by the *CEO*.
- (ii) no clearing of the identified *priority flora* occurs, unless first approved by the *CEO*.

## 10. 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) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;
- (ii) ripping the ground on the contour to remove soil compaction; and
- (iii) laying the vegetative material and topsoil retained under Condition 10(a) on the cleared area.

(c) within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 10(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 10(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.

## **PART III - RECORD KEEPING AND REPORTING**

### **11. Records to be kept**

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
  - (i) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
  - (ii) the date that the area was cleared;
  - (iii) the size of the area cleared (in hectares); and
  - (iv) purpose for which clearing was undertaken.
- (b) In relation to flora management pursuant to Condition 9 of this Permit;
  - (i) the location of *priority flora* recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
  - (ii) the species name of *priority flora* identified.
- (c) In relation to the *revegetation* and *rehabilitation* of areas pursuant to Condition 10 of this Permit:
  - (i) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
  - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken; and
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares).
- (d) actions taken to avoid, minimise and reduce the impacts and the extent of clearing in accordance with Condition 7 of this Permit; and
- (e) actions taken to minimise the introduction and spread of *weeds* in accordance with Condition 8 of this Permit.

### **12. Reporting**

- (a) The Permit Holder shall provide a report to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety by 30 June each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and setting out the records required under Condition 11 of this Permit in relation to clearing carried out between 1 January and December of the previous calendar year.
- (b) Prior to 31 December 2028, the Permit Holder must provide to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety a written report of records required under Condition 11 of this Permit where these records have not already been provided under Condition 12(a) of this Permit.

### **DEFINITIONS**

The following meanings are given to terms used in this Permit:

*botanist* means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of 2 years work experience in identification and surveys of flora native to the bioregion being inspected or surveyed, or who is approved by the CEO as a suitable botanist for the bioregion;

*CEO* means the Chief Executive Officer of the Department of Water and Environmental Regulation or an officer with delegated authority under Section 20 of the *Environmental Protection Act 1986*;

*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;

*fill* means material used to increase the ground level, or fill a hollow;

*local provenance* means native vegetation seeds and propagating material from natural sources within 200 kilometres and 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;

*planting* means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

*priority flora* means those plant taxa described as priority flora classes 1, 2, 3, or 4 in the Department of Biodiversity, Conservation and Attractions' *Threatened and Priority Flora List for Western Australia* (as amended);

*regeneration* means *revegetation* that can be established from in situ seed banks contained either within the topsoil or seed-bearing *mulch*;

*rehabilitate/ed/ion* means actively managing an area containing native vegetation in order to improve the ecological function of that area;

*revegetate/ed/ion* means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

*targeted flora survey* means a field-based investigation, including a review of established literature, of the biodiversity of flora and vegetation of the Permit Area, focusing on habitat suitable for flora species that are being targeted and carried out during the optimal time to identify those species. Where target flora are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

*weed/s* means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



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Dan Endacott  
General Manager Environmental Compliance  
Resource and Environmental Compliance Division  
30 April 2020

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