



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	3328/3
<b>Duration of Permit:</b>	From 16 September 2010 to 31 July 2016
<b>Permit Holder:</b>	Justin and Glenn Rule

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**  
Mining Lease 70/57
- 2. Purpose for which clearing may be done**  
Clearing for the purpose of mineral production.
- 3. Area of Clearing**  
The Permit Holder must not clear more than 11 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow on attached Plan 3328/3.
- 4. Type of Clearing Authorised**  
The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised is enacted within one month of the authorised clearing being undertaken.
- 5. Type of Clearing Authorised**  
The permit holder shall not clear more than 2 hectares of native vegetation at any one time. All other areas must remain uncleared or must be covered with vegetation and topsoil for rehabilitation purposes.
- 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.
- 7. Compliance with Assessment Sequence and Management Procedures**  
Prior to clearing any native vegetation under Conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

## PART II - ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

### 8. Avoid, minimise etc 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:

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

### 9. Dieback and 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* and *dieback*:

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

### 10. Retain and spread vegetative material and topsoil

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 6 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) laying the vegetative material and topsoil retained under Condition 10(a) on the cleared area.
- (c) within 12 months of laying the vegetative material and topsoil on the cleared area 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.

### 11. Vegetation Management

The Permit Holder shall not clear any native vegetation within the areas shaded red, on attached Plan 3328/3, the co-ordinates of these areas in Eastings and Northings being; 342520.43E, 6562150.33N; 342611.63E, 6562069.80N; 342496.96E, 6562136.24N; 342610.20E, 6562036.27N and 342886.91E, 6561734.50N; 342937.53E, 6561641.50N; 343034.13E, 6561362.95N; 343021.29E, 6561355.31N; 343001.65E, 6561382.43N; 342934.41E, 6561640.64N; 342882.47E, 6561730.52N.

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

### **12. 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 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).

### **13. Reporting**

- (a) The Permit Holder shall provide a report to the Executive Director, Environment, Department of Mines and Petroleum by 31 July 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 July and 30 June of the previous financial year.
- (b) Prior to 31 July 2016, the Permit Holder must provide to the Executive Director, Environment, Department of Mines and Petroleum a written report of records required under Condition 12 of this Permit where these records have not already been provided under Condition 13(a) of this Permit.

## **DEFINITIONS**

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

*dieback* means the effect of *Phytophthora* 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;

*dry conditions* means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

*environmental specialist* means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, 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;

*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 100 kilometres 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;

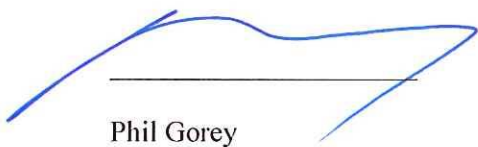
*regenerate/ed/ion* means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

*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;

*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 the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.



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Phil Gorey  
EXECUTIVE DIRECTOR  
ENVIRONMENT  
DEPARTMENT OF MINES AND PETROLEUM

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

10 January 2013