



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Purpose Permit Number: 3468 / 1

File Number: A0058/201001

Duration of Permit: From 5 March 2011 to 5 March 2016

PERMIT HOLDER

Hamersley Iron Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Iron Ore (Mt Newman) Agreement Act 1964,

Mineral Lease 244SA (AML 70/244)

PURPOSE FOR WHICH THE CLEARING MAY BE DONE

1. Clearing for the purposes of access tracks, geotechnical test pitting and sterilisation drilling.

CONDITIONS

Type of clearing authorised

1. The Permit Holder must not clear more than 9.45 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 3468/1.

Avoid, minimise etc clearing

2. 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.

Weed control

3. 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.

Flora management

4. Where rare flora have been identified and their written locations provided to the Director, Environment Division, Department of Mines and Petroleum, the Permit Holder shall ensure that:

- (a) no clearing occurs within 50 metres of identified rare flora, unless approved by the *CEO*, and no clearing of identified rare flora occurs unless approved under section 23F(2) of the *Wildlife Conservation Act 1950*.

Vegetation management

5. The Permit Holder shall not clear native vegetation within 50 metres of the *riparian vegetation* of any *watercourse* or *wetland* within and/or adjacent to the area shaded red on Plan 3468/1.

Retain vegetative material and topsoil, revegetation and rehabilitation

6. 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) At an *optimal time* within 12 months following completion of geotechnical investigations, *revegetate* and *rehabilitate* areas not required for future scheduled and approved development by:
 - (i) ripping the ground on the contour to remove soil compaction; and
 - (ii) laying the vegetative material and topsoil retained under Condition 6(a) on the cleared areas.
- (c) within 4 years of laying the vegetative material and topsoil on the cleared area in accordance with Condition 6(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 6(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.

Records to be kept

7. 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 6 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).

Reporting

8. (a) The Permit Holder shall provide a report to the Director, Environment Division, 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 Conditions 7(a) and 7(b) of this permit in relation to clearing carried out between 30 June and 1 July of the previous financial year.
- (b) Prior to 5 March 2016, the Permit Holder must provide to the Director, Environment Division, Department of Mines and Petroleum a written report of records required under Conditions 7(a) and 7(b) of this Permit where these records have not already been provided under Condition 8(a) of this Permit.

Definitions

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

CEO means the chief executive officer of the *Department*;

Department means the department of the Public Service of the State through which this Act is administered;

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 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;

optimal time means the period from November to December for undertaking *direct seeding*;

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;

riparian vegetation has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004;

watercourse has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

weeds means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*;

wetland/s means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.



Phil Gorey
DIRECTOR
ENVIRONMENT DIVISION
DEPARTMENT OF MINES AND PETROLEUM

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

10 February 2011