



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	3527/2
<b>Duration of Permit:</b>	From 13 March 2010 to 13 March 2016
<b>Permit Holder:</b>	Focus Minerals Limited

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 15/411
  - Mining Lease 15/412
  - Mining Lease 15/646
  - Mining Lease 15/660
  - Mining Lease 15/958
  - Mining Lease 15/1114
  - Mining Lease 15/1262
  - Mining Lease 15/1293
  - Mining Lease 15/1294
- 2. Purpose for which clearing may be done**

Clearing for the purposes of mineral production.
- 3. Area of Clearing**

The Permit Holder must not clear more than 300 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 3527/2.
- 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 three months of the authorised clearing being undertaken.
- 5. 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.
- 6. 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**

### **7. 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.

### **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 inspect that area for the presence of rare flora listed in the *Wildlife Conservation (Rare Flora) Notice 2012(2)* and *priority flora*.

(b) Where rare flora or *priority flora* are identified in relation to Condition 9(a) of this Permit, the Permit Holder shall ensure that:

- (i) no clearing occurs within 50 metres of identified rare flora, unless first approved by the *CEO*;
- (ii) no clearing of identified rare flora occurs unless first approved under section 23F(4) of the *Wildlife Conservation Act 1950*;
- (iii) no clearing of identified *priority flora* occurs unless first approved by the *CEO*; and
- (iv) no clearing occurs within 10 metres of identified *priority flora*, unless first approved by the *CEO*.

### **10. Fauna Management**

(a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* for the presence of *Leipoa ocellata* (Malleefowl) mounds.

(b) Where *Leipoa ocellata* (Malleefowl) mounds are identified in relation to Condition 10(a) of this Permit, the Permit Holder shall ensure that no clearing occurs within 50 metres of the identified *Leipoa ocellata* (Malleefowl) mounds, unless first approved by the *CEO*.

## **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 each rare and *priority flora* species, 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 species name of each rare and *priority flora* species identified; and
- (iii) a copy of the *botanist's* flora survey report.

(c) In relation to fauna management pursuant to Condition 10 of this Permit:

- (i) the location of each *Leipoa ocellata* (Malleefowl) mound 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) a copy of the *fauna specialist's* report.

## 12. Reporting

- (a) The Permit Holder shall provide a report to the Director Operations, Environment, Department of Mines and Petroleum by 13 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 11 of this permit in relation to clearing carried out between 1 January and 31 December of the previous calendar year.
- (b) Prior to 13 March 2016, the Permit Holder must provide to the Director Operations, Environment, Department of Mines and Petroleum 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 with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

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

*fauna specialist* means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

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

*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;

*priority flora* means those plant taxa described as priority flora classes 1, 2, 3, 4 or 5 in the *Department of Environment and Conservation's Threatened and Priority Flora List for Western Australia* (as amended);

*weed/s* means any plant –

- (a) that is declared under the section 37 of the *Agriculture and Related Resources Protection Act 1976*; or;
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.



Steve Tantala  
DIRECTOR OPERATIONS  
ENVIRONMENT  
DEPARTMENT OF MINES AND PETROLEUM

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

30 May 2013