



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	4032/5
Duration of Permit:	From 9 April 2011 to 31 December 2032
Permit Holder:	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)
Iron Ore (Hamersley Range) Agreement Act 1963, Mineral Lease 246SA (AML 70/246)

2. Clearing authorised (purpose)

The Permit Holder is authorised to clear native vegetation for the purpose of mineral production and associated activities.

3. Area of Clearing

The Permit Holder must not clear more than 600 hectares of native vegetation within the areas cross-hatched yellow or shaded red in Figure 1 of Schedule 1.

4. Clearing Restricted

The Permit Holder shall only clear native vegetation within the areas shaded red in Figure 1 of Schedule 1 for the purpose of light vehicle access tracks, maintaining existing tracks, monitoring activities, inadvertent fly rock, remedial and safety works and rehabilitation activities.

5. Period in which clearing is Authorised

The Permit Holder must not clear any native vegetation after 31 December 2025.

6. Staged Clearing

The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised is enacted within 6 months of the authorised clearing being undertaken.

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:

- (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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no known *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.

9. Vegetation Management

- (a) where practicable the Permit Holder shall avoid *clearing riparian vegetation*; and
- (b) where a *watercourse* is to be impacted by clearing, the Permit Holder shall maintain the existing surface flow where practicable.

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* areas of *temporary disturbance* 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; and
 - (ii) laying the vegetative material and topsoil retained under Condition 10(a) on the cleared area.
- (c) within 4 years 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.
- (d) where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with Condition 10(c)(ii) of this Permit, the Permit Holder shall repeat Condition 10(c)(i) and 10(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of *pre-clearing* vegetation types in that area, as determined in Condition 10(c)(i) and (ii) of this Permit, that determination shall be submitted for the *CEO's* consideration. If the *CEO* does not agree with the determination made under Condition 10(c)(ii), the *CEO* may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under Condition 10(c)(ii).

PART III - RECORD KEEPING AND REPORTING

11. 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	<ul style="list-style-type: none">(a) 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;(b) the date that the area was cleared;(c) the size of the area cleared (in hectares);(d) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with Condition 7;(e) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with Condition 8; and(f) actions taken in accordance with Condition 9.
2.	In relation to the <i>revegetation</i> and <i>rehabilitation</i> management pursuant to Condition 10	<ul style="list-style-type: none">(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 1994 (GDA94), 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).

12. Reporting

- (a) The Permit Holder shall provide a report to the *CEO* 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 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 June of each year.
- (c) Prior to 31 December 2032, the Permit Holder must provide to the *CEO* a written report of records required under Condition 11 of this Permit where these records have not already been provided under Condition 12(a) or 12(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.
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.
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 <i>CEO</i> 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 200 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.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
regenerate / regenerated / regeneration	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 <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 / vegetated / 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.
riparian vegetation	has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulation 2004.
temporary disturbance	means areas cleared for the purpose of borrow pits; infrastructure corridors; ancillary infrastructure; topsoil and subsoil stockpiles; lay down areas; mineral exploration; air strips; landfill sites; car parks and access roads;

Term	Definition
watercourse	has the meaning given to it in section 3 of the <i>Rights in Water and Irrigation Act 1914</i> .
weed/s	means any plant – (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i> ; or (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.

END OF CONDITIONS



Jeffrey Haworth
 Acting Deputy Director General
 Resource and Environmental Regulation Group
 14 June 2022

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

