



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	5247/1
<b>Duration of Permit:</b>	From 23 February 2013 to 23 February 2018
<b>Permit Holder:</b>	Western Areas NL

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 77/219
- 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 10 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 5247/1.
- 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. Clearing Not Authorised**  
The Permit Holder shall not clear any native vegetation within the areas shaded red on attached Plan 5247/1 unless first approved by the *CEO*.
- 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. 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.

### 11. Flora Management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist*, in accordance with *Guidance Statement No. 51* 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 11(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*, and no clearing of identified rare flora occurs unless first approved under section 23F(4) of the *Wildlife Conservation Act 1950*; and;
  - (ii) no clearing of identified *priority flora* occurs and no clearing occurs within 10 metres of identified *priority flora*, unless first approved by the *CEO*.

### 12. Flora Management

Where rare flora or *priority flora* have been identified and their written locations provided to the *CEO*, the Permit Holder shall ensure that:

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

### 13. Fauna Management

- (a) Prior to undertaking any clearing authorised under this Permit, the areas shall be inspected by a *fauna specialist* who shall identify *habitat/habitat tree(s)* suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2012(2)*.
- (b) Prior to clearing, any *habitat/habitat tree(s)* identified by Condition 13(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2012(2)*.

- (c) Where fauna are identified in relation to Condition 13(b) of this Permit, the Permit Holder shall ensure that:
- (i) no clearing occurs within 50 metres of the identified habitat/*habitat tree(s)* unless first approved by the CEO.

#### 14. 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 14(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

#### 15. 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 11 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 13 of this Permit:
  - (i) the location of each habitat/*habitat tree* identified 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 fauna reasonably likely to utilise, or that have been observed utilising, the habitat/*habitat tree(s)*; and
  - (iii) a copy of the *fauna specialist's* report.
- (d) In relation to fauna management pursuant to Condition 14 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.

#### 16. 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 15 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 23 February 2013, the Permit Holder must provide to the Executive Director, Environment, Department of Mines and Petroleum a written report of records required under Condition 15 of this Permit where these records have not already been provided under Condition 16(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*;

*dieback* means the effect of *Phytophthora* species on native vegetation;

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

*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;

*Guidance Statement No. 51* means the Environmental Protection Authority Guidance Statement No. 51, Guidance for the Assessment of Environmental Factors - Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia (2004);

*habitat tree(s)* means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater, that contains or has the potential to develop hollows or roosts suitable for native fauna;

*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);

*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*;

*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;

*Wildlife Conservation (Rare Flora) Notice* means those plant taxa gazetted as rare flora pursuant to section 23F(2) of the *Wildlife Conservation Act 1950* (as amended);

*Wildlife Conservation (Specially Protected Fauna) Notice* means those fauna taxa gazetted as rare fauna pursuant to section 14(4)(a) of the *Wildlife Conservation Act 1950* (as amended).



Kim Anderson  
A/EXECUTIVE DIRECTOR  
ENVIRONMENT  
DEPARTMENT OF MINES AND PETROLEUM

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

31 January 2013