



GOVERNMENT OF  
WESTERN AUSTRALIA

## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	5505/1
<b>Duration of Permit:</b>	From 8 June 2013 to 8 June 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 77/545  
Mining Lease 77/582  
Mining Lease 77/583  
Mining Lease 77/584  
Mining Lease 77/912

**2. Purpose for which clearing may be done**

Clearing for the purposes of mineral exploration and mineral production.

**3. Area of Clearing**

The Permit Holder must not clear more than 30 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow and cross-hatched red on attached Plan 5505/1.

**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 green on attached Plan 5505/1 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. Vegetation Management**

The Permit Holder shall not clear native vegetation within the area cross-hatched red on attached Plan 5505/1 for the purpose of mineral production unless otherwise approved by the *CEO*.

### **12. 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 12(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*; and;
  - (iii) 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. 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*;
- (ii) no clearing of identified rare flora occurs unless first approved under section 23F(4) of the *Wildlife Conservation Act 1950*; and;
- (iii) no clearing of identified *priority flora* occurs and no clearing occurs within 10 metres of identified *priority flora*, unless first approved by the *CEO*.

### **14. 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 14(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 14(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*.

#### 15. 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 15(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

#### 16. 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 12 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 14 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 15 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.

#### 17. 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 16 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 8 June 2018, the Permit Holder must provide to the Executive Director, Environment, Department of Mines and Petroleum a written report of records required under Condition 16 of this Permit where these records have not already been provided under Condition 17(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;

*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 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

16 May 2013