



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	5974/3
Duration of Permit:	From 29 March 2014 to 29 March 2024
Permit Holder:	Fortescue Metals Group 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

Exploration Licence 47/1396

2. Purpose for which clearing may be done

Clearing for the purpose of mineral exploration.

3. Area of Clearing

The Permit Holder must not clear more than 36 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow on attached Plan 5974/3.

4. Restricted Clearing

The Permit Holder shall only clear native vegetation within the area shaded red on attached Plan 5974/3 for the purpose of access track construction.

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.

PART II - MANAGEMENT CONDITIONS

6. Avoid, minimise and reduce the impacts and extent of 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

7. 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 *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.

8. Fauna Management

(a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* of the Permit Area to identify *critical habitat* being utilised by the fauna species listed below:

- (i) Northern Quoll (*Dasyurus hallucatus*);
- (ii) Ghost Bat (*Macroderma gigas*);
- (iii) Pilbara Leaf-nosed Bat (*Rhinonicteris aurantia*);
- (iv) Pilbara Olive Python (*Liasis olivaceus barroni*); and
- (v) Western Pebble-mound Mouse (*Pseudomys chapmani*).

(b) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *fauna survey* in a report to the *CEO*.

(c) The *fauna survey* report must include the following:

- (i) the location of the *critical habitat* 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 location of any fauna species, as listed in condition 8(a) 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;
- (iii) the name of each fauna species identified;
- (iv) the methodology, used to survey the Permit Area and to establish the *critical habitat*;
- (v) the extent of the *critical habitat* of the identified fauna shown on a map; and
- (vi) a description of the *critical habitat* of fauna found.

(d) Where fauna are identified under condition 8(a) of this Permit, the Permit Holder shall ensure that:

- (i) no clearing of *critical habitat* of the identified fauna occurs, unless first approved by the *CEO*; and
- (ii) no taking of identified fauna occurs, unless first approved by the *CEO*.

9. Flora management

(a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to conduct a *targeted flora survey* of the Permit Area for the presence of threatened flora listed in the *Wildlife Conservation (Rare Flora) Notice* and *priority flora* in accordance with *EPA Technical Guidance*.

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

- (i) prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *targeted flora survey* in a report to the *CEO*;
- (ii) no clearing occurs within 50 metres of identified threatened flora, unless approved by the *CEO*; 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*.

10. Watercourse management

(a) Where practicable the Permit Holder shall avoid clearing *riparian vegetation*.

(b) Where a *watercourse* or *wetland* is to be impacted by clearing, the Permit Holder shall maintain the existing surface flow.

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) actions taken to avoid, minimise and reduce the impacts and the extent of clearing in accordance with Condition 6 of this Permit; and
- (c) actions taken to minimise the introduction and spread of *weeds* in accordance with Condition 7 of this Permit.
- (d) actions taken in accordance with Condition 4, Condition 8, Condition 9 and Condition 10 of this Permit.

12. Reporting

- (a) The Permit Holder shall provide a report to the *CEO* 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 10 of this Permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) If no clearing authorised under this Permit was undertaken between 1 July and 30 June of the previous financial year, a written report confirming that no clearing under this permit has been carried out, must be provided to the *CEO* by 31 July of each year.
- (c) Prior to 29 March 2024, 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

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

botanist means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of 2 years work experience in identification and surveys of flora native to the bioregion being inspected or surveyed, or who is approved by the *CEO* as a suitable *botanist* for the bioregion;

CEO means the Chief Executive Officer of the Department responsible for administering the clearing provisions contained within the *Environmental Protection Act 1986* or an Officer with delegated authority under Section 20 of the *Environmental Protection Act 1986*;

critical habitat means any part of the Permit Area comprising of the habitat of flora or fauna species and its population, that is critical for the health and long term survival of the flora or fauna species and its population;

EPA Technical Guidance means Environmental Protection Authority (2016), *Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment*, EPA, Western Australia;

fauna specialist means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the *CEO* as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Biodiversity Conservation Act 2016*;

fauna survey means a field-based investigation, including a review of established literature, of the biodiversity of fauna and/or fauna habitat of the Permit Area. Where conservation significant fauna are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

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, or 4 in the Department of Biodiversity, Conservation and Attractions' *Threatened and Priority Flora List for Western Australia* (as amended);

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 a Department of Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned;

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;

Wildlife Conservation (Rare Flora) Notice means those plant taxa gazetted as a threatened flora pursuant to section 19(1) of the *Biodiversity Conservation Act 2016* (as amended).

Jacqui Middleton

Jacqui Middleton
Acting General Manager Environmental Compliance
Resource and Environmental Compliance Division
13 August 2021

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