



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	6545/3
Duration of Permit:	4 July 2015 to 31 December 2030
Permit Holder:	Robe River 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

Iron Ore (Robe River) Agreement Act 1964, Mineral Lease 248SA (AML 70/248)
General Purpose Lease 47/1235
General Purpose Lease 47/1236

2. Purpose for which clearing may be done

Clearing for the purpose of mineral exploration, hydrogeological and geotechnical investigations, construction camp and associated activities.

3. Area of Clearing

The Permit Holder must not clear more than 540 hectares of native vegetation. All clearing must be within the areas crossed-hatched yellow or shaded red, or purple on attached Plans 6545/3A, 6545/3B, 6545/3C, 6545/3D, 6545/3E, 6545/3F, 6545/3G and 6545/3H.

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 3 months of the authorised clearing being undertaken.

5. Restricted Clearing – Gorge and Gully Habitat

(a) The Permit Holder shall only clear native vegetation within the areas shaded red on attached Plans 6545/3A, 6545/3B, 6545/3C, 6545/3D, 6545/3E, 6545/3F, 6545/3G and 6545/3H for the purpose of access tracks.

(b) The Permit Holder shall not clear more than 3.3 hectares of native vegetation within the areas shaded purple on attached Plans 6545/3A and 6545/3C unless first approved by the *CEO*.

6. Restricted Clearing – Priority Ecological Community Management

(a) The Permit Holder shall not clear any native vegetation within the areas shaded green on attached Plans 6545/3A, 6545/3C and 6545/3D unless first approved by the *CEO*.

(b) Where approval is obtained from the *CEO*, the Permit Holder shall only clear native vegetation within the areas shaded green for the purpose of access track construction.

7. Clearing Not Authorised – Ghost Bat Caves

The Permit Holder shall not clear any native vegetation within the areas shaded blue on attached Plans 6545/3A, 6545/3D and 6545/3F.

8. Period in which the clearing is authorised

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

9. 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

10. 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.

11. 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.

12. Flora Management

Where priority flora have been identified and their written locations provided to the *CEO* and retained on the Department of Mines and Petroleum file “A0735/201501” the Permit Holder shall ensure that:

- (a) no clearing occurs within 10 metres of the following *priority flora* species unless approved by the *CEO*:
 - (i) *Eremophila* sp. West Angelas (S. van Leeuwen 4068);
 - (ii) *Hibiscus* sp. Mt Brockman (E. Thoma ET 1354);
 - (iii) *Sida* sp. Hamersley Range (K. Newbey 10692);
 - (iv) *Aristida lazaridis*;
 - (v) *Eremophila forrestii* subsp. Pingandy (M.E. Trudgen 2662);
 - (vi) *Euphorbia clementii*;
 - (vii) *Oxalis* sp. Pilbara (M.E. Trudgen 12725);
 - (viii) *Aristida jerichoensis* var. *subspinulifera*;
 - (ix) *Hibiscus* sp. Gurinbiddy Range (M.E. Trudgen 15708); and
 - (x) *Vittadinia pustulata*
- (b) where approval is sought for clearing within 10 metres of the *priority flora* species identified under Condition 12(a), a report is provided to the *CEO* that includes:
 - (i) the location of each *priority flora* species identified under Condition 12(a) of this permit, either as the location of individual plants, or where this is not practical, the areal extent of the population and an estimate of the number of plants, 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) the extent of the *critical habitat* or other known records of the identified *priority flora* species that occur outside areas impacted under this Permit, shown on a map.

13. Retain and spread vegetative material and topsoil

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 clearing authorised under this permit, *revegetate* and *rehabilitate* the areas that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;
 - (ii) ripping the ground on the contour to remove soil compaction; and
 - (iii) laying the vegetative material and topsoil retained under Condition 13(a).
- (c) within 4 years of laying the vegetative material and topsoil on the cleared area in accordance with Condition 13(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 13(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.

14. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) *Revegetate* and *rehabilitate* all areas of temporary disturbance cleared prior to 4 July 2015 within the areas cross-hatched yellow on attached Plans 6545/3A, 6545/3B, 6545/3C, 6545/3D, 6545/3E, 6545/3F, 6545/3G and 6545/3H by:
 - (i) laying vegetative material and topsoil previously retained within the areas cross-hatched yellow on attached Plans 6545/3A, 6545/3B, 6545/3C, 6545/3D, 6545/3E, 6545/3F, 6545/3G and 6545/3H on the cleared areas; and
 - (ii) ripping the ground on the contour to remove soil compaction.
- (b) Within 4 years of undertaking revegetation and rehabilitation in accordance with Condition 14(a) 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 14(b)(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.

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 the *revegetation* and *rehabilitation* of areas pursuant to Conditions 13 and 14 of this Permit:
 - (i) the location of any areas *revegetated* and *rehabilitated*, 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) a description of the *revegetation* and *rehabilitation* activities undertaken; and
 - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares).

16. Reporting

- (a) The Permit Holder shall provide a report to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety 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 15 of this permit in relation to clearing carried out between 1 January and 31 December of the previous calendar year.

- (b) Prior to 31 December 2030, the Permit Holder must provide to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety 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:

CEO means the Chief Executive Officer of the Department of Water and Environmental Regulation 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;

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 *CEO* as a suitable environmental specialist;

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

local provenance means native vegetation seeds and propagating material from natural sources within 200 kilometres and 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;

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

rehabilitate/ed/ion means actively managing an area containing native vegetation in order to improve the ecological function of that area;

revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as *regeneration*, *direct seeding* and/or *planting*, 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*) 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 a Department of Biodiversity, Conservation and Attractions Regional Weed Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Daniel Endacott
General Manager Environmental Compliance
Resource and Environmental Compliance Division
20 December 2018

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