



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number: 6824/1
Duration of Permit: From 16 January 2016 to 31 January 2021
Permit Holder: Avoca Mining 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

Mining Lease 63/366
Mining Lease 63/516

2. Purpose for which clearing may be done

Clearing for the purpose of mineral production

3. Area of Clearing

The Permit Holder must not clear more than 470 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 6824/1.

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 3 months of the authorised clearing being undertaken.

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. 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.

7. Watercourse 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 water flow.

8. Flora management

Where *priority flora* have been identified and their written locations provided to the *CEO* within Appendix E of the report titled 'Flora and Vegetation Survey of the Mt Henry Survey Area, September 2013' the Permit Holder shall ensure that:

- (a) No clearing occurs within 10 metres of the following *priority flora* species unless first approved by the *CEO*:
 - (i) *Eucalyptus jimberlanica*;
 - (ii) *Philotheca apiculata*;
 - (iii) *Cyathostemon* sp. *Salmon Gums*;
 - (iv) *Eremophila purpurascens*;
 - (v) *Eucalyptus brockwayi*; and
 - (vi) *Goodenia laevis* subsp. *laevis*
- (b) No clearing of the *priority flora* species identified under Condition 8(a) occurs unless first approved by the *CEO*.

9. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to conduct an inspection of the areas to be cleared during the months of September through to February, to identify *Merops ornatus* (Rainbow Bee-eater) nesting burrows.
- (b) The Permit Holder shall not clear during the months of September through to February if *Merops ornatus* (Rainbow Bee-eater) nesting burrows are identified under Condition 9(a).

PART III - RECORD KEEPING AND REPORTING

10. 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.

11. Reporting

- (a) The Permit Holder shall provide a report to the Director Operations, 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 10 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 31 January 2021, the Permit Holder must provide to the Director Operations, Environment, Department of Mines and Petroleum a written report of records required under Condition 10 of this Permit where these records have not already been provided under Condition 11(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 Environment Regulation or an Officer with delegated authority under Section 20 of the *Environmental Protection Act 1986*;

fauna specialist: means a person who holds a tertiary qualification specializing 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 *Wildlife Conservation Act 1950*;

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 Parks and Wildlife'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 a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Virginia Simms
A/DIRECTOR OPERATIONS
ENVIRONMENT
DEPARTMENT OF MINES AND PETROLEUM

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

24 December 2015