



## CLEARING PERMIT

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

|                               |                                       |
|-------------------------------|---------------------------------------|
| <b>Purpose Permit number:</b> | 6961/1                                |
| <b>Duration of Permit:</b>    | From 11 June 2016 to 31 December 2031 |
| <b>Permit Holder:</b>         | Hamersley Iron 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**  
*Iron Ore (Hamersley Range) Agreement Act 1963, Mineral Lease 4SA (AML 70/4)*
- 2. Purpose for which clearing may be done**  
Clearing for the purpose of mineral exploration, hydrogeological and geotechnical investigation and associated activities.
- 3. Area of Clearing**  
The Permit Holder must not clear more than 500 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow or shaded red on attached Plan 6961/1.
- 4. Period in which clearing is authorised**  
The Permit Holder shall not clear any native vegetation after 31 December 2026.
- 5. Staged Clearing**  
The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised begins within 6 months of the clearing being undertaken.
- 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.

## PART II - MANAGEMENT CONDITIONS

### 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:

- (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.

### 8. 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 area to be cleared for the presence of:

- (i) *Eremophila* sp. Hamersley Range (K. Walker KW 136)
- (ii) *Hibiscus* sp. Mt Brockman (E. Thoma ET 1354)
- (iii) *Sida* sp. Hamersley Range (K. Newbey 10692)
- (iv) *Hibiscus* sp. Gurinbiddy Range (M.E.T. 15708)
- (v) *Ipomoea racemigera*
- (vi) *Oxalis* sp. Pilbara (M.E. Trudgen 12725)
- (vii) *Pentalepis trichodesmoides* subsp. *hispida*
- (viii) *Indigofera gilesii*
- (ix) *Tetratheca butcheriana*

(b) The targeted flora survey report must include the following;

- (i) the location of each Priority flora, either as the location of individual plants, or where this is not practical, the aerial 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 species name of each Priority flora identified; and
- (iii) the methodology, used to survey the Permit Area.

(c) Where flora are identified under Condition 8(a) of this Permit, the Permit Holder shall ensure that:

- (i) no clearing of identified flora occurs unless first approved by the *CEO*; and
- (ii) no clearing occurs within 10 metres of identified flora unless first approved by the *CEO*.

(d) For the purpose of this Permit, a *targeted flora survey* conducted within the previous five years will satisfy Condition 8(a).

### 9. 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.

#### 10. Retain and spread vegetative material and topsoil, revegetation and rehabilitation

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; and
  - (ii) laying the vegetative material and topsoil retained under Condition 10(a).
- (c) within 4 years of laying the vegetative material and topsoil on the cleared area in accordance with Condition 10(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 10(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.

### **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) In relation to the *revegetation* and *rehabilitation* of areas pursuant to Condition 10 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).
- (c) In relation to flora management pursuant to Condition 8 of this Permit, the results of the *targeted flora survey*.

## 12. 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 11 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 31 December 2031, the Permit Holder must provide to the Director Operations, Environment, Department of Mines and Petroleum a written report of records required under Condition 11 of this Permit where these records have not already been provided under Condition 12(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*;

*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;

*regenerate/ed/ion* means revegetation that can be established from in situ seed banks contained either within the topsoil or seed-bearing mulch;

*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;

*targeted flora survey* means a field-based investigation, including a review of established literature, of the biodiversity of flora and vegetation of the Permit Area, focusing on habitat suitable for flora species that are being targeted and carried out during the optimal time to identify those species. Where target flora are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

*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.



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Marnie Leybourne  
DIRECTOR OPERATIONS  
ENVIRONMENT  
DEPARTMENT OF MINES AND PETROLEUM

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

19 May 2016