



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 8092/1  
File Number: A1072/201801  
Duration of Permit: From 31 August 2019 to 31 August 2034

### PERMIT HOLDER

Iluka Resources Limited

### LAND ON WHICH CLEARING IS TO BE DONE

Mining Lease 70/63

### AUTHORISED ACTIVITY

Clearing of up to 46.49 hectares of native vegetation within the areas cross-hatched yellow on attached Plan 8092/1A.

### ADVICE NOTE

The areas referred to in Condition 4 of this Permit total approximately 12.3 hectares.

### CONDITIONS

#### 1. 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:

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

#### 2. 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no known *dieback* or *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.

#### 3. Western Ringtail Possum Management

- (a) In relation to the area cross-hatched yellow on attached Plan 8092/1A, the Permit Holder must engage a *fauna specialist* to inspect that area immediately prior to, and for the duration of clearing, for the presence of (*Pseudocheirus occidentalis*) western ringtail possum(s).
- (b) Clearing must cease in any area where fauna referred to in Condition 3(a) above are identified until either:
  - (i) the western ringtail possum(s) individual has been removed by a *fauna specialist*; or
  - (ii) the western ringtail possum(s) individual has moved on from that area to adjoining *suitable habitat*.

- (c) Any western ringtail possum (*Pseudocheirus occidentalis*) individuals removed in accordance with Condition 3(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.
- (d) Where fauna is identified under Condition 3(a) of this Permit, the Permit Holder must provide the following records to the *CEO* as soon as practicable:
  - (i) the number of individuals identified;
  - (ii) the date each individual was identified;
  - (iii) the location where each individual was 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;
  - (iv) the number of individuals removed and relocated;
  - (v) the date each individual was removed;
  - (vi) the date each individual was relocated;
  - (vii) the location where each individual was relocated to, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
  - (viii) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

#### 4. Offset – Revegetation

Within 12 months of completion of remediation works as required under the *Contaminated Sites Act 2003* and no later than April 2022, the Permit Holder shall implement and adhere to the revegetation commitments in ‘*CPS 8066/1 and CPS 8092/1 Offset proposal and associated attachments*’, including but not limited to the following actions:

- (a) commence *revegetating* and *rehabilitating* the areas cross-hatched red on attached Plan 8092/1B by:
  - (i) undertaking an extensive *pre-planting* weed control programme;
  - (ii) deliberately *planting* native vegetation that will provide suitable habitat for western ringtail possum; and
  - (iii) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (b) establishing at least ten 10 x 10 metre quadrat monitoring sites within the *rehabilitated* areas;
- (c) fencing the *rehabilitated* areas;
- (d) implementing hygiene protocols by cleaning earth-moving machinery of soil and vegetation prior to entering and leaving the site;
- (e) undertaking annual weed control activities to maintain a minimum 80 per cent weed free state by the end of the project maintenance period;
- (f) achieve the following completion criteria after the ten year monitoring period for the areas *revegetated* and *rehabilitated* under this Permit:

Proposed Completion criteria (CC)	Monitoring (method, frequency)	Timing	Thresholds, triggers, and remedial actions	Evidence to demonstrate completion (validation)
CC1: No declared weeds present in revegetation.	Visual inspection for weeds bi-annually to identify declared weeds.	By 10 years post planting.	Any declared weeds are treated within three months of identification.	Visual inspection at completion to verify absence of declared weeds.
CC2: Weed cover is less than 20% at completion.	Spring survey in years 1, 2, 3, 5, 7 and 10, post vegetation planting. A minimum of ten 10m x 10m quadrats will be established.	By 10 years post planting.	Weeds will be sprayed annually (irrespective of % cover observed in monitoring)	Third-party report by suitably qualified professional verifying completion criteria have been met.

CC3: Select, establish and maintain a minimum of 15 species that provide western ringtail possum habitat in revegetation prior to completion, and include at least: - 5 species that provide foraging value - 5 species that provide canopy value - 5 species that provide understorey value.	Spring survey in years 1, 2, 3, 5, 7 and 10, post vegetation planting. A minimum of ten 10m x10m quadrats will be established.	By 10 years post planting.	Infill planting will be conducted if scheduled monitoring shows minimum standard has not been met.	Third-party report by suitably qualified professional verifying completion criteria have been met.
CC4: A density of 800 stems per hectare of species contributing to canopy (shrubs and trees) utilised by western ringtail possum achieved in revegetation prior to completion.	Spring survey in years 1, 2, 3, 5, 7 and 10, post vegetation planting. A minimum of ten 10m x10m quadrats will be established.	By 10 years post planting.	Infill planting will be conducted if scheduled monitoring shows minimum standard has not been met.	Third-party report by suitably qualified professional verifying completion criteria have been met.
CC5: No areas greater than 250m <sup>2</sup> without a developing understorey (foliage cover between 0-50cm height) at completion.	Spring survey in years 1, 2, 3, 5, 7 and 10, post vegetation planting. A minimum of ten 10m x10m quadrats will be established.	By 10 years post planting.	Infill planting will be conducted if scheduled monitoring shows minimum standard has not been met.	Third-party report by suitably qualified professional verifying completion criteria have been met.
CC6: A minimum of 30% cover will be established in revegetation at completion.	Spring survey in years 1, 2, 3, 5, 7 and 10, post vegetation planting. A minimum of ten 10m x10m quadrats will be established.	By 10 years post planting.	Infill planting will be conducted if scheduled monitoring shows minimum standard has not been met.	Third-party report by suitably qualified professional verifying completion criteria have been met.
CC7: A perpetual covenant will be established 2 years prior to completion.	n/a	By 8 years post planting.	n/a	Conservation covenant will be registered on the freehold title at time of completion and will prevent clearing and grazing.

## 5. Offset – Conservation Covenant

Two years prior to completion of revegetation commitments under Condition 4 of this Permit, and no later than April 2030, the Permit Holder shall:

- (a) give a conservation covenant under section 30B of the *Soil and Land Conservation Act 1945* setting aside the areas cross-hatched red on attached Plan 8092/1B for the protection and management of vegetation in perpetuity; and
- (b) provide to the CEO a copy of the executed conservation covenant.

## 6. Records must 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);
- (b) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with Condition 1 of this Permit;
- (c) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with Condition 2 of this Permit;
- (d) activities in relation to Condition 3 of this Permit;
- (e) in relation to the revegetation of areas pursuant to Condition 4 of this Permit:
  - (i) a description of the *revegetation* and *rehabilitation* activities undertaken;
  - (ii) the size of the area *revegetated* and *rehabilitated* (in hectares); and
  - (iii) the date that the area was *revegetated* and *rehabilitated*; and
- (f) actions taken to give a conservation covenant in accordance with Condition 5 of this Permit.

## 7. Reporting

- (a) The Permit Holder must provide a written 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:
  - (i) of records required under Condition 6 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety by 30 June of each year.
- (c) Prior to 31 August 2034, 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 6 of this Permit where these records have not already been provided under Condition 7(a) of this Permit.

## DEFINITIONS

The following meanings are given to terms in this Permit:

**CEO** means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*, 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.

**fauna specialist** means a person:

- (a) Who holds a tertiary qualification specializing in environmental science or equivalent, has a minimum of two years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed and holds a valid fauna licence issued under the *Biodiversity Conservation Act 2016*; or
- (b) Who does not have appropriate professional qualifications, but has a minimum of seven years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed and holds a valid fauna licence issued under the *Biodiversity Conservation Act 2016*.

**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 50 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/ing** 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 natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.

**suitable habitat** means habitat known to support western ringtail possums (*Pseudocheirus occidentalis*) within the known current distribution of the species. This often includes stands of myrtaceous trees (usually Peppermint Tree (*Agonis flexuosa*)) growing near swamps, watercourses or floodplains, and at topographic low points which provide cooler, often more fertile, conditions.

**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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



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Daniel Endacott  
General Manager Environmental Compliance  
Resource and Environmental Compliance Division  
08 August 2019

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