



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

<b>Purpose Permit number:</b>	8270/1
<b>Duration of Permit:</b>	From 20 July 2019 to 31 December 2035
<b>Permit Holder:</b>	Hamersley Resources 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 (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4192*  
*Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4193*  
*Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4266*  
*Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4267*  
*Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4737*  
*Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4881*  
*Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4882*  
*Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4883*  
*Iron Ore (Rhodes Ridge) Agreement Authorisation Act 1972, Temporary Reserve 70/4884*

**2. Purpose for which clearing may be done**

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

**3. Area of Clearing**

The Permit Holder must not clear more than 600 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow on attached Plan 8270/1.

**4. Clearing not authorised**

The Permit Holder shall not clear any native vegetation within the areas shaded red on attached Plan 8270/1.

**5. Period in which clearing is authorised**

The Permit Holder shall not clear any native vegetation after 31 December 2028.

**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. Vegetation Management**

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

(b) Where a *watercourse* or *wetland* is to be impacted by clearing, the Permit Holder shall ensure that surface flow is maintained, or is reinstated downstream into existing natural drainage lines.

### **9. Flora Management**

Where the flora species *Euphorbia inappendiculata* var. *queenslandica*, *Isotropis parviflora*, *Oxalis* sp. Pilbara and *Teucrium pilbaranum* have been identified and their written locations, provided to the *CEO*, and retained on the Department of Mines, Industry Regulation and Safety file 'A2577/201801' the Permit Holder shall ensure that:

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

### **10. 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 threatened flora listed in the *Wildlife Conservation (Rare Flora) Notice* and *priority flora*.

(b) Where threatened flora and *priority flora* are identified under Condition 10(a) of this Permit, the Permit Holder shall ensure that:

- (i) no clearing occurs within 50 metres of identified threatened flora unless first approved by the *CEO*;
- (ii) no clearing of identified *priority flora* occurs unless first approved by the *CEO*; and
- (iii) no clearing occurs within 10 metres of identified *priority flora* unless first approved by the *CEO*.

(c) 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*.

(d) If threatened flora or *priority flora* are identified within the Permit Area, the *targeted flora survey* report must include the following;

- (i) the location of each threatened flora or *priority flora*, 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;
- (ii) the species name of each threatened flora or *priority flora* identified; and
- (iii) the methodology, used to survey the Permit Area.

(e) For the purpose of this Permit, a *targeted flora survey* conducted within five years preceding the clearing will satisfy Condition 10(a).

## 11. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit holder shall engage a *fauna specialist* to identify habitat suitable for:
  - (i) *Dasyurus hallucatus* (Northern Quoll) dens;
  - (ii) *Rhinonicteris aurantia* (Pilbara Leaf-nosed Bat) roost caves and adits; and
  - (iii) *Macroderma gigas* (Ghost Bat) roost caves.
- (b) Prior to undertaking any clearing within or within 50 metres of habitat considered suitable for dens or roosts as identified in relation to Condition 11(a) of this Permit, the areas shall be inspected by a *fauna specialist* for the presence of *Dasyurus hallucatus* (Northern Quoll) dens, *Rhinonicteris aurantia* (Pilbara Leaf-nosed Bat) roost caves and adits or *Macroderma gigas* (Ghost Bat) roost caves.
- (c) Where *Dasyurus hallucatus* (Northern Quoll) dens, *Rhinonicteris aurantia* (Pilbara Leaf-nosed Bat) roost caves and adits or *Macroderma gigas* (Ghost Bat) roost caves are identified in relation to Condition 11(b) of this Permit, the Permit Holder shall ensure that no clearing occurs within 50 metres of the identified *Dasyurus hallucatus* (Northern Quoll) dens, *Rhinonicteris aurantia* (Pilbara Leaf-nosed Bat) roost caves and adits or *Macroderma gigas* (Ghost Bat) roost caves, unless first approved by the *CEO*.

## 12. Retain 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 completion of 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) ripping the ground on the contour to remove soil compaction; and
  - (ii) laying the vegetative material and topsoil retained under Condition 12(a) on the cleared area.
- (c) within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 12(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 12(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.
- (d) where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with Condition 12(c)(ii) of this Permit, the Permit Holder shall repeat Condition 12(c)(i) and 12(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in Condition 12(c)(i) and (ii) of this Permit, that determination shall be submitted for the *CEO*'s consideration. If the *CEO* does not agree with the determination made under Condition 12(c)(ii), the *CEO* may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under Condition 12(c)(ii).

### 13. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) Prior to 31 December 2021, *revegetate* and *rehabilitate* 17 hectares of *temporary disturbance* previously cleared within the area crossed-hatched yellow on attached Plan 8270/1 by:
  - (i) laying vegetative material and topsoil previously retained within the area cross-hatched yellow on attached Plan 8270/1 on the cleared areas; and
  - (ii) ripping the ground on the contour to remove soil compaction.
- (b) Prior to 31 December 2025, *revegetate* and *rehabilitate* 25.93 hectares of *temporary disturbance* previously cleared within the area crossed-hatched yellow on attached Plan 8270/1 by:
  - (i) laying vegetative material and topsoil previously retained within the area cross-hatched yellow on attached Plan 8270/1 on the cleared areas; and
  - (ii) ripping the ground on the contour to remove soil compaction.
- (c) Within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 13(a) and 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.
- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with Condition 13(c)(ii) of this Permit, the Permit Holder shall repeat Condition 13(c)(i) and 13(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) Where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in Condition 13(c)(i) and (ii) of this Permit, that determination shall be submitted for the *CEO*'s consideration. If the *CEO* does not agree with the determination made under Condition 13(c)(ii), the *CEO* may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 13(c)(ii).

## **PART III - RECORD KEEPING AND REPORTING**

### 14. 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 12 and 13 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).

## 15. 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 14 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 2035, 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 14 of this Permit where these records have not already been provided under Condition 15(a) 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 of Water and Environmental 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;

*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;

*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;

*priority flora* means those plant taxa described as priority flora classes 1, 2, 3 and 4 in the Department of Biodiversity, Conservation and Attractions' *Threatened and Priority Flora List for Western Australia* (as amended);

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

*regeneration* 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 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;

*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;

*temporary disturbance* means areas cleared for the purpose of mineral exploration; geotechnical investigations; a camp; and fibrous mineral deposit site;

*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.

*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).



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Daniel Endacott  
General Manager Environmental Compliance  
Resource and Environmental Compliance Division  
27 June 2019

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