



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

<b>Purpose Permit number:</b>	8855/1
<b>Duration of Permit:</b>	From 22 August 2020 to 1 June 2025
<b>Permit Holder:</b>	Egan Street Rothsay 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 59/39  
Mining Lease 59/40

**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 157.244 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow and red on attached Plan 8855/1.

**4. Restricted Clearing**

The Permit Holder shall not clear native vegetation within the area cross-hatched red on attached Plan 8855/1 unless first approved by the *CEO*.

**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. 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:

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

## 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. Watercourse management

- (a) Where practicable the Permit Holder shall avoid clearing *riparian vegetation*.
- (b) Where a *watercourse* or *wetland* is to be impacted by clearing, the Permit Holder shall maintain the existing surface flow.

## 9. Flora Management

Where *priority flora* have been identified and their written locations provided to the *CEO*, within report 'Egan Street Rothsay Pty Ltd, Rothsay Mine, Native Vegetation Clearing Permit, NVCP CPS 8855/1, Supporting Document, June 2020' as retained on DMIRS file A0567/202001, the Permit Holder shall ensure that no more than 10% of the total plants within the clearing permit boundary of each *Priority flora* species are cleared.

## 10. Fauna Management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* of the Permit Area to identify *critical habitat* being utilised by the fauna species listed below:
  - (i) Gilled Slender Blue-tongue (*Cyclodomorphus branchialis*);
  - (ii) Malleefowl (*Leipoa ocellata*);
  - (iii) Northern Shield-backed Trapdoor Spider (*Idiosoma nigrum*); and
  - (iv) Western Spiny-tailed Skink (*Egernia stokesii badia*).
- (b) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *fauna survey* in a report to the *CEO*.
- (c) The fauna survey report must include the following:
  - (i) the location of the *critical habitat* 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 location of any fauna species, as listed in condition 10(a) 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;
  - (iii) the name of each fauna species identified;
  - (iv) the methodology, used to survey the Permit Area and to establish the *critical habitat*;
  - (v) the extent of the *critical habitat* of the identified fauna shown on a map; and
  - (vi) a description of the *critical habitat* of fauna found.
- (d) Where fauna are identified under condition 10(a) of this Permit, the Permit Holder shall ensure that:
  - (i) no clearing of *critical habitat* of the identified fauna occurs, unless first approved by the *CEO*; and
  - (ii) no taking of identified fauna occurs, unless first approved by the *CEO*.

## **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) actions taken to avoid, minimise and reduce the impacts and the extent of clearing in accordance with Condition 6 of this Permit; and
- (c) actions taken to minimise the introduction and spread of *weeds* in accordance with Condition 7 of this Permit.

### **12. Reporting**

- (a) The Permit Holder shall provide a report to the *CEO* 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 1 June 2025, the Permit Holder must provide to the *CEO* 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 responsible for administering the clearing provisions contained within the *Environmental Protection Act 1986* 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;

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

*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*;

*fauna survey* means a field-based investigation, including a review of established literature, of the biodiversity of fauna and/or fauna habitat of the Permit Area. Where conservation significant fauna are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

*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, 4 or 5 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 Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

*wetland/s* means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.



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Dan Endacott  
General Manager Environmental Compliance  
Resource and Environmental Compliance Division  
30 July 2020

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