



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 9008/1
File Number: A1388/202001
Duration of Permit: From 25 December 2021 to 24 December 2031

PERMIT HOLDER

MGM Bulk Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Mining Lease 70/1383

AUTHORISED ACTIVITY

Clearing of up to 10 hectares of native vegetation within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. Weed and dieback control

- (a) 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*:
 - (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) ensure that no known *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
 - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared;
 - (iv) only move soils in *dry conditions*; and
 - (v) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is transferred to areas of comparable *soil disease status*.
- (b) At least once in each 12 month period for the term of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

2. 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.

3. Fauna management – direction of clearing

The Permit Holder must conduct clearing activities in a slow, progressive manner into one direction to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

4. Fauna management – Western Ringtail Possum Management

- (a) In relation to the area cross-hatched yellow in Figure 1 of Schedule 1, 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 4(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 4(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.

5. Revegetation Plan

Prior to 25 December 2022, the Permit Holder shall:

- (a) Prepare an *revegetation plan* for the *revegetation* and *rehabilitation* in relation to the area cross-hatched yellow in Figure 1 of Schedule 1.
- (b) The *revegetation plan* required under condition 5(a) must be designed by an *environmental specialist* and must include the following steps:
 - (i) *site* preparation;
 - (ii) *weed* control;
 - (iii) *regeneration, direct seeding or planting*, at an *optimal time*;
 - (iv) a *vegetation establishment period* of at least five years;
 - (v) revegetation success completion criteria for weed cover, species density, species diversity and species composition;
 - (vi) remedial actions including but not limited to infill planting and/or seeding and weed control, to be undertaken if revegetation success completion criteria are not met;
 - (vii) ongoing maintenance and monitoring of the area to be *revegetated* and *rehabilitated*;
 - (viii) timeframes for completion of the activities; and
 - (ix) management commitments that will be achieved.
- (c) Once the Permit Holder has developed an *revegetation plan*, the Permit Holder must provide that *revegetation plan* to the *CEO* for the *CEO's* approval.
- (d) If it is necessary to modify the *revegetation plan* approved by the *CEO*, then the Permit Holder must provide that modified *revegetation plan* to the *CEO* for the *CEO's* approval and prior to implementing the modified *revegetation plan*.
- (e) The Permit Holder must implement the latest version of the *revegetation plan* approved by the *CEO*.

6. Records to be kept

The Permit Holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"> (a) 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; (a) the date that the area was cleared; (b) the size of the area cleared (in hectares); (c) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 1; (d) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 2; (e) actions taken in accordance with condition 3 of this permit.
2.	In relation to the fauna management pursuant to condition 4	<ul style="list-style-type: none"> (a) the number of individuals identified; (b) the date each individual was identified; (c) 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; (d) the number of individuals removed and relocated; (e) the date each individual was removed; (f) the date each individual was relocated; (g) 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 (h) details pertaining to the circumstances of any death of, or injury sustained by, an individual.
3.	In relation to the <i>revegetation plan</i> pursuant to condition 5	<ul style="list-style-type: none"> (a) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; (b) the size of the area <i>revegetated</i> and <i>rehabilitated</i> (in hectares); and (c) the date that the area was <i>revegetated</i> and <i>rehabilitated</i>.

7. Reporting

- (a) The Permit Holder shall provide a report to the *CEO* by 1 October each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and setting out the records required under condition 6 of this Permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) If no clearing authorised under this Permit was undertaken between 1 July and 30 June of the previous financial year, a written report confirming that no clearing under this Permit has been carried out, must be provided to the *CEO* by 1 October of each year.
- (c) Prior to 24 December 2031, the Permit Holder must provide to the *CEO* a written report of records required under condition 6 of this Permit where these records have not already been provided under condition 7(a) or 7(b) of this Permit.

DEFINITIONS

In this Permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	the Chief Executive Officer of the Department responsible for administering the clearing provisions contained within the <i>Environmental Protection Act 1986</i> or an Officer with delegated authority under Section 20 of the <i>Environmental Protection Act 1986</i> ;
clearing	has the meaning given under section 3(1) of the EP Act.
condition/s	a condition to which this clearing permit is subject under section 51H of the EP Act.
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.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
dry conditions	means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches.
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.
EP Act	<i>Environmental Protection Act 1986</i> (WA).
fauna specialist	means a person who holds a tertiary qualification specialising 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 <i>Biodiversity Conservation Act 2016</i> .
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 and where conservation significant fauna are identified in the permit area, also includes a fauna survey of surrounding areas to place the permit area into local context.
fill	means material used to increase the ground level, or to fill a depression.
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
optimal time	means the period from May to June for undertaking <i>direct seeding</i> , and the period from June to July for undertaking <i>planting</i> .
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
rehabilitate/ed/ion	means actively managing an area containing native vegetation in order to improve the ecological function of that area.
regeneration	means <i>revegetation</i> that can be established from in situ seed banks contained either within the topsoil or seed-bearing <i>mulch</i> .
revegetate/ed/ion	means the re-establishment of a cover of <i>local provenance</i> native vegetation in an area using methods such as natural <i>regeneration</i> , <i>direct seeding</i> and/or <i>planting</i> , so that the species composition, structure and density is similar to pre-

Term	Definition
	clearing vegetation types in that area.
revegetation plan	means a plan developed by the Permit Holder for the <i>revegetation</i> and <i>rehabilitation</i> of a site in accordance with condition 5 of this Permit.
soil disease status	means soil types either infested, not infested, uninterpretable or not interpreted with a pathogen.
suitable habitat	means habitat known to support western ringtail possums (<i>Pseudocheirus occidentalis</i>) within the known current distribution of the species, typically characterised by abundant foliage, presence of suitable nesting structures such as tree hollows, as well as high canopy cover and continuity. Known habitat includes peppermint (<i>Agonis flexuosa</i>) dominated woodlands, jarrah (<i>Eucalyptus marginata</i>) and marri (<i>Corymbia calophylla</i>) forests, riparian vegetation with a canopy of Bullich (<i>Eucalyptus megacarpa</i>) or flooded gum (<i>Eucalyptus rudis</i>), karri (<i>Eucalyptus diversicolor</i>) forests, sheoak (<i>Allocasuarina fraseriana</i>) dominated woodlands, and other stands of myrtaceous trees growing near swamps, watercourses or floodplains.
vegetation establishment period	means a period of at least two summers after the <i>revegetation</i> during which time replacement and infill <i>revegetation</i> works may be required for areas in which <i>revegetation</i> has been unsuccessful, and involves regular inspections of <i>revegetation</i> sites to monitor the success of <i>revegetation</i> .
weed/s	means any plant – <ul style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; 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.

END OF CONDITIONS

Tania Liaghati

Tania Liaghati
Acting General Manager Environmental Compliance
Resource and Environmental Compliance Division
02 December 2021

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

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).



Figure 1: Map of the boundary of the area within which clearing may occur