GOVERNMENT OF
WESTERN AUSTRALIA

# CLEARING PERMIT

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

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| **Purpose Permit Number:** | 2249/3 |
| **Duration of Permit:** | From 26 July 2008 to 1 October 2025 |
| **Permit Holder:** | BHP Billiton Iron Ore 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 (Mount Newman) Agreement Act 1964*, Special Lease 3116/3687, Lot 19 on Deposited Plan 48921;

   *Iron Ore (Marillana Creek) Agreement Act 1991*, Lease K843924, Lots 145, 146 and 220 on Deposited Plan 243202, Lot 156 on Deposited Plan 194001.

2. **Purpose for which clearing may be done**
   Clearing for the purposes of railway construction and maintenance, and associated activities.

3. **Area of Clearing**
   The Permit Holder shall not clear more than 181 hectares of native vegetation. All clearing must be within the area shaded green on attached Plans 2249/3A and 2249/3B.

4. **Period in which clearing is authorised**
   The Permit Holder shall not clear any native vegetation after 1 October 2018.

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 - ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

6. **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.

7. **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 7(a) on the cleared area.

(c) within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 7(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 7(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 7(c)(ii) of this permit, the Permit Holder shall repeat Condition 7(c)(i) and 7(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 7(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 7(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under Condition 7(c)(ii).

## PART III - RECORD KEEPING AND REPORTING

8. **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 7 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).

9. **Reporting**

(a) The Permit Holder shall provide a report to the Director Operations, Environment, Department of Mines and Petroleum 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 8 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.

(b) Prior to 1 October 2025, the Permit Holder must provide to the Director Operations, Environment, Department of Mines and Petroleum a written report of records required under Condition 8 of this Permit where these records have not already been provided under Condition 9(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 is engaged by the Permit Holder for the purpose of providing environmental advice, 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;

*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;

*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;

*weed/s* means any plant -
(a) that is declared under the section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
(b) published in the former Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
(c) not indigenous to the area concerned.

Steve Tantala
DIRECTOR OPERATIONS
ENVIRONMENT
DEPARTMENT OF MINES AND PETROLEUM

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

12 September 2013