



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

| | |
|-------------------------------|---------------------------------------|
| Purpose Permit number: | 2160/4 |
| Duration of Permit: | From 21 June 2008 to 30 November 2033 |
| Permit Holder: | BHP 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, Mineral Lease 244SA (AML 70/244).

2. Clearing authorised (purpose)

Clearing for the purposes of mineral exploration, hydrological investigations, geotechnical investigations, weather masts, supporting infrastructure and associated activities.

3. Area of Clearing

The Permit Holder must not clear more than 105 hectares of native vegetation within the area cross-hatched yellow in Figure 1 of Schedule 1.

4. Period in which clearing is Authorised

The Permit Holder must not clear any native vegetation after 30 November 2027.

PART II - MANAGEMENT CONDITIONS

5. Avoid, minimise and reduce the impacts and extent of clearing

In determining the amount of native vegetation to be cleared under this Permit, the Permit Holder must apply the following principles, set out in descending 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.

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*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no known *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
- restrict the movement of machines and other vehicles to the limits of the areas to be cleared;

7. Vegetation Management

- (a) where practicable the Permit Holder shall avoid *clearing riparian vegetation*; and
- (b) where a *watercourse* or *drainage line* is to be impacted by clearing, the Permit Holder shall ensure that the existing surface flow is maintained, or reinstated downstream into existing natural drainage lines.

8. Flora Management

- (a) Where *priority flora* have been identified and their written locations provided to the CEO, within report ‘Application to Amend NVCP CPS 2160/3 Ninga – Native Vegetation Clearing Permit Amendment Application Supporting Document, August 2023’ as retained on Department of Mines, Industry Regulation and Safety File No. A2004/201601 as Object ID A69051574, the Permit Holder shall ensure that:
 - (i) no clearing of identified *priority flora* occurs, unless first approved by the CEO.
 - (ii) no clearing occurs within 10 metres of identified *priority flora*, unless first approved by the CEO.

9. 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;
 - (ii) laying the vegetative material and topsoil retained under Condition 9(a) on the cleared area;
- (c) within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 9(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 9(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.

PART III - RECORD KEEPING AND REPORTING

10. 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;(b) the date that the area was cleared;(c) the size of the area cleared (in hectares);(d) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with Condition 5;(e) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with Condition 6;(f) actions taken in accordance with Condition 7. |

| No. | Relevant matter | Specifications |
|-----|---|--|
| 2. | In relation to flora management pursuant to Condition 8 | (a) actions taken to demarcate each <i>priority flora</i> species recorded and their relevant buffers; and (b) actions taken to avoid the clearing of <i>priority flora</i> species. |
| 3. | In relation to the <i>revegetation</i> and <i>rehabilitation</i> management pursuant to Condition 9 | (a) The location of any areas <i>revegetated</i> and <i>rehabilitated</i> , recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings; (b) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; and (c) the size of the area <i>revegetated</i> and <i>rehabilitated</i> (in hectares). |

11. 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 10 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 30 November 2033, the Permit Holder must provide to the *CEO* a written report of records required under Condition 10 of this Permit where these records have not already been provided under Condition 11(a) or 11(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. |
| drainage line | Means a natural depression that carries surface water runoff. |
| 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. |
| 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 |

| Term | Definition |
|---|--|
| | approved by the <i>CEO</i> as a suitable environmental specialist. |
| EP Act | <i>Environmental Protection Act 1986 (WA)</i> |
| fill | means material used to increase the ground level, or to fill a depression. |
| 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. |
| native vegetation | has the meaning given under section 3(1) and section 51A of the EP Act. |
| planting | means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species. |
| rehabilitate / rehabilitated / rehabilitation | means actively managing an area containing native vegetation in order to improve the ecological function of that area. |
| revegetate / revegetated / revegetation | 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-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) Regulation 2004. |
| watercourse | has the meaning given to it in section 3 of the <i>Rights in Water and Irrigation Act 1914</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



Travis Inman | General Manager Mine Closure and Environmental Services
Resource and Environmental Compliance Division
02 November 2023

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).

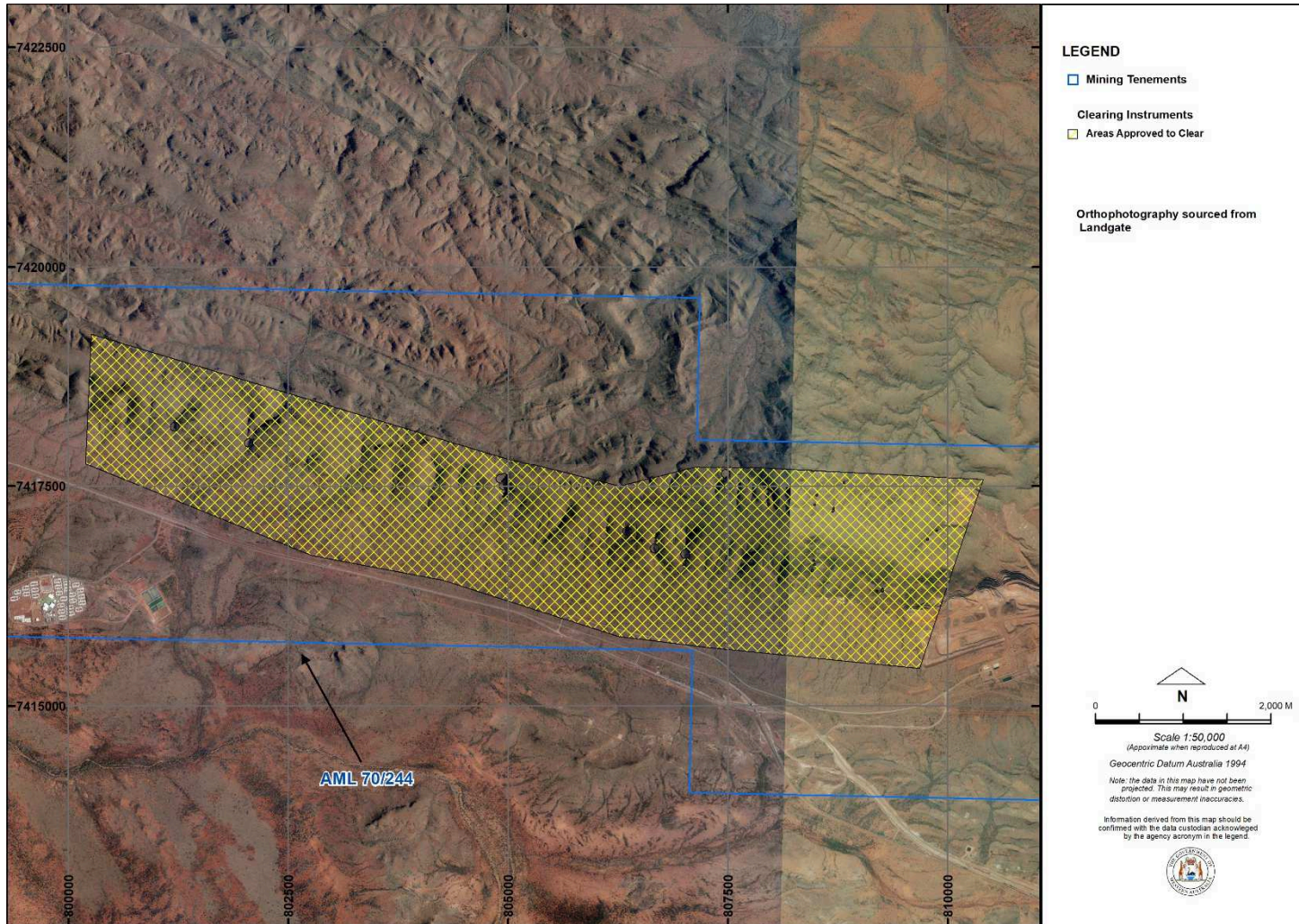


Figure 1: Map of the boundary of the area within which clearing may occur