



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Purpose Permit Number: 3072/1
File Number: A0601/200901
Duration of Permit: From 22 August 2009 to 1 September 2014

PERMIT HOLDER

BHP Billiton Iron Ore Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

General Purpose Leases 52/70, 52/90, 52/109, 52/110, 52/128 & 52/129

PURPOSE FOR WHICH THE CLEARING MAY BE DONE

1. Clearing for the purpose of mineral production.

CONDITIONS

Authorised Activity

1. The Permit Holder must not clear more than 16 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 3072/1.

Avoid, minimise etc clearing

2. 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:
 - (i) avoid the clearing of native vegetation;
 - (ii) minimise the amount of native vegetation to be cleared; and
 - (iii) reduce the impact of clearing on any environmental value.

Weed control

3. 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.

Retain vegetative material and topsoil

4. The Permit Holder shall 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.

Records to be kept

5. 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;
 - (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.

Reporting

- 6 (a) The Permit Holder shall provide a report to the Director, Environment Division, Department of Mines and Petroleum by 1 September each year for the life of this permit, demonstrating adherence to all conditions of this permit, and setting out the records required under Condition 5 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 1 September 2014, the Permit Holder must provide to the Director, Environment Division, Department of Mines and Petroleum a written report of records required under Condition 5 of this Permit where these records have not already been provided under Condition 6 (a) of this Permit.


Definitions

The following meanings are given to terms used in this Permit:

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

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;

weed means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agricultural and Related Resources Protection Act 1976*.



Phil Gorey
DIRECTOR
ENVIRONMENT DIVISION
DEPARTMENT OF MINES AND PETROLEUM
Officer with delegated authority under Section 20
of the Environmental Protection Act 1986

23 July 2009



Our Ref: A0601/200901 - CPS 3072/1
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Ms Ellissa Tomich
BHP Billiton Iron Ore Pty Ltd
PO Box 655
Newman WA 6753

Dear Ms Tomich

**Permit to Clear Native Vegetation under the *Environmental Protection Act 1986*
BHP Billiton Iron Ore Pty Ltd – Mt Whaleback OSA Expansion Project (CPS 3072/1)**

Please find enclosed your permit to clear native vegetation granted under s.51E of the *Environmental Protection Act 1986*. This authorisation gives you approval to clear, subject to certain terms, conditions or restrictions. A copy of your permit is now available for the public to view, as required by the regulations.

Read your permit carefully. If you do not understand your permit, contact this Department immediately. There are penalties for failing to comply with the requirements of your permit.

If you are aggrieved by a decision of the Department of Mines and Petroleum, an appeal may be lodged with the Minister for the Environment; Youth. If you choose to appeal, it must be in writing, clearly setting out the grounds of your appeal, and received by the Minister for the Environment; Youth within **28** days of being notified. More information on lodging an appeal is available from the Office of the Appeals Convenor on telephone (08) 6467 5190. Completed appeals should be posted or delivered to:

Office of the Appeals Convenor
Level 22 Forrest Centre
221 St Georges Terrace
PERTH WA 6000

Tel: 6467 5190
Fax: 9221 5199
Email: admin@appealsconvenor.wa.gov.au
Web: www.appealsconvenor.wa.gov.au

Third parties may also appeal against the issue of this permit. **Please note that clearing must not commence until the date stated on the permit (22 August 2009) or until notified on the outcome of any appeal. In addition, clearing must not commence until all other environmental approvals have been obtained.**

Under Condition 6 of your permit to clear native vegetation, you are required to submit an annual clearing permit report. This clearing permit report should be forwarded to the Director, Environment Division, prior to the due date.

Compliance with the terms, conditions or restrictions of this permit does not absolve the Permit Holder from responsibility for compliance with the requirements of all Commonwealth and State legislation.