



GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	7139/1
Duration of Permit:	From 10 September 2016 to 30 November 2031
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 Goldsworthy) Agreement Act 1964, Mineral Lease 281SA (AML 70/281);

Exploration Licence 47/13;

Exploration Licence 47/14;

Exploration Licence 47/15;

Exploration Licence 47/17;

Exploration Licence 47/1429;

Exploration Licence 47/1431;

Exploration Licence 47/1874;

Exploration Licence 47/1875;

Exploration Licence 47/2500;

Prospecting Licence 47/1421;

Prospecting Licence 47/1611

2. Purpose for which clearing may be done

Clearing for the purposes of rehabilitation, geotechnical investigations, access tracks, mineral exploration, hydrogeological drilling, water bores and association activities.

3. Area of Clearing

The Permit Holder must not clear more than 1,000 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow and shaded red on attached Plans 7139/1A, 7139/1B and 7139/1C.

4. Type of Clearing Authorised

The Permit Holder shall not clear native vegetation unless the purpose of which the clearing is authorised is enacted within 6 months of the authorised clearing being undertaken.

5. Restricted Clearing – Fauna habitat management

The Permit Holder shall only clear native vegetation within the areas shaded red on attached Plans 7139/1A, 7139/1B and 7139/1C for the purpose of *rehabilitation*.

6. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 30 November 2026.

7. 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

8. 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.

9. Flora Management

Where *priority flora* species have been identified and their written location(s), provided to the *CEO*, within the report 'BHP Billiton Iron Ore Pty Ltd (2016) Central Pilbara West Strategic Exploration NVCP - Native Vegetation Clearing Permit Application Supporting Document, June 2016', the Permit Holder shall ensure that:

- (i) no clearing of identified *priority flora* occurs unless first approved by the *CEO*; and
- (ii) no clearing occurs within 10 metres of identified *priority flora* unless first approved by the *CEO*

10. Vegetation Management

(a) Where practicable the Permit Holder shall avoid clearing *riparian vegetation*; and

(b) Where a *watercourse* is to be impacted by clearing, the Permit Holder shall maintain the existing surface flow.

11. Environmental management plan

(a) By 31 December 2016 the Permit Holder must submit a Management Plan to the *CEO*.

(b) The Management Plan must include:

- (i) a plan for managing the *impacts* to Northern Quoll (*Dasyurus hallucatus*);
- (ii) a table setting out the Permit Holder's commitments to the Management Plan requirements; and
- (iii) a program for monitoring compliance with the Permit Holder's commitments.

(c) The Management Plan must be approved by the *CEO* prior to being implemented.

(d) The approved Management Plan must be implemented by the Permit Holder.

(e) If it is necessary to modify the Management Plan, the Permit Holder must submit the modified plan to the *CEO*.

(f) A modified Management Plan must not be implemented until approved by the *CEO*.

(g) An approved modified Management Plan supersedes any previous Management Plans.

12. Retain and spread vegetative material and topsoil

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* areas that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;
 - (ii) ripping the ground on the contour to remove soil compaction; and
 - (ii) laying the vegetative material and topsoil retained under Condition 12(a) on the cleared area.
- (c) Within 4 years of laying the vegetative material and topsoil on the cleared area in accordance with Condition 12(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 12(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 12(c)(ii) of this permit, the Permit Holder shall repeat condition 12(c)(i) and 12(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 12(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 12(c)(ii), the *CEO* may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under Condition 12(c)(ii).

13. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) Prior to 30 November 2026, *revegetate* and *rehabilitate* 74.78 hectares of *temporary disturbance* previously cleared within the area crossed-hatched yellow on attached Plan 7139/1A by:
 - (i) laying vegetative material and topsoil previously retained within the area cross-hatched yellow on attached Plan 7139/1A on the cleared areas;
 - (ii) ripping the ground on the contour to remove soil compaction; and
 - (iii) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;

- (b) Within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 13(a) 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 13(b)(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.
- (c) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with Condition 13(b)(ii) of this permit, the Permit Holder shall repeat Condition 13(b)(i) and 13(b)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (d) 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 13(b)(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 13(b)(ii), the *CEO* may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 13(b)(ii).

PART III - RECORD KEEPING AND REPORTING

14. 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 Conditions 12 and 13 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).
- (c) In relation to flora management pursuant to Condition 9 of this Permit:
 - (i) the location of each *priority flora* species cleared 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 species name of each *priority flora* species cleared; and
 - (ii) the number of individuals of each *priority flora* species cleared.

15. 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 14 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 30 November 2031, the Permit Holder must provide to the Director Operations, Environment, Department of Mines and Petroleum a written report of records required under Condition 14 of this Permit where these records have not already been provided under Condition 15(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 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.

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

impacts means any impact of clearing on environmental values;

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;

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;

regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

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;

temporary disturbance means areas cleared for the purpose of mineral exploration; construction and maintenance of access roads; fibre optic cables; maintenance activities; geotechnical investigations; borrow pits; laydown areas; assembly areas; water bores; turkey nests; culverts; and ancillary infrastructure;

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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Marnie Leybourne
DIRECTOR OPERATIONS
ENVIRONMENT
DEPARTMENT OF MINES AND PETROLEUM

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

18 August 2016