



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

Purpose Permit number:	CPS 2496/4
Permit holder:	BHP Billiton Iron Ore Pty Ltd
Duration of Permit:	10 August 2008 – 10 August 2013

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of geotechnical investigations, power line construction and access to existing poles

2. Land on which clearing is to be done

LOT 47 ON PLAN 241374 (BOODARIE 6722)
LOT 125 ON PLAN 219861 (BOODARIE 6722)
LOT 203 ON PLAN 220594 (BOODARIE 6722)
LOT 311 ON PLAN 194620 (BOODARIE 6722)
LOT 370 ON PLAN 35619 (WEDGEFIELD 6721)
LOT 372 ON PLAN 35620 (PORT HEDLAND, TOWN OF)
LOT 3000 ON PLAN 51079 (FINUCANE 6722)
LOT 376 ON PLAN 54518, RESERVE 50399 (BOODARIE 6722)
UNALLOCATED CROWN LAND (BOODARIE 6722)

3. Area of Clearing

The Permit Holder must not clear more than 20 hectares of native vegetation, within the areas hatched yellow on attached Plan 2496/4.

4. 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.

5. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

6. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared for the purpose of geotechnical investigations, 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.

7. Flora Management

Where *priority flora taxa* *Abutilon trudgenii* (priority 3) and *Gymnanthera cunninghamii* (priority 3) have been identified as occurring within the authorised area, the Permit Holder shall ensure that no clearing occurs within 10 metres of identified *priority flora taxa*, unless approved by the CEO.

8. Weed Control

- (a) When undertaking any clearing or other activity pursuant to this Permit, must 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; and
 - (ii) ensure that no *weed*-affected soil or other material is brought into the area to be cleared.
- (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.

9. Regeneration

The Permit Holder shall retain the vegetative material and topsoil removed by clearing authorised under this Permit.

- (a) Vegetative material and topsoil must be stockpiled in an area that has been cleared under this Permit; and
- (b) As soon as possible or at an *optimal time* within 12 months of clearing under this Permit, the Permit Holder shall lay the vegetative material and topsoil on the cleared areas once those areas are no longer required for the purpose for which they were cleared under this Permit.

PART III – RECORD KEEPING AND REPORTING

10. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, as relevant:

- (a) In relation to the clearing of native vegetation undertaken pursuant to the purpose of clearing:
 - (i) the species composition, structure and density of the cleared area;
 - (ii) 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 Easting's and Northing's;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to the *regeneration* of areas pursuant to condition 9:
 - (i) a map showing the location of any area *regenerated*;
 - (ii) a description of the *regeneration* activities undertaken; and
 - (iii) the size of the area *regenerated* (in hectares).

11. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 10 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 10 May 2013, the Permit Holder must provide to the CEO a written report of records required under condition 10 where these records have not already been provided under condition 11(a).

DEFINITIONS

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

optimal time means the period from November to December for undertaking *direct seeding*, and the period from November to December for undertaking *planting* with irrigation;

priority flora taxa means those plant taxa that described as priority flora classes 1, 2, 3 or 4 in the *Declared Rare and Priority Flora List for Western Australia*, Department of Environment and Conservation, as amended;

regenerate/ed/ion means *revegetation* that can be established from in situ seed banks contained either within the topsoil or seed-bearing *mulch*;

term means the duration of this Permit, including as amended or renewed;

weed/s 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*.

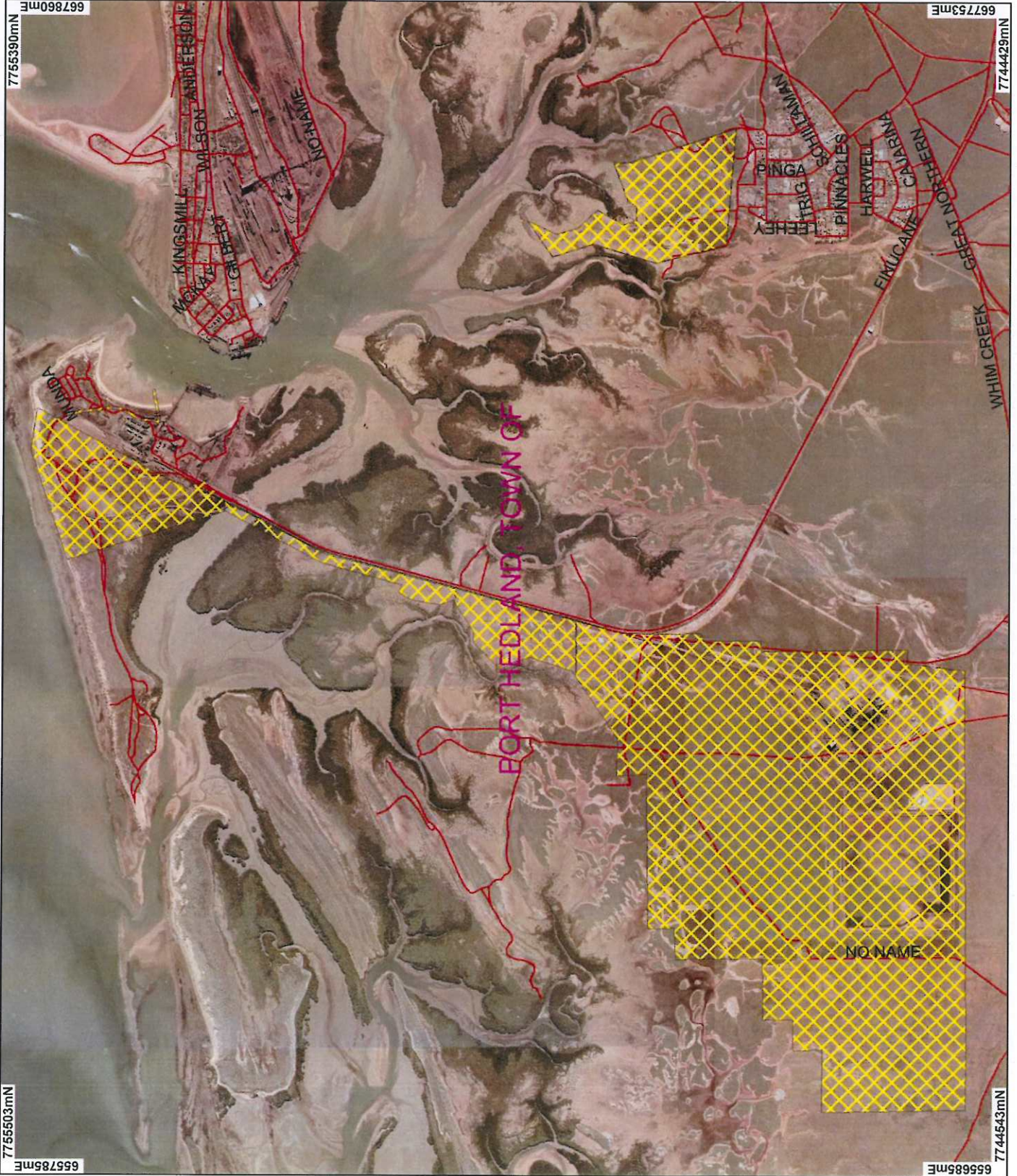


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

18 July 2011

Plan 2496/4



LEGEND

- DEC Regions
- Cadastral_1
- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Local Government Authorities
- Dampier Degrey 85cm Orthomosaic - Landgate 2001



0 1.5 km

Scale 1:55550

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been rectified. This may result in geometric distortion or measurement inaccuracies

[Signature] Date: 18/11

Kelly Faulkner

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

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 2496/4
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore Pty Ltd

1.3. Property details

Property:
 LOT 372 ON PLAN 35620 (PORT HEDLAND, TOWN OF)
 LOT 125 ON PLAN 219861 (BOODARIE 6722)
 LOT 376 ON PLAN 54518 (BOODARIE 6722)
 LOT 3000 ON PLAN 51079 (FINUCANE 6722)
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 LOT 376 ON PLAN 54518, RESERVE 50399 (BOODARIE 6722)
 UNALLOCATED CROWN LAND (BOODARIE 6722)
 Local Government Area: TOWN OF PORT HEDLAND
 Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
20		Mechanical Removal	Geotechnical investigations, power line construction and access to existing poles

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 18 July 2011

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
43 - Shrublands; tallerack mallee-heath	The western application area consists of vegetation in very good (Keighery, 1994) condition, with a low level of weed invasion, predominately being <i>Cenchrus ciliaris</i> and <i>Aerva javanica</i> (Biota, 2008).	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	Vegetation condition was assessed through site visits (ENV, 2007 and Biota, 2008)
117 - Hummock grasslands, grass steppe; soft spinifex			
127 - Bare areas; mud flats			
589 - Mosaic: Short bunch grassland - savanna / grass plain (Pilbara) / Hummock grasslands, grass steppe; soft spinifex	There are a number of landforms within the application area. They include, Mangroves, samphires, dunes and sandplains. The vegetation within these landforms is classified a good to excellent (ENV, 2007)		
647 - Hummock grasslands, dwarf-shrub steppe; <i>Acacia translucens</i> over soft spinifex	The vegetation within the eastern portion is in good to very good (Keighery, 1994) condition, with a low level of weed invasion, predominately being <i>Cenchrus ciliaris</i> and <i>Aerva javanica</i> (Biota, 2008). There is significant disturbance noted within the area due to high level industrial development, vehicle tracks and metal debris (Biota, 2008).		

3. Assessment of application against clearing principles

Comments **Proposal is not likely to be at variance to this Principle**

Clearing Permit CPS 2496/4 has been amended to include power line construction and access to existing poles to the purpose for clearing.

The assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 2496/3.

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The area applied to be cleared does not occur within a Public Drinking Water Source Area under the Country Areas Water Supply Act 1947. The subject property does however lie within The Pilbara Groundwater Area as proclaimed area under the Rights in Water and Irrigation Act 1914. Any groundwater extraction and/or taking or diversion of surface water for the purposes other than domestic and/or stock watering is subject to licence by the Department of Water. The proponent does not require the use of groundwater.

The assessment of the application did not raise any environmental issues. Aboriginal heritage sites are protected under the Aboriginal Heritage Act 1972 and the proponent must comply with its obligations under this Act. There is one Native Title claim over the area under application. DEC considers that Traditional Owners have a direct interest in the subject matter of the application and accordingly has invited the native title claimants under section 51E(4) to comment on the application and by section 51E(5) to take those comments into account during the assessment of the application.

Methodology

BHPa (2008)

GIS Layers:

- Native Title Claims - LA 2/5/07
- RIWI Act, Groundwater Areas - DoW 13/07/06
- Country Area Water Supply Act (Part IIA) Clearing Control Catchments 29/06/2006
- Aboriginal Sites of Significance 26 April 2007

4. References

- BHPa 2008. Port Hedland geotechnical investigations: application to clear native vegetation. BHP Billiton. April 2008
- Biota 2008. Biota Environmental Sciences. A flora and fauna Assessment of RGP5 Spoil Areas A and H, Port Hedland Harbour. Prepared for Sinclair Knight Merz. March 2008.
- BoM 2008. Bureau of Meteorology - Rainfall of Karratha 2007. Sited on 1/1/2008 at <http://www.bom.gov.au/climate/dwo/IDCJDW6064.latest.shtml>
- Biota 2008. Biota Environmental Sciences. A flora and fauna Assessment of RGP5 Spoil Areas A and H, Port Hedland Harbour. Prepared for Sinclair Knight Merz. March 2008.
- BoM 2008. Bureau of Meteorology - Rainfall of Karratha 2007. Sited on 1/1/2008 at <http://www.bom.gov.au/climate/dwo/IDCJDW6064.latest.shtml>
- ENV. 2007. ENV Australia. project Quantum Flora and vegetation Assessment. Prepared for Sinclair Knight Merz Pty Limited. March 2008
- EPA (2001) Guidance for the Assessment of Environmental Factors - Guidance Statement for protection of tropical arid zone mangroves along the Pilbara coastline. Report by the EPA under the Environmental Protection Act 1986. No 1 WA.
- EPA (2001) Environmental Protection of Wetlands. Preliminary Position Statement No.4. Perth, Western Australia.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Kendrick, P., and Stanley, F. 2001. Pilbara 4 (PIL4 - Roebourne synopsis). Department of Conservation and Land Management (2002) A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Van Vreeswyk, A.M.E., Payne, A.L, Leighton, K.A., and Henning, P. (2004) An inventory and condition survey of the Pilbara region, Western Australia, Technical Bulletin No.92

5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment (now DEC)
DMP	Department of Mines and Petroleum (ex DoIR)

DRF Declared Rare Flora
EPP Environmental Protection Policy
GIS Geographical Information System
ha Hectare (10,000 square metres)
TEC Threatened Ecological Community
WRC Water and Rivers Commission (now DEC)