



CLEARING PERMIT

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

Purpose Permit number:	CPS 2496/6
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, accommodation camp, power line installation, access to existing poles, road upgrades, staging and laydown activities.

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 220 hectares of native vegetation, within the areas hatched yellow on attached Plan 2496/6.

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. Weed Control

(a) When undertaking any clearing or other activity pursuant to 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; 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.

8. 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

9. 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 8:
 - (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).

10. 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 9 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 9 where these records have not already been provided under condition 10(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;

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*.

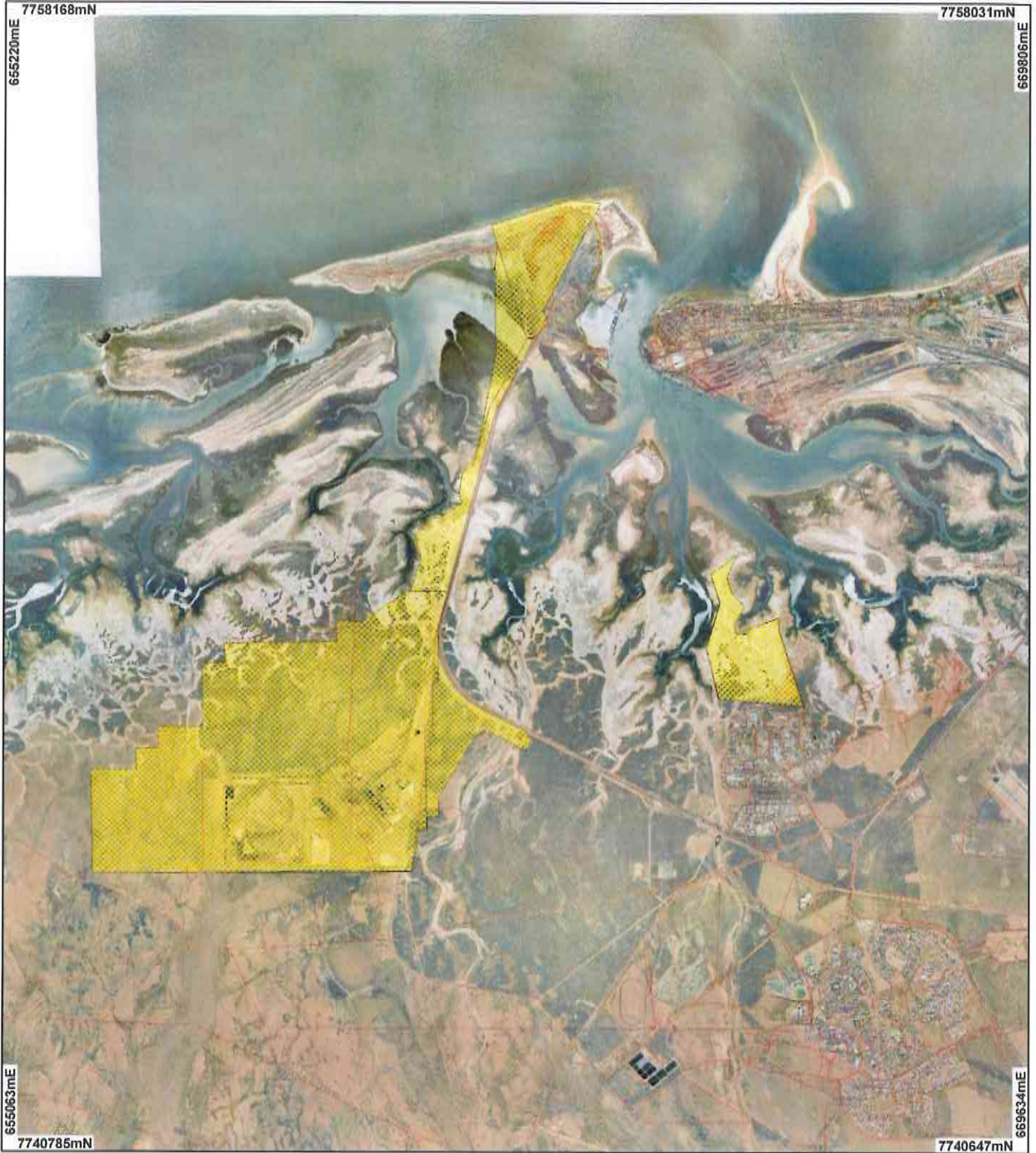


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

19 April 2012

Plan 2496/6



LEGEND

Clearing instruments

-  Areas Approved to Clear
-  Road Centrelines
-  Cadastre


Port Hedland 50cm
Orthomosaic - Landgate
2004



Scale 1:80193
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

 Date 19/4/12

K. Fulkner

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

Our environment, our future
WA Crown Copyright 2002



1. Application details

1.1. Permit application details

Permit application No.: 2496/6

Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore Pty Ltd

1.3. Property details

Property:

LOT 3000 ON PLAN 51079 (FINUCANE 6722)
 LOT 125 ON PLAN 219861 (BOODARIE 6722)
 LOT 376 ON PLAN 54518 (BOODARIE 6722)
 LOT 372 ON PLAN 35620 (PORT HEDLAND, TOWN OF)
 UNALLOCATED CROWN LAND (BOODARIE 6722)
 LOT 47 ON PLAN 241374 (BOODARIE 6722)
 LOT 370 ON PLAN 35619 (WEDGEFIELD 6721)
 LOT 203 ON PLAN 220594 (BOODARIE 6722)
 LOT 311 ON PLAN 194620 (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:
220		Mechanical Removal	Building or Structure Geotechnical investigations Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 19 April 2012

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
Vegetation Description 43 - Shrublands; tallerack mallee-heath 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 647 - Hummock grasslands, dwarf-shrub steppe; Acacia translucens over soft spinifex (Shepherd, 2009)	The western application area consists of vegetation in very good (Keighery, 1994) condition, with a low level of weed invasion, predominately being Cenchrus ciliaris and Aerva javanica (Biota, 2008). There are a number of landforms within the application area. They include samphires, dunes and sandplains. The vegetation within these landforms is classified a good to excellent (ENV, 2007) The vegetation within the eastern portion is in good to very good (Keighery, 1994) condition, with a low level of weed invasion, predominately being Cenchrus ciliaris and Aerva javanica (Biota, 2008).	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994) To Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	Vegetation condition was assessed through site visits (ENV, 2007 and 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

The application is to amend clearing permit CPS 2496/5 to increase the clearing of native vegetation by a further 165 hectares and add accommodation camp to the purpose of the clearing. The total proposed clearing equates to 220 hectares within a 2406 hectare footprint.

The amended clearing permit application requires the disturbance of approximately 100 individuals of priority 1 flora species *Tephrosia rosea* var. *venulosa* (BHP Billiton Iron Ore, 2011). Priority flora species *Tephrosia rosea* var. *venulosa* is an erect shrub that grows in predominately red sands within close proximity to creek lines. It grows to an approximate height of 1.7 metres producing red and purple flowers in the months between August and September (Western Australian Herbarium, 1998-). A survey undertaken by Sinclair Knight Merz (2011) identified 1300 individuals within the Fincuanne island area. In addition to the identification of priority 1 flora species *Tephrosia rosea* var. *venulosa*, the survey also identified priority 4 species *Goodenia nuda* and priority 2 species *Gomphrena pusilla* within the clearing footprint.

The proposed removal of 100 individuals of *Tephrosia rosea* var. *venulosa* within a larger population is unlikely to significantly impact of the conservation status of the species. In addition to this, should any disturbance occur on priority flora species *Goodenia nuda* and *Gomphrena pusilla*, it is considered unlikely that this would have significant impacts to the conservation status of these species.

Given the additional information on priority flora, the flora management condition has been removed from the permit.

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

Methodology References
BHP Billiton Iron Ore Pty Ltd (2011)
Sinclair Knight Merz (2011)
Western Australian Herbarium (1998-)

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

Comments
No submissions for the application have been received.

The applicant has received approval from the Environmental Protection Authority (EPA) for the Outer Harbour Development (Approved under Ministerial Statement No. 890). The approval allows the applicant to clear up to 970 hectares.

Methodology

4. References

- BHP Billiton Iron Ore Pty Ltd (2011) Native Vegetation Clearing Permit 2496/5 ? Notification of Disturbance of Priority Flora. Additional information received in relation to Clearing Permit CPS 2496/5 (DEC Ref:A460889).
- 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.
- ENV 2007. ENV Australia. project Quantum Flora and vegetation Assessment. Prepared for Sinclair Knight Merz Pty Limited. March 2008
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Shepherd, D.P. (2009) Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Sinclair Knight Merz (2011) Boodarie Stockyards. Priority Flora Validation Survey. Additional information received in relation to Clearing Permit CPS 2496/5 (DEC Ref:A460889).
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed March 2012).

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
DoIR	Department of Industry and Resources
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)