



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 2989/1
Permit holder:	BHP Billiton Iron Ore Pty Ltd
Duration of permit:	27 February 2009 – 27 February 2014

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 realigning the existing rail spur into the Mt Whaleback Mining Hub and associated works.

2. Land on which clearing is to be done

AML 70/244

3. Area of Clearing

The permit holder must not clear more than 2.12 hectares of native vegetation within the area hatched yellow on attached Plan 2989/1.

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 pursuant to this permit, the Permit Holder must have regard to the following principles, set out in 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.

PART III - RECORD KEEPING AND REPORTING

7. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit in relation to the clearing of native vegetation authorised under this Permit:

- (a) the species composition, structure and density of the cleared area;
- (b) 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;
- (c) the date that the area was cleared; and
- (d) the size of the area cleared (in hectares).

8. 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 7 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 27 November 2013, the Permit Holder must provide to the CEO a written report of records required under condition 7 of this Permit where these records have not already been provided under condition 8(a) of this Permit.

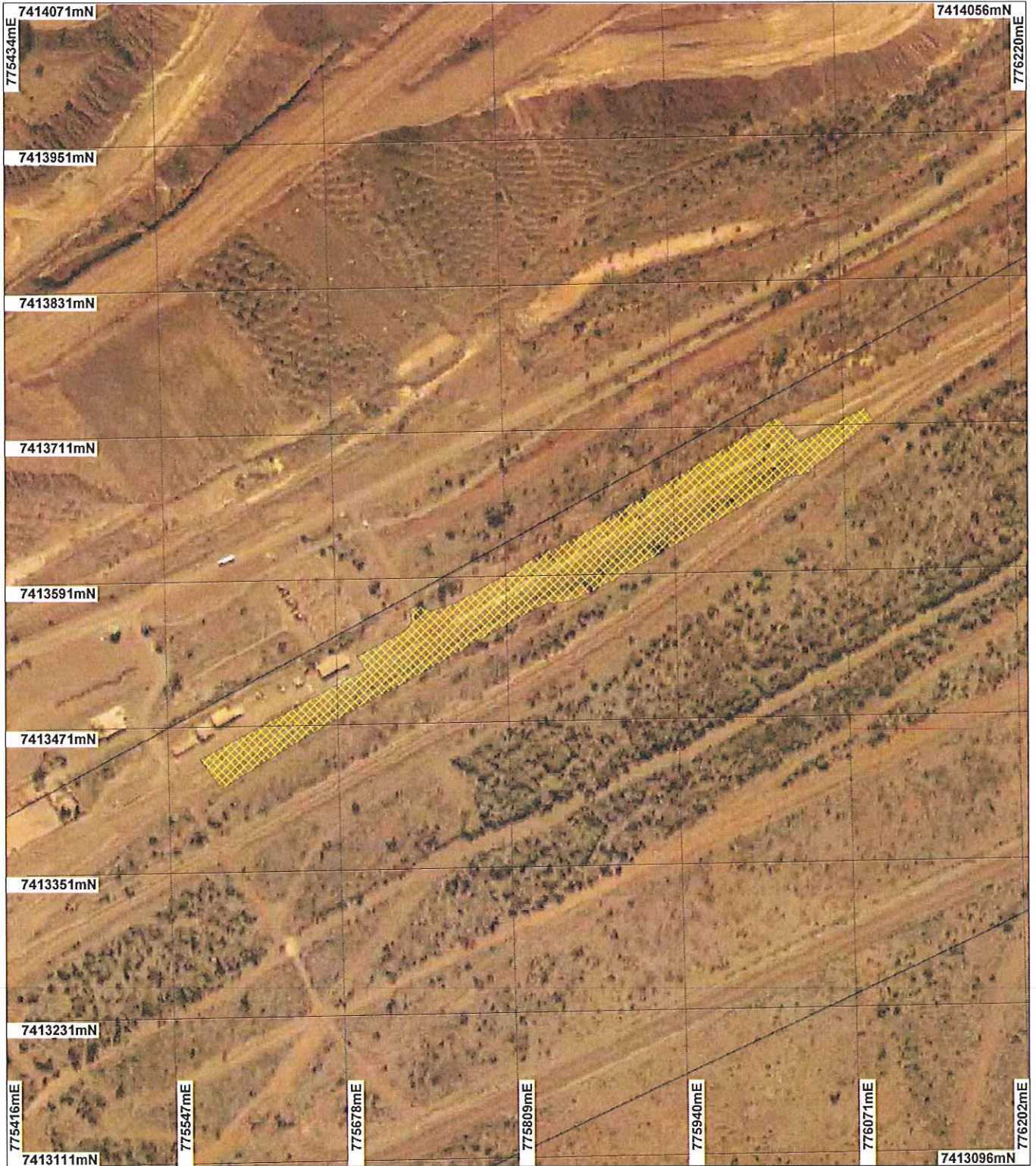


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

26 February 2009

Plan 2989/1



LEGEND

Clearing Instruments
 Cadastre
 Newman 1.4m Orthomosaic



Scale 1:4376
 (Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

K Faulkner Date 26/2/09

K 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.: 2989/1
 Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore

1.3. Property details

Property: AML70/244
 Local Government Area: Shire Of East Pilbara
 Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.12		Mechanical Removal	Railway construction or maintenance

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
Beard Vegetation Unit: - 82: Hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i>	The proposal is to clear 2.12 ha of degraded (Keighery, 1994) native vegetation for the purpose of realigning the existing rail spur into the Mt Whaleback Mining Hub.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation description was determined through aerial mapping (Newman 1.4m Orthomosaic - Landgate 2003) and from recent surveys of the applied area (Ecologica, 2009)
	The area applied for under CPS 2989/1 was inadvertently excluded from application CPS 1565/1 which was approved on 16 February 2007.		

3. Assessment of application against clearing principles

Comments

The proposal is to clear 2.12 hectares of native vegetation in degraded (Keighery, 1994) condition for the purpose of realigning the existing rail spur into the Mount Whaleback Mining Hub (BHP Billiton, 2009).

Although several large scale mining operations are located within close proximity to the application area (BHP Billiton, 2008; GIS Database), on a broader scale the surrounding region has not been extensively cleared and all mapped vegetation types under application are well represented statewide and within the Pilbara Bioregion (Shepherd, 2007).

Given the above, the area under application is not likely to contain a high level of biodiversity in a local context, is unlikely to be significant habitat for native fauna and is not likely to contain rare or priority flora.

The application area includes land systems which may be susceptible to erosion (Northcote et al., 2001). However given the linear nature of the proposed clearing and the size of the applied area, the clearing as proposed is unlikely to result in significant land degradation, surface or groundwater deterioration and/or flooding.

There are no wetlands or watercourses, or riparian vegetation, within the applied area and there are no areas of conservation significance within the local area (10km radius).

A flora survey of the applied area identified three native species, all of which are disturbance colonisers (BHP, 2009).

Given the condition of the vegetation under application, the size of the applied area and the level of disturbance

to surrounding areas, the clearing as proposed is not likely to be at variance to any of the clearing principles.

Methodology References:
BHP Billiton (2009)
BHP Billiton (2008)
Keighery (1994)
Northcote et al. (2001)
Shepherd (2007)

GIS Database:
Interim Biogeographic Regionalisation of Australia
Pre-European Vegetation - DA 01/01
Newman 1.4m Orthomosaic - Landgate 2003
Hydrography, linear
CALM Managed Lands and Waters
Hydrographic Catchments - Catchments

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

Comments

The area under application was unintentionally excluded from application CPS 1565/1 which was granted on 16 February 2007.

One Aboriginal Site of Significance occurs over the area under application.

A Public Drinking Water Source Areas (Not assessed) exists over the area under application.

Methodology GIS Database:
Aboriginal Sites of Significance
Hydrography, Linear
Native Title Claims
Public Drinking Water Source Areas

4. Assessor's comments

Comment

The proposal has been assessed against the Clearing Principles, and the proposal is not likely to be at variance to any of the clearing Principles.

5. References

- BHP (2009) Application to clear native vegetation CPS 2989/1, BHP Billiton Iron Ore Pty Ltd, DOC76440.
BHP Billiton (2008) Newman Water System Upgrade Project. Application to Clear Native Vegetation CPS 2814/1 (Purpose Permit) under the Environmental Protection Act 1986. BHP Billiton Iron Ore Pty Ltd, Western Australia, DOC73220
Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.
Shepherd, D.P. (2007). 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. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

6. 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)