GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3437/3
Permit Holder:	BHP Billiton Iron Ore Pty Ltd
Duration of Permit:	21 February 2010 – 28 February 2026

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 purposes of railway construction and maintenance and associated works, installation and relocation of power lines and installation of fibre optic cables.

2. **Land on which clearing is to be done**
   ML 244SA
   Lot 19 on Deposited Plan 48921 (Special Lease 3116/3687), Newman

3. **Area of Clearing**
   The Permit Holder must not clear more than 230 hectares of native vegetation within the area hatched yellow on attached Plan 3437/3.

4 **Period in which clearing is authorised**
   The Permit Holder shall not clear any native vegetation after 30 November 2020.

5. **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 – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

6. **Avoid, minimise etc clearing**
   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:
   (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. **Wind erosion management**
   The Permit Holder shall not clear native vegetation unless commencing activities authorised under this Permit within one month of the clearing being undertaken.

8. Weed control

(a) 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.

(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. Flora management

(a) Prior to undertaking any clearing authorised under this Permit, the site shall be inspected by a *flora specialist* for the presence of the following rare flora listed in the *Wildlife Conservation (Rare Flora) Notice*:
   (i) Lepidium catapycnon

(b) Where rare flora are identified in relation to condition 9(a) of this Permit, the Permit Holder shall ensure that:
   (i) all records of rare flora are submitted to the CEO; and
   (ii) no clearing occurs within 50 metres of identified rare flora, unless approved by the CEO.

(c) Prior to undertaking any clearing authorised under this Permit, the site shall be inspected by a *flora specialist* for the presence of the following *priority flora* taxa:
   (i) *Rhagodia sp Hamersley;*
   (ii) *Gymnanthera cunninghamii*; and
   (iii) *Goodenia nuda*

(d) Where *priority flora* taxa are identified in relation to condition 9(c) of this Permit, the Permit Holder shall ensure that:
   (i) all records of *priority flora* taxa are submitted to the CEO; and
   (ii) no clearing occurs within 10 metres of identified *priority flora* taxa, unless approved by the CEO.

10. Retain vegetative material and topsoil, revegetation and rehabilitation

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 clearing authorised under this permit, *revegetate* and *rehabilitate* the area(s) 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; and
   (ii) *ripping* the ground on the contour to remove soil compaction; and
   (iii) laying the vegetative material and topsoil retained under condition 10(a) on the cleared area(s) that are no longer required for the purpose for which they were cleared under this Permit.

(c) within 4 years of laying the vegetative material and topsoil on the cleared area in accordance with condition 10(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 10(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.

PART III - RECORD KEEPING AND REPORTING

11. Records must 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 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 Eastings and Northings or decimal degrees;
  (iii) the date that the area was cleared;
  (iv) the size of the area cleared (in hectares); and

(b) in relation to flora management pursuant to condition 9 of this Permit:
  (i) the location of each rare and priority flora species 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 species name of each rare and priority flora identified; and
  (iii) a copy of the *flora specialist's* flora survey report.

(c) in relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 10 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;
  (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
  (iv) the species composition, structure and density of *revegetation* and *rehabilitation*;
  (v) a copy of the environmental specialist's report; and
  (vi) the date that the area was *revegetated* and *rehabilitated.*

12. Reporting

(a) The Permit Holder must provide to the CEO on or before 1 October of each year, a written report:
  (i) of records required under condition 11 of this Permit; and
  (ii) concerning activities done by the Permit Holder under this Permit between 1 July to 30 June of the preceding financial year.

(b) If no clearing authorised under this Permit was undertaken between 1 July to 30 June of the preceding financial year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 1 October of each year.

(c) Prior to 30 November 2025, the Permit Holder must provide to the CEO a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 12(a) of this Permit.

Definitions

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

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;

flora specialist means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

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);
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.
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.

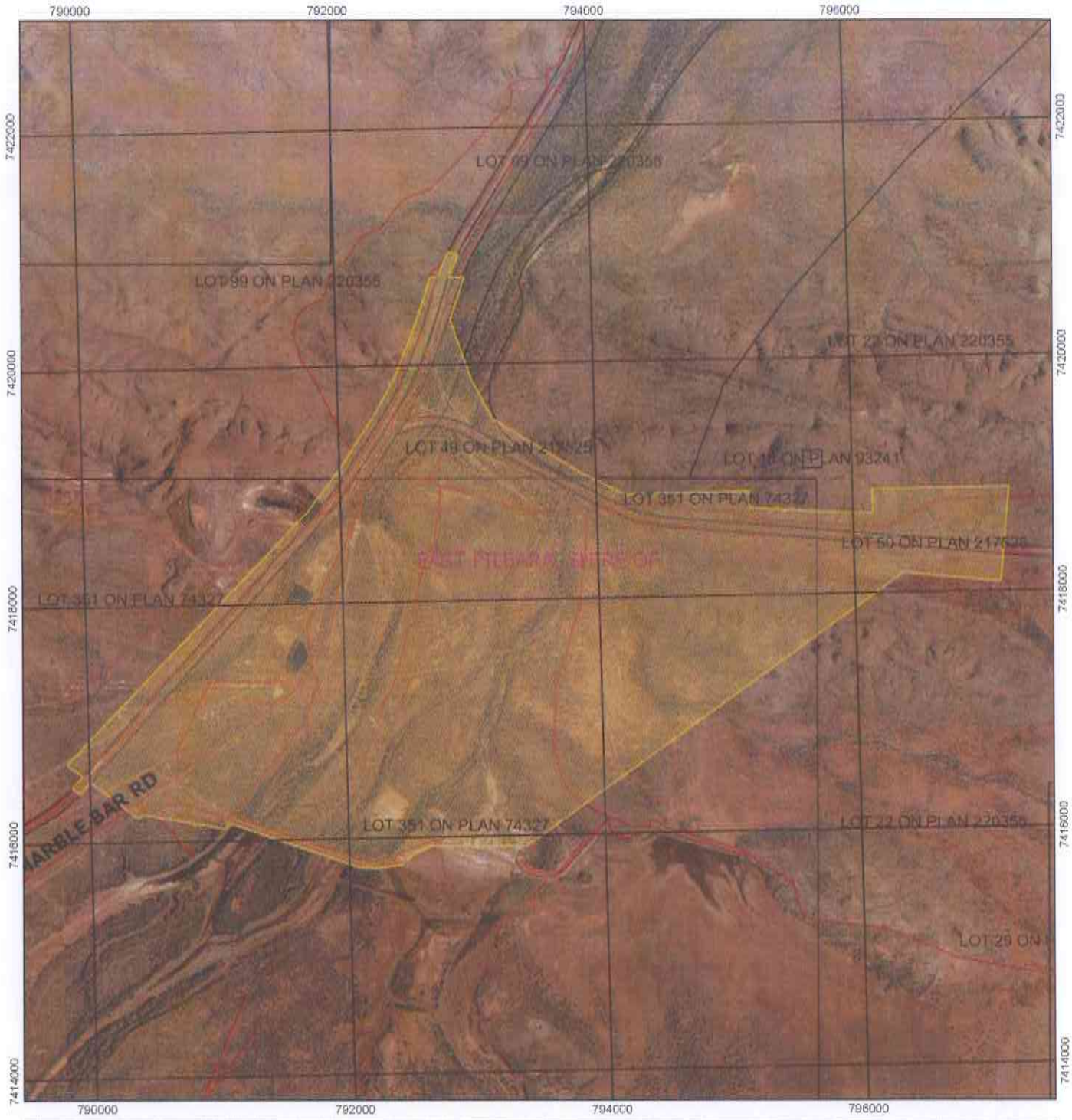
Wildlife Conservation (Rare Flora) Notice means those plant taxa gazetted as rare flora pursuant to section 23F(2) of the *Wildlife Conservation Act 1950* (as amended).

M Warnock
SENIOR MANAGER
CLEARING REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

25 June 2015

Plan 3437/3



Legend

- Areas approved to clear
- Roads
- LGA
- Cadastre

Virtual Mosaic (LGATE-V001)

N

1:35,000

MGA 94
Geocentric Datum of Australia 1994

accepted Date 25/6/15

M Warnock

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

GOVERNMENT OF
WESTERN AUSTRALIA

Government of Western Australia
Department of Environment Regulation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3437/3
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore Pty Ltd

1.3. Property details

Property: ML 244SA
LOT19 ON DEPOSITED PLAN 48921 (SPECIAL LEASE 3116/3687), NEWMAN
Colloquial name:
Local Government Authority: EAST PILBARA, SHIRE OF
DER Region: NORTH WEST
DPaW District: NO DISTRICT
LCDC: EAST PILBARA
Localities: NEWMAN

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
230		Mechanical Removal	Infrastructure maintenance

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 25 June 2015

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 Association 29 is described as Sparse low woodland; mulga, discontinuous in scattered groups (Shepherd et al. 2001). Beard Vegetation Association 216 is described as Low woodland; mulga (with spinifex) on rises (Shepherd et al. 2001). Beard Vegetation Association 82 is described as Hummock grasslands, low tree steppe; snappy gum over Triodia wiseana (Shepherd et al. 2001).	Clearing of 230 hectares of vegetation within ML 244SA and Lot 19 on Deposited Plan (Special Lease 3116/3687) for the purpose of railway construction and maintenance and associated works, installation and relocation of power lines and installation of fibre optic cables	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery 1994). To Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).	A flora survey conducted by Outback Ecology (BHPBIO 2009a) of the applied area and surrounds mapped the following vegetation types: 1) Woodland of Eucalyptus camaldulensis var. obtusa over Low Woodland of Acacia citrinoviridis, Acacia coriacea ssp. Pendens and Melaleuca glomerata over Open Shrubland of Acacia pyrifolia, Petalostylis labicheoides and Senna artemisioides ssp. artemisioides. This is the dominant vegetation type within the applied area. The condition of this vegetation type is described as good (Keighery 1994). Prolonged grazing by cattle has reduced the plant diversity and increase surface soil erosion. 2) Low Open Woodland of Eucalyptus xerothermica and Corymbia hamersleyana over Open Shrubland of Acacia bivenosa, Acacia sclerosperma ssp. sclerosperma and Acacia synchronicia over Very Open Hummock Grassland of Triodia pungens. The condition of this vegetation type ranges from good to very good (Keighery 1994), with minor impacts resulting from grazing and weed invasion.

3) Low Woodland of Acacia aneura var. pilbarensis, Acacia pruinocarpa and Acacia paraneura over Shrubland of Acacia sclerosperma spp. Sclerosperma, Eremophila longifolia and Rhagodia eremaea over Open Hummock Grassland of Triodia pungens.

The condition of this vegetation type was variable ranging from degraded to very good (Keighery 1994). However, the vegetation is considered to be in mostly good (Keighery 1994) condition, with signs of disturbance from cattle being evident.

4) Shrubland of Acacia bivenosa, Acacia sclerosperma spp. Sclerosperma and Acacia synchronicia over Open Hummock Grassland of Triodia sp. Shovelanna Hill (S.van Leeuwen 3835) and Triodia pungens with Low Open Woodland of Eucalyptus leucophloia.

The condition of this vegetation type is considered to be good - degraded (Keighery 1994), with minor disturbances evident as a result of previous construction and maintenance of existing rail line.

5) Hummock Grassland of Triodia pungens with Low Woodland of Eucalyptus leucophloia and Acacia citrinoviridis and Open Shrubland of Acacia aneura var. aneura, Senna glutinosa ssp. luerssenii and Eremophila latrobei.

Vegetation condition was rated as good (Keighery 1994) with impacts being limited to area of Buffel grass (Cenchrus)

6) Shrubland of Acacia monticola, Petalostylis labicheoides and Acacia melleodora over Themeda triandra Open Tussock Grassland with Low Open Woodland of Corymbia hamersleyana.

The vegetation condition was rated as very good (Keighery 1994). This vegetation is growing is association with a drainage line.

7) Hummock Grassland of Triodia sp. Shovelanna Hill (S.van Leeuwen 3835) with Low Shrubland of Acacia hilliana, Acacia adoxa var. adoxa and Ptilotus rotundifolius and Low Open Woodland of Eucalyptus leucophloia.

The condition of this vegetation types is considered to be very good (Keighery 1994).

8) Hummock Grassland of Triodia basedowii and Triodia pungens with Shrubland of Acacia sclerosperma ssp. sclerosperma and Acacia pachyacra over Low Shrubland of Eremophila margarethae.

The condition of this vegetation type was rated as good, with moderate impacts from grazing cattle, weeds and access tracks.

The condition and description of the vegetation under application was determined via the use of aerial imagery and flora and fauna surveys conducted by Outback Ecology (BHPBIO 2009a & 2009b).

3. Assessment of application against clearing principles

Comments The applicant has applied to amend Clearing Permit CPS 3437/2, requesting to amend the annual reporting date, the annual reporting period, the final date of clearing, the final reporting date and the permit expiry date. A review of current environmental information reveals no new additional information. Therefore the assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 3437/2.

Methodology

Planning instruments and other relevant matters.

Comments The land on which clearing is to be done under Clearing Permit 3437/3 has been updated, as Marble Bar Road reserve occurs within ML 244SA.

The assessment against planning and other matters has not changed and can be found in Clearing Permit CPS 3437/2 Decision Report.

Methodology

4. References

BHPBIO (2009a) Rail Operations, Jimlebar Wye Rail Project, Supporting Information for Application to Clear Native Vegetation, November 2009. Trim Ref: DOC106328

BHPBIO (2009b) Rail Operations, Jimblebar Wye Rail Project, Environmental Management Plan (PP-13-100). Trim Ref: DOC106328

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., 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.