



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 3445/3
<b>Permit Holder:</b>	BHP Billiton Iron Ore Pty Ltd
<b>Duration of Permit:</b>	14 February 2010 – 14 February 2015

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, installation of fibre optic cables and construction and maintenance of water pipelines.

#### **2. Land on which clearing is to be done**

Mineral Lease 244SA (Lot 16 on Plan 194288, Lot 17 on Plan 241430, Lot 19 on Plan 48921 and Lots 175, 176 and 201 on Plan 21923 and unallocated crown land, Newman and Lot 22 on Plan 220355 and Part Lot 29 on Plan 238020, Capricorn)  
Mining Tenement L52/109 (Part Lot 29 on Plan 238020, Capricorn) Jimblebar.

#### **3. Area of Clearing**

The Permit Holder must not clear more than 260.33 hectares of native vegetation within the combined areas hatched yellow on attached Plan 3445/3a and Plan 3445/3b.

#### **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. Type of clearing authorised**

(a) This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the power to clear native vegetation for those activities under the *Mining Act 1978* or any other written law.

(b) The Permit Holder shall not clear native vegetation unless commencing activities authorised under this Permit within one month of the clearing being undertaken.

#### **6. 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

### **7. 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.

### **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. Retain vegetative material and topsoil, revegetation and rehabilitation**

- (a) The Permit Holder shall 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 twelve months of the area no longer being required for the purposes of this permit the Permit Holder must *revegetate* and *rehabilitate* the area cross-hatched yellow on attached Plan 3445/3a and Plan 3445/3b by:
  - (i) laying the vegetative material and topsoil retained under condition 9(a) on the cleared area; and
  - (ii) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) Within twenty four months of undertaking *revegetation* and *rehabilitation* in accordance with condition 9(b) of this Permit, the Permit Holder must:
  - (i) 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 9(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, the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 9(b)(ii) of this Permit.

## PART III - RECORD KEEPING AND REPORTING

### **10. Records must be kept**

- (a) 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:
  - (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;
  - (iii) the date that the area was cleared;
  - (iv) the date the excavation and operation of borrow pits ceased; and
  - (v) the size of the area cleared (in hectares).

- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 9 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;
  - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares); and
  - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*.

## 11. 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 10 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 July and 30 June of the preceding year.
- (b) Prior to 7 November 2014, the Permit Holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(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 is engaged by the Permit Holder for the purpose of providing environmental advice, 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;

***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 100 kilometres 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;

***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 *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 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 *Agriculture and Related Resources Protection Act 1976*.

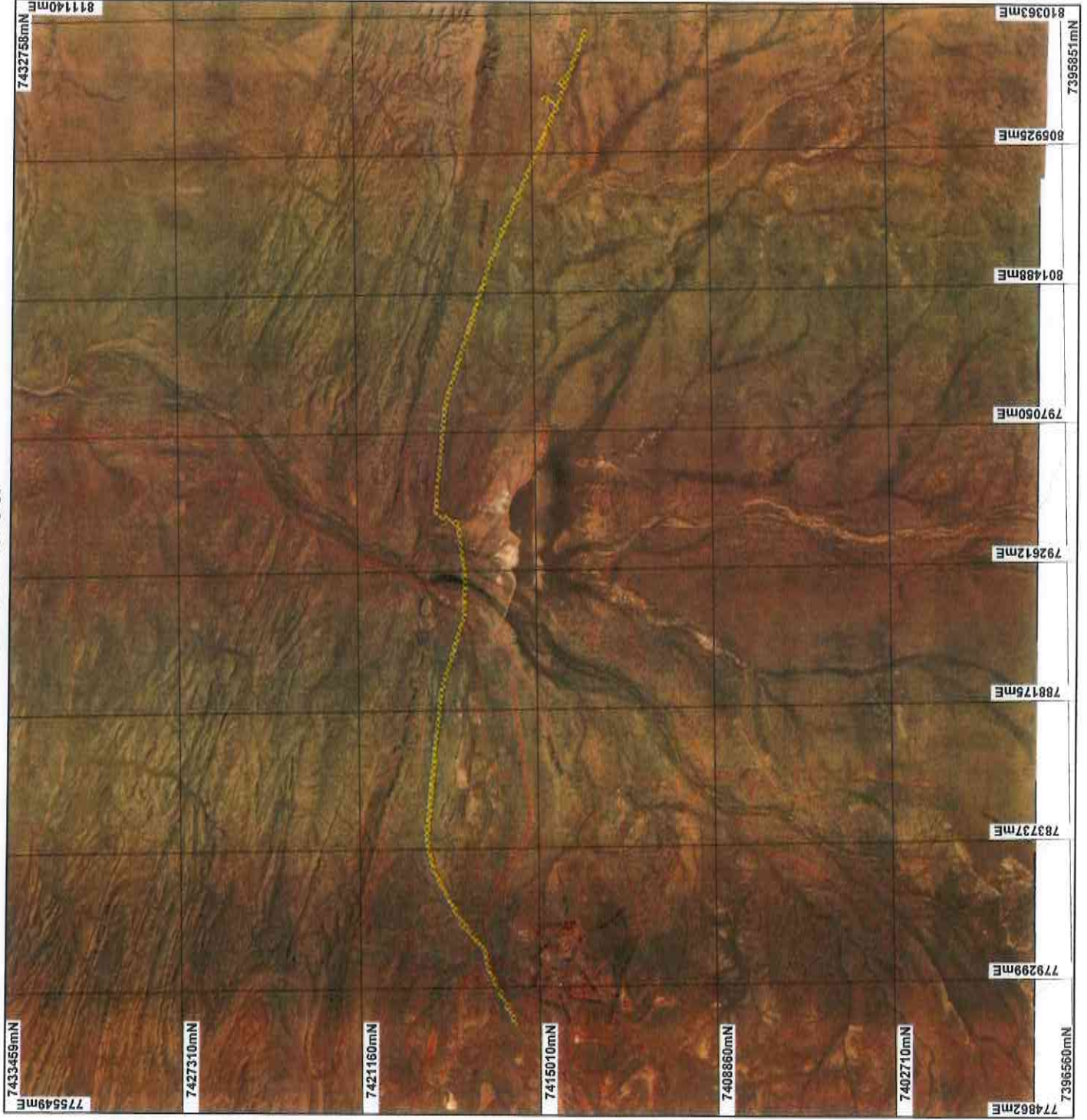


Roxane Shadbolt  
A/ MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

13 September 2012

# Plan 3445/3a



## LEGEND

- ✓ Road Centrelines
- Clearing Instruments
- Areas Subject to Clear
- Areas Subject to Conditions
- Areas Appointed to Clear
- Cadastral for Labelling
- Murrumbidgee 1.4m Orthomosaic - Landgate 2003
- Newman 1.4m Orthomosaic - Landgate 2003

\* Project Data. This data has not been quality assured. Please contact map author for details.



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Scale 1:170983

(Approximate when reproduced at Letter)

Geocentric Datum Australia 1994

Note: this data in this map here not been checked. This may result in geometric distortion or measurement inaccuracies.

*R. Shadbolt* Date: 12/9/12

R. Shadbolt

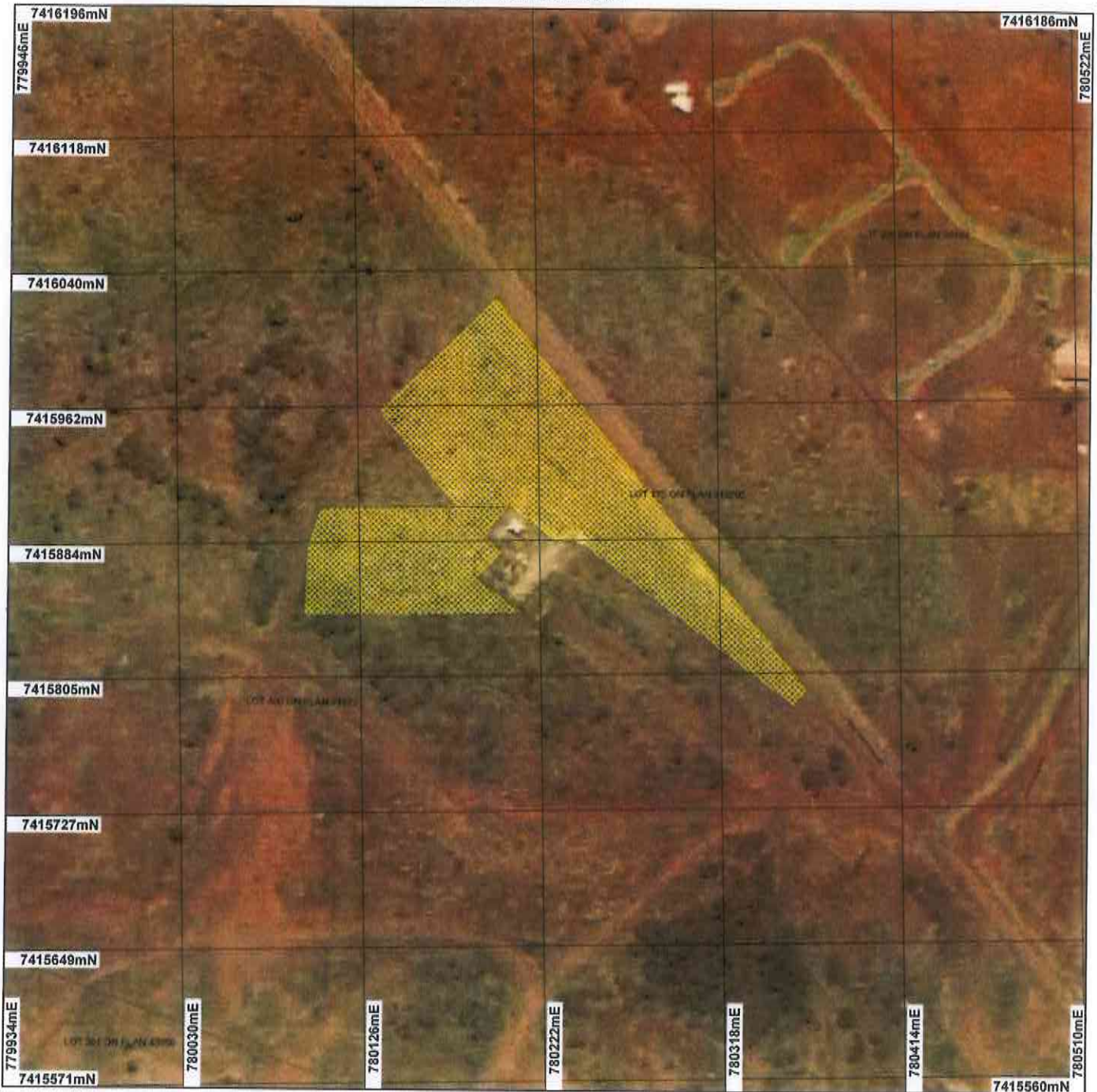
Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

Our environment, our future  
14, Cook Street, 2002

# Plan 3445/3b



## LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Applied to Clear
- Areas Subject to Conditions
- Areas Approved to Clear
- Cadastre for labelling
- Murrumbidgee 1.4m Orthomosaic - Landgate 2003
- Newman 1.4m Orthomosaic - Landgate 2003



Scale 1:3097  
(Approximate when reproduced at Letter)

Geocentric Datum Australia 1994

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*R. Shadbolt* Date *12/9/12*  
R Shadbolt

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



\* Project Data. This data has not been quality assured. Please contact map author for details.



## 1. Application details

### 1.1. Permit application details

Permit application No.: 3445/3  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore Pty Ltd (BHPBIO)

### 1.3. Property details

Property: UNALLOCATED CROWN LAND (NEWMAN 6753)  
LOT 175 ON PLAN 219293 (NEWMAN 6753)  
LOT 17 ON PLAN 241430 (NEWMAN 6753)  
LOT 19 ON PLAN 48921 (NEWMAN 6753)  
LOT 176 ON PLAN 219293 (NEWMAN 6753)  
LOT 201 ON PLAN 219293 (NEWMAN 6753)  
LOT 16 ON PLAN 194288 (NEWMAN 6753)  
LOT 22 ON PLAN 220355 (CAPRICORN 6642)  
LOT 29 ON PLAN 238020 (CAPRICORN 6642)

Local Government Area: Shire of East Pilbara

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
260.33		Mechanical Removal	Building or Structure
		Mechanical Removal	Infrastructure Maintenance
		Mechanical Removal	Water/gas/cable/pipeline/power installation

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 6 September 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
Beard Vegetation Associations:	Twenty one vegetation associations were characterised and mapped for the area (ENV Australia 2009) with vegetation condition ranging from Pristine to Completely Degraded (Keighery 1994) with most sites being in Excellent (Keighery 1994) condition.	Pristine: No obvious signs of disturbance (Keighery 1994)  To  Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	Vegetation condition verified from flora and vegetation assessment conducted by ENV Australia (2009) (TRIM ref DOC106970).
82 - Hummock grasslands, low tree steppe; Snappy gum over <i>Triodia wiseana</i> (Shepherd et al 2001).			
18 - Low woodland; mulga ( <i>Acacia aneura</i> ) (Shepherd et al 2001).			
29 - Sparse low woodland; mulga, discontinuous in scattered groups (Shepherd et al 2001).			
216 - Low woodland; mulga (with <i>Spinifex</i> ) on rises (Shepherd et al 2001).			

### 3. Assessment of application against clearing principles

#### Comments

This amendment has been made to include clearing for the construction and maintenance of water pipelines as a purpose on the permit.

The assessment against the clearing principles has not changed and can be found in Decision Report CPS 3445/1.

#### Methodology

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

#### Comments

The proponent has applied to include clearing for the construction and maintenance of water pipelines as a purpose on the permit.

No submissions from the public have been received.

#### Methodology

### 4. References

- ENV Australia (2009) Newman to Jimblebar Transmission Line and Newman Town Substation Flora and Vegetation Assessment. ENV Australia Pty Ltd, Perth, Western Australia. TRIM ref DOC106970.
- 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. Technical Report 249. Department of Agriculture Western Australia, South Perth.

### 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)