



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 3512/2
<b>Permit Holder:</b>	Esso Australia Resources Pty Ltd
<b>Duration of Permit:</b>	14 March 2010 – 14 March 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 purpose of geotechnical and geophysical investigations.

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

UNALLOCATED CROWN LAND

CROWN RESERVE 48859

**3. Area of Clearing**

The Permit Holder must not clear more than 1 hectare of native vegetation within the area hatched yellow on attached Plan 3512/2.

**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**

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 any written law.

**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:

- 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**

**8. Records must 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 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;
- (b) the date that the area was cleared; and
- (c) the size of the area cleared (in hectares).

**9. 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 8 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 11 December 2014, the Permit Holder must provide to the CEO a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(a) of this Permit.



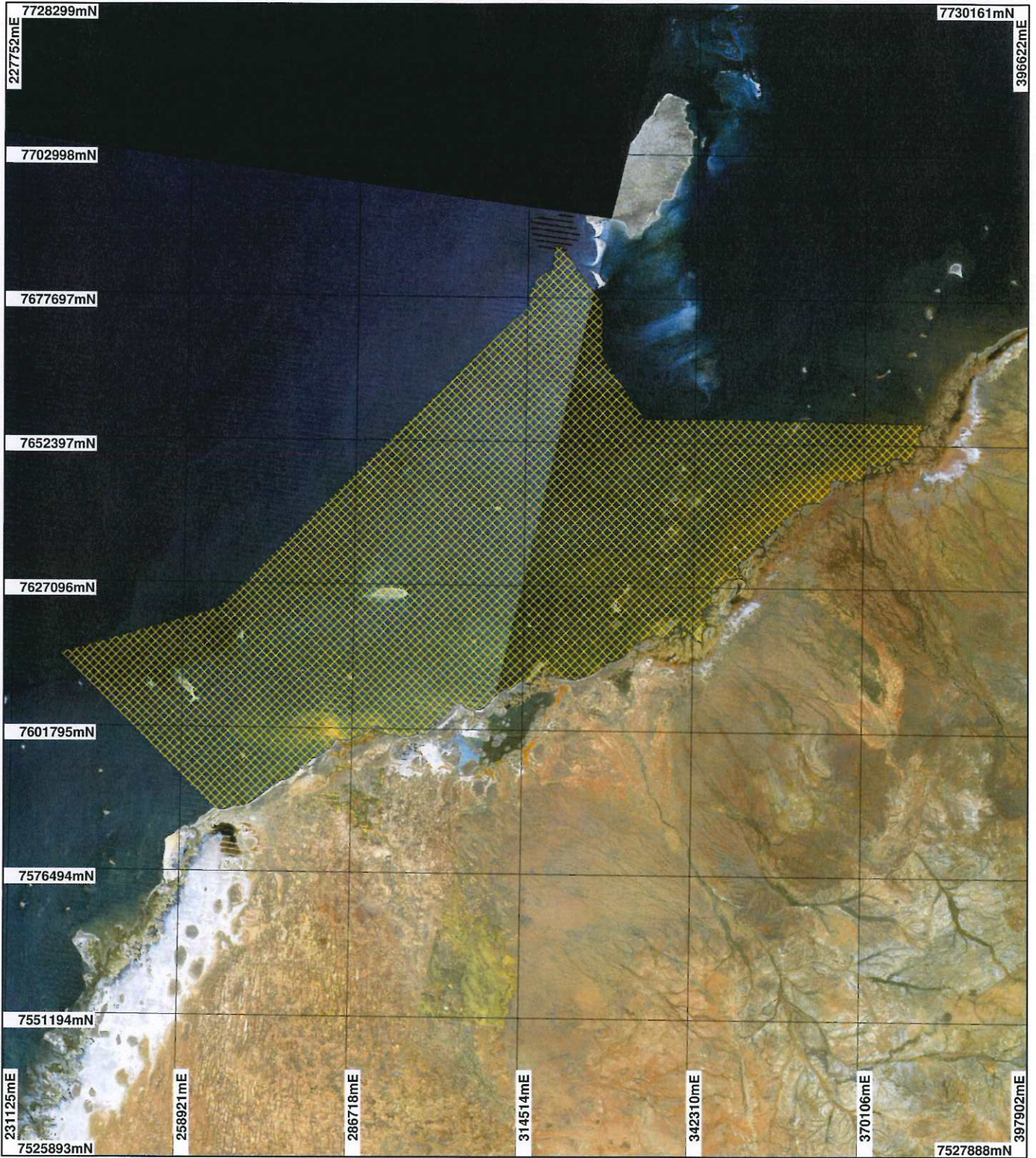
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Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

9 April 2010

# Plan 3512/2



## LEGEND

Clearing Instruments  
Western Australia Landsat  
Mosaic 25m - AGO 2006



0 ————— 25 km

Scale 1:927828  
(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.

*[Signature]* Date 9/4/10

K. Fadkner

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.: 3512/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Esso Australia Resources Pty Ltd

### 1.3. Property details

Property:  
TL/2  
TP/7 R3  
TP/2 R3  
EP 466  
TR/3 R1  
EP 459  
TL/7  
TL/4  
EP 441  
TR/4  
TP/23  
EP 424  
EP 110 R4  
R 3  
EP 409 R1

Local Government Area:  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1		Mechanical Removal	Geotechnical investigations

## 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
	Up to one hectare of native marine vegetation.	Pristine: No obvious signs of disturbance (Keighery 1994)	No surveys of the site have been undertaken. The site is likely to contain Benthic Primary Producer Habitat.

## 3. Assessment of application against clearing principles

### Comments

Esso Australia Resources Pty Ltd have applied for clearing of native vegetation for up to 1 hectare of native marine vegetation (seagrass) from within a greater area of 512 422 hectares. This vegetation may be cleared due to vessels anchoring and deployment, placement of jack-up rig, deployment and retrieval of geotechnical survey equipment and coring and boring activities.

The proposed survey area includes a number of island nature reserves that are part of the Great Sandy Islands Nature Reserve. In addition, the marine component has been identified as a study area for a new marine park and this planning process is currently underway. The Mary Ann Island group in particular contains a rich array of marine biodiversity and was identified as a high priority for reservation through the Pilbara and Eighty Mile Beach project to develop a network of marine parks/ reserves across 3 IMCRA bioregions (the Pilbara Nearshore, Pilbara Offshore and Eighty Mile beach bioregions) (DEC 2010).

The applicant has advised that no terrestrial disturbance is proposed and these areas are excluded from this assessment.

In light of the above the loss of any habitat in this area should be consistent with 'Category B: High protection area' as outlined in Environmental Assessment Guideline 3: Protection of Benthic Primary Producer Habitats in Western Australia's Marine Environment (DEC 2010, EPA 2009).

The clearing area is relatively small in the area proposed to be cleared therefore the proposed clearing is not at variance to the clearing principles.

**Methodology** DEC (2010)  
EPA (2009)

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

##### **Comments**

A submission has been received from Native Title claimants - Thalanji People (Submission 2010), however, no claims are current over area under application (Native Title Vision 2010).

Approval is also required from DEC for any proposed access to Island Nature Reserves and rigorous quarantine procedures are likely to be required in the event that approval for access is granted. The applicant has advised that no terrestrial disturbance is proposed and these areas are excluded from this assessment.

Legal access has been received from the Department of Transport and the Department of Regional Development and Lands.

**Methodology** Native Title Vision 2010  
Submission (2010)  
GIS database:  
- Native Title Claims - LA 2/5/07

#### **4. Assessor's comments**

##### **Comment**

The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the assessment recommendation is that the clearing may be at variance to Principle (a) and (h).

#### **5. References**

DEC (2010) Advice EMB Marine. Department of Environment and Conservation Trim Ref DOC118613.  
EPA (2009) Environmental Protection Authority. Environmental Assessment Guideline 3: Protection of Benthic Primary Producer Habitats in Western Australia's Marine Environment  
Native Title Vision (2010) Valid NT claims in the area. Accessed 9 February 2010 (DOC118677)  
Submission (2010) Information on Native Title Claimants (DOC116477).

#### **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 (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)