



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

| | |
|-------------------------------|---------------------------------|
| Purpose Permit number: | CPS 3735/2 |
| Permit Holder: | Hamersley Iron Pty Ltd |
| Duration of Permit: | 28 November 2010 – 30 June 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 establishing a construction camp/village.

2. Land on which clearing is to be done

Lot 32 on Plan 47815 (MAITLAND 6714)

Lot 210 on Plan 91562 (COOYA POOYA 6714)

3. Area of Clearing

The Permit Holder must not clear more than 65 hectares of native vegetation within the area hatched yellow on attached Plan 3735/2.

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.

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.

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 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).

10. Reporting

- (a) The Permit Holder must provide to the CEO on or before 31 July of each year, a written report:
 - (i) of records required under condition 9 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 30 March 2014, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

Definitions

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

fill means material used to increase the ground level, or fill a hollow;

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;

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*.

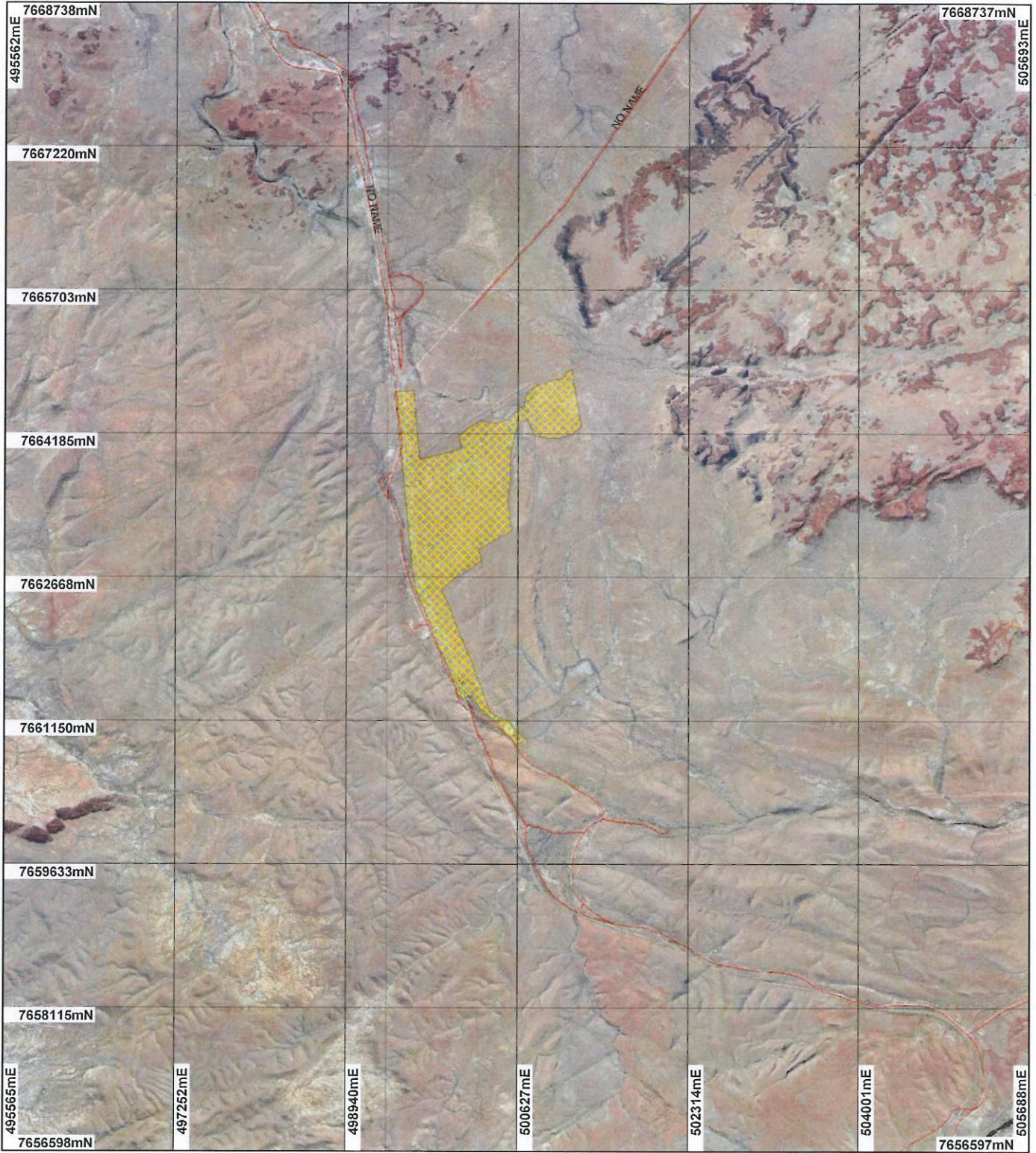


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

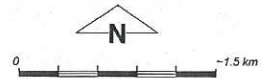
15 June 2011

Plan 3735/2



LEGEND

- | | |
|---|---|
| <p>Clearing Instruments</p> <ul style="list-style-type: none"> Areas Approved to Clear Road Centrelines Cadastre <p>Pindri Hills 1.4m Orthomosaic - Landgate 2000</p> | <p>Cooya Pooya 1.4m Orthomosaic - Landgate 1998</p> |
|---|---|



Scale 1:55897
(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.

K Faulkner Date 15/6/02
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

Our environment, our future
WA Crown Copyright 2002



1. Application details

1.1. Permit application details

Permit application No.: 3735/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

1.3. Property details

Property: LOT 210 ON PLAN 91562 (COOYA POOYA 6714)
LOT 32 ON PLAN 47815 (MAITLAND 6714)

Local Government Area: Shire of Roebourne

1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
|--------------------|-----------|--------------------|-----------------------|
| 65 | | Mechanical Removal | Building or Structure |
| 65 | | Mechanical Removal | Building or Structure |

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 15 June 2011

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 152 has been described as hummock grasslands, grass steppe; soft & hard spinifex (Shepherd, 2007). | The proposal is to clear 65 hectares of native vegetation from within a larger footprint of 206 hectares. The vegetation under application has been assessed as being in a very good to excellent condition. The vegetation is relatively intact with the only signs of disturbance being associated with road and rail construction | Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994) Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994) | The vegetation condition was determined through digital imagery (Pinderi Hills 1.4m Orthomosaic - Landgate 2000_1) and from Rio Tinto's (2010) Vegetation and Flora Assessment. |

3. Assessment of application against clearing principles

Comments

Clearing Permit CPS 3735/1 has been amended to increase the duration of the permit, with new expiry date on the permit ending on the 30 June 2014.

The assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 3735/1.

Methodology

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

Comments

Application falls within an area proclaimed under the Rights in Water and Irrigation Act (Pilbara River and Tributaries) also within a Public Drinking Water Source Area (Harding Dam Catchment Area). The Department of Water (2010) has advised that the proposed clearing of 65 hectares is acceptable as it is not likely to impact

on surface and groundwater resources in the area. Department of Water has requested that Hamersley Iron contact their Pilbara Regional office to discuss this proposal (DoW, 2010).

A Licence Deed between the Water Corporation, The Water Resources Ministerial Body AND Pilbara Iron Pty Ltd and Hamersley Iron Pty Ltd has been granted. This Licence Deed terminates on 30 June 2011 but has the option to extend.

The Shire of Roebourne have advised that planning approval is required for this proposal but has not been applied for. Hamersley Iron state that they need to undertake geotechnical studies prior to determining final location of the camp site, once this location has been determined they will apply for development approval (DEC Ref: A312948).

The proposed construction camp will house the workforce that will be constructing rail infrastructure between the Emu and Rosella Rail Sidings. This project was referred to the EPA and the level of assessment set was Not Assessed - Public Advice Given - Managed Under Part V of the EP Act (clearing).

In advice dated 19 December 2008 the EPA have advised that the Emu to Rosella Siding Crossover construction requires clearing of the Threatened Ecological Community (TEC) Themeda Grassland. This TEC is located approximately 130 km to the south of the application area. The potential for direct or indirect impacts occurring as a result of the proposed clearing is removed due to the significant distance between the TEC and the application area (Rio Tinto, 2010).

Methodology
DoW, 2010
EPA (2008)
Rio Tinto (2010)

GIS Databases:

- Country Area Water Supply Act (Part IIA) Clearing Control Catchments 29/06/2006
- Public Drinking Water Source Areas (PDWSAs) - 07/02/06

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DEC (2010) Regional advice for Clearing Permit Application CPS 3735/1. DEC Ref: A311962.
- Department of Water (2010) Surface and Groundwater Advice, DEC Ref: A311359.
- Environmental Protection Authority (2008) Public Advice for the Emu Siding to Rosella Siding crossover construction (DEC Ref: A312969).
- 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.
- Rio Tinto (2010) Flora and Vegetation Assessment of the Proposed Chainage 64 Northern Link Rail Construction Camp (NLC64).
- 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.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed 15/05/10).

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) |