



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 4220/3
<b>Permit Holder:</b>	Hamersley Iron Pty Ltd
<b>Duration of Permit:</b>	14 November 2011 – 14 November 2019

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 construction of the Bungaroo to Millstream Water pipeline, borefield and associated infrastructure.

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

Lot 55 on Plan 212209 (Millstream 6716)  
Lot 128 on Plan 240249 (Fortescue 6716)  
Lot 148 on Plan 93149 (Hamersley Range 6716)  
Lot 313 on Plan 63520 (Fortescue 6716)  
Unallocated Crown Land (Hamersley Range 6716)  
Millstream Road reserve (Fortescue 6716)

**3. Area of Clearing**

The Permit Holder must not clear more than 635 hectares of native vegetation within the combined areas shaded yellow on attached Plan 4220/3a and Plan 4220/3b.

**4. Period in which clearing is authorised**

The Permit Holder shall not clear any native vegetation after 14 November 2016.

**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.

**6. 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 the *Land Administration Act 1997* or any other written law.

**7. 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

### **8. 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.

### **9. 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.

### **10. Retain and spread 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 6 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 laying the vegetative material and topsoil retained under condition 10(a) on the cleared area(s).
- (c) within 24 months 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.
- (d) where *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 10(c)(ii) of this permit, the Permit Holder shall repeat condition 10(c)(i) and 10(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 10(c)(i) and (ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 10(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 10(c)(ii).

### **11. Flora management**

Where *Indigofera* sp. Bungaroo Creek (P3) has been identified and written location(s) provided to the CEO, the Permit Holder shall ensure that no clearing occurs within 10 metres of identified *priority flora*, unless approved by the CEO.

### PART III - RECORD KEEPING AND REPORTING

#### **12. Records to 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; and
  - (iv) the size of the area cleared (in hectares).
- (b) 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;
  - (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*, and
  - (v) a copy of the environmental specialist's report.

#### **13. Reporting**

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
  - (i) of records required under condition 12 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 14 August 2016 the Permit Holder must provide to the CEO a written report of records required under condition 12 of this Permit where these records have not already been provided under condition 13(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;

**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;

**priority flora** means those plant taxa described as priority flora classes 1, 2, 3 or 4 in the *Department's Declared Rare and Priority Flora List for Western Australia* (as amended);

**regenerate/ed/ion** means *revegetation* that can be established from in situ seed banks 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 *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 declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*;  
or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

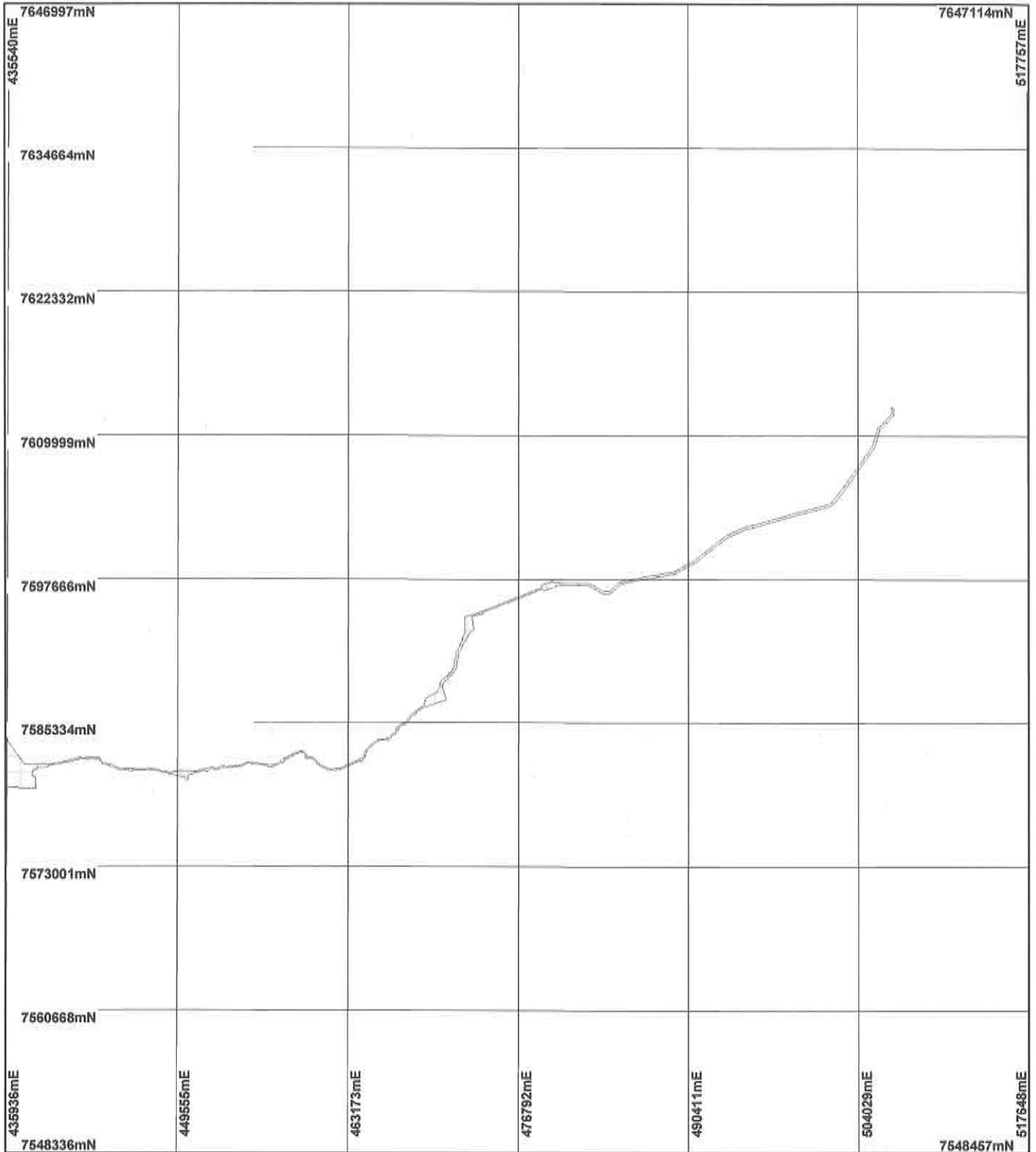


M Warnock  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

16 May 2013

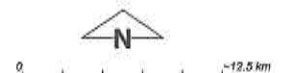
# Plan 4220/3a



## LEGEND

### Clearing Instruments

- Areas Approved to Clear



Scale 1:453488

(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.

*M Warnock* Date 16/5/13  
M Warnock

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

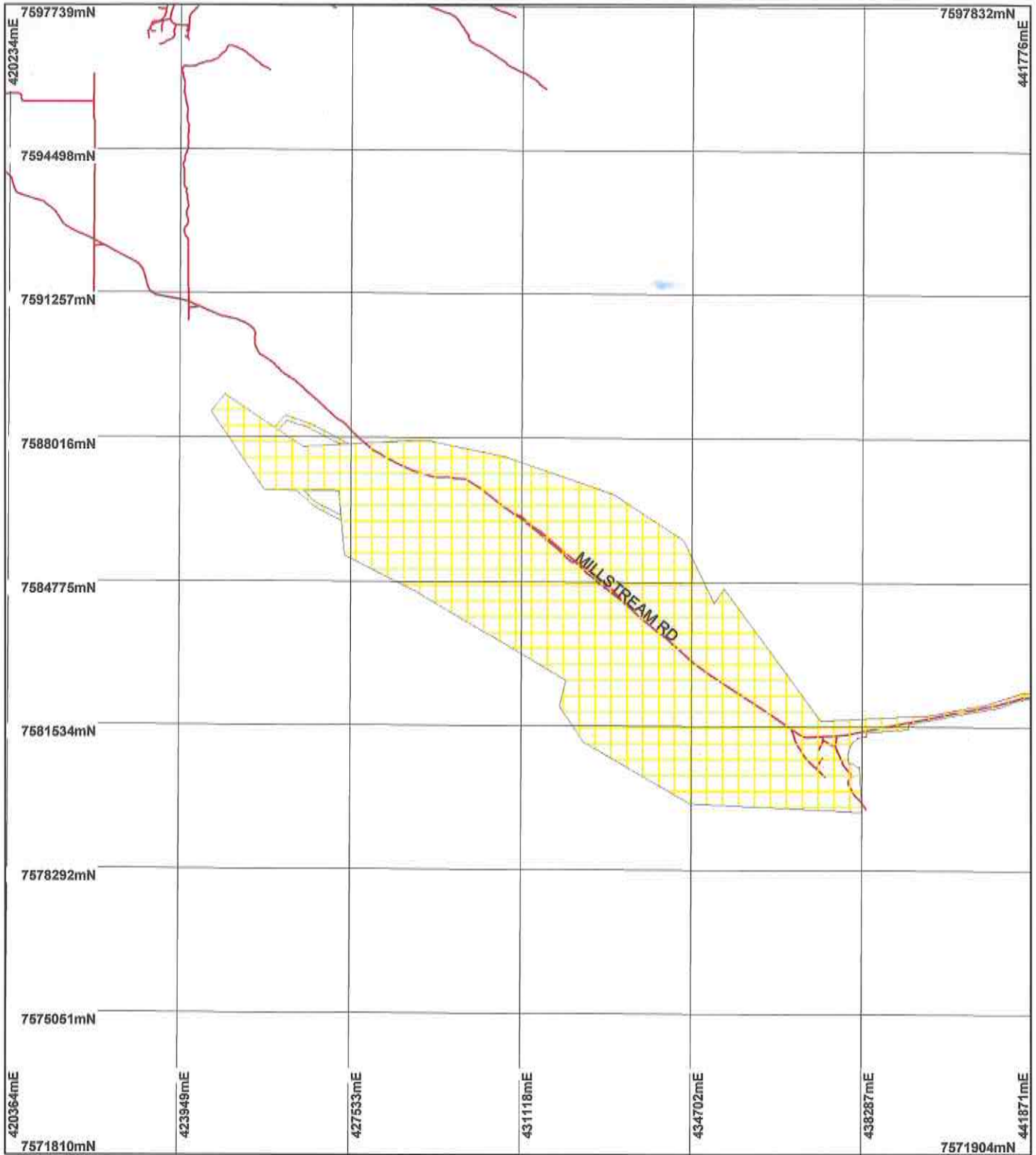


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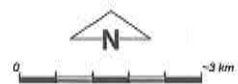
\* Project Data Is denoted by asterisk. This data has not been quality assured. Please contact map author for details.

# Plan 4220/3b



## LEGEND


-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Cadastre



Scale 1:119141  
 (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.

*M Warnock* Date 16/5/13  
 M Warnock

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

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## 1. Application details

### 1.1. Permit application details

Permit application No.: 4220/3  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

### 1.3. Property details

Property: LOT 128 ON PLAN 240249 (FORTESCUE 6716)  
LOT 55 ON PLAN 212209 (MILLSTREAM 6716)  
LOT 128 ON PLAN 240249 (FORTESCUE 6716)  
ROAD RESERVE (FORTESCUE 6716)  
UNALLOCATED CROWN LAND (HAMERSLEY RANGE 6716)  
LOT 148 ON PLAN 93149 (HAMERSLEY RANGE 6716)  
UNALLOCATED CROWN LAND (HAMERSLEY RANGE 6716)  
LOT 313 ON PLAN 63520 (FORTESCUE 6716)

Local Government Area: Shire of Ashburton  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
635		Mechanical Removal	Water/gas/cable/pipeline/power installation

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 16 May 2013

## 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 82 - Hummock grasslands, open low tree steppe; snappy gum over <i>Triodia wiseana</i> on a lateritic crust.	The proposal is to clear 635 hectares of native vegetation in the Shire of Ashburton for the purpose of construction of the Bungaroo to Millstream Water pipeline, borefield and associated infrastructure.	Pristine: No obvious signs of disturbance (Keighery 1994)  To	The description and condition of the vegetation under application is determined from consultant's report (Biota 2011).
Beard vegetation association 175 is described as Short bunch grassland - savanna/grass plain (Pilbara).	A vegetation and flora survey was undertaken for this proposal. This survey comprised two study areas, the 8,765 ha Greater Bungaroo Flora (GBF) study area in the western section and the 1,092 ha Bungaroo Coastal Water (BCW) study area in the central and eastern sections (Biota 2011).	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)  To	
Beard vegetation association 609 - Mosaic: Hummock grasslands, open low tree steppe; bloodwood with sparse kanji shrubs over soft spinifex / Hummock grasslands, open low tree steppe; snappy gum over <i>Triodia wiseana</i> on a lateritic crust.	The GBF study area comprises 18 vegetation units that can be broadly defined as (Biota 2011): - Vegetation of plains - Vegetation of low hills and rises - Vegetation of creeklines and soaks	To  Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	
Beard vegetation association 645 - Hummock grasslands, shrub steppe; kanji & snakewood over soft	These 18 vegetation units ranged in vegetation condition (Keighery Scale 1994) from very good to pristine, with the vegetation being predominantly in pristine and		

spinifex & *Triodia wiseana*. excellent condition (Biota 2011).

Beard vegetation association 646 - Hummock grasslands, shrub steppe; snakewood over *Triodia basedowii*. (Shepherd et al, 2001)

The BCW study area comprises 35 vegetation units that can be broadly defined as (Biota 2011):

- Vegetation of plains
- Vegetation of low hills and footslopes
- Vegetation of creeklines and banks
- Vegetation of clay flats

These 35 vegetation units ranged in vegetation condition (Keighery, 1994) from good to pristine, with the vegetation being predominantly in pristine condition (Biota 2011).

### 3. Assessment of application against clearing principles

#### Comments

Clearing Permit CPS 4220/2 has been amended to increase the clearing footprint area by a further 27.5 hectares to allow for the construction of a cattle exclusion fence around the Bungaroo borefield.

The assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 4220/2.

#### Methodology

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

#### Comments

No submissions for the application have been received.

An administration amendment has been made to reporting condition 13, of this permit to bring it into align with the Native Vegetation Conservation Branch's current practices.

#### Methodology

### 4. References

- Biota (2011) Greater Bungaroo and Coastal Water Project Biological Review, Prepared for Rio Tinto Iron Ore, February 2011, Biota Environmental Sciences. DEC Ref A377573
- 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)