



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

| | |
|-------------------------------|-----------------------------------|
| Purpose Permit number: | CPS 4703/1 |
| Permit Holder: | Hamersley Iron Pty Ltd |
| Duration of Permit: | 6 February 2012 – 6 February 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

Access to and maintenance of a water bore

2. Land on which clearing is to be done

Lot 503 on Plan 61847 (Millstream 6716)

3. Area of Clearing

The Permit Holder must not clear more than 0.2 hectares of native vegetation within the area hatched yellow on attached Plan 4703/1.

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 the, *Land Administration Act 1997* or any other 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

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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

PART III - RECORD KEEPING AND REPORTING

9. Records must be kept

The Permit Holder must maintain the following records 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 30 June 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 January and 31 December of the preceding year.
- (b) Prior to 6 November 2013, 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*.



M Warnock
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH



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

12 January 2012

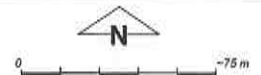
Plan 4703/1



LEGEND

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

Cooya Pooya 1.4m
Orthomosaic - Landgate
1998



Scale 1:2807
(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 *12/1/12*
M Warnock

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.: 4703/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

1.3. Property details

Property: LOT 503 ON PLAN 61847 (Lot No. 503 WARLU MILLSTREAM 6716)
Local Government Area: Shire of Ashburton
Colloquial name:

1.4. Application

| | | | |
|--------------------|-----------|--------------------|----------------------------|
| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
| 0.2 | | Mechanical Removal | Infrastructure Maintenance |

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 January 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 |
|---|--|--|---|
| Mapped Beard vegetation association 587 is described as Hummock grasslands, dwarf-shrub steppe; Acacia translucens over soft spinifex (Shepherd, 2009). | This application proposes to clear 0.2 ha of native vegetation within a larger footprint of 0.4 ha within Lot 503 on 61847, Millstream. | Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994) | The condition of the vegetation was assessed using aerial imagery (Cooya Pooya 1.4m Orthomosaic - Landgate 1998) and a Native Vegetation Clearing Permit Report prepared by Biota Environmental Sciences (2011) |
| | A biological survey undertaken by Biota Environmental Services has described the application area as degraded (Keighery 1994) condition. Approximately 60% of the application is significantly disturbed with the remaining 40% consisting of Eucalyptus victrix low open woodland over Acacia trachycarpa tall open shrubland over Triodia epactia open hummock grassland and Cenchrus ciliaris tussock grassland. (Biota Environmental Sciences (2011) | | |

3. Assessment of application against clearing principles

Comments **Proposal is not likely to be at variance to this Principle**
The application proposes to clear 0.2 ha of native vegetation within a larger footprint of 0.4 ha within Lot 503 on Plan 61847, Millstream for the purpose of gaining access to groundwater well WARP22 to allow ongoing railway access road maintenance works.

The area under application is located within the Pilbara Interim Biogeographic Regionalisation of Australia (IBRA) bioregion. This IBRA bioregion has approximately 100 per cent of its Pre European vegetation extent remaining. Digital imagery (Cooya Pooya 1.4m Orthomosaic - Landgate 1998) indicates that the local area (20 km radius) surrounding the area under application retains approximately 90 per cent vegetation cover. Given

the vegetation representation within the local area it is unlikely that the vegetation under application is significant as a remnant in an extensively cleared landscape.

Numerous fauna species of conservation significance were recorded within the local area (20km) These included *Dasyurus hallucatus* (Northern Quoll), *Liasis olivaceus* subsp. *barroni* and *Rhinonicteris aurantius* (Orange Leaf nosed-bat). Biota Environmental Services (2011) has advised that there are various terrestrial fauna habitat types found within the application area, however these habitat types are common and widespread in the Pilbara bioregion and therefore would not cause significant impacts on fauna found within the local area (20 km).

The application area is located within the Millstream-Chichester National Park. Given the close proximity to the existing railway line, tracks and extent of the current disturbance, approximately 60 per cent, (Biota Environmental Services (2011) it is unlikely the clearing as proposed will have a significant impact upon the environmental values of the reserve. Weed management will assist in mitigating this risk.

Creek line habitat occurs within the application area. The proposed clearing will disturb a small proportion of the creek habitat occurring within the area (Biota Environmental Services 2011). Given the small size of the application area and the degraded (Keighery 1994) condition of the vegetation it is unlikely the clearing as proposed will cause significant impacts to the environmental values of the riparian vegetation.

The assessment determined that the propose clearing is not likely to significant impact any biodiversity values, nor will it cause appreciable land degradation within the local or regional context. Given the above, the proposed clearing is at variance to Principles (f) and not likely to be at variance to the remaining clearing Principles.

Methodology

References:

- Biota Environmental Services (2011)
- DEC (2007-)
- Keighery (1994)
- Shepherd (2009)

GIS Databases:

- Cooya Pooya 1.4m Orthomosaic - Landgate 1998
- DEC Tenure
- Hydrography, linear
- IBRA Australia
- Pre-European vegetation
- SAC Biodatasets - accessed 7 October 2011

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

Comments

The application area is located within the Harding Dam Catchment Area which was gazetted under the Country Areas Water Supply Act 1947 in 2001. This area has been assigned 'Priority 1' (P1) classification under the Water Source Protection Classification System. A Drinking Water Source Protection Plan was prepared for the Harding Dam Catchment Area (West Pilbara - Water Supply Scheme). The Department of Water (DoW) has advised they consider the application acceptable provided activities are carried out in accordance with DoW advice. (DoW 2011)

The application area is located within Millstream Chichester National Park. A Regulation 4 Authority permit CE003164 has been issued to Rio Tinto Iron Ore- Expansion Project to undertake works to extract water from the WARP22 water bore located within the application area by Department of Environment and Conservation on the 7 April 2011. (DEC Ref: A449726)

The application area is located within the Aboriginal Site of Significance 'Quarry and Factory'. The applicant will be advised to liaise with the Department of Indigenous Affairs in regards to their obligation under the Aboriginal Heritage Act 1972.

Methodology

References:

- DoW (2011)
- DEC (2011)

GIS Databases:

- Aboriginal Sites of Significance

4. References

- Biota Environmental Services (2011) Galah, Gull, Ibis-Koala and Rosella Rail Sidings Native Vegetation Clearing Permit Report. Unpublished report prepared for Rio Tinto Iron Ore. Western Australia (DEC Ref: A449726)
- DEC (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL:

<http://naturemap.dec.wa.gov.au/>. Accessed 3 January 2012

DEC (2011) Regulation 4 Lawful Authority to conduct Activities on Calm Lands Licence to Conduct Research Within Calm Lands. Department of Environment. Western Australia (DEC Ref: A449726)

DoW (2011) Advice for clearing application CPS 4703/1. Department of Water. Western Australia (DEC Ref: A458669)

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. (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.

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) |