



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4814/1
Permit Holder:	Hamersley Iron Pty Ltd
Duration of Permit:	9 April 2012 – 9 April 2017

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 road realignment
- 2. Land on which clearing is to be done**
Part Lot 99 on Deposited Plan 238653 (Mount Sheila 6751)
Lot 9 on Deposited Plan 47815 (Mount Sheila 6751)
- 3. Area of Clearing**
The Permit Holder must not clear more than 2.5 hectares of native vegetation within the area cross-hatched yellow on attached Plan 4814/1.
- 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:
 - (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

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 for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) 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 or decimal degrees;
 - (ii) the date that the area was cleared; and
 - (iii) 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 10 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 9 January 2017, 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:

botanist means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

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;

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);

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*

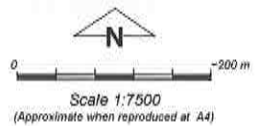
15 March 2012

Plan 4814/1



LEGEND

-  Road Centrelines
-  Local Government Authorities
- Clearing Instruments**
-  Areas Applied to Clear
-  Areas Subject to Conditions (cont)
-  Areas Approved to Clear
-  Cadastre for labelling
- Mcræe 50cm Orthomosaic - Landgate 2004**



Geocentric Datum Australia 1994

Note: The data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

 Date 15/3/11
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

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1. Application details

1.1. Permit application details

Permit application No.: 4814/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

1.3. Property details

Property: LOT 9 ON PLAN 47815 (MOUNT SHEILA 6751)
PART LOT 99 ON PLAN 238653 (MOUNT SHEILA 6751)

Local Government Area: Shire of Ashburton

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.5		Mechanical Removal	Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 15 March 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 42 is described as Hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i> (Shepherd 2009).	The application proposes to clear up to 2.5 hectares of native vegetation within Lot 9 on Plan 47815 and part Lot 99 on Plan 238653, Mount Sheila for the purpose of road realignment. The vegetation is in degraded (Keighery 1994) condition.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition of the vegetation was determined through aerial imagery (Mcrae 50cm Orthomosaic - Landgate 2004).

3. Assessment of application against clearing principles

The application proposes to clear up to 2.5 hectares of native vegetation within Lot 9 on Plan 47815 and part Lot 99 on Plan 238653, Mount Sheila for the purpose of road realignment. The proposal involves road works to deviate the level crossing roads (including the main rail access road) at the 234km mark of the Dampier to Tom Price rail line. This will allow safer crossing for longer vehicles by allowing vehicles to cross the road on both sides (Rio Tinto 2012).

Biological surveys undertaken by Rio Tinto and Biota (Rio Tinto 2011) identified Priority flora species *Themeda* sp. Hamersley Station (M.E. Trudgen 11431)(P3) as occurring within the survey area. However it was noted that this species is one of the dominant species within the vegetation units so it is likely to be well represented in the area, therefore the clearing is unlikely to impact on the conservation of this species (DEC 2012b).

Within the local area (10km radius) nine fauna species of conservation significance have been recorded. The Western Pebble-mound Mouse (*Pseudomys chapmani*, Priority 4 Wildlife Conservation Act 1950), and the Spectacled Hare-wallaby (*Lagorchestes conspicillatus* subsp. *leichardti*, Priority 3 Wildlife Conservation Act 1950), had the closest records. The Spectacled Hare-wallaby has the closest record, 1.2km away from the application area (DEC 2007-). The vegetation within the applied area is not likely to provide significant habitat for the above mentioned fauna. Therefore the vegetation under application is not significant habitat for indigenous fauna.

The vegetation under application is mapped as the Threatened Ecological Community (TEC) *Themeda* grasslands on cracking clays (Hamersley Station). Department of Environment and Conservation recently received fine scale mapping of this TEC from Rio Tinto Ore Pty Ltd which has identified that the *Themeda* TEC is unlikely to occur within the application area (DEC 2012).

The assessment determined that the proposed clearing is not likely to significantly impact any biodiversity, habitat or environmental values or cause appreciable land degradation within the local or regional context. Given the above, the proposal is not likely to be at variance to the any of the clearing principles.

Methodology Reference:
DEC (2007-)
DEC (2012a)
DEC (2012b)
Rio Tinto (2012)

GIS Databases:
- Rocklea 50cm Orthomosaic - Landgate 2004
- SAC Biodatasets - Accessed February 2012

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

Comments

The application proposes to clear up to 2.5 hectares of native vegetation within Lot 9 on Plan 47815 and part Lot 99 on Plan 238653, Mount Sheila for the purpose of road realignment. The proposal involves road works to deviate the level crossing roads (including the man rail access road) at the 234km mark of the Dampier to Tom Price rail line. This will allow safer crossing of longer vehicles by allowing vehicles to cross the road on both sides (Rio Tinto 2012).

The area under application falls within the Pilbara groundwater and Surface Water area which are areas proclaimed under the Rights in Water and Irrigation Act 1914.

The area is mapped as an Environmentally Sensitive Area (ESA) for a Threatened Ecological Community (TEC), this TEC is unlikely to occur within the application area (DEC 2012) and is therefore no longer an ESA..

The Shire of Ashburton have no objections to the application (Shire of Ashburton 2012).

Methodology References
DEC (2012)
Rio Tinto (2012)
Shire of Ashburton (2012)

GIS Databases:
- Environmentally Sensitive Areas
- RIWI Act, Groundwater Areas

4. References

- DEC (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 29/02/2012.
- DEC (2012a) Species and Communities Advice Request - Cps 4814/1. DEC ref: A483473
- DEC (2012b) Species and Communities Advice Request - Cps 4814/1 - Additional Priority Flora advice. DEC ref: A484002
- Hamersley (2012) Application for a clearing Permit (Purpose Permit) construction of fence and service track - tenement PL 3114/1277. DEC ref: A464366
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Rio Tinto (2011) Statement Addressing the 10 Clearing Principles. Level Crossing Road Re-alignment 342.4km Tom Price Mainline. DEC ref: A464359
- 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.
- Shire of Ashburton (2012) Application to Clear Native Vegetation - Part Lot 77 on Plan 220192. DEC ref: A475841

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)