



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 4867/1
<b>Permit Holder:</b>	BHP Billiton Iron ore Pty Ltd
<b>Duration of Permit:</b>	16 April 2012 – 16 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 construction and maintenance of an access road and laydown areas and infrastructure maintenance for a rail welding yard.

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

Iron Ore (Mount Newman) Agreement Act 1964, Special Lease for Mining Operations 3116/6400, Document I 123701 L, Lot 86 on Deposited Plan 213620, Pippingarra.

#### **3. Area of Clearing**

The Permit Holder must not clear more than 5 hectares of native vegetation within the area hatched yellow on attached Plan 4867/1.

#### **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. 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

#### **6. 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.

#### **7. 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*:
  - clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - 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.

#### **8. Flora management**

- (a) Prior to undertaking any clearing authorised under this permit, the site shall be inspected by a *botanist* for the presence of the *priority flora Tephrosia rosea var. venulosa*.
- (b) Where *Tephrosia rosea var. venulosa* are identified in relation to condition 8(a) of this Permit, the Permit Holder shall ensure that:
  - (i) all records of undescribed flora taxon are submitted to the CEO; and
  - (ii) no clearing occurs with 10 metres of identified *Tephrosia rosea var. venulosa*, unless approved by the CEO.

### **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).
- (b) In relation to flora management pursuant to condition 8 of this Permit:
  - (i) the location of each priority flora 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) a copy of the *botanists* flora survey report.

#### **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 16 January 2017, 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:

*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*.



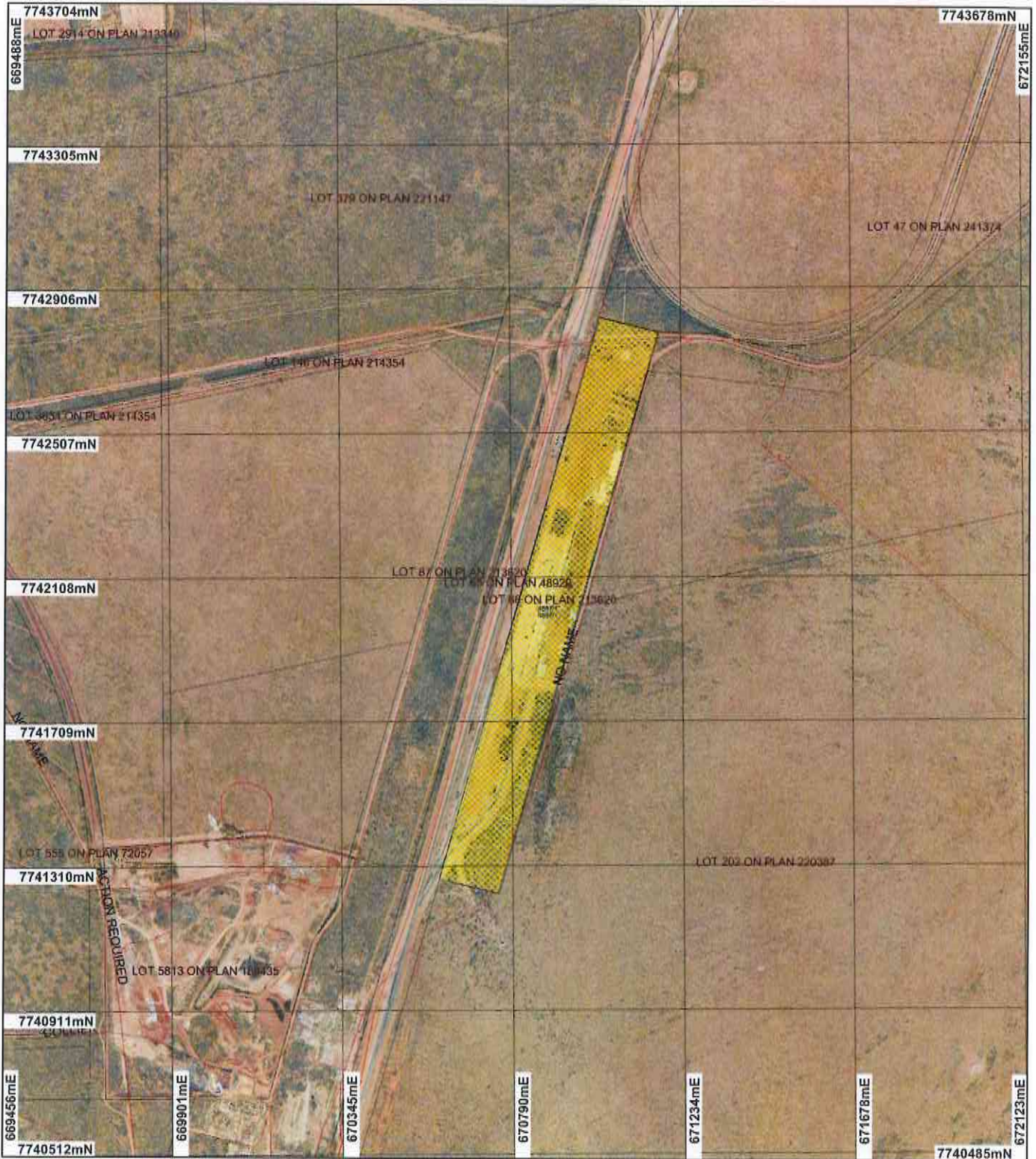
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Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

22 March 2012

# Plan 4867/1



## LEGEND

- Road Centrelines
- Cadastre for labelling
- Freehold
- Crown Reserve
- State Forest / Timber Reserve
- Marine Park (cont)

- Crown Lease
- Lease / Reserve
- Lease on State Forest / Timber Reserve
- Public Roads
- Unallocated Crown Land
- Water

### Clearing Instruments

- Areas Approved to Clear
- Port Hedland 50cm Orthomosaic - Landgate 2004**



Scale 1:14683

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

Date 22/3/12

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.: 4867/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore Pty Ltd

### 1.3. Property details

Property: LOT 86 ON PLAN 213620 ( PIPPINGARRA 6722)  
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Local Government Area: Town of Port Hedland

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
5		Mechanical Removal	Building or Structure
		Mechanical Removal	Infrastructure Maintenance
		Mechanical Removal	Road construction or maintenance

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 22 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 647 is described as Hummock grasslands, dwarf - shrub steppe, Acacia translucens over soft spinifex	The proposed clearing of 5 ha is for laydown areas, access track and maintenance for a rail welding yard.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The condition of the application was established through a survey carried out February 2011 of the application area by ENV Australia (2011a).
Mapped Beard vegetation association 589 is described as Mosaic: Short bunch grassland - savanna / grass plain (Pilbara) / Hummock grasslands, grass steppe; soft spinifex (Shepherd 2009).	Acacia tumida var. pilbarensis and Acacia colei var. colei shrubland over a low Acacia stellaticeps shrubland over Triodia epactia hummock grassland/grassland mosaic (ENV Australia 2011a).		
	The majority of the application area is in a Completely Degraded (Keighery 1994) condition. A small area of Good (Keighery 1994) condition vegetation occurs in the northern end of the application area and an area of Excellent (Keighery 1994) condition occurs in the south east corner of the area under application (ENV Australia 2011a).	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	
		Excellent: Vegetation structure intact;	

### 3. Assessment of application against clearing principles

#### Comments

The application area consists of an open *Acacia colei* var. *colei* shrublands over low *Acacia stellaticeps* shrublands over *Triodia epactia* and *Triodia epactia* and *Triodia secunda* hummock grassland mosaic and *Acacia tumida* var. *pilbarensis* and *Acacia colei* var. *colei* shrubland over a low *Acacia stellaticeps* shrubland over *Triodia epactia* hummock grassland/grassland mosaic (ENV Australia 2011a). The majority of the application area is in a Completely Degraded (Keighery 1994) condition. A small area of Good (Keighery 1994) condition vegetation occurs in the northern end of the application area and an area of Excellent (Keighery 1994) condition occurs in the south east corner of the area under application (ENV Australia 2011a).

A flora survey of the Port Hedland region conducted in February 2011 did not record any Priority flora species within the application area (ENV Australia 2011a). However, the flora survey did not include a quadrat within the application area. The priority flora *Tephrosia rosea* var. *venulosa* (P1) was recorded in a quadrat located within the western portion of Flashbutt Lease area adjacent to the clearing area (ENV Australia 2011a). Given the close proximity of the recorded priority 1 species and that the proposed clearing consists of small areas of vegetation in Good to Excellent (Keighery 1994) condition, it may be considered for application area to contain this priority flora species. Therefore, the proposed clearing may be at variance to principle a. Flora management requirements would mitigate this identified impact.

There are four conservation significant fauna species with the potential to occur within the application area including the Rainbow Bee-Eater (Schedule 3 under WA Act and Migratory under the EPBC Act), Woma (Schedule 4 under the WC Act), Australia Bustard (Priority 4) and Bush Stone Curlew (Priority 4). The proposed clearing of 5 ha is expected to have a low impact on the habitat for these species as similar habitat in similar or better condition occurs within the local area (10 km radius) of the area under application (ENV Australia 2011b). Therefore, the proposed clearing is not likely to be at variance to principle (b).

No Threatened Ecological Communities or rare flora species were recorded within the application area (ENV Australia 2011a). In addition, given the relatively small area proposed to be cleared and that no wetlands or watercourses occur within the application area, it is not considered for the proposed clearing to cause appreciable land degradation, impact water quality, consist of riparian vegetation or cause or exacerbate flooding.

Given the above, the proposed clearing may be at variance with clearing principle (a) and is not likely to be at variance to the remaining clearing principles.

#### Methodology

##### References

- ENV Australia (2011a)
- ENV Australia (2011b)
- Keighery (1994)
- GIS Databases
- SAC Bio datasets ( 2 March 2012)
- Naturebase
- DEC Managed Lands
- Pre-European Vegetation
- Hydrography, linear

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

#### Comments

The proposed clearing of 5 ha is for lay down areas, access track and maintenance for a rail welding yard.

The area under application (Flashbutt Yard) is covered by the Newman Joint Venture (NJV) which BHP Billiton Iron Ore Pty Ltd acts as manager and agent for the NJV. The NJV comprises of :

- \* BHP Billiton Minerals Pty Ltd
- \* Mitsui - Itochu iron Pty Ltd; and
- \* Itochu Minerals and Energy of Australia Pty

The Newman Joint Venture holds, Iron Ore (Mount Newman) Agreement Act 1964, Special Lease for Mining Operations 3116/6400 over Lot 86 on Deposited Plan 213620, Pippingarra for the purpose of a rail welding and storage facilities.

No submissions have been received for this application.

#### Methodology

#### 4. References

- ENV Australia (2011a) Port Hedland regional Flora and Vegetation Assessment. Additional information for CPS 4867/1 - BHP Billiton Iron ore Pty Ltd. Lot 86 on Plan 213620, Pippingarra. DEC ref A472727
- ENV Australia (2011b) Port Hedland regional Fauna Assessment. Additional information for CPS 4867/1 - BHP Billiton Iron ore Pty Ltd. Lot 86 on Plan 213620, Pippingarra. DEC ref A472727
- 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)