



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4919/6
Permit Holder:	Hamersley Iron Pty Ltd
Duration of Permit:	From 18 May 2012 to 31 December 2033

The permit holder is authorised to clear *native vegetation* subject to the following conditions of this permit.

PART I – CLEARING AUTHORISED

1. Clearing authorised (purpose)

The Permit Holder is authorised to clear *native vegetation* for the purpose of:

- (a) construction of a pipeline and associated lay own areas, car parks, surge tanks, chlorination units, pump stations, booster stations, site offices, storage areas;
- (b) construction of a borefield including bores, pipelines, powerlines, access tracks and other associated infrastructure; and
- (c) for flora/fauna monitoring, groundwater/hydrological monitoring and aboriginal heritage survey/access.

2. Land on which clearing is to be done

Lot 9 on Deposited Plan 47815, Tom Price
 Lot 9 on Deposited Plan 47815, Mount Sheila
 Lot 8 on Deposited Plan 241372, Mount Sheila
 Lot 56 on Deposited Plan 216344, Tom Price
 Lot 557 on Deposited Plan 70685, Mount Sheila
 Lot 556 on Deposited Plan 70685, Mount Sheila
 Lot 556 on Deposited Plan 404911, Mount Sheila
 Lot 555 on Deposited Plan 70686, Mount Sheila
 Lot 522 on Deposited Plan 69942, Tom Price
 Lot 520 on Deposited Plan 69942, Tom Price
 Lot 51 on Deposited Plan 241992, Mount Sheila
 Lot 500 on Deposited Plan 406730, Tom Price
 Lot 47 on Deposited Plan 241809, Mount Sheila
 Lot 46 on Deposited Plan 55948, Mount Sheila
 Lot 36 on Deposited Plan 51845, Tom Price
 Lot 35 on Deposited Plan 93088, Tom Price
 Lot 354 on Deposited Plan 15091, Tom Price
 Lot 331 on Deposited Plan 74355, Mount Sheila

Lot 32 on Deposited Plan 55948, Mount Sheila
Lot 3013 on Deposited Plan 44791, Tom Price
Lot 3007 on Deposited Plan 58290, Mount Sheila
Lot 3000 on Deposited Plan 44791, Tom Price
Lot 107 on Deposited Plan 243223, Mount Sheila
Lot 106 on Deposited Plan 243222, Mount Sheila
Lot 277 on Plan 15091, Tom Price
Lot 271 on Plan 15093, Tom Price
Lot 26 on Plan 241873, Tom Price
Lot 1235 on Plan 15091, Tom Price
Lot 323 on Plan 14565, Tom Price
Unnamed Road Reserve - 11731208, Mount Sheila
Unnamed Road Reserve - 11432490, Tom Price
Unnamed Road Reserve - 11432484, Tom Price
Unnamed Road Reserve - 11432488, Tom Price
Unnamed Road Reserve - 11432489, Tom Price
Unallocated Crown Land (PIN 1014954, 1014967, 1014974 and 714253), Mount Sheila
Unallocated Crown Land (PIN 11994537), Tom Price

3. Clearing authorised

The Permit Holder must not clear more than 90 hectares of *native vegetation* within the combined areas cross-hatched yellow on Figure 1, Figure 2 and Figure 3 of Schedule 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 right to access land under the *Water Agencies (Powers) Act 1984* or any other written law.

6. Period during which clearing is authorised

The Permit Holder must not clear any *native vegetation* after 31 December 2028.

PART II – MANAGEMENT CONDITIONS

7. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this Permit, the Permit Holder must apply the following principles, set out in descending 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 management

When undertaking any *clearing* authorised under this Permit, the Permit Holder must take the following measures to minimise the risk of 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 known *weed*-affected soil, *mulch*, *fill*, or other material is brought into the area to be cleared;
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared; and
- (d) at least once in 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.

9. Watercourse

- (a) Where practicable, the Permit Holder must avoid *clearing* riparian vegetation.
- (b) Where a watercourse is to be impacted by *clearing*, the Permit Holder shall maintain the existing surface flow of that watercourse by use of culverts.

10. Retain 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, within the combined areas cross-hatched yellow on Figure 1, Figure 2 and Figure 3 of Schedule 1, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) laying the vegetative material and topsoil retained under condition 10(a) on the cleared area(s) that are no longer required.
- (c) Within 24 months of laying the vegetative material and topsoil on the cleared areas in accordance with condition 10(b) of this Permit:
 - (i) engage an *environmental specialist* to determine the species composition, structure and density of the areas *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 additional 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 is made 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).

PART III - RECORD KEEPING AND REPORTING

11. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised <i>clearing</i> activities generally	<ul style="list-style-type: none"> (a) The location where the <i>clearing</i> 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. (b) The date that the area was cleared; (c) The size of the area cleared (in hectares); (d) Actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 7 of the Permit; (e) Actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with condition 8 of the Permit; and (f) Actions taken to minimise impacts to watercourses in accordance with condition 9 of this Permit.
2.	In relation to <i>revegetation</i> and <i>rehabilitation</i> of areas pursuant to condition 10.	<ul style="list-style-type: none"> (a) The location of any area <i>revegetated</i> and <i>rehabilitated</i>, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; (b) A description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; (c) The date that the area was <i>revegetated</i> or <i>rehabilitated</i>; (d) The size of the area <i>rehabilitation</i> and <i>revegetated</i> (in hectares); and (e) A copy of the <i>environmental specialist's</i> report detailing the species composition, structure and density of the area <i>revegetated</i> and <i>rehabilitated</i> including the methodology used in determining those values.

12. 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 11 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 30 September 2033 the Permit Holder must provide to the *CEO* a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 12(a) of this Permit.

DEFINITIONS

In this permit, the terms in Table have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
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 holds a tertiary qualification in environmental science or equivalent and has a minimum of two (2) years work experience relevant to the type of environmental advice that an environmental specialist is required to provide under this permit, or who is approved by the CEO as a suitable environmental specialist.
fill	means material used to increase the ground level, or to fill a depression.
local provenance	means native vegetation seeds and propagating material from natural sources within 100 kilometres and the same IBRA subregion of the area cleared.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;
Revegetation/ revegetated/revegetation	means the re-establishment of a cover of local provenance native vegetation in an area using methods such as natural regeneration, direct seeding and/or planting, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
Rehabilitation/ rehabilitate/rehabilitated	means actively managing an area containing native vegetation in order to improve the ecological function of that area.

Term	Definition
weeds	means any plant – <ul style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.

END OF CONDITIONS


 Jessica Burton
 A/MANAGER
 NATIVE VEGETATION REGULATION

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

25 November 2024

Schedule 1

The boundary of the combined areas (cross-hatched yellow) authorised to be cleared is shown in the maps below (Figure 1, Figure 2 and Figure 3).

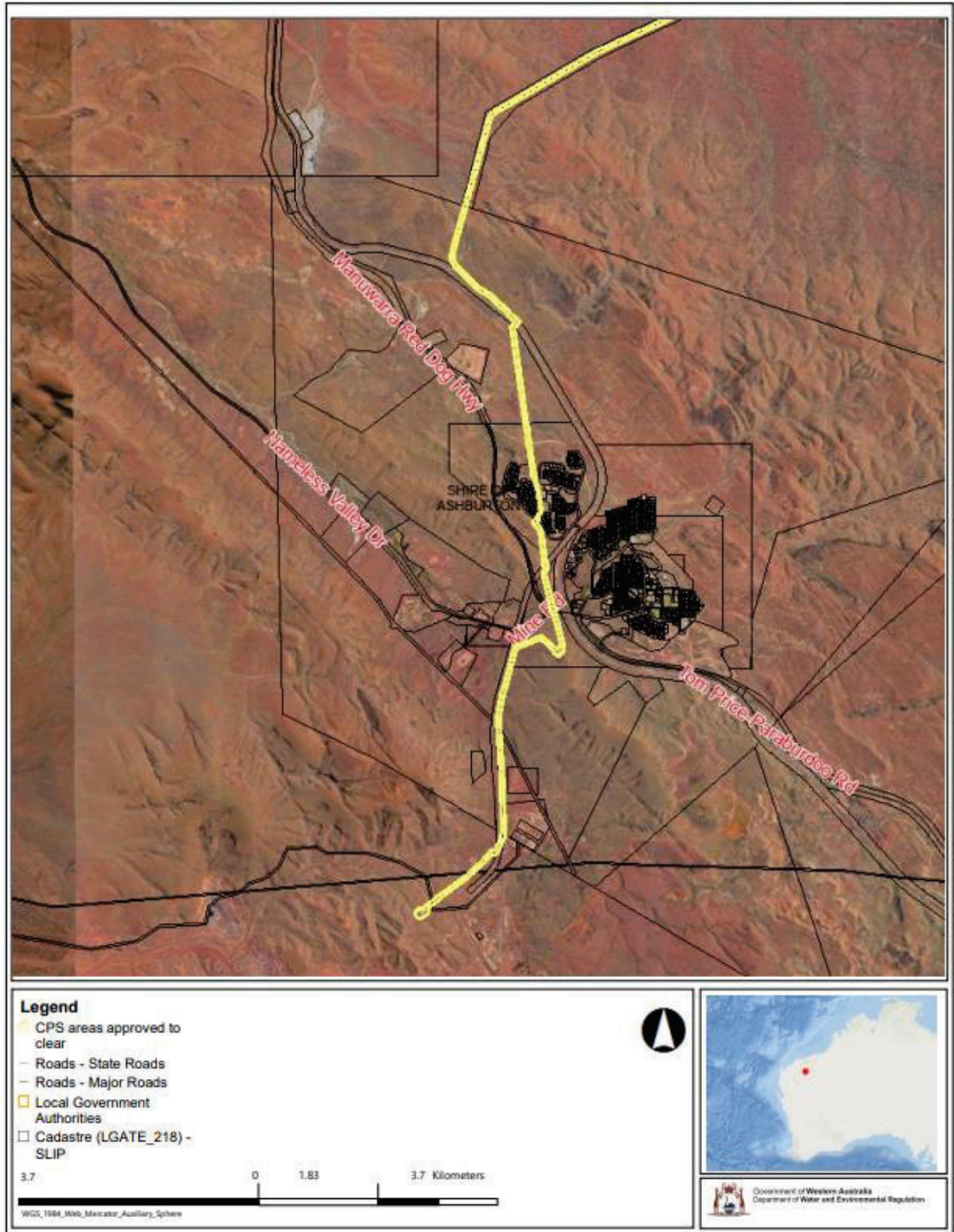


Figure 1: Map of the boundary of the areas within which clearing may occur

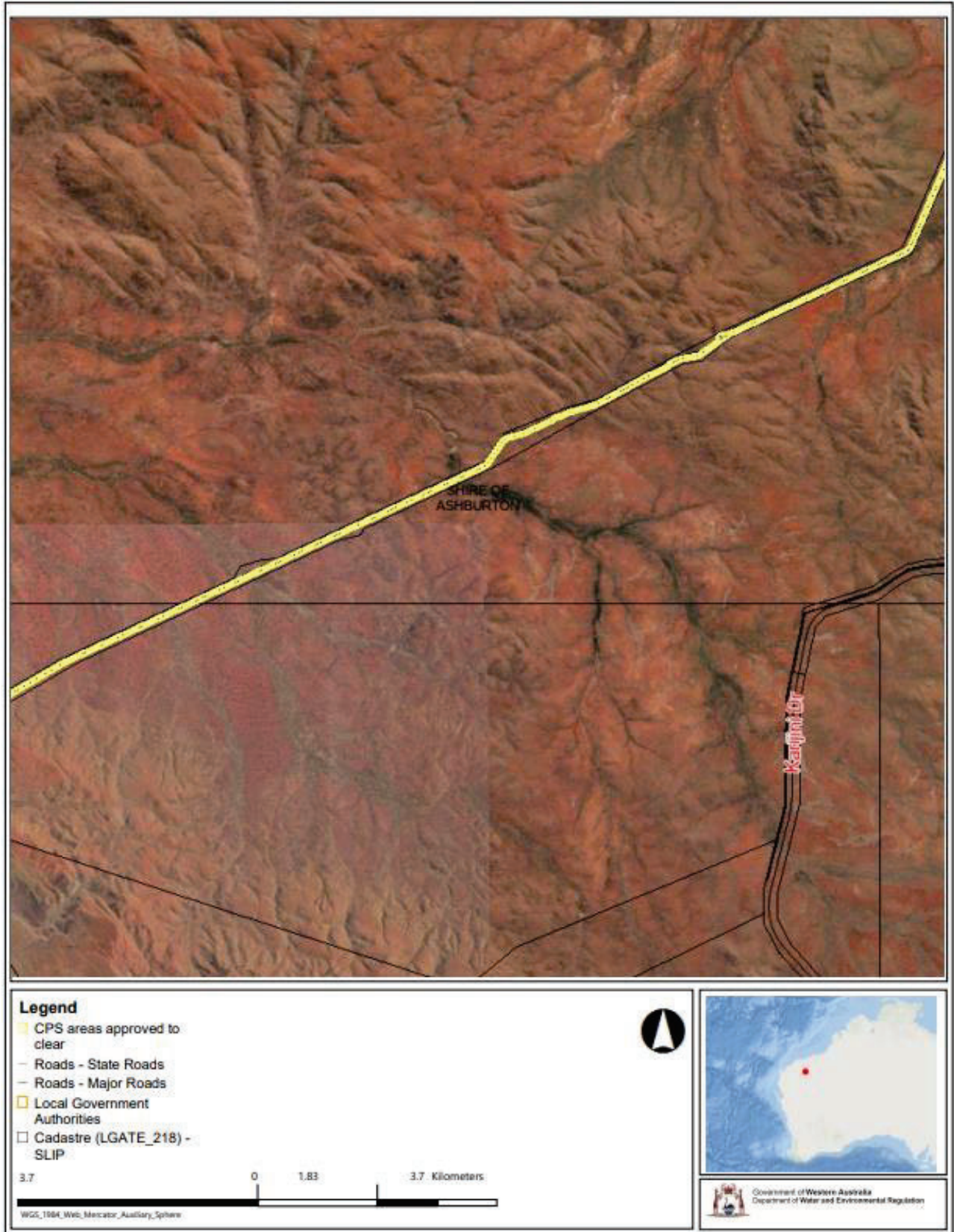


Figure 2: Map of the boundary of the areas within which clearing may occur

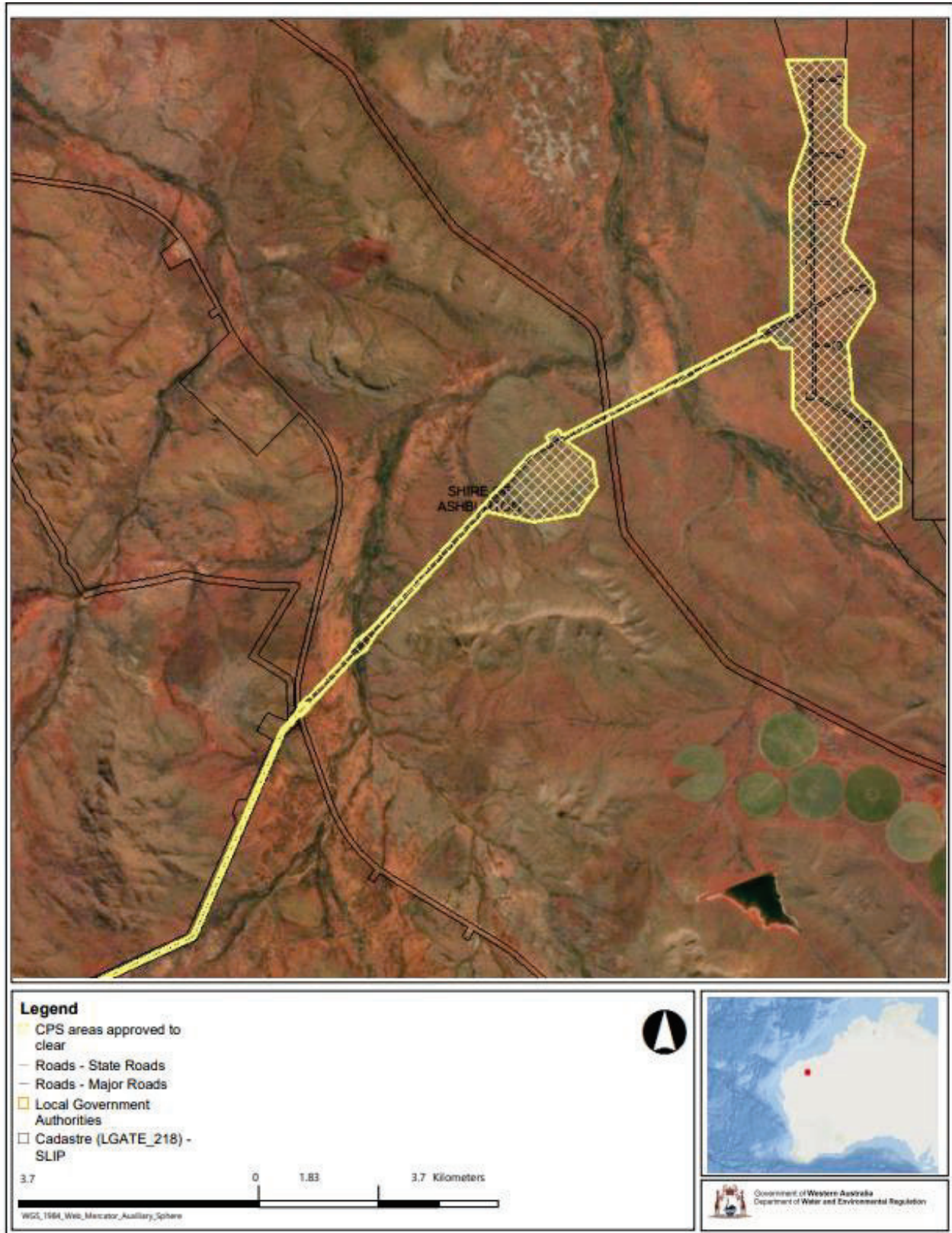


Figure 3: Map of the boundary of the areas within which clearing may occur



Clearing Permit Decision Report

1. Application details and outcome

1.1. Permit application details

Permit number:	CPS 4919/6
Permit type:	Purpose permit
Applicant name:	Hamersley Iron Pty Ltd
Purpose of clearing:	Construction of pipeline and associated activities including surge tanks, chlorination units, pump stations, booster station, site offices, equipment laydown areas, car parks and storage areas.
Property:	Lot 9 on Deposited Plan 47815, Tom Price Lot 9 on Deposited Plan 47815, Mount Sheila Lot 8 on Deposited Plan 241372, Mount Sheila Lot 56 on Deposited Plan 216344, Tom Price Lot 557 on Deposited Plan 70685, Mount Sheila Lot 556 on Deposited Plan 70685, Mount Sheila Lot 556 on Deposited Plan 404911, Mount Sheila Lot 555 on Deposited Plan 70686, Mount Sheila Lot 522 on Deposited Plan 69942, Tom Price Lot 520 on Deposited Plan 69942, Tom Price Lot 51 on Deposited Plan 241992, Mount Sheila Lot 500 on Deposited Plan 406730, Tom Price Lot 47 on Deposited Plan 241809, Mount Sheila Lot 46 on Deposited Plan 55948, Mount Sheila Lot 36 on Deposited Plan 51845, Tom Price Lot 35 on Deposited Plan 93088, Tom Price Lot 354 on Deposited Plan 15091, Tom Price Lot 331 on Deposited Plan 74355, Mount Sheila Lot 32 on Deposited Plan 55948, Mount Sheila Lot 3013 on Deposited Plan 44791, Tom Price Lot 3007 on Deposited Plan 58290, Mount Sheila Lot 3000 on Deposited Plan 44791, Tom Price Lot 107 on Deposited Plan 243223, Mount Sheila Lot 106 on Deposited Plan 243222, Mount Sheila Lot 277 on Plan 15091, Tom Price Lot 271 on Plan 15093, Tom Price Lot 26 on Plan 241873, Tom Price Lot 1235 on Plan 15091, Tom Price Lot 323 on Plan 14565, Tom Price Unnamed Road Reserve - 11731208, Mount Sheila Unnamed Road Reserve - 11432490, Tom Price Unnamed Road Reserve - 11432484, Tom Price Unnamed Road Reserve - 11432488, Tom Price Unnamed Road Reserve - 11432489, Tom Price Unallocated Crown Land (PIN 1014954, 1014967, 1014974 and 714253), Mount Sheila

Unallocated Crown Land (PIN 11994537), Tom Price

Location (LGA area/s): Shire of Ashburton

1.2. Description of clearing activities

The application is to amend clearing permit CPS 4919/4 which was granted on 5 April 2019. Clearing permit CPS 4919/4 authorises the clearing of 90 hectares of native vegetation for the purpose of maintaining the Southern Fortescue Borefield and Pipeline route. Clearing is primarily for the purposes of maintaining existing infrastructure (e.g. powerlines, refurbishing bores, maintaining access tracks, maintaining borefield infrastructure such as pipelines, water tanks, bore pumps, powerlines and general activities along the pipeline corridor) and for future hydrogeological drilling programs and infrastructure projects related to the Southern Fortescue Borefield.

The applicant has applied to amend Purpose Permit CPS 4919/4 to extend the duration of the clearing permit and vary permit conditions. There is no change in the extent of clearing already authorised under the existing permit CPS 4919/4. This amendment is to:

1. Amend Condition 6 to extend the period in which clearing is authorised from 31 December 2023 to 31 December 2028.
2. Extend duration of the permit from 31 December 2028 to 31 December 2033 to align with amendment proposed to Condition 6 of the permit.
3. Add additional purpose of clearing to include:
 - Fauna/flora monitoring access;
 - Groundwater / hydrogeological monitoring access;
 - Infrastructure access; and
 - Aboriginal Heritage survey/access Hamersley Iron deemed the current purposes on the CPS required further refinement to accurately capture the above activities.

The applicant advised that the reasoning behind these additional purposes is to ensure existing cleared areas for these specific purposes can remain open to facilitate ongoing activities that are listed above.

1.3. Decision on application and key considerations

Decision:	Granted
Decision date:	25 November 2024
Decision area:	90 hectares (ha) of native vegetation, as depicted in Section 1.5, below.

1.4. Reason for decision

This clearing permit application was made in accordance with section 51E of the *Environmental Protection Act 1986* (EP Act) and was received by the Department of Water and Environmental Regulation (DWER) on 30 January 2024. DWER advertised the application for public comment for a period of 7 days, and no submissions were received.

In undertaking the assessment, the Delegated Officer had regard for the site characteristics, relevant datasets, the findings of flora and vegetation surveys, the clearing principles set out in Schedule 5 of the EP Act, and any other matters considered relevant to the assessment.

The assessment against the clearing principles have not changed since the assessment for CPS 4919/4. The Delegated Officer has determined that the proposed amendment to CPS 4919/4 is not likely to lead to an unacceptable risk to environmental values.

1.5. Site Map

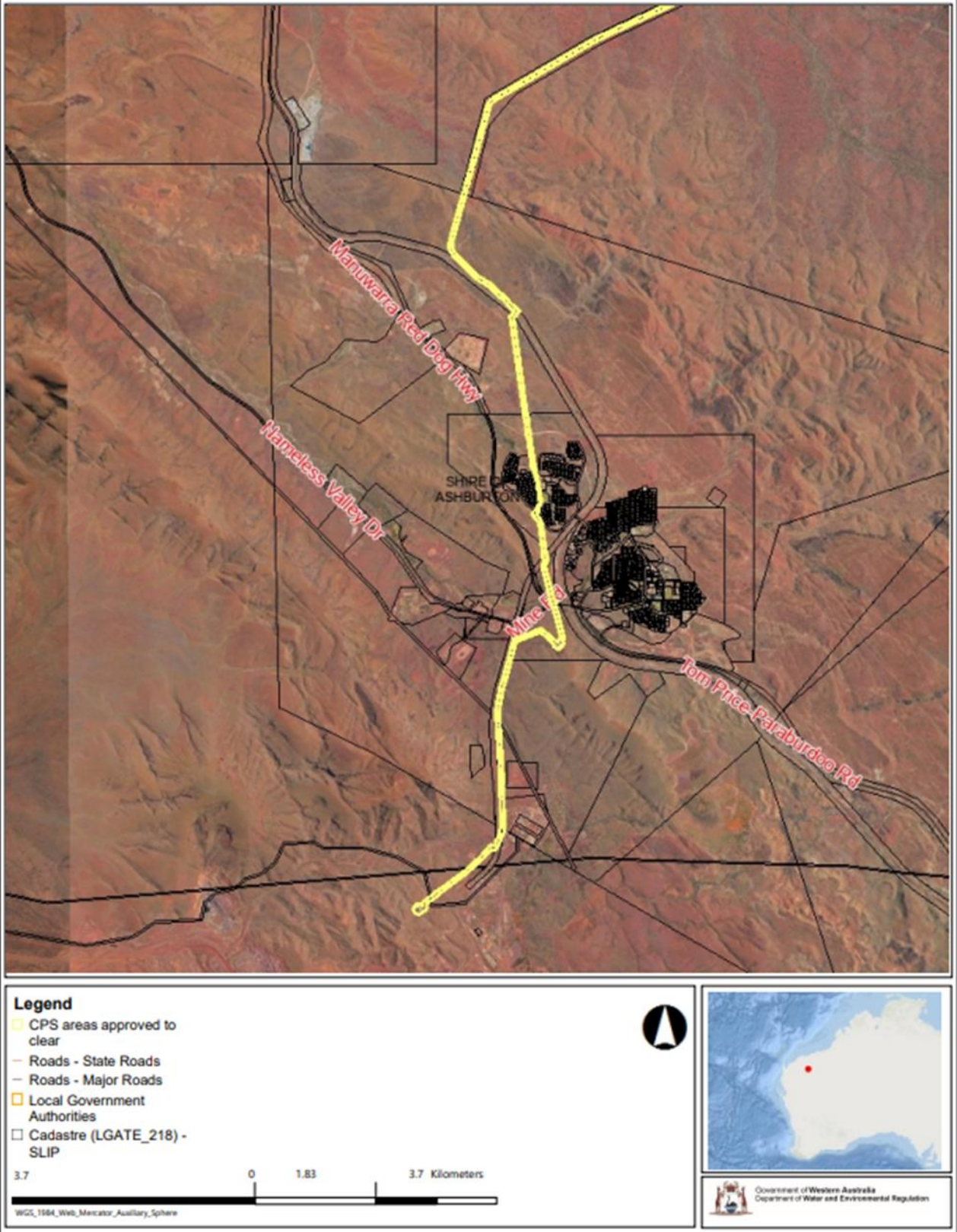


Figure 1: Map of the boundary of the areas within which clearing may occur

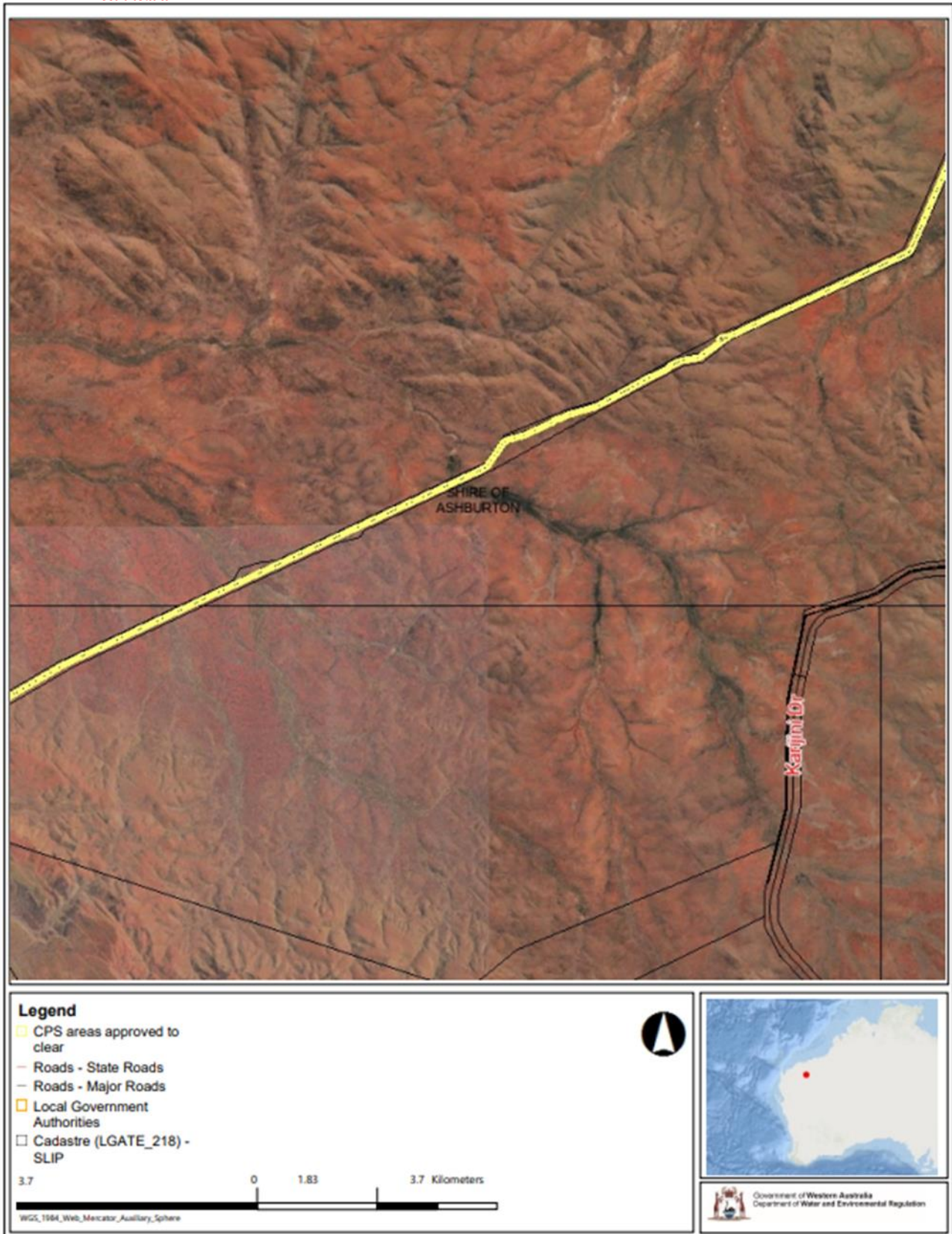


Figure 2: Map of the boundary of the areas within which clearing may occur

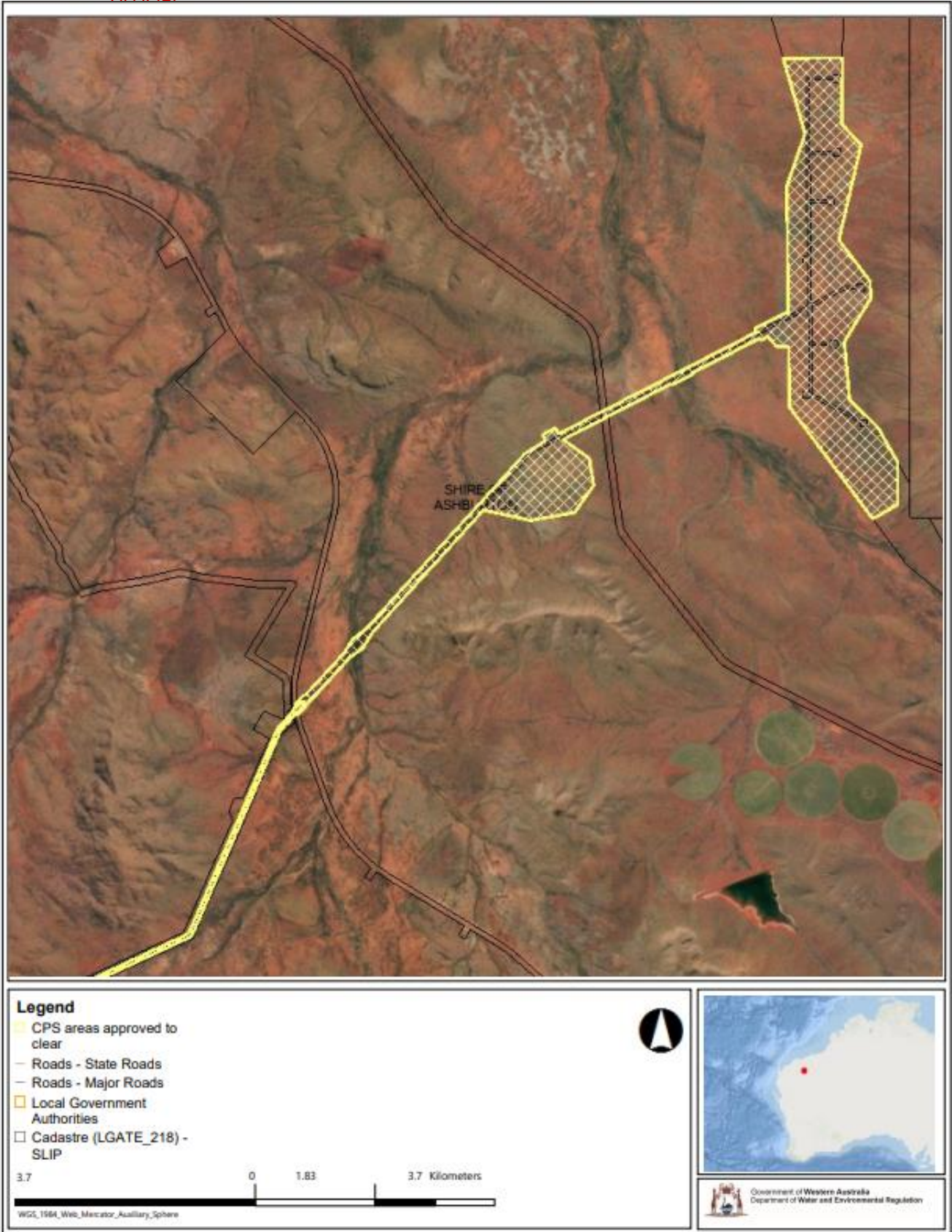


Figure 3: Map of the boundary of the areas within which clearing may occur

2. Assessment of application

2.1. Avoidance and mitigation measures

As this amendment is administrative in nature and relates only to extending the duration of the permit and additional clearing purpose, the avoidance and mitigation measures implemented by the Permit Holder are unchanged and can be found in the Decision Report prepared for Clearing Permit CPS 4919/4.

As part of the amendment application, the Applicant advised that the proposed clearing will be planned and undertaken so as to require minimal clearing (e.g. Utilising existing tracks where possible) and avoid areas of special environmental significance. All clearing permit conditions will be adhered to, and proposed activities will be undertaken in accordance with the company's Health, Safety, Environment and Quality Management System (HSEQMS).

2.2. Assessment

The Applicant advised that when clearing activities authorised under CPS 4919/4 ceased in December 2023, several planned hydrogeological drilling programs and infrastructure projects had yet to be undertaken or completed. The proposed date extensions will allow planned activities to continue within the approved clearing permit envelope.

As outlined in the 2023 annual clearing permit report, of the 90 hectares (ha) approved to be cleared, only 3.88 hectares has been cleared to date. The planned activities within the boundary of CPS 4919/6 will not exceed the 90 hectares previously approved to be cleared. No rehabilitation has been undertaken in accordance with Condition 10 of the permit, to date.

A review of current environmental information reveals no new additional information. Therefore, the assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 4919/4.

Minor wording and formatting changes to the permit conditions have been made to bring the conditions in line with current Department of Water and Environmental Regulation (DWER) practice.

2.3 Relevant planning instruments and other matters

The proposed clearing is within the Southern Fortescue and Marandoo Water Reserve. A Drinking Water Source Protection Plan was prepared for the Water Reserve in June 2011 (Southern Fortescue and Marandoo Water Reserves drinking water source protection plan). Southern Fortescue and Marandoo Water Reserves supply water to the town of Tom Price. Rio Tinto Iron Ore (through its subsidiary Hamersley Iron) is the licensed water service provider for the town. The major water quality risks to these water reserves are in-pit mining activities and pastoral activities close to the bores. The Applicant should adhere to the DWER's Water Quality Protection Guidelines and Water Quality Protection Notes when undertaking the proposed activities in this reserve. These notes and guidelines provide recommendations on best practice measures to protect water resources, and to reduce the risk associated activities pose to the Water Reserve.

The clearing application occurs within the proclaimed Pilbara groundwater and surface water area and is therefore subject to licensing requirements under the *Rights in Water and Irrigation (RiWI) Act 1914* (RiWI Act). A 26D licence may be required for the drilling of any proposed bores. Furthermore, if abstraction of groundwater is proposed then a 5C license will be required under the RiWI Act. The Applicant is advised to contact the DWER's Northwest Water Licencing team.

DWER's Northwest region advised that they are satisfied that the proposed amendment is unlikely to have a significant impact on the quality or quantity of surface water or groundwater, provided activities are carried out in accordance with required RiWI licences and best management practices (DWER, 2024).

The Applicant advised that they are aware of their requirements under the *Aboriginal Heritage Act 1972* (WA) and will ensure that all heritage sites are avoided, or appropriate approvals are in place prior to undertaking any ground disturbing activities. The entire CPS 4919 permit area has Ethnographic and Archaeological survey coverage. Should any proposed clearing areas be identified near to a known heritage/cultural site, the Applicant advised that further engagement with Native Title holders will be undertaken.

Appendix A - References and databases

1. GIS datasets

Publicly available GIS Databases used (sourced from www.data.wa.gov.au):

- Aboriginal Heritage Places (DPLH-001)
- Cadastre Address (LGATE-002)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- IBRA Vegetation Statistics
- Regional Parks (DBCA-026)

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

2. References

DWER (2024) Water licencing advice for clearing application CPS 4919/6. Department Water and Environmental Regulation, Northwest region. Advice received August 2024. DWER ref DWERDT1009084

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Mattiske Consulting Pty Ltd (2008) Flora and Vegetation on the Pipeline Corridor from the Fortescue Borefield to Tom Price. Prepared for Pilbara Iron. Supporting information for CPS 4919/1, Hamersley iron Pty Ltd. DWER ref A479551.

Pilbara Flora (2011) Flora and Vegetation Surveys for the Paraburdoo Magazine and the Tom Price Powerline Infrastructure Areas. Supporting Information for Clearing Permit Application CPS 4919/1. Prepared for Rio Tinto Iron Ore. January 2011. DEC Ref: A479551.

Rio Tinto (2018) Flora, Vegetation and Fauna Habitat Assessment at Southern Fortescue Borefield. Native Vegetation Clearing Permit – Supporting Report (A1678783).