



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 4919/3
<b>Permit Holder:</b>	Hamersley Iron Pty Ltd
<b>Duration of Permit:</b>	18 May 2012 – 31 December 2027

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 a pipeline and associated lay down areas, car parks, surge tanks, chlorination units, pump stations, booster stations, site offices and storage areas.

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

Lot 32 on Plan 55948, MOUNT SHEILA  
Lot 106 on Plan 243222, MOUNT SHEILA  
Part Lot 99 on Plan 238653, MOUNT SHEILA  
Lot 26 on Plan 241873, TOM PRICE  
Lot 9 on Plan 47815, MOUNT SHEILA  
Lot 35 on Plan 93088, TOM PRICE  
Lot 289 on Plan 188298, TOM PRICE  
Lot 277 on Plan 15091, TOM PRICE  
Lot 235 on Plan 15091, TOM PRICE  
Lot 271 on Plan 15093, TOM PRICE  
Lot 10 on Plan 241873, TOM PRICE  
Lot 3013 on Plan 44791, TOM PRICE  
Lot 3000 on Plan 44791, TOM PRICE  
Lot 56 on Plan 216344, TOM PRICE  
Lot 36 on Plan 51848, TOM PRICE  
Lot 8 on Plan 241372, MOUNT SHEILA  
Unallocated Crown Land, (PIN: 1014970), MOUNT SHEILA  
Unallocated Crown Land, (PIN: 1014967), MOUNT SHEILA  
Unallocated Crown Land, (PIN: 1014965), MOUNT SHEILA  
Unallocated Crown Land, (PIN: 1014954), MOUNT SHEILA  
Kanberra Drive Road Reserve, MOUNT SHEILA  
Killawarra Drive Road Reserve, MOUNT SHEILA  
Jabbarup Place Road Reserve, TOM PRICE

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

The Permit Holder must not clear more than 82 hectares of native vegetation within the area shaded yellow on attached Plan 4919/3.

#### **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 in which clearing is authorised**

The Permit Holder shall not clear any native vegetation after 31 December 2022.

**7. Avoid, minimise etc clearing**

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**

- (a) When undertaking any clearing 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.

**9. Watercourse**

- (a) Where practicable the Permit Holder shall 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, *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 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 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 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 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 GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
  - (ii) a description of the revegetation and rehabilitation activities undertaken;
  - (iii) the date that the area was revegetated and rehabilitated;
  - (iv) the size of the area revegetated and rehabilitated (in hectares); and
  - (v) a copy of the environmental specialist's report detailing the species composition, structure and density of the area revegetated and rehabilitated 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 2027 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**

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;

**regenerate/ed/ion** means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) 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 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; and

**weed/s** means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



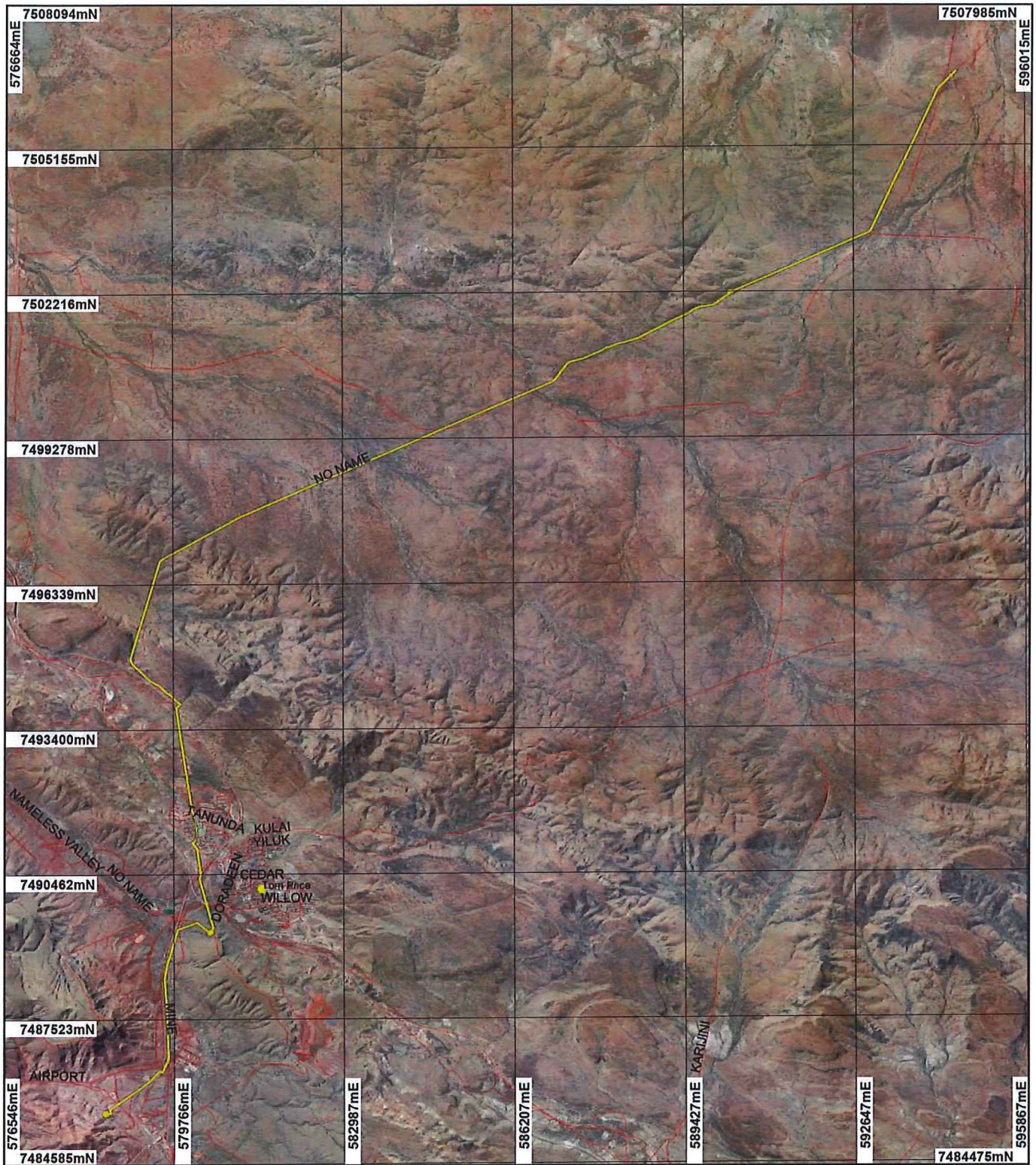
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Simon Weighell  
A/MANAGER  
CLEARING REGULATION

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

20 April 2017

# Plan 4919/3



<b>LEGEND</b> Road Centrelines Cadastral 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 <b>Clearing Instruments</b> Areas Approved to Clear	<b>Mount Lionel 50cm Orthomosaic - Landgate 2004</b> <b>Towns</b> A B C	N 0 — 3 km Scale 1:107472 (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. S. Weigand Date 20/4/17 Officer with delegated authority under Section 20 of the Environmental Protection Act 1986
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## 1. Application details

### 1.1. Permit application details

Permit application No.: 4919/3  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

### 1.3. Property details

Property:  
Lot 32 on Plan 55948, MOUNT SHEILA  
Lot 106 on Plan 243222, MOUNT SHEILA  
Part Lot 99 on Plan 238653, MOUNT SHEILA  
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Kanberra Drive Road Reserve, MOUNT SHEILA  
Killawarra Drive Road Reserve, MOUNT SHEILA  
Jabbarup Place Road Reserve, TOM PRICE

Local Government Area: Shire of Ashburton

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 20 April 2017

## 2. Assessment of application against clearing principles

**Comments** This amendment has been made in response to an application of 25 January 2017 to extend the period in which clearing is authorised from 18 May 2017 to 31 December 2022.

The assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report for CPS 4919/1.

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

**Comments** The application was advertised for a 14 day public submissions period on 2 March 2017. No submissions from the public were received.

Minor wording changes to the permit conditions have been made to bring the conditions in line with current Department of Environment Regulation practice.