



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5049/6
Permit Holder:	BHP Iron Ore Pty Ltd
Duration of Permit:	6 July 2012 – 31 October 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 railway construction, maintenance and associated activities.

2. Land on which clearing is to be done

Special Lease J998591 (Goldsworthy Rail Lease), being Lot 47 on Deposited Plan 241374, Pippingarra.

3. Area of Clearing

The Permit Holder must not clear more than 5 hectares of native vegetation within the area cross hatched yellow on attached Plan 5049/6.

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 *Land Administration Act 1997* or any other written law.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

6. Avoid, minimise and reduce the impacts and extent of clearing

In determining the amount of native vegetation to be cleared authorised 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.

7. Weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following measures 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.

8. Directional clearing

The permit holder must:

- (a) conduct clearing authorised under this permit in one direction towards adjacent native vegetation; and
- (b) allow a reasonable time for fauna present within the area being cleared to move into adjacent native vegetation ahead of the clearing activity.

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 or decimal degrees;
- (b) the date that the area was cleared; and
- (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 6 of this Permit,
- (e) actions taken to minimise the risk of the introduction and spread of weeds in accordance with condition 7 of this Permit; and
- (f) actions taken to implement directional clearing in accordance with condition 8 of this Permit.

10. Reporting

- (a) The Permit Holder must provide to the *CEO* on or before 1 October 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 July and 30 June of the preceding year.
- (b) Prior to 31 October 2027, 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:

CEO means the Chief Executive Officer of the Department responsible for administering the *Environmental Protection Act 1986*;

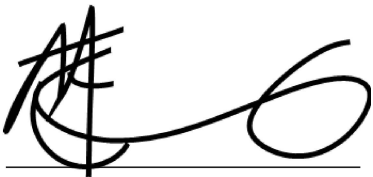
fill means material used to increase the ground level, or fill a hollow;

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 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 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



Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

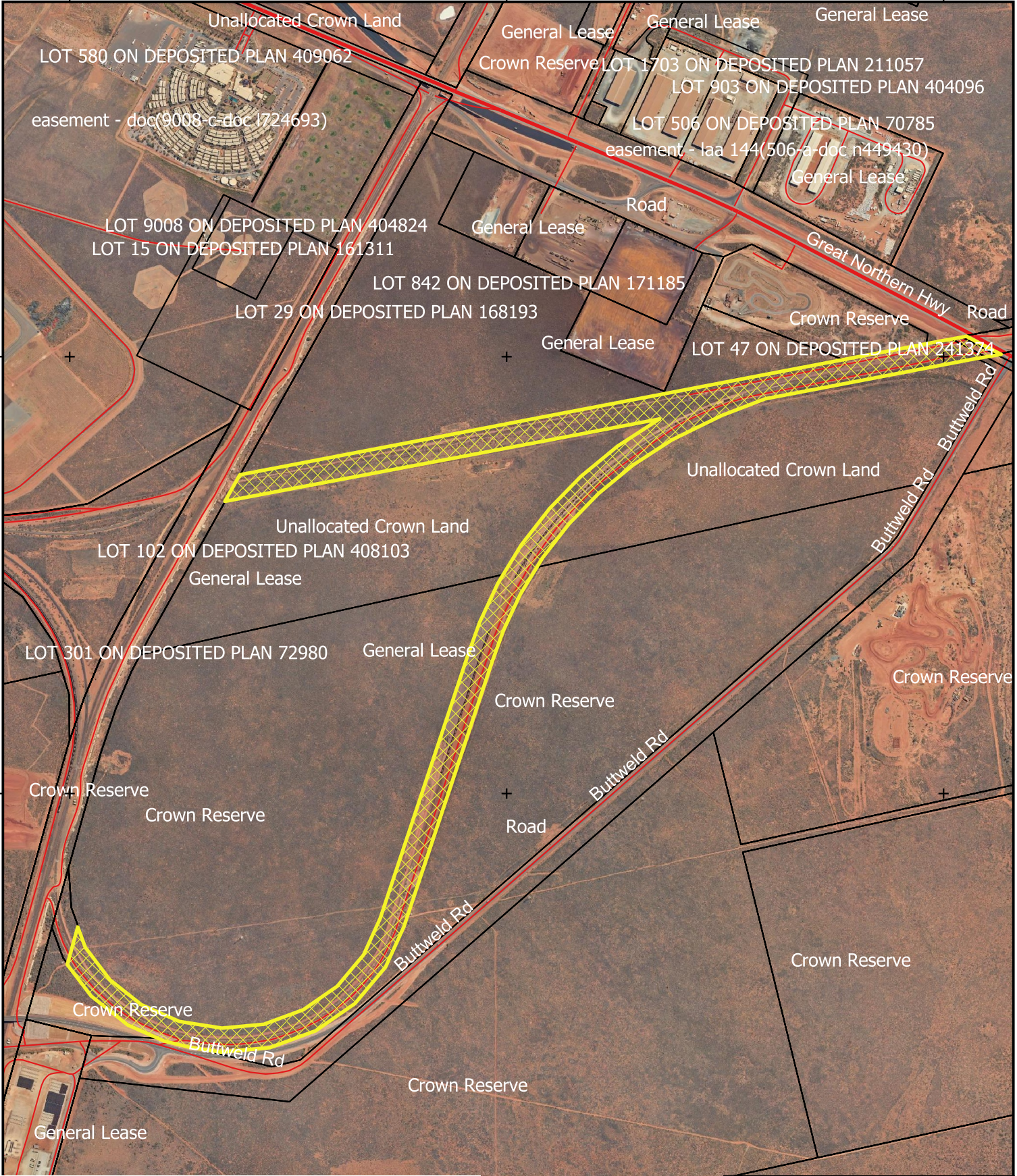
17 June 2024

CPS 5049-6 - Plan

118°38'24"E

118°39'0"E

118°39'36"E



20°23'24"S

20°24'0"S

20°24'36"S

118°38'24"E

118°39'0"E

118°39'36"E

Legend

CPS layers

CPS areas approved to clear

Legend

Roads

National Highway

Minor

Land Tenure (LGATE_226) - SLIP

Local Government Authorities



Government of Western Australia
Department of Water and Environmental Regulation



100 0 100 200 m

1:10,000

Projection: GDA2020

LOT 202 ON



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5049/6
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: BHP Iron Ore Pty Ltd
Application received date: 19 February 2024

1.3. Property details

Property: Lot 47 on Deposited Plan 241374, Pippingarra
Local Government Authority: Town of Port Hedland
Localities: Pippingarra

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
5		Mechanical Removal	Railway construction or maintenance

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 17 June 2024

Reasons for Decision:

The clearing permit amendment application was received on 19 February 2024 and has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*. It has been concluded that the assessment against the clearing principles is unchanged since the assessment for clearing permit CPS 5049/5 and that the proposed clearing is not likely to be at variance to any of the clearing principles.

The Delegated Officer took into consideration that the proposed amendment relates only to extending the permit duration by three years to 31 October 2027 and reduce the permit boundary by 0.65 hectares to exclude an overlap with Clearing Permit CPS 7009/3. The Delegated Officer considered that the changes to the clearing footprint by reducing the permit boundary by 0.65 hectares to exclude the overlap with Clearing Permit CPS 7009/3 is unlikely to present any significant changes to the environmental values identified through the previous assessments of the permit.

A review of current environmental information identified that the environmental values present within the permit area remain largely unchanged from the previous assessments of the permit. The Delegated Officer considered that the permit area is unlikely to contain significant habitat for conservation significant flora or fauna species or to include vegetation representative of any conservation significant ecological community, given the vegetation type and habitat values within the permit area are well-represented in the extensively vegetated local area. The Delegated Officer also considered that the extent of the mapped vegetation types and remnant vegetation in the local area had not changed significantly since the previous assessments of the permit.

In considering the above, the Delegated Officer determined that the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values remains unchanged from the original assessments and can be found in the Decision Report prepared for Clearing Permit CPS 5049/1. The Delegated Officer determined that the proposed clearing can be managed with the existing avoid and minimise and weed control conditions.

2. Site Information

Clearing Description:

The proposed amendment to CPS 5049/5 is for the purpose of extending the permit duration by three years to 31 October 2027 and reduce the permit boundary by 0.65 hectares to exclude an overlap with Clearing Permit CPS 7009/3. The clearing footprint has changed by 0.65 hectares, with the footprint reduced to 26.38 hectares. The total area of clearing proposed under CPS 5049/6 remain unchanged from the previous version of the permit.

CPS 5049/5 allowed for the clearing of up to 5 hectares of native vegetation within Special Lease J998591 (Goldsworthy Rail Lease), being Lot 47 on Deposited Plan 241374, Pippingarra, for the purpose of railway construction, maintenance, and associated activities.

Vegetation Description

The vegetation within the permit area is mapped as Beard vegetation association 647, described as hummock grasslands, dwarf shrub steppe, *Acacia translucens* over soft spinifex (Shepherd, et al, 2001).

The Port Hedland Regional Flora and Vegetation Assessment mapped the vegetation within the permit area as Sand Plain B, described as open *Acacia colei* var. *colei* shrublands over low *Acacia stellaticeps* shrublands over *Triodia epactia* and *Triodia secunda* hummock grassland mosaic (ENV Australia, 2011).

Vegetation Condition

The Port Hedland Regional Flora and Vegetation Assessment mapped the vegetation within the permit area as being in Very Good to Completely Degraded (Keighery, 1994) condition (ENV Australia, 2011b), described as:

- Very Good: Vegetation structure altered, with obvious signs of disturbance, and
- Completely Degraded: Basic vegetation structure severely impacted by disturbance, with scope for regeneration but not to a state approaching good condition without intensive management (Keighery, 1994).

Soil Type

The soil type within the permit area is mapped as the Uaroo System (281Ua), described as broad sandy plains, pebbly plains and drainage tracts supporting hard and soft spinifex hummock grasslands with scattered acacia shrubs. (DPIRD, 2021).

Local Area

The local area referred to in the assessment of this application is defined as a 50-kilometre (km) radius measured from the perimeter of the permit area.

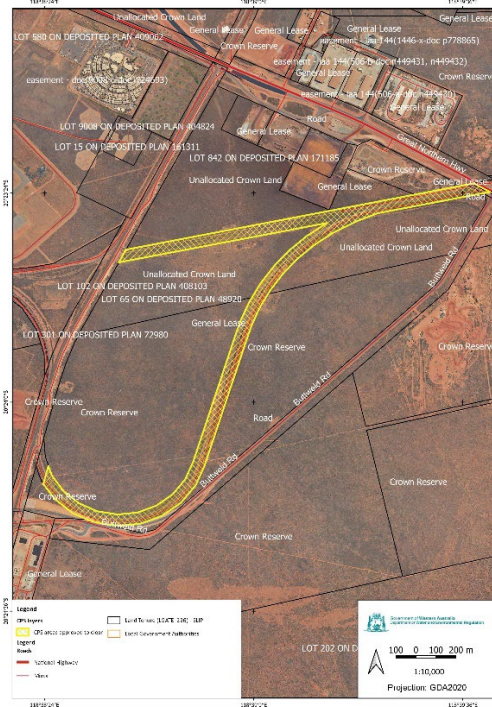


Figure 1. The areas crosshatched yellow indicate the areas authorised to be cleared under the granted clearing permit.

3. Avoidance and minimisation measures

The Permit Holder advised that Special Lease J998591 (Goldsworthy Rail Lease) was to be extended to 31 October 2027, to enable continued use of the railway line from Goldsworthy Junction to Yarrie (BHP, 2024). The railway line forms an integral part of the iron ore production and export systems that run from the Goldsworthy mining area to port facilities at Finucane Island in Port Hedland. The Permit Holder indicated that an extension to the duration of CPS 5049/5 was required to allow for the ongoing maintenance of the railway infrastructure for the extended duration of Special Lease J998591 (BHP, 2024). The Permit Holder advised that clearing of native vegetation for ongoing maintenance and activities associated with the railway would be undertaken only as necessary and would ensure that the minimum amount of native vegetation is disturbed (BHP, 2024).

4. Assessment of application against clearing principles

The proposed amendment to CPS 5049/5 relates to extending the permit duration by three years to 31 October 2027 to align with the extension of Special Lease J998591 (Goldsworthy Rail Lease) and reduce the permit boundary by 0.65 hectares to exclude an overlap with Clearing Permit CPS 7009/3. A review of current environmental information indicates that the environmental values present within the existing permit area remain largely unchanged from the previous assessments of the permit.

An update to the part II and part III of the permit has occurred to reflect the current departmental procedures.

Given the nature of the proposed amendment, the Delegate Officer determined that the extent of impacts remains unchanged from the previous assessment of the permit and can be found in the Decision Report prepared for Clearing Permit CPS 5049/1 and CPS 5049/5.

Planning instruments and other relevant matters.

The clearing permit amendment application was advertised on the Department of Water and Environmental Regulation's (DWER's) website on 18 April 2024, inviting submissions from the public within a 14-day period. No submissions were received in relation to this application.

The Permit Holder holds Special Lease J998591 (Goldsworthy Rail Lease) over the permit area, as part of the Yarrie Special Leases granted under the Iron Ore (Goldsworthy-Nimingarra) Agreement Act 1972 (Mount Goldsworthy State Agreement) (WA), which facilitates the Permit Holder's access to and use of the railway line from Goldsworthy Junction to Yarrie. The Permit Holder has advised that they have applied to the Department of Planning, Lands and Heritage (DPLH) for an extension to the duration of Special Lease J998591, but the extension is yet to be finalised. Noting that CPS 5049/5 is due to expire on 31 October 2024 and the proposed clearing is required to facilitate the Permit Holder's responsibilities under the Mount Goldsworthy State Agreement, DWER considers that it is the Permit Holder's responsibility to ensure Special Lease J998591 is extended, prior to undertaking any clearing authorised under this permit. The extension to the period in which clearing is authorised under CPS 5049/6 aligns with the proposed new expiry date of Special Lease J99859.

The Town of Port Hedland (the Town) advised DWER on 1 May 2024 with reference to the proposed amendment that the Town supports the proposal subject to the same terms and conditions as previously applied to the permit (Town of Port Hedland, 2024). The Town's response and the permit holder's comments against the Town's response can be found on the decision report CPS 5049/5.

A review of the supporting documents submitted to DWER for this amendment, it was noted that a total of 1.09 hectares of clearing has been undertaken over the life of CPS 5049/5 with 0.04 ha rehabilitated (BHP, 2024).

The new footprint of clearing is calculated as 26.385 hectares.

The remaining assessment against planning instruments and other matters is unchanged and can be found in the Decision Reports prepared for Clearing Permits CPS 5049/1, CPS 5049/2, CPS 5049/3, CPS 5049/4 and CPS 5049/5.

Appendix D. References

- BHP Iron Ore Pty Ltd (BHP) (2024) *Clearing permit amendment application CPS 5049/6*, received 19 February 2024 (DWER Ref: DWERDT907924).
- BHP Iron Ore Pty Ltd (BHP) (2024) *Supporting information for clearing permit amendment application CPS 5049/6*, received 19 February 2024 (DWER Ref: DWERDT907924).
- Department of Primary Industries and Regional Development (DPIRD) (2021) *NRInfo Digital Mapping*. Department of Primary Industries and Regional Development, Western Australia. Available from: <https://maps.agric.wa.gov.au/nrm-info/> (accessed July 2021).
- ENV Australia (2011) *Port Hedland Regional Flora and Vegetation Assessment*, prepared for BHP Billiton Iron Ore (DWER Ref: A2039009).
- Keighery, B.J. (1994) *Bushland Plant Survey: Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- 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.
- Town of Port Hedland (2024) *Advice for clearing permit amendment application CPS 5049/6*, received 1 May 2024 (DWER Ref: DWERDT943439)