



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5146/1
Permit Holder:	BHP Billiton Iron ore Pty Ltd
Duration of Permit:	28 September 2012 – 28 September 2017

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

1. Purpose for which clearing may be done

Clearing for the purpose of constructing a temporary barge facility

2. Land on which clearing is to be done

Lot 372 on Deposited Plan 35620 being Reserve 29082 (Town of Port Hedland)
Lot 250 on Deposited Plan 92177 being Reserve 30909 (Boodarie)

3. Area of Clearing

The Permit Holder must not clear more than 0.064 hectares of native vegetation and 5 native trees within the area hatched yellow on attached Plan 5146/1.

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

6. 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) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
 - (ii) ripping the ground on the contour to remove soil compaction; and
 - (iii) laying the vegetative material and topsoil retained under condition 6(a) on the cleared area(s) no longer required under this Permit.

DEFINITIONS

The following meanings are given to terms used in this Permit:

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.

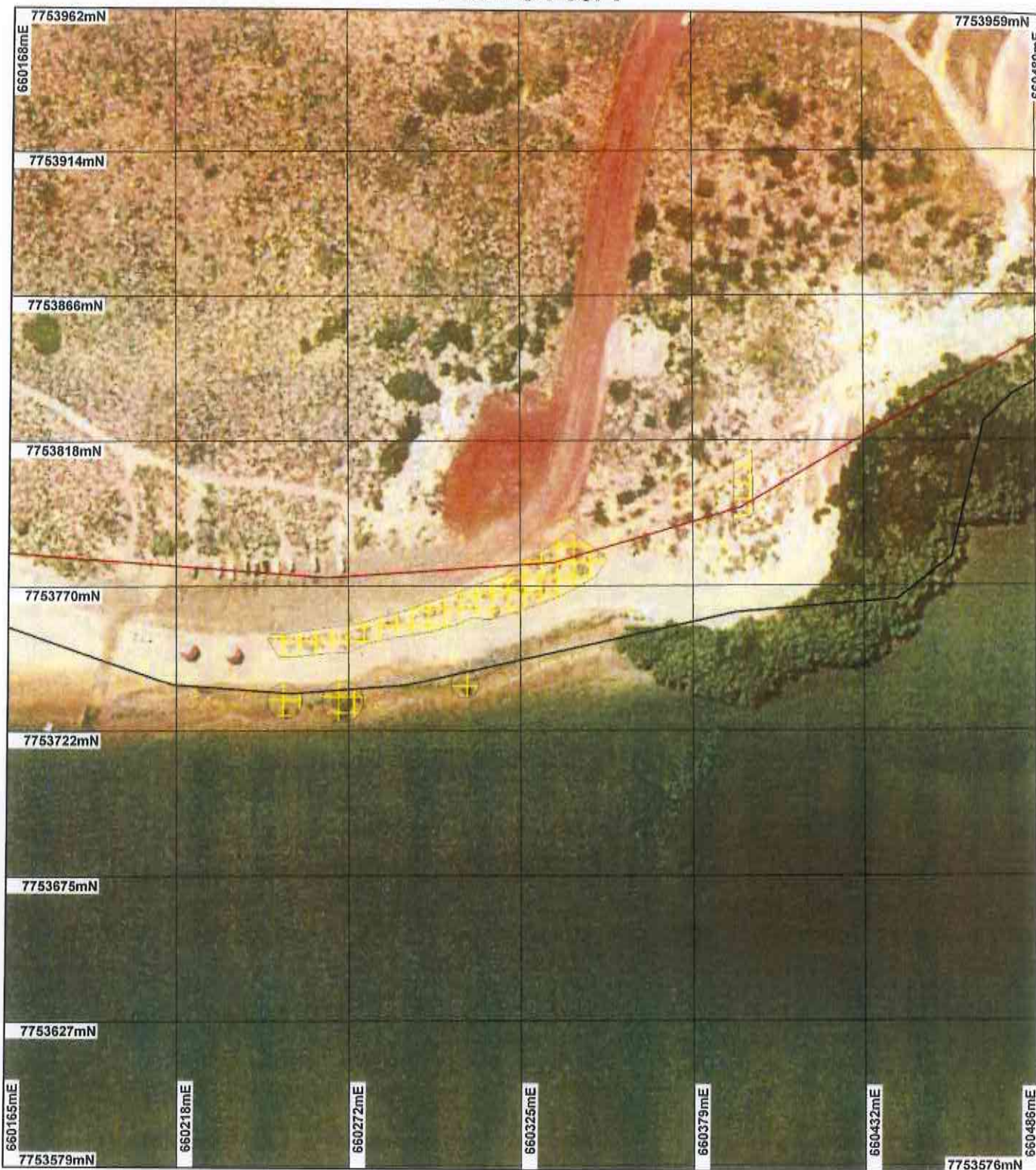


M Warnock
MANAGER, COMPLIANCE AND AUDIT SECTION
NATIVE VEGETATION CONSERVATION BRANCH

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

6 September 2012

Plan 5146/1



LEGEND

Clearing instruments

- Areas Approved to Clear
- Road Centrelines
- Cadastra

Port Hedland 50cm
Orthomosaic - Landgate
2004



Scale 1:1767

(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.

M Warnock Date *6/9/12*
M Warnock

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.: 5146/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore Pty Ltd

1.3. Property details

Property: LOT 372 ON PLAN 35620 (PORT HEDLAND, TOWN OF)
LOT 250 ON PLAN 92177 (BOODARIE 6722)

Local Government Area: Town of Port Hedland

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.064	5	Mechanical Removal	Building or Structure

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 6 September 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 117: Hummock grasslands, grass steppe; soft spinifex (Shepherd et al, 2001).	The application is to clear up to 0.064 hectares of native vegetation and 5 native trees within Lot 372 and 250, for the purpose of constructing a temporary barge facility. The vegetation under application is considered to be in completely degraded to good (Keighery, 1994) condition.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994) To Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The condition of the vegetation under application was obtained via aerial photography.

3. Assessment of application against clearing principles

Comments

The application is to clear 0.06 hectares and 5 native trees for the purpose of constructing a temporary barge facility. The application area is approximately 7km west for the townsite of Port Hedland.

Priority one flora species *Tephrosia rosea* var. *venulosa* has been recorded within close proximity to the area under application. A targeted survey for *Tephrosia rosea* var. *venulosa* undertaken by the Sinclair Knight Mertz (SKM) in January 2012 within the Finucane Island and the Port Hedland residential area identified 6803 individuals from 1426 locations. The survey also identified priority 2 species *Gomphrena pusilla* on Fincane Island at eight locations, totalling approximately 585 individuals (BHPBIO, 2012). Of the identified priority flora none were recorded within the area under application.

The application requires the removal of five isolated marina mangroves situated along the shore line of Finucane Island. Given this, the application is at variance to principle (f).

The application has been assessed against the clearing principles and it is considered unlikely that the vegetation holds a high level of biodiversity. Nor will the proposed clearing impact on biodiversity, ground water, surface water quality or cause appreciable land degradation in the local area.

Therefore, the application is at variance to principle (f) and is not likely to be at variance to the remaining clearing principles.

Methodology References:
- BHPBIO (2012)
GIS Database:
- SAC Biodatasets accessed August 2012

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

Comments

The applicant does not currently hold authority from the current owners of the land, Department of Regional Development and Land, to access the unallocated Crown land for the proposed constructing a temporary barge facility.

The Town of Port Hedland has recommended that the vegetation removed should be reinstated upon the completion of the project (Town of Port Hedland, 2012).

The applicant has advised that it plans to decommission the barge facility in April 2013 and reinstate the land and vegetation consistent to it original condition.

The applicant has received consent from the Port Hedland Port Authority to apply for a clearing permit on the Port's land. This consent does not allow the applicant to commence clearing of vegetation until the necessary licence and permissions are granted to carry out the works on the Port Authority land (Port Hedland Port Authority, 2012).

Methodology References:
- Port Hedland Port Authority (2012)
- Town of Port Hedland (2012)

4. References

- BHP Billiton Iron Ore (2012) Technical Document Outer Harbour Development. Targeted flora survey for *Tephrosia rosea* var. *venulosa*. Sinclair Knight Mertz 2012 (DEC Ref:A521047)
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Port Hedland Port Authority (2012) Additional information within Clearing Permit Application CPS 5146/1 - BHP Billiton Iron Ore Pty Ltd (DEC Ref:A541694)
- 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 (2012) Emailed received in relation to Clearing Permit Application CPS 5146/1 - BHP Billiton Iron Ore Pty Ltd (DEC Ref:A528783)

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)