



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5255/2
Permit Holder:	Hamersley Iron Pty Ltd
Duration of Permit:	15 March 2013 – 30 September 2023

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 geotechnical investigations, sterilisation drilling, environmental and heritage studies.

2. Land on which clearing is to be done

Unallocated Crown land (Chichester, PIN 1017624)
Unallocated Crown land (Chichester, PIN 1180830)
Unallocated Crown land (Chichester, PIN 1017626)
Unallocated Crown land (Mount Sheila, PIN 1016569)
Road Reserve (Chichester, PIN 11732082)
Lot 9 on Plan 47815 (Chichester)
Lot 100 on Plan 47815 (Chichester)
Lot 83 on Plan 238012 (Chichester)
Lot 82 on Plan 220191 (Chichester)
Lot 116 on Plan 220191 (Chichester)
Lot 206 on Plan 221014 (Chichester)
Lot 114 on Plan 220376 (Nanutarra Mulga Downs)

3. Area of Clearing

The Permit Holder must not clear more than 250 hectares of native vegetation within the area hatched yellow on attached Plan 5255/2.

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. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 15 March 2018.

6. 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 power to clear native vegetation for those activities under the, *Land Administration Act 1997* or any other written law.

7. 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

8. 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:

- (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.

9. 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*:

- (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.

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) At an optimal time within 12 months following clearing authorised under this permit, *revegetate* and *rehabilitate* areas no longer required for the purpose for which they were cleared under this Permit, by:
 - (i) ripping the ground on the contour to remove soil compaction; and
 - (ii) laying the vegetative material and topsoil retained under condition 10(a) on the cleared area(s).
- (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 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).

11. Vegetation management

- (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 by use of culverts.

PART III - RECORD KEEPING AND REPORTING

12. 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 species composition, structure and density of the cleared area;
 - (ii) 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;
 - (iii) the date that the area was cleared; and
 - (iv) 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 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 description of the *revegetation* and *rehabilitation* activities undertaken;
 - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
 - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and
 - (v) a copy of the environmental specialist's report.

13. 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 12 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the previous calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January and 31 December of the previous calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 30 June 2023, the Permit Holder must provide to the CEO a written report of records required under condition 12 of this Permit where these records have not already been provided under condition 13(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 *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

riparian vegetation has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004;

watercourse has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

weed/s means any plant -

- (a) that is declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*;
or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

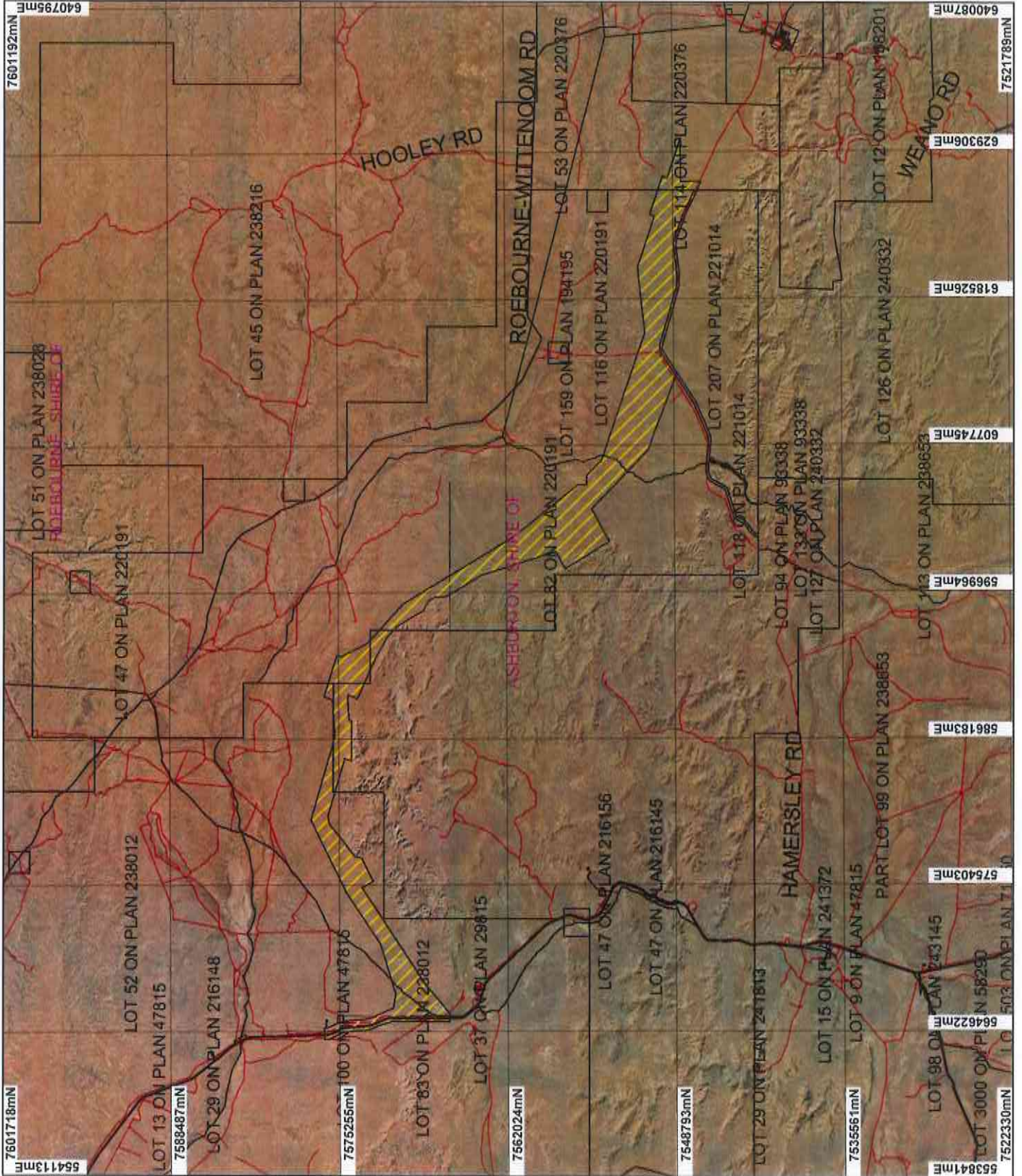


M Warnock
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

18 April 2013

Plan 5255/2



LEGEND

- Real Geomatics Authorities
- Clearing Instruments
- Areas Approved to Clear
- Cadastral for labelling
- Writtencom 50cm Orthomosaic - Landgate 2004
- Misce 50cm Orthomosaic - Landgate 2004
- Hooley 1.4m Orthomosaic - Landgate 2000
- Mount Billilghat 1.4m Orthomosaic - Landgate 2000

* Project Data. This data has not been quality assured. Please contact map author for details.



Geocentric Datum Australia 1994

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

amul Date 18/4/13

M. Warlock
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986



Department of Environment and Conservation
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We Own Copyright 2002



1. Application details

1.1. Permit application details

Permit application No.: 5255/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

1.3. Property details

Property: LOT 83 ON PLAN 238012 (CHICHESTER 6751)
ROAD RESERVE (CHICHESTER 6751)
UNALLOCATED CROWN LAND (MOUNT SHEILA 6751)
LOT 82 ON PLAN 220191 (CHICHESTER 6751)
LOT 116 ON PLAN 220191 (CHICHESTER 6751)
LOT 206 ON PLAN 221014 (CHICHESTER 6751)
LOT 207 ON PLAN 221014 (CHICHESTER 6751)
LOT 114 ON PLAN 220376 (Lot No. 114 NANUTARRA MULGA DOWNS 6751)

Local Government Area: Shire of Ashburton

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
250		Mechanical Removal	Geotechnical investigations

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 18 April 2013

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
Four Beard vegetation associations have been mapped within the application area (Shepherd et. al. 2001);	The application proposes to clear 250 hectares of native vegetation within a footprint area of 16,808 hectares. The clearing is for the purpose of geotechnical investigation and sterilization drilling for a proposed railway infrastructure project, servicing a new iron ore mine.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	The description and condition of the vegetation under application were determined through a flora and vegetation survey conducted by Biota Environmental Sciences (Biota, 2012b).
82: Hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i> .		To	
175: Short bunch grassland - savanna/grass plain (Pilbara).	Within the larger footprint area 49 vegetation sub-associations were identified, associated with three broad landscape categories: foothills, hill slopes and hill crests; plains and floodplains; and drainage lines, gullies and gorges (Biota, 2012b).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	
644: Hummock grasslands, open low tree steppe; mulga & snakewood over soft spinifex & <i>T. basedowii</i> .			
645: Hummock grasslands, shrub steppe; kanji & snakewood over soft spinifex & <i>T. wiseana</i> .			

3. Assessment of application against clearing principles

The application is to clear 250 hectares of native vegetation within a larger footprint of 16,808 hectares for the purpose of geotechnical investigation, exploration, sterilisation drilling as well as environmental and heritage studies. Cleared areas will be progressively rehabilitated once they are no longer required for the purpose for which they were cleared (Hamersley Iron, 2012).

The assessment of clearing Permit CPS 5255/1 was found to be may be at variance to Principles (a) and (b) due to the presence *Pseudomys chapmani* (Western Pebble Mound Mouse) and *Merops ornatus* (Rainbow Bee-eater) (Biota Environmental 2012) within the application area. Subsequent information received (Hamersley Iron, 2013) has shown that given the widespread distribution of *Merops ornatus* and *Pseudomys chapmani* as well as the distributed nature of the clearing, the application is unlikely to impact on the conservation status of these species. Therefore the application is not likely to be at variance to the remaining clearing Principles.

The assessment of the remaining clearing Principles has not changed and can be found within CPS 5255/1 Decision Report.

Methodology References:
- Biota Environmental (2012)
- Hamersley Iron (2013)

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

Comments

The applicant asked for condition 12 of clearing Permit CPS 5255/1 to be removed and supported this request by providing further information on the conservation status of the priority fauna listed under this condition.

Methodology

4. References

- Biota Environmental Services (2012) Koodaideri Western Rail Corridor: Fauna Survey. Unpublished Report prepared for Rio Tinto Iron Ore (Ref: A557954) Department of Water (2012) Advice for Clearing Permit Application CPS 5255/1, Dampier to Tom Price, Main Line Project, Mt Sheila. Received 17 October 2012. Department of Water, Western Australia (Ref. DOCA556969). Hamersley Iron (2013) Supporting Information for Clearing Permit Application CPS 5255/2, Dampier to Tom Price, Main Line Project, Mt Sheila. Received 12 March 2013. (Ref. A609289).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- OEPA (2012) Advice received for Clearing Permit Application CPS 5255/1, Dampier to Tom Price, Main Line Project, Mt Sheila. Office of the Environmental Protection Authority, Received 7 December 2012. (Ref. DOCA577423). RDL (2013) Advice received for Clearing Permit Application CPS 5255/1, Dampier to Tom Price, Main Line Project, Mt Sheila. Office of the Environmental Protection Authority, Dated 1 February 2013. (Ref. A596952).
- 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)