



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5887/3
Permit Holder:	Hamersley Iron Pty Ltd
Duration of Permit:	28 June 2014 – 28 June 2024

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 transmission line maintenance, access track maintenance, safety and fire hazard reduction.

2. Land on which clearing is to be done

Unallocated Crown Land (FORTECUE 6716)
Roebourne-Wittenoom Road reserve PIN 11733933 (MILLSTREAM 6716)
Lot 13 on Deposited Plan 47815 (FORTECUE 6716)
Lot 24 on Deposited Plan 242287 (MILLSTREAM 6716)
Lot 33 on Deposited Plan 240249 (FORTECUE 6716)
Lot 150 on Deposited Plan 242287 (MILLSTREAM 6716)
Lot 182 on Deposited Plan 241670 (MILLSTREAM 6716)
Lot 502 on Deposited Plan 61847 (MILLSTREAM 6716)
Lot 503 on Deposited Plan 61847 (MILLSTREAM 6716)
Lot 504 on Deposited Plan 61847 (MILLSTREAM 6716)
Lot 505 on Deposited Plan 61847 (MILLSTREAM 6716)
Lot 510 on Deposited Plan 61847 (MILLSTREAM 6716)
Lot 511 on Deposited Plan 61847 (MILLSTREAM 6716)

3. Area of Clearing

The Permit Holder must not clear more than 26 hectares of native vegetation within the combined areas hatched yellow on attached Plan 5887/3 (a), Plan 5887/3 (b), Plan 5887/3 (c), Plan 5887/3 (d), Plan 5887/3 (e), Plan 5887/3 (f), Plan 5887/3 (g), Plan 5887/3 (h), Plan 5887/3 (i) and Plan 5887/3 (j).

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.

PART II – MANAGEMENT CONDITIONS

5. 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 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.

6. Management plan conditions

The Permit Holder must implement and adhere to the following weed management conditions specified 'Rio Tinto Iron Ore, Environmental Management Plan, Native Vegetation Clearing Permit CPS 5887/1, Dampier to Paraburdoo Transmission Line (RTIO-HSE-0221249)', May 2014;

- (a) 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*:
 - (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 inspect the application area and remove or kill any *weeds* spread as a result of clearing.

PART III – RECORD KEEPING AND REPORTING

7. Record keeping

The Permit Holder must maintain the following records for activities done pursuant to this Permit 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(s) 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 5 of this Permit; and
- (e) actions taken to minimise the risk of the introduction and spread of *weeds* in accordance with condition 6 of this Permit.

8. Reporting

The Permit Holder must produce the records required under condition 7 of this Permit when required by the *CEO*.

DEFINITIONS

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


CEO: means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under 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.

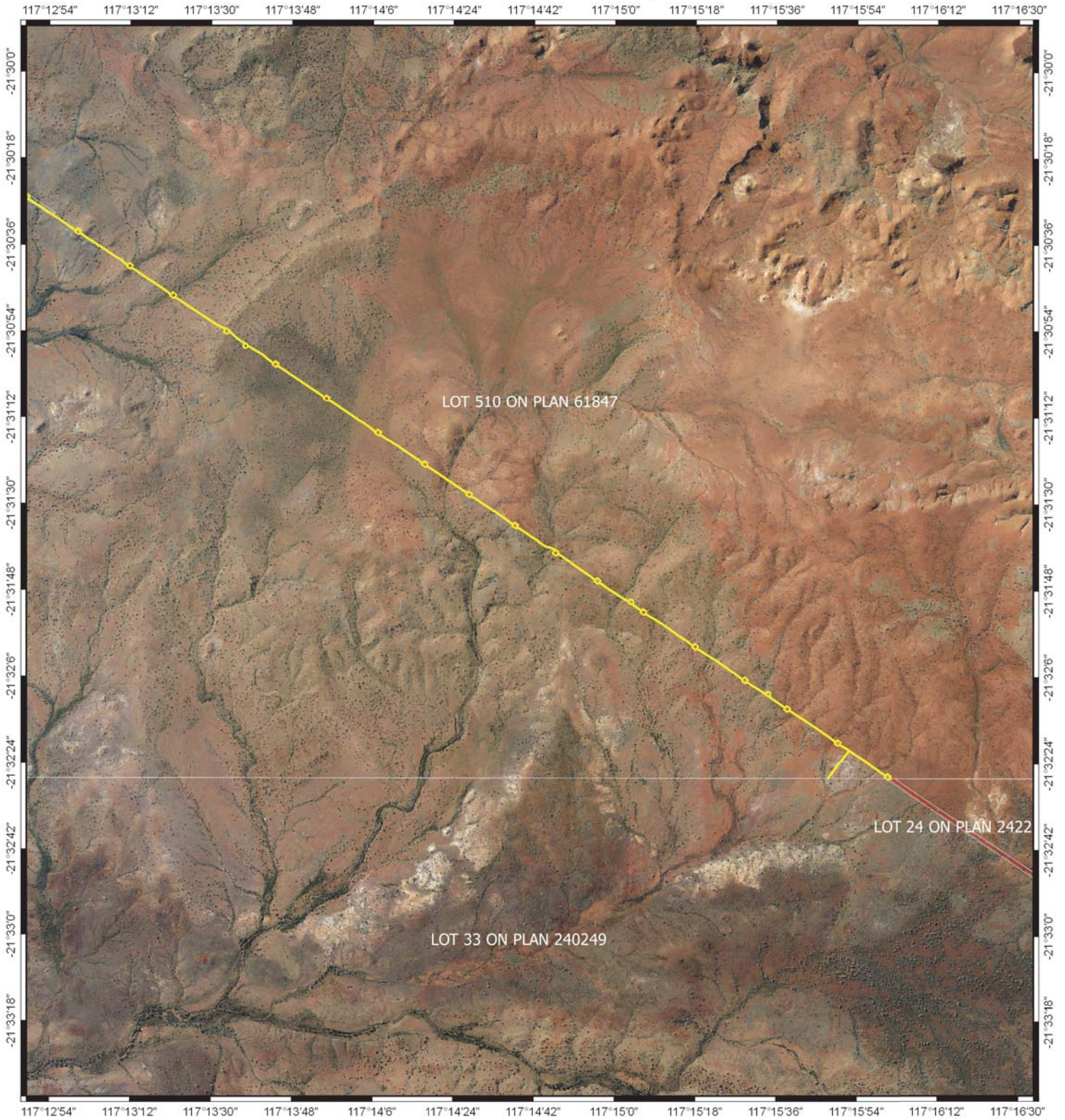
 Ryan Mincham
2019.05.20
15:23:14
+08'00'

Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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

20 May 2019

Plan 5887/3 (a)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities
- Image



1000 0 1000 m



MGA 94
Geocentric Datum of Australia 1994

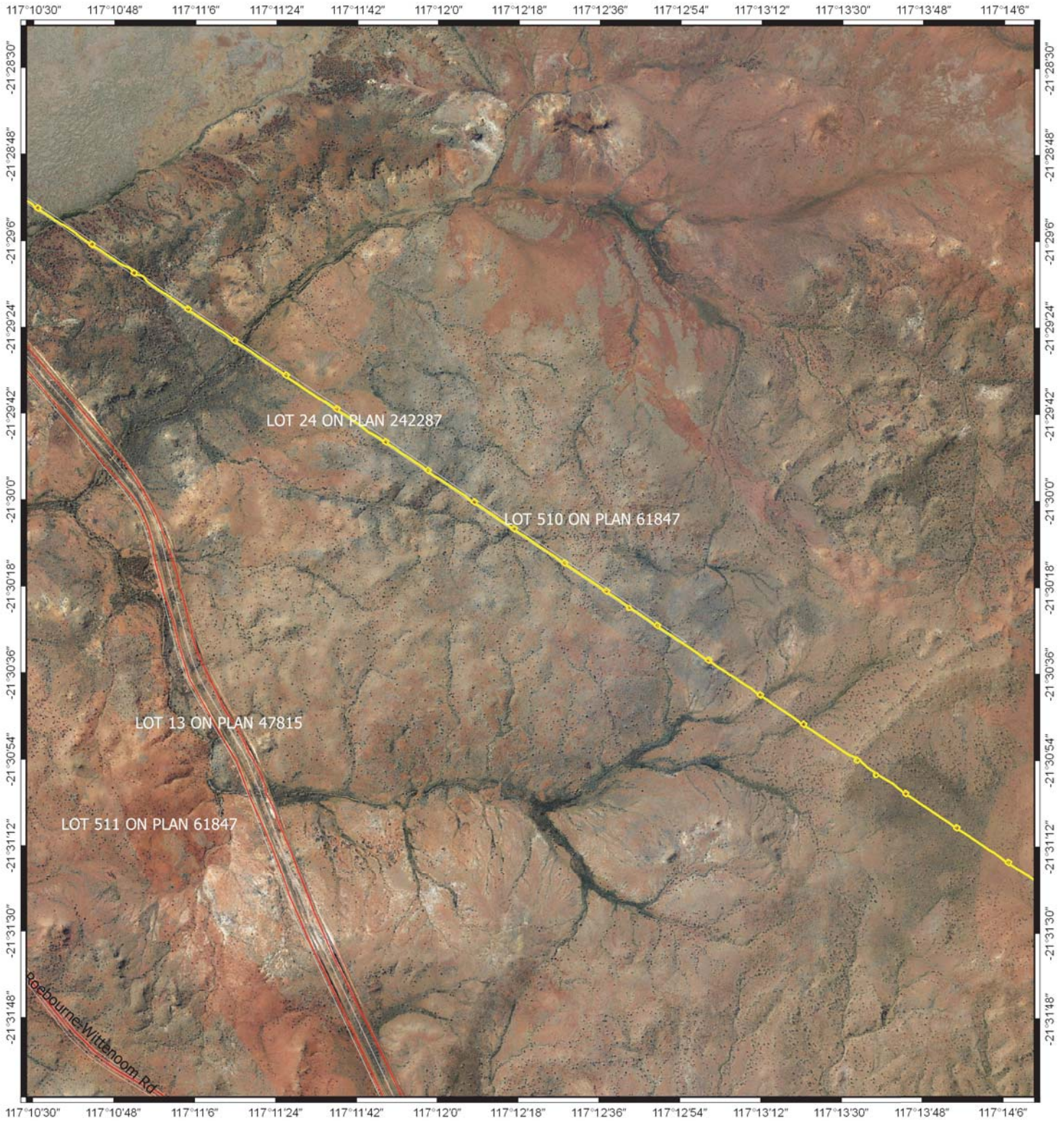

Ryan Mincham
2019.05.20 15:28:19
+08'00'

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 5887/3 (b)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities

Image



MGA 94
Geocentric Datum of Australia 1994

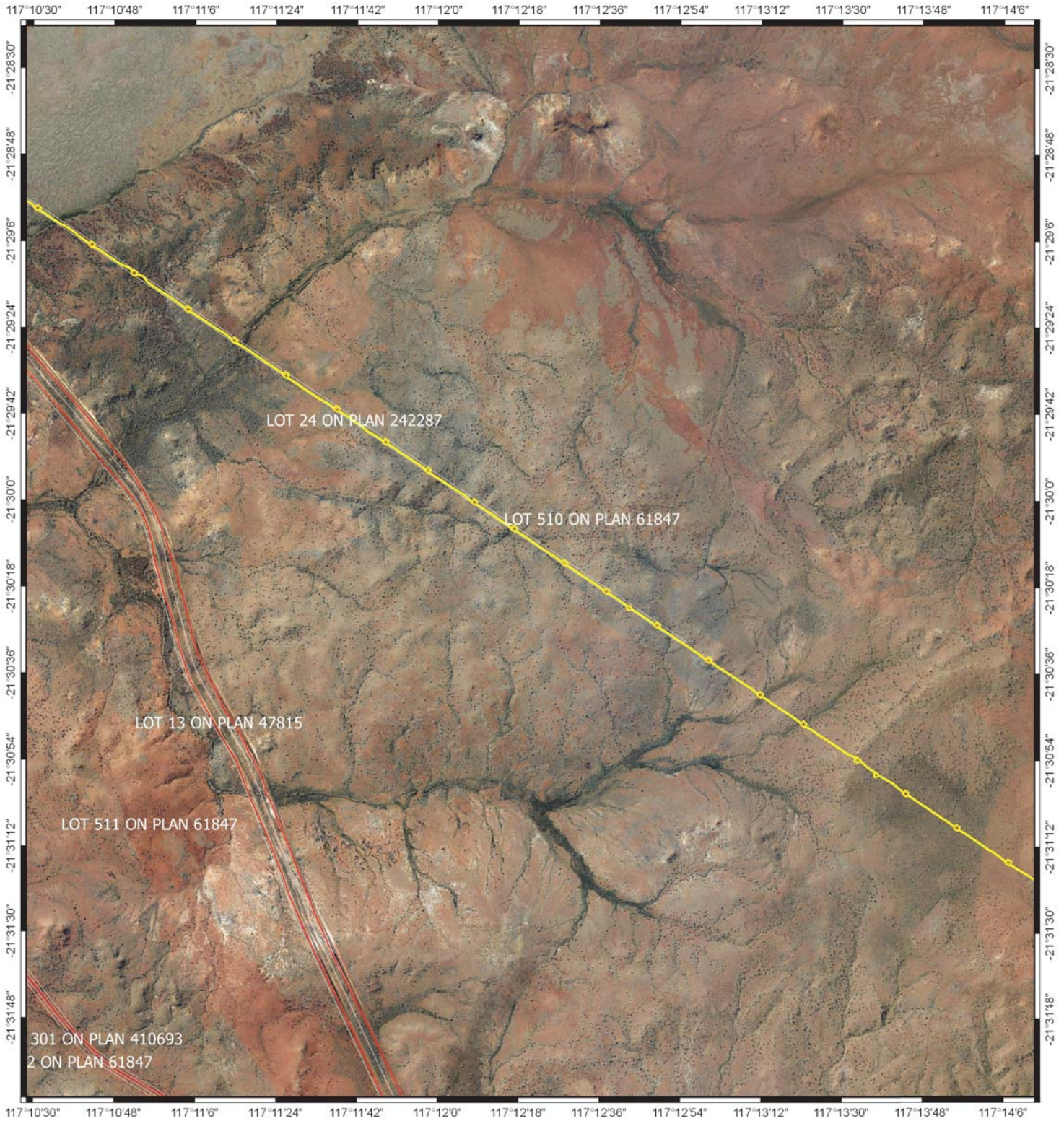
Ryan Mincham
2019.05.20 15:28:58
+08'00'

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 5887/3 (c)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities

Image



1000 0 1000 m



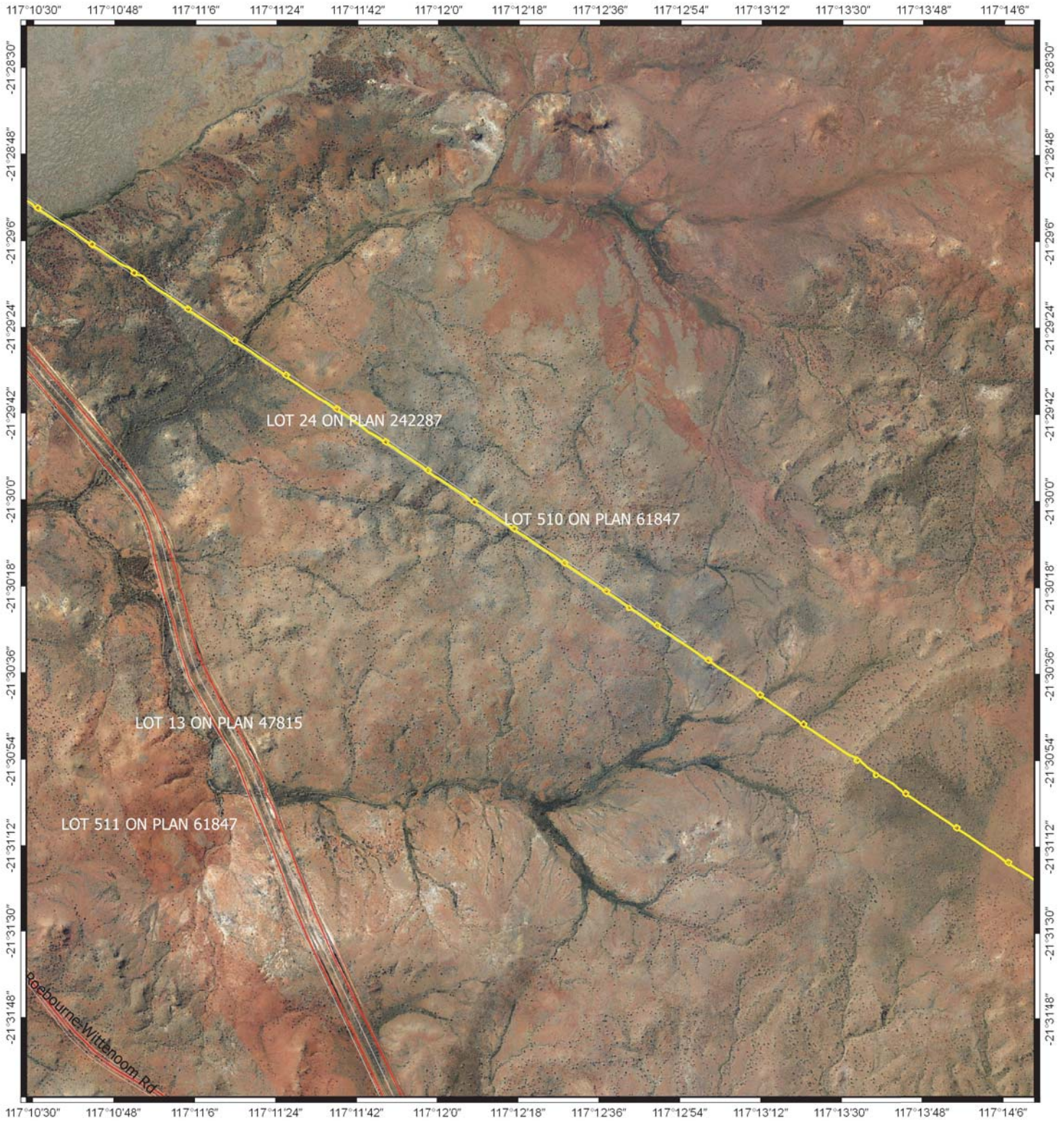
MGA 94
Geocentric Datum of Australia 1994
Ryan Mincham
2019.05.20 15:29:31
+08'00'

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 5887/3 (d)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities
- Image



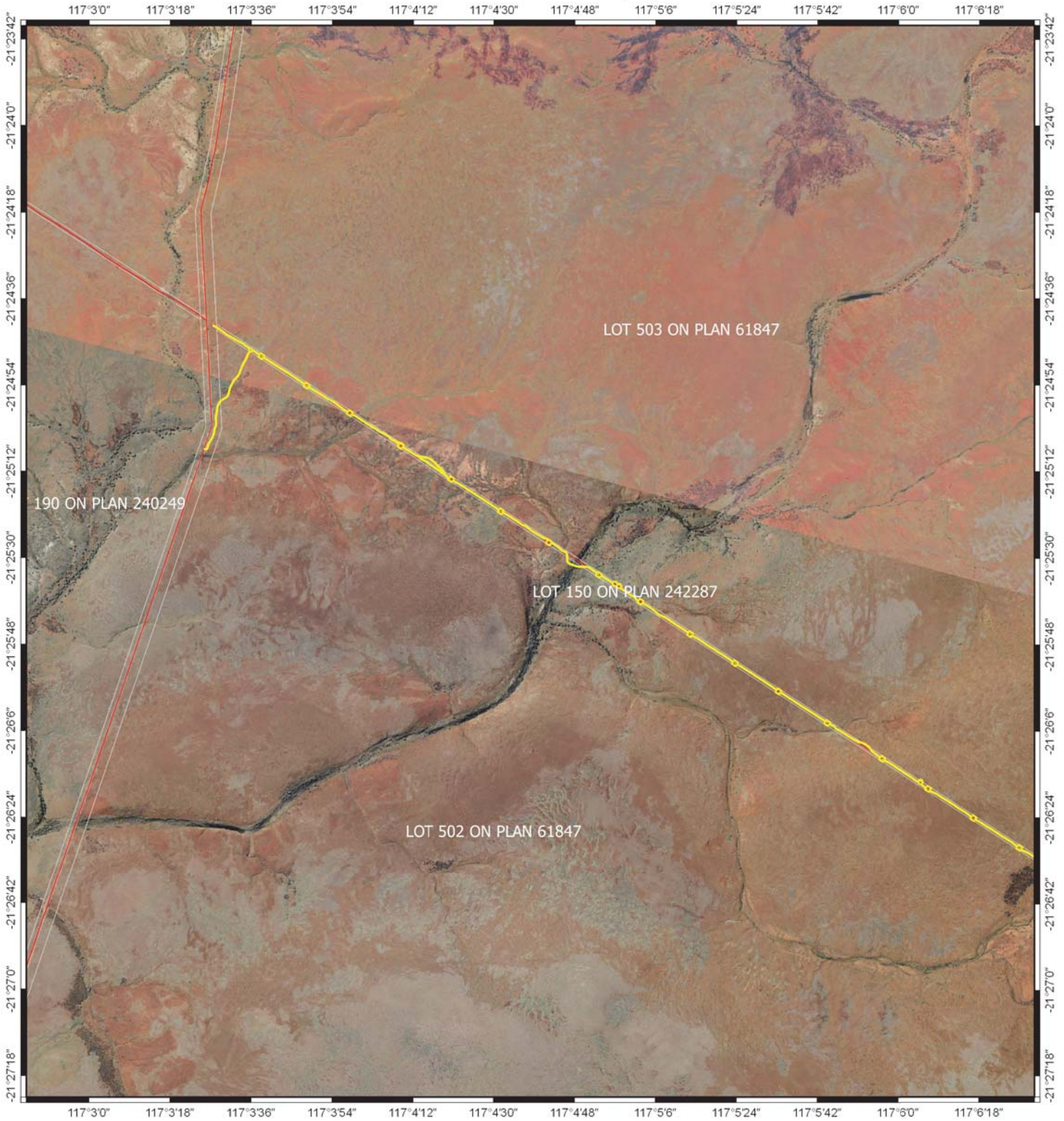
MGA 94
 Geocentric Datum of Australia 1994
 Ryan Mincham
 2019.05.20 15:30:23
 +08'00'

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



**GOVERNMENT OF
 WESTERN AUSTRALIA**

Plan 5887/3 (e)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities
- Image



MGA 94
Geocentric Datum of Australia 1994

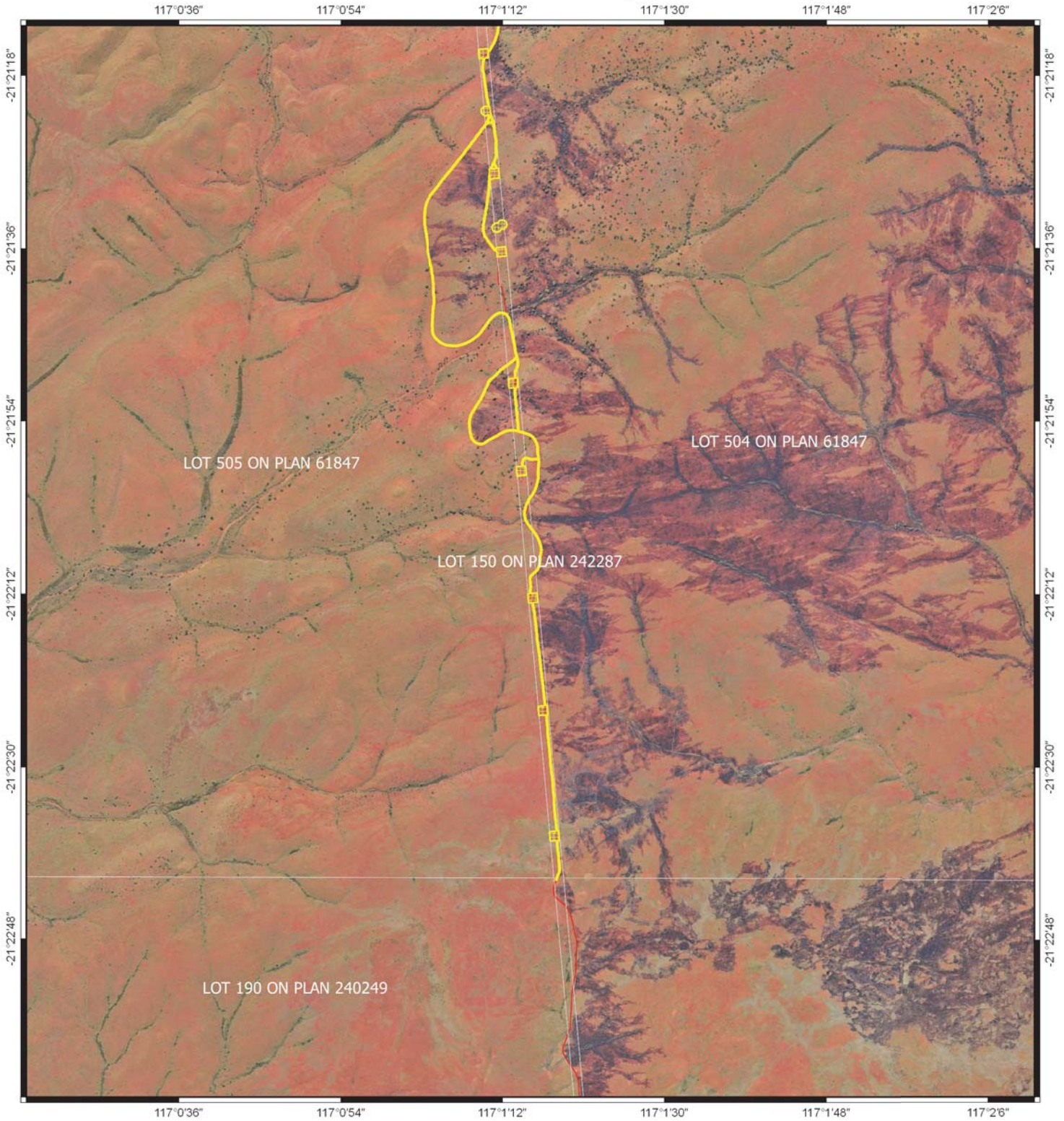
R. Mincham
2019.05.20 15:31:04
+08'00'

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



**GOVERNMENT OF
WESTERN AUSTRALIA**

Plan 5887/3 (f)



Legend

-  CPS areas approved to clear base layers
 -  Cadastre
 -  Road Centrelines
 -  Local Government Authorities
- Image



MGA 94
Geocentric Datum of Australia 1994

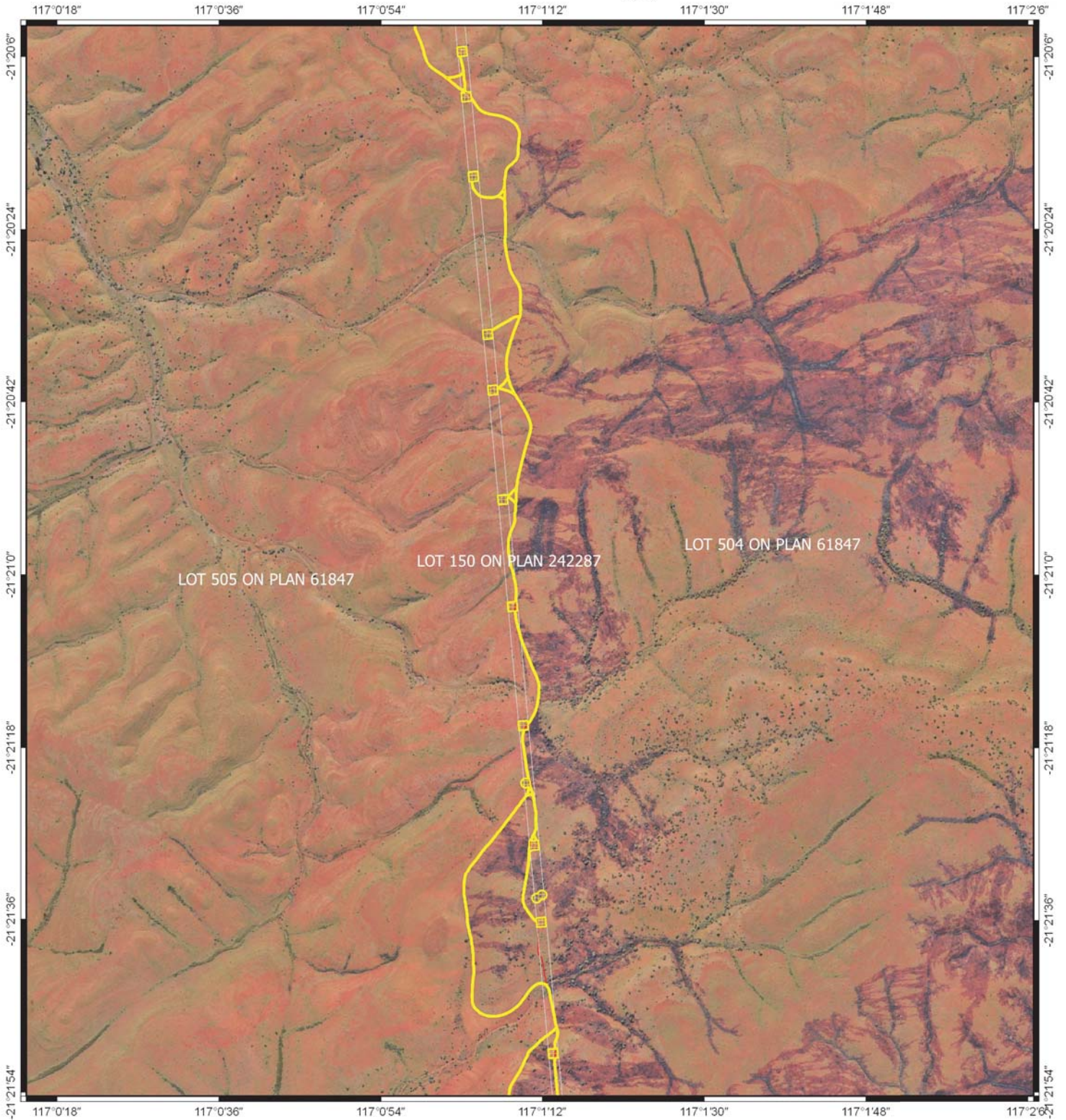
R. Mincham
Ryan Mincham
2019.05.20 15:31:44
+08'00'

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 5887/3 (g)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities

Image



MGA 94
Geocentric Datum of Australia 1994

Ryan Mincham
2019.05.20 15:32:25
+08'00'

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



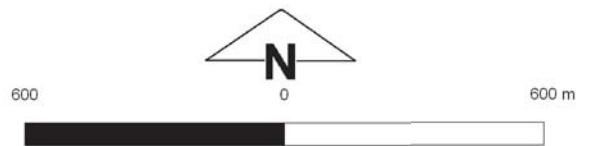
GOVERNMENT OF
WESTERN AUSTRALIA

Plan 5887/3 (h)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities
- Image

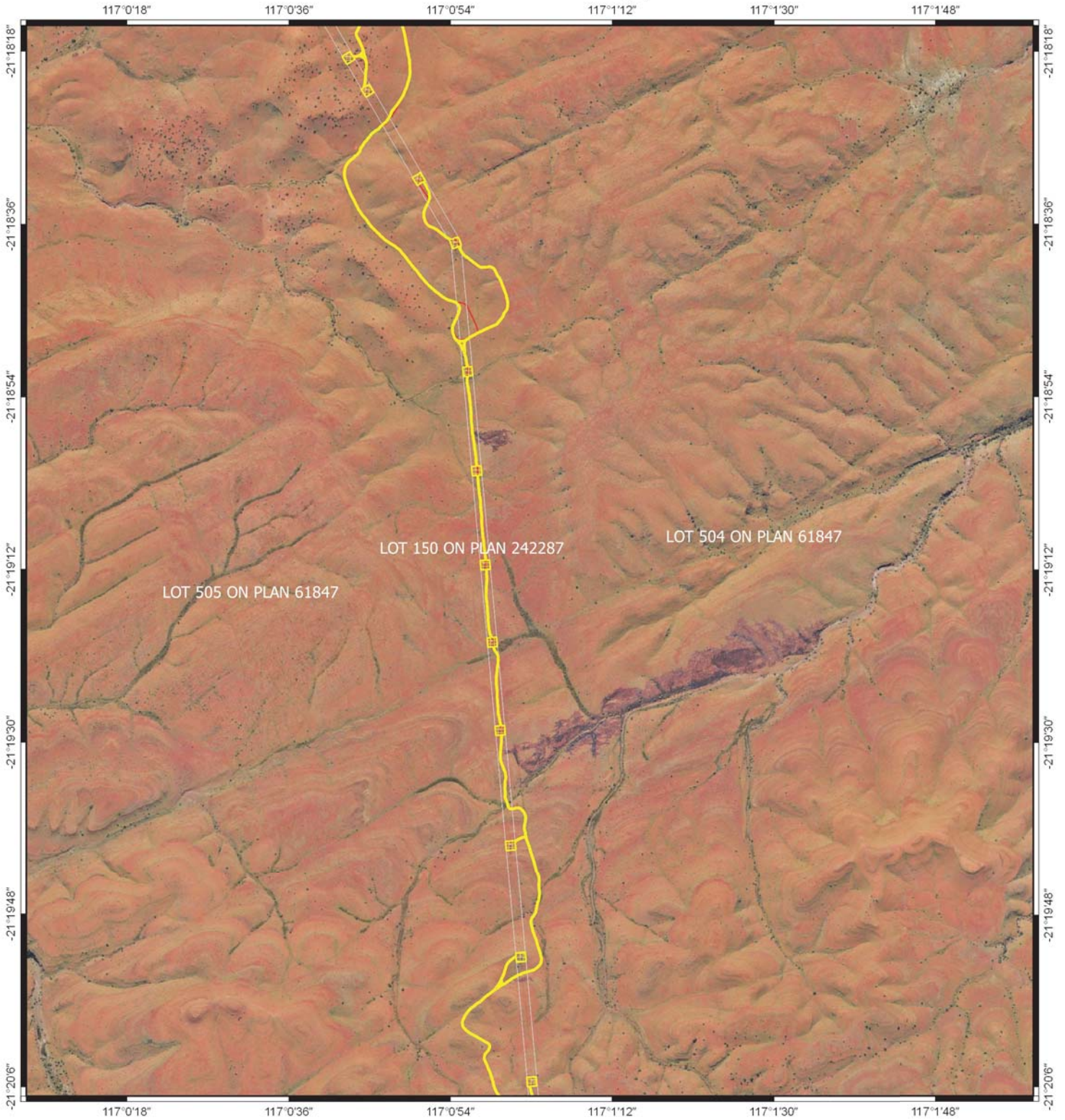


MGA 94
 Geocentric Datum of Australia 1994
 Ryan Mincham
 2019.05.20 15:33:02
 +08'00'
 Officer with delegated authority under Section 20
 of the Environmental Protection Act 1986



**GOVERNMENT OF
 WESTERN AUSTRALIA**

Plan 5887/3 (i)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities

Image



MGA 94
Geocentric Datum of Australia 1994

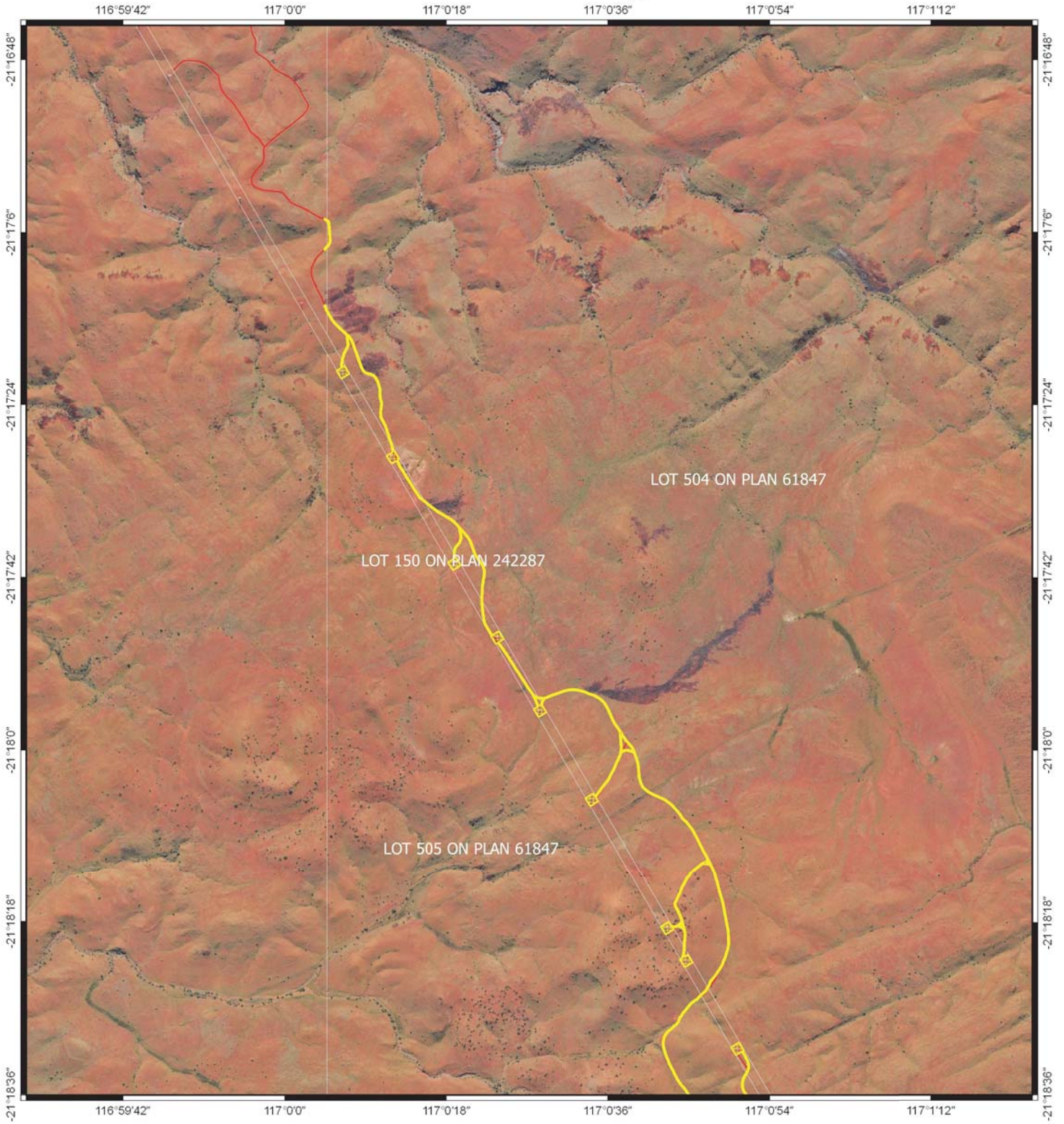
R. Mincham
Ryan Mincham
2019.05.20 15:33:58
+08'00'

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 5887/3 (j)



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Local Government Authorities
- Image



MGA 94
Geocentric Datum of Australia 1994

R. Mincham
Ryan Mincham
2019.05.20
15:34:35 +08'00'

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



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 5887/3
Permit type: Purpose permit

1.2. Applicant details

Applicant's name: Hamersley Iron Pty Ltd
Application received date: 2 April 2019

1.3. Property details

Property:
Lot 504 on Plan 61847 (Millstream 6716)
Lot 13 on Plan 47815 (Fortescue 6716)
Lot 150 on Plan 242287 (Fortescue 6716)
Lot 182 on Plan 241670 (Millstream 6716)
Lot 24 on Plan 242287 (Millstream 6716)
Lot 33 on Plan 240249 (Fortescue 6716)
Lot 502 on Plan 61847 (Lot No. 502 Roebourne-Wittenoom Millstream 6716)
Lot 503 on Plan 61847 (Lot No. 503 Warlu Millstream 6716)
Lot 505 on Plan 61847 (Millstream 6716)
Lot 510 on Plan 61847 (Millstream 6716)
Lot 511 on Plan 61847 (Lot No. 511 Roebourne-Wittenoom Millstream 6716)
Road Reserve (Millstream 6716)
Unallocated Crown Land (Fortescue 6716)
Local Government Authority: Shire of Ashburton
Localities: Fortescue, Millstream, Roebourne-Wittenoom Millstream

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
26		Mechanical Removal	Transmission line maintenance, access track maintenance, safety and fire hazard reduction.

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 20 May 2019
Reasons for Decision: The clearing permit amendment application was received on 2 April 2019 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 proposed clearing may be at variance to clearing principles (f) and (h), is not at variance to principle (e) and is not likely to be at variance to the remaining principles.

In determining to grant an amended clearing permit, the Delegated Officer considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment and that the environmental risks are the same as originally assessed under CPS 5887/1.

2. Site Information

Clearing Description: To clear up to 26 hectares of native vegetation within Lot 13 on Plan 47815, Lot 33 on Plan 240249, unallocated Crown land, Fortescue, Lot 182 on Plan 241670, Lots 502, 503, 504, 505, 510 and 511 on Plan 61847, Roebourne-Wittenoom Road reserve (PIN 11733933), Millstream, Lots 24 and 150 on Plan 242287, Millstream and Fortescue, Shire of Ashburton, for the purposes of transmission line maintenance including access track maintenance and safety and fire hazard reduction.

Vegetation Description Mapped Beard vegetation association 173 is described as hummock grasslands, shrub steppe; kanji over soft spinifex & *Triodia wiseana* on basalt (Shepherd et al 2001).

Mapped Beard vegetation association 175 is described as short bunch grassland - savanna/grass plain (Pilbara) (Shepherd et al 2001).

Mapped Beard vegetation association 587 is described as mosaic: Hummock grasslands, open low tree-steppe; snappy gum over *Triodia wiseana* / Hummock grasslands, shrub-steppe; kanji over *Triodia pungens* (Shepherd et al 2001).

Mapped Beard vegetation association 607 is described as hummock grasslands, low tree steppe; snappy gum & bloodwood over soft spinifex & *Triodia wiseana* (Shepherd et al 2001).

Vegetation 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).

Comments

The application is to clear up to 26 hectares of regrowth vegetation along a transmission line access track and transmission tower service pads, for ease of access and fire hazard reduction.

The vegetation under application has been previously cleared and consists of regrowth in a completely degraded to good (Keighery 1994) condition.

The description and condition of the vegetation was determined using a biological survey provided by the applicant (Astron Environmental Services 2013).

3. Assessment of application against clearing principles and planning instruments and other matters

Assessment of environmental values CPS 5887/1:

The application is to clear up to 26 hectares of native vegetation along a transmission line access track and transmission tower service pads, for ease of access and fire hazard reduction.

The vegetation under application has been previously cleared and consists of regrowth in a completely degraded to good (Keighery 1994) condition.

The application area is adjacent to native vegetation in equal or better condition and is unlikely to contain high biodiversity values in comparison to surrounding vegetation remnants. No threatened ecological communities or rare flora are mapped within the local area (20 kilometre radius). The application area is mapped within the buffer of a priority ecological community (PEC) and may comprise vegetation representative of the PEC, however due to the relatively small size of the application area and previous disturbance, the proposed clearing is unlikely to have a significant impact upon the PEC (Astron Environmental Services 2013). Numerous species of priority flora and fauna have been recorded within the local area, however no priority flora was identified within the application area during a flora survey (Astron Environmental Services 2013). Most of the fauna species in the area are highly mobile and there is an abundance of fauna habitat in surrounding areas. As the application area consists of regrowth that has been previously cleared, the proposed clearing is unlikely to have a significant impact on any flora or fauna of conservation significance.

The Shire of Ashburton and the local area are well vegetated, retaining more than 99 per cent of the original vegetation extent (Government of Western Australia 2013). Mapped Beard Vegetation Associations 173, 175, 587 and 607 (Shepherd et al 2001) also retain more than 99 per cent of the original extent within the Pilbara IBRA Bioregion (Government of Western Australia 2013). The area under application is not significant as a remnant in an extensively cleared area.

Numerous minor non-perennial watercourses intersect the application area. The proposed clearing may include some riparian vegetation, although the impact to watercourses is likely to be minimal. Due to the surrounding area being well vegetated and the linear nature of the application area, the proposed clearing is unlikely to cause or exacerbate land degradation or flooding or impact on water quality.

The application area is within the Millstream Chichester National Park. The application area is linear, with some areas being weed infested and some areas having minimal weeds. There is a risk that movement along the application area during clearing activities will spread weeds from infested areas into non-infested areas, and into the surrounding national park (Parks and Wildlife 2013). A vegetation management plan has been developed in order to address the potential impacts to the reserve.

Considering the above, the impacts of the proposed clearing are likely to be minimal. The application may be at variance to clearing principles (f) and (h), is not at variance to principle (e) and is not likely to be at variance to the remaining principles.

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

Assesment under CPS 5887/1

The application is to clear up to 26 hectares of native vegetation along a transmission line access track and transmission tower service pads, for ease of access and fire hazard reduction.

Department of Parks and Wildlife (Parks and Wildlife) advised that it is satisfied with the applicant's Environmental Management Plan for the works in order to mitigate any potential impacts to the Millstream Chichester National Park (Parks and Wildlife, 2014).

The application area is within the Harding Dam Catchment Area and the Millstream Water Reserve, gazetted under the *Country Areas Water Supply Act 1947* (CAWS Act) and assigned as Priority 1 under the Water Source Protection Classification System. Drinking Water Source Protection Plans and Water Quality Protection Notices have been developed in relation to the protection of both catchment areas and are available from the Department of Water (DoW). It is Hamersley Iron Pty Ltd's responsibility to ensure compliance with all guidelines and obligations under the CAWS Act.

The application area is within the Pilbara Surface Water Area and Pilbara Ground Water Area as proclaimed under the Rights in Water and Irrigation Act 1914 (RIWI Act). DoW advise that where the proposed clearing intersects a waterway not within the proponent's tenement, the normal regulatory instruments under the RIWI Act apply, and any interference with the bed or banks of a water course in this proclaimed area will require a permit (DoW 2013).

No public submissions have been received.

The grant of a clearing permit may constitute a future act under the *Native Title Act 1993* (NT Act). Accordingly, by a letter dated 2 December 2013, the Department of Environment Regulation has notified the Ngarluma/Yindjibarndi native title claimants and the Yamatji Marlpa Aboriginal Corporation, pursuant to Section 24KA s8 of the NT Act, of this application to clear native vegetation. Additionally, numerous Aboriginal Sites of Significance are mapped within and in close proximity to the proposed clearing. It is Hamersley Iron Pty Ltd's responsibility to ensure compliance with any obligations under the *Aboriginal Heritage Act 1972*.

The area under application is zoned as "conservation, recreation and nature landscape" and "local road" under the Town Planning Scheme Zones.

CPS 5887/2 - Administrative Amendment:

The application is a result of an administrative error resulting in an area approved to be cleared not appearing on the permit. The assessment against the clearing principles and planning and other matters has not changed and can be found in Clearing Permit Decision Report CPS 5887/1.

CPS 5887/3 - Administrative Amendment:

The applicant applied to extend the duration of the clearing permit and associated conditions to allow clearing for an additional 5 years. A desktop re-assessment of the environmental values of the vegetation within the application area did not identify any new matters requiring consideration or amendment to the mitigation measures in the permit conditions.

The clearing permit application (CPS 5887/3) was advertised on 18 April 2019 with a 7 day submission period. No public submissions were received in relation to this clearing permit application.

4. References

- Astron Environmental Services (2013) Millstream Transmission Corridor Level 1 Vegetation, Flora and Fauna Survey, prepared for Rio Tinto Iron Ore Ltd, September 2013 (DER Ref: A711863).
- DoW (2013) Advice regarding Clearing Permit Application CPS 5887/1, Department of Water, provided on 13 December 2013 (DER Ref: A706980).
- Government of Western Australia (2018) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, 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.
- Parks and Wildlife (2014) Approval of Management Plan for Clearing Permit Application CPS 5887/1, provided by Department of Parks and Wildlife Pilbara Region, 26 May 2014 (DER Ref: A763116).
- 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.