



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 3869/5
<b>Permit Holder:</b>	Roy Hill Infrastructure Pty Ltd
<b>Duration of Permit:</b>	16 October 2010 – 16 October 2016

### ADVICE NOTE:

This Permit does not confer upon the Permit Holder authorisation to access the land to which the Permit relates.

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* and relocating an overhead transmission line to an underground location.

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

Licence number Lic 00727/2009\_3\_9 Roy Hill to Port Hedland Railway Investigation Licence (Port Infrastructure) and Roy Hill Infrastructure Pty Ltd Port Lease and License Area.

Located within the following properties:

LOT 372 ON PLAN 35620 (TOWN OF PORT HEDLAND)  
LOT 47 ON PLAN 241374 (BOODARIE 6722)  
LOT 1199 ON PLAN 70562 (BOODARIE 6722)  
LOT 1301 ON PLAN 70562 (BOODARIE 6722)  
LOT 203 ON PLAN 220594 (BOODARIE 6722)  
LOT 311 ON PLAN 194620 (BOODARIE 6722)  
LOT 1200 ON PLAN 70562 (BOODARIE 6722)  
LOT 1302 ON PLAN 70562 (BOODARIE 6722)  
LOT 1201 ON PLAN 70562 (BOODARIE 6722)  
LOT 1303 ON PLAN 70562 (BOODARIE 6722)  
LOT 1202 ON PLAN 70562 (BOODARIE 6722)  
LOT 1304 ON PLAN 70562 (BOODARIE 6722)  
LOT 1203 ON PLAN 70562 (BOODARIE 6722)  
LOT 1280 ON PLAN 70562 (BOODARIE 6722)  
LOT 1279 ON PLAN 70562 (BOODARIE 6722)  
LOT 1281 ON PLAN 70562 (BOODARIE 6722)

#### 3. Area of Clearing

The Permit Holder must not clear more than 28.95 hectares of native vegetation within the area hatched yellow on attached Plan 3869/5.



#### 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 – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

#### 5. Weed control

- (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 remove or kill any *weeds* growing within areas cleared under this Permit.

#### 6. Flora management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a botanist to conduct a targeted flora survey of the Permit Area for the presence of rare flora listed in the Wildlife Conservation (Rare Flora) Notice, priority flora and other significant flora in accordance with Guidance Statement No. 51.
- (b) Where rare, *priority* or *other significant* flora are identified under condition 6(a) of this Permit, the Permit Holder shall engage a *botanist* to map the *critical habitat* of the identified rare, *priority* or *other significant* flora within the Permit Area.
- (c) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *targeted flora survey* in a report to the CEO.
- (d) If rare, *priority* or *other significant* flora are identified within the Permit Area, the *targeted flora survey* report must include the following:
  - (i) the location of each rare, *priority* and *other significant flora*, either as the location of individual plants, or where this is not practical, the areal extent of the population and an estimate of the number of plants, 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 species name of each rare, *priority* and *other significant flora*, identified;
  - (iii) the methodology, used to survey the Permit Area and to establish the *critical habitat* of flora;
  - (iv) the extent of the *critical habitat* of the identified rare, *priority* or *other significant* flora shown on a map; and
  - (v) a site description of the *critical habitat* of rare, *priority* or *other significant* flora found.
- (e) Where rare, *priority* or *other significant* flora are identified under condition 6(a) of this Permit, the Permit Holder shall ensure that no clearing of *critical habitat* of the identified rare, *priority* or *other significant* flora occurs, unless first approved by the CEO.

#### 7. 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 six 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 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 7(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 7(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 7(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 7(c)(ii) of this permit, the Permit Holder shall repeat condition 7(c)(i) and 7(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 7(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 7(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 7(c)(ii).

### **PART III - RECORD KEEPING AND REPORTING**

#### **8. 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 or decimal degrees;
  - (iii) the date that the area was cleared; and
  - (iv) the size of the area cleared (in hectares).
- (b) In relation to flora management pursuant to condition 6 of this Permit:
  - (i) the location of each *rare flora*, *priority flora* or *other significant flora* recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
  - (ii) the species name of each rare flora, *priority flora* or *other significant flora* identified; and
  - (iii) a copy of the botanists flora survey report.
- (c) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 9 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.



## 9. 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 8 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding financial year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding 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 16 July 2016, the Permit Holder must provide to the CEO a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(a) of this Permit.

## DEFINITIONS

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

**botanist** means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of 2 years work experience in identification and surveys of flora native to the bioregion being inspected or surveyed, or who is approved by the CEO as a suitable botanist for the bioregion;

**critical habitat** means any part of the Permit Area comprising of the habitat of flora or fauna species and its population, that is critical for the health and long term survival of the flora or fauna species and its population;

**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 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, or who is approved by the CEO as a suitable environmental specialist;

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

**Guidance Statement No. 51** means the Environmental Protection Authority Guidance Statement No 51, Guidance for the Assessment of Environmental Factors - Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia (2004);

**impacts** means any impact of clearing on environmental values;

**local provenance** means native vegetation seeds and propagating material from natural sources within 50 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion 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;

**other significant flora** means flora that are at the extremes of their range or that occur in isolated outlying populations or, undescribed flora (either at the genus, species or infraspecific level) that have been discovered, but not yet formally described in accordance with the International Code of Botanical Nomenclature or, uncommon hybrid flora;

**planting** means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

**priority flora** means those plant taxa described as priority flora classes 1, 2, 3, 4 or 5 in the *Department of Parks and Wildlife's Threatened and Priority Flora List for Western Australia* (as amended);

**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 native vegetation in an area such that the species composition, structure, density and *condition* is similar to pre-clearing vegetation types in that area, and can involve regeneration, direct seeding and/or planting;

**targeted flora survey:** means a field-based investigation, including a review of established literature, of the biodiversity of flora and vegetation of the Permit Area, focusing on habitat suitable for flora species that are being targeted and carried out during the optimal time to identify those species. Where target flora are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

**undescribed flora taxa** means any flora taxon (either at the generic, species or infraspecies level) that has been discovered, but not yet formally described as per the International Code of Botanical Nomenclature; and

**weed/s** mean any plant -

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



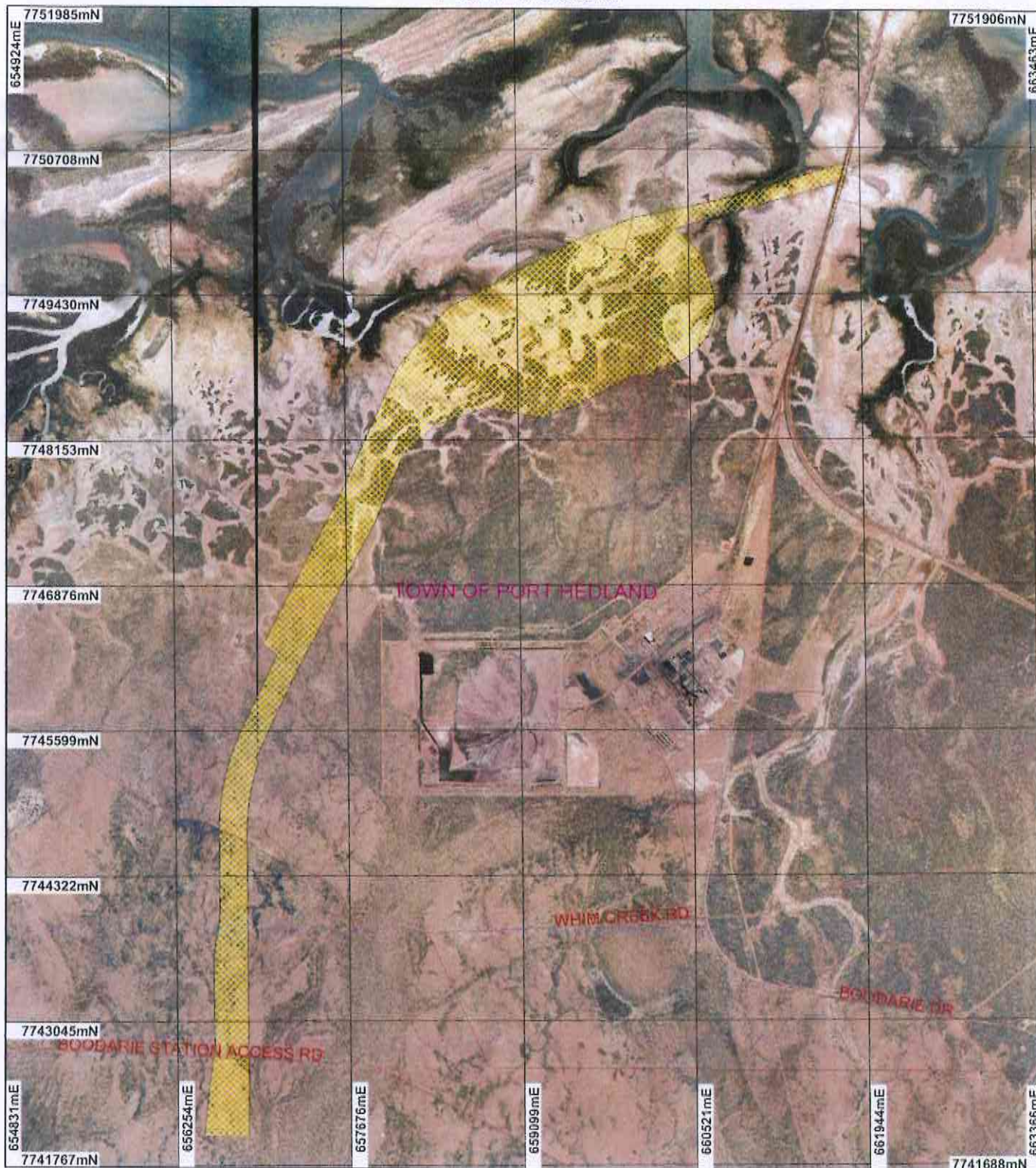
M Warnock  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

21 November 2013



# Plan 3869/5



## LEGEND

- Clearing Instruments**
- Areas Approved to Clear
  - Local Government Authorities
  - Road Centrelines

Port Hedland 50cm  
Orthomosaic - Landgate  
2004

Thouln 50cm Orthomosaic -  
Landgate 2004



Scale 1:47000

(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 *21/11/13*  
M Warnock

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

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Government of Western Australia  
Department of Environment Regulation

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\* Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.





# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 3869/5  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Roy Hill Infrastructure Pty Ltd

### 1.3. Property details

Property: LOT 372 ON PLAN 35620 ( PORT HEDLAND, TOWN OF )  
LOT 47 ON PLAN 241374 ( BOODARIE 6722)  
LOT 1199 ON PLAN 70562 ( BOODARIE 6722)  
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LOT 1281 ON PLAN 70562 ( BOODARIE 6722)

Local Government Area: Town of Port Headland  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
27.75		Mechanical Removal	Geotechnical investigations
1.2		Mechanical Removal	Infrastructure Maintenance

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 21 November 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
The vegetation under application is mapped as Beard vegetation associations (Shepherd et. al., 2009): Hummock grasslands, dwarf-shrub steppe; Acacia translucens over soft spinifex.	The clearing of 28.95 hectares of native vegetation is for the purposes of geotechnical and hydrological investigations, road construction, access track widening and underground power installation.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994).	Biota Environmental Services (2010) conducted a review of vegetation and flora surveys and recorded a total of 6 different vegetation units within the application area. These included: 1) Eucalyptus victrix low open woodland over Acacia coleii var. coleii open shrubland over Triodia epactia open hummock grassland - This vegetation unit was considered to be in very good (Keighery, 1994) condition and occurred in a small patch near the northern boundary of the rail loop. 2) Acacia stellaticeps low shrubland over Triodia epactia,

127: Bare areas; mud flats



The clearing falls within Marble Bar, Boodarie, Nullagine, Newman, Indee and Mulga Downs.

T. secunda open hummock grassland  
3) Tecticornia halocnemoides, Muellerolimon salicorniaceum low shrubland over Sporobolus virginicus scattered bunch grassland  
4) Avicennia marina tall closed scrub to tall open shrubland  
5) Mudflat  
6) Triodia epactia, T.secunda hummock grassland

The description and condition of the vegetation under application was determined via the use of aerial imagery, supporting information supplied by the applicant (RHIO, 2010) and a flora and vegetation survey conducted by Biota (2010).

### 3. Assessment of application against clearing principles

#### Comments

The proponent has applied to increase the clearing size and footprint area of CPS 3869/3 by 1.2 hectares to a total of 28.95 hectares, and to include an additional purpose of relocating an overhead transmission line to an underground location. A review of current environmental information reveals no new additional information. Therefore the assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 3869/1.

#### Methodology

GIS Datasets:  
SAC Biodatasets (Accessed September 2013)  
Portheadland 50cm Orthomosaic – Landgate 2004  
Hydrography linear

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

#### Comments

The proponent has applied to increase the clearing size and footprint area of CPS 3869/3 by 1.2 hectares to a total of 28.95 hectares, and to include an additional purpose of relocating an overhead transmission line to an underground location.

A registered Indigenous Heritage Site has been mapped within the additional application area. It is the responsibility of the proponent to ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

No submissions from the public have been received.

#### Methodology

### 4. References

- Biota (2010) Biota Environmental Sciences, Boodarie Port Infrastructure Port Hedland – Level 1 Vegetation and Flora Survey and Fauna Review (DER Ref: A332447).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- RHIO (2010) Roy Hill Infrastructure Pty Ltd, Clearing permit application - supporting information. DER Ref: A322337
- 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.