



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 3962/1
<b>Permit Holder:</b>	Cliffs Asia Pacific Iron Ore Pty Ltd
<b>Duration of Permit:</b>	7 November 2010 – 7 November 2015

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 purposes of construction of road traffic bridge, road re-alignment, bridge approach and departure ramps.

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

ROAD RESERVE (SIMS STREET (PIN11413711), NULSEN 6450)  
ROAD RESERVE (SIMS STREET (PIN11413727), CHADWICK 6450)  
ROAD RESERVE (HANCOCK ROAD (PIN11413730), NULSEN 6450)

**3. Area of Clearing**

The Permit Holder must not clear more than 0.8 hectares of native vegetation within the area shaded yellow on attached Plan 3962/1.

**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 power to clear native vegetation for those activities under any written law.

**6. 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

**7. 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

## 8. Dieback and 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* and *dieback*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - (ii) shall only move soils in *dry conditions*;
  - (iii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
  - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

### Definitions

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

*dieback* means the effect of *Phytophthora* species on native vegetation;

*dry conditions* means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

*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 a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.

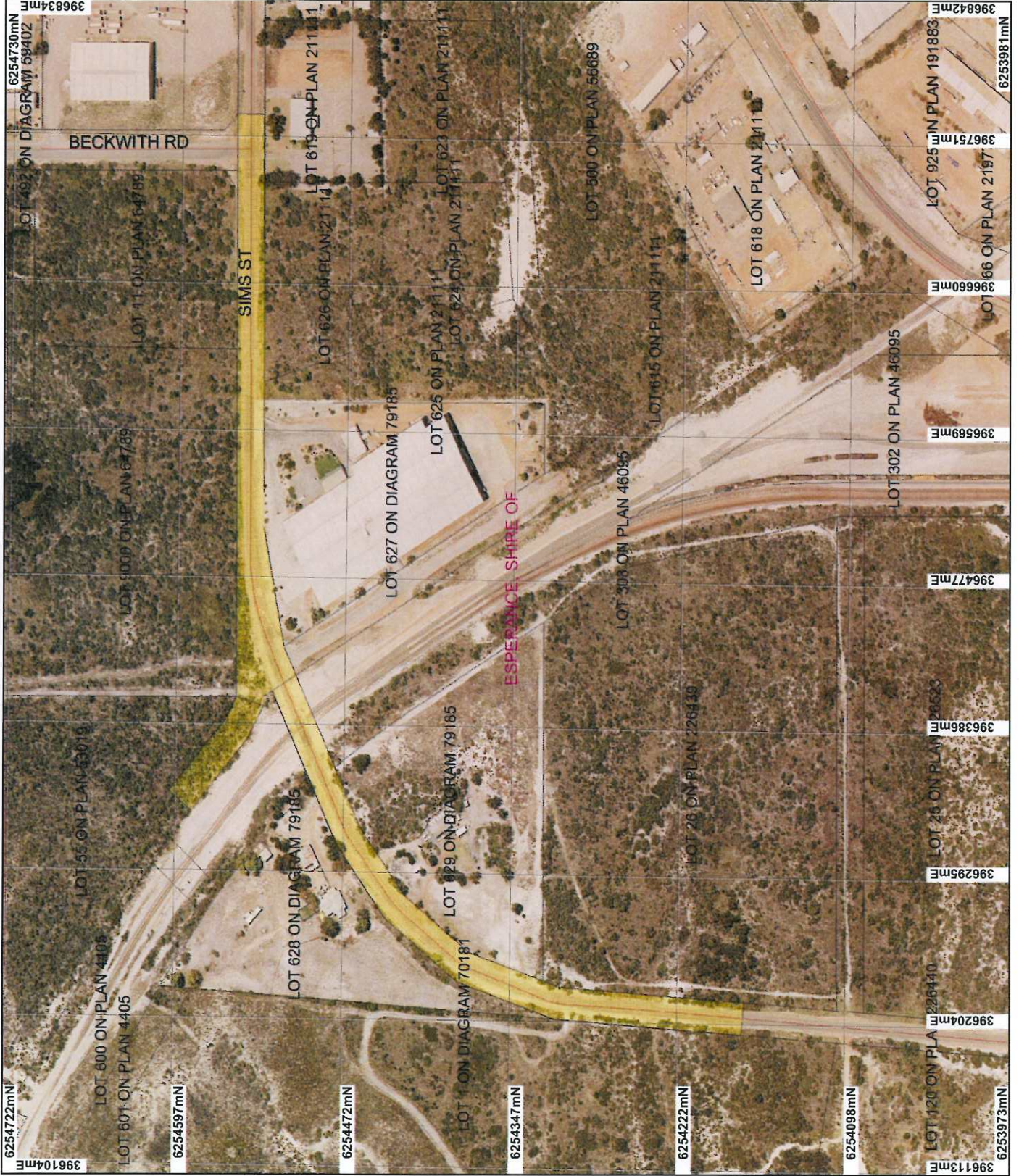


Matthew Warnock  
ACTING MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

7 October 2010

# Plan 3962/1



## LEGEND

### Enduring Infrastructure

- Areas Approved to Clear
- Road Centrelines
- Cadastre\_1
- Local Government Authorities
- Esperance Townsite 20cm Orthomosaic - Landgate 2007



0 100m

Scale 1:3553

(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.

*excelsior* Date 7/10/10  
 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.



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## 1. Application details

### 1.1. Permit application details

Permit application No.: 3962/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Cliffs Asia Pacific Iron Ore Pty Ltd

### 1.3. Property details

Property: ROAD RESERVE (SIMS STREET, NULSEN 6450)  
ROAD RESERVE (SIMS STREET, CHADWICK 6450)  
ROAD RESERVE (HANCOCK ROAD, NULSEN 6450)  
Local Government Area: SHIRE OF ESPERANCE

### 1.4. Application

Clearing Area (ha)	Method of Clearing	For the purpose of:
0.8	Mechanical Removal	Infrastructure Maintenance

## 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
Beard Vegetation Association: 42 - shrublands; mallee and acacia scrub on south coastal dunes (Hopkins et al. 2001).	The proposed clearing of 0.8ha is for the purpose of constructing a traffic bridge and road realignment. The vegetation under application ranges from 'completely degraded' to 'very good' (Keighery, 1994) condition. The vegetation comprises areas (particularly within Hancock Road Reserve) of Eucalyptus angulosa over Acacia cyclops and Spyridium globulosum shrubland in 'very good' (Keighery, 1994) condition. While the areas along Sims Street Road Reserve are mostly in a 'completely degraded' (Keighery, 1994) condition (Western Botanical, 2010).	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	Vegetation condition confirmed through aerial imagery (Esperance Townsite - Landgate 2007) and botanical assessment undertaken on August 2010 (Western Botanical, 2010).
As above.	As above.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	As above.

## 3. Assessment of application against clearing principles

### Comments

The clearing of 0.8ha of vegetation within the Hancock and Sims Street Road Reserves for the proposed construction of a road traffic bridge and road re-alignment including bridge approach and departure ramps is unlikely to have any significant environmental impacts.

The vegetation under application ranges from 'completely degraded' to 'very good' (Keighery, 1994) condition. The vegetation comprises areas of Eucalyptus angulosa over Acacia cyclops and Spyridium globulosum shrubland in 'very good' (Keighery, 1994) condition within Hancock Road Reserve and areas in 'completely degraded' (Keighery, 1994) condition (Western Botanical, 2010) along the existing Sims Street road. The majority of the areas under application have a high degree of weed invasion with disturbance also attributed to previous clearing (Western Botanical, 2010).

There are no declared rare flora species or threatened ecological communities in the vicinity of the project. The vegetation to be cleared is well represented in the local area, and would not have a detrimental impact on fauna or priority flora known to occur in the local area.

One priority one ecological community (PEC), Pink lake - stromatolite like microbialite community of a coastal hypersaline lake, occurs approximately 4.6km west of the applied clearing area. The applied area has no affinities with this community and given the distance and scale of the proposed clearing is not likely to impact upon this PEC.

The closest wetland is Lake Warden, a perennial lake approximately 1.6km north, which is a nationally recognised wetland (ANCA) and also part of Lake Warden RAMSAR wetland system. The closest watercourse runs approximately 4.1km north of the applied area. Given the scale of the proposed clearing and the distances to the wetlands and watercourses the applied area is not growing in association with them nor is the clearing likely to cause deterioration in surface and underground water sources or exacerbate flooding.

The chief soils within the applied area have been described by Northcote et al (1960-68) as calcareous sands on the foredunes along the coast with siliceous sands on the older dunes and lunettes. The salinity risk has been mapped as ranging from low to high risk with a groundwater salinity of 500-1000mg/L total dissolved solids. Given the sandy soils at this site there is the possibility of wind erosion, however, the risk is minimal given the proposed construction of infrastructure and the scale of the proposed clearing.

It is considered that the clearing as proposed is not likely to be at variance with any of the clearing principles.

The botanical assessment found no visual indication of the presence of dieback within or adjacent to the applied clearing area (Western Botanical, 2010). Therefore measures to manage the introduction and spread of dieback as well as weeds will assist in the maintenance of the adjacent vegetation in 'very good' (Keighery, 1994) condition.

#### Methodology

##### References:

- Keighery (1994)
- Northcote et al (1960-68)
- Western Botanical (2010)

##### GIS Databases:

- ANCA Wetlands
- Hydrography, linear - DoW
- RAMSAR Wetlands
- SAC Biodatasets, DEC - Accessed 23/9/2010

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

#### Comments

The areas under application are zoned 'important local road,' 'railway and port installation,' 'parks and recreation,' 'future urban' and 'industry - general.' The applied area lies within the cadastral boundaries of the Hancock and Sims Street Road Reserves.

The construction of the proposed overpass is a condition of the planning consent for the overall proposed rail infrastructure upgrade works to be undertaken by Westcape (Shire of Esperance, 2010a). As required by the planning consent condition, the detailed engineering plans for the bridge and associated infrastructure have been submitted to the Shire but are yet to receive final approval. The Shire of Esperance (2010b) has given authorisation for Cliffs Asia Pacific Iron Ore Pty Ltd to seek a clearing permit for the road reserve of Sims Street and within Hancock Road Reserve north of Sims Street for the purposes of constructing the road traffic bridge, associated infrastructure and drainage basin.

The road reserves lie within the Esperance Groundwater Area managed under the Rights in Water and Irrigation Act 1914 administered by the Department of Water (DoW). Any abstraction of groundwater or dewatering within this area will require approvals from DoW.

The area under application lies within the EPA Position Statement No. 2 area however, the purpose for the clearing is not for agriculture and the proposed clearing is minimal and limited to existing road reserves.

#### Methodology

##### References:

- Shire of Esperance (2010a)
  - Shire of Esperance (2010b)
- ##### GIS Databases:
- EPA Position Paper No. 2 Agriculture Region - DEP
  - Town Planning Scheme Zones - MFP
  - RiWI Act, Groundwater Areas - DoW

#### 4. References

- Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.

Shepherd, D.P. (2009) Adapted from: 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.

Shire of Esperance (2010a) Decision on Application for Planning Consent - Proposed Rail Infrastructure Upgrade Works - ARG Railyard, Esperance and Rail Corridor (Commonly Referenced as Lot 302 Harbour Road, Nulsen). Shire of Esperance, Esperance, Western Australia. DEC ref A337120.

Shire of Esperance (2010b) Authorisation to seek a Permit to Clear Native Vegetation on Sims Street, Esperance. Shire of Esperance, Esperance, Western Australia. DEC ref A333133.

Western Botanical (2010) Botanical Assessment of the Sims Street Grade Separation, Esperance, August 2010, Prepared for Cliffs Natural Resources Pty Ltd. Western Botanical, Bassendean, Western Australia. DEC ref 331173.

## 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
DoW	Department of Water
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
MFP	Ministry for Planning
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DoW)