



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 3999/3
<b>Permit Holder:</b>	Cazaly Iron Pty Ltd
<b>Duration of Permit:</b>	24 August 2012 – 1 December 2020

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 rail siding construction.
- 2. Land on which clearing is to be done**  
Lot 567 on Deposited Plan 68635 (MOORINE ROCK 6425)
- 3. Area of Clearing**  
The Permit Holder must not clear more than 18 hectares of native vegetation within the area hatched yellow on attached Plan 3999/3.
- 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 the *Land Administration Act 1997* or any other 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:
  - (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.

## 8. Trapdoor Spider management

- (a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* for the presence of *Aganippe castellum* (Tree-stem Trapdoor Spider) burrows.
- (b) Where *Aganippe castellum* (Tree-stem Trapdoor Spider) burrows are identified in relation to condition 8(a) of this Permit, the Permit Holder shall ensure that no clearing occurs within 10 meters of the identified burrows, unless approved by the CEO.

## 9. Native vegetation conservation (conservation covenant)

- (a) The Permit Holder shall enter into a conservation covenant, agreement to reserve or some other form of binding undertaking to maintain vegetation within Lot 747 on Deposited Plan 164879 and Lot 782 on Deposited Plan 168272.
- (b) The conservation covenant, agreement to reserve or some other form of binding undertaking to maintain vegetation shall include, but not be limited to, the following conditions:
  - (i) native vegetation in the area subject to the conservation reserve must not be cleared, other than for clearing required under the *Bush Fires Act 1954*;
  - (ii) the land subject to the conservation reserve shall not be used for the purpose of cultivation of crops or pasture, or for the de-pasturing of any stock; and
  - (iii) the conservation reserve is to apply in perpetuity and be registered on the title of the property.
- (c) The Permit Holder is to execute and return the conservation covenant, agreement to reserve or some other form of binding undertaking outlined in condition 9(a) of this permit prior to ground disturbing activities.

## 10. 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 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;
  - (ii) the date that the area was cleared; and
  - (iii) the size of the area cleared (in hectares).
- (b) In relation to trapdoor Spider management pursuant to condition 8 of this Permit:
  - (i) the location of each trapdoor spider identified 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; and
  - (ii) the species name of each trapdoor spider identified.
- (c) In relation to native vegetation conservation of areas pursuant to condition 9 of this Permit, within one month of executing the conservation covenant, agreement to reserve or other form of binding undertaking the Permit Holder shall notify the CEO in writing that the conservation covenant, agreement to reserve or other form of binding undertaking has been completed.

## 11. 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 10 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding 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 1 September 2020, the Permit Holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(a) of this Permit.

## 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;


*fauna specialist* means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*.

*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; and

*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 the former Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

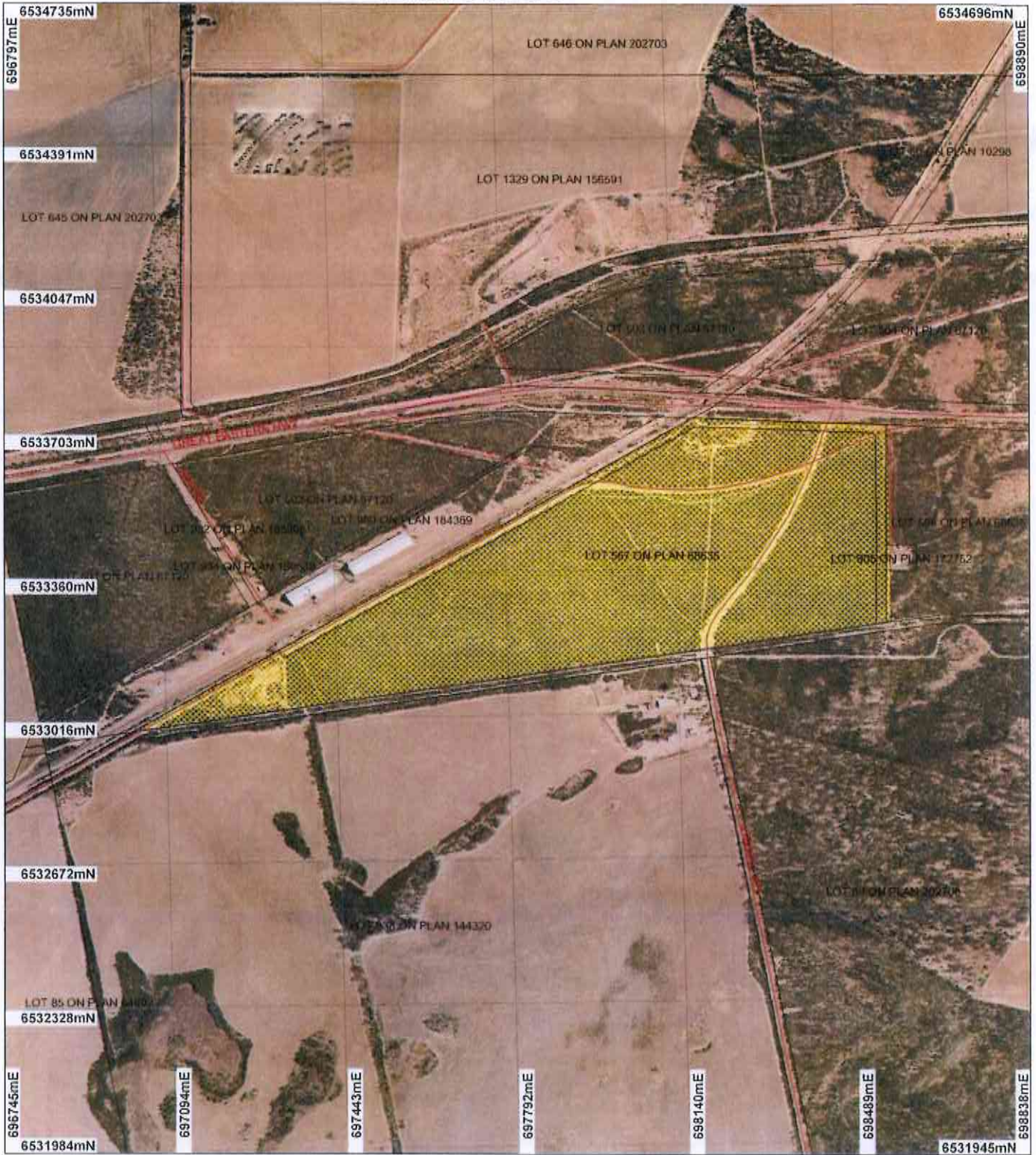


M Warnock  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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



21 November 2013

# Plan 3999/3



## LEGEND

### Clearing Instruments

-  Areas Approved to Clear
-  Road Footpaths

Southern Cross 50cm  
Orthomosaic - Landgate  
2004



Scale 1:12200

(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.



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Department of Environment Regulation

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## 1. Application details

### 1.1. Permit application details

Permit application No.: 3999/3  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Cazaly Iron Pty Ltd

### 1.3. Property details

Property: LOT 567 ON PLAN 68635 ( MOORINE ROCK 6425)  
Local Government Area: Shire of Yilgarn  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
18		Mechanical Removal	Railway construction or 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
<p>The vegetation under application is mapped as consisting of the following vegetation types:</p> <ul style="list-style-type: none"> <li>- Beard 1413: Shrublands; acacia, casuarina &amp; melaleuca thicket</li> <li>- Beard 8: Medium woodland; salmon gum &amp; gimlet</li> </ul> <p>(Shepherd et. al., 2001).</p>	<p>Rail Terminal at Moorine Rocks.</p> <p>The clearing of 18 hectares is for the purpose of constructing a rail siding within Lot 567 on Deposited Plan 68635, Moorine Rock in the Shire of Yilgarn.</p>	<p>Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)</p>	<p>Five vegetation groups were identified within the applied area (Botanica Consulting, 2010):</p> <ol style="list-style-type: none"> <li>1) Mixed Eucalyptus woodland (~75% of clearing envelope is comprised of this vegetation) <ul style="list-style-type: none"> <li>- This section of vegetation was considered to be in very good (Keighery, 1994) condition. Upperstorey species included Eucalyptus loxophleba subsp. lissophloia and Eucalyptus leptopoda subsp. leptopoda; understorey species included Waitzia acuminata, Hakea multilineata, Melaleuca cordata and Drummondita hassellii.</li> </ul> </li> <li>2) Gravel pits (~5% of clearing envelope is comprised of this vegetation) <ul style="list-style-type: none"> <li>- The condition of the vegetation within this section was considered to be degraded (Keighery, 1994), mounds of soil and rubbish were present within the gravel pit. The vegetation consisted of an upper storey of Eucalyptus eremophila subsp. eremophila and E. leptopoda subsp. leptopoda. The understorey species included Ptilotus polystachyus, Allocasuarina campestris, Hibbertia exasperata, Cassytha melantha, Acacia enervia subsp. enervia and Acacia fragilis. subsp. fragilis.</li> </ul> </li> <li>3) Eucalyptus capillosa subsp. capillosa over Melaleuca hamata (~10% of clearing envelope is comprised of this vegetation) <ul style="list-style-type: none"> <li>- This section of vegetation was considered to be in very good (Keighery, 1994) condition. Upperstorey species included Eucalyptus capillosa subsp. capillosa, E. loxophleba subsp. lissophloia, E. leptopoda subsp. leptopoda and E. rigidula; understorey species included Olearia muelleri, Callitris columellaris, Astroloma serratifolium, Scaevola spinescens, Westringia cephalantha and Eremophila drummondii.</li> </ul> </li> </ol>

4) Rehabilitation area (~6% of clearing envelope is comprised of this vegetation)

- This section was considered to be in good (Keighery, 1994) condition. Mixed Eucalyptus woodland. Upper storey species of Eucalyptus loxophleba subsp. lissophloia and Eucalyptus leptopoda subsp. leptopoda; understorey species include Waitzia acuminata, Hakea multilineata, Melaleuca cordata and Drummondita hassellii.

5) Melaleuca thicket (~4% of clearing envelope is comprised of this vegetation)

- This section of vegetation was considered to be in very good (Keighery, 1994) condition. Upperstorey species included Melaleuca lateriflora, Melaleuca acuminata, Melaleuca eleuterostachya and Melaleuca hamata; understorey species included Leptospermum erubescens, Hordeum glaucum, Hordeum leporinum and Vulpia bromoides.

The condition and description of the vegetation under application was determined via the use of aerial imagery and a flora and vegetation survey conducted by Botanica Consulting during November 2009 and March 2010 (Botanica Consulting, 2010).

### 3. Assessment of application against clearing principles

#### Comments

This amendment has been made to amend permit condition 9(c) requiring the conservation covenant to be executed prior to the commencement of ground disturbance. The permit duration has also been extended until 1 December 2020.

The assessment against the clearing principles has not changed and can be found in Decision Report CPS 3999/1 and CPS 3999/2.

#### Methodology

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

#### Comments

The assessment against Planning and Other Matters has not changed and can be found in Decision Report CPS 3999/1 and CPS 3999/2.

#### Methodology

### 4. References

- Botanica Consulting (2010) Moorine Rocks Road and Rail Terminal Development, Level 2 Flora and Vegetation Survey. DEC Ref: A335686
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- 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.