



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 4078/1
<b>Permit Holder:</b>	The Pilbara Infrastructure Pty Ltd
<b>Duration of Permit:</b>	28 February 2011 – 28 February 2016

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 creating an access track to undertake geotechnical and hydrological investigations.

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

Licence number Lic 50213-2004\_17\_17

Located within the following properties:

Lot 114 on Plan 220376 (Lot No. 114 NANUTARRA MULGA DOWNS 6751)

Lot 53 on Plan 220376 (MULGA DOWNS 6751)

Lot 10 on Plan 221013 (WITTENOOM 6751)

Lot 116 on Plan 220191 (CHICHESTER 6751)

#### **3. Area of Clearing**

The Permit Holder must not clear more than 13 hectares of native vegetation within the area hatched yellow on attached Plan 4078/1.

#### **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 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:

- 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. 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.

## 9. 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 9(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 9(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 9(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.

## PART III - RECORD KEEPING AND REPORTING

### 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 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 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;
  - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares); and
  - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*.

### 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 13 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) Prior to 3 November 2015, 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:

*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 50 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 *revegetation* that can be established from in situ seed banks 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;

*term* means the duration of this Permit, including as amended or renewed;

*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*.



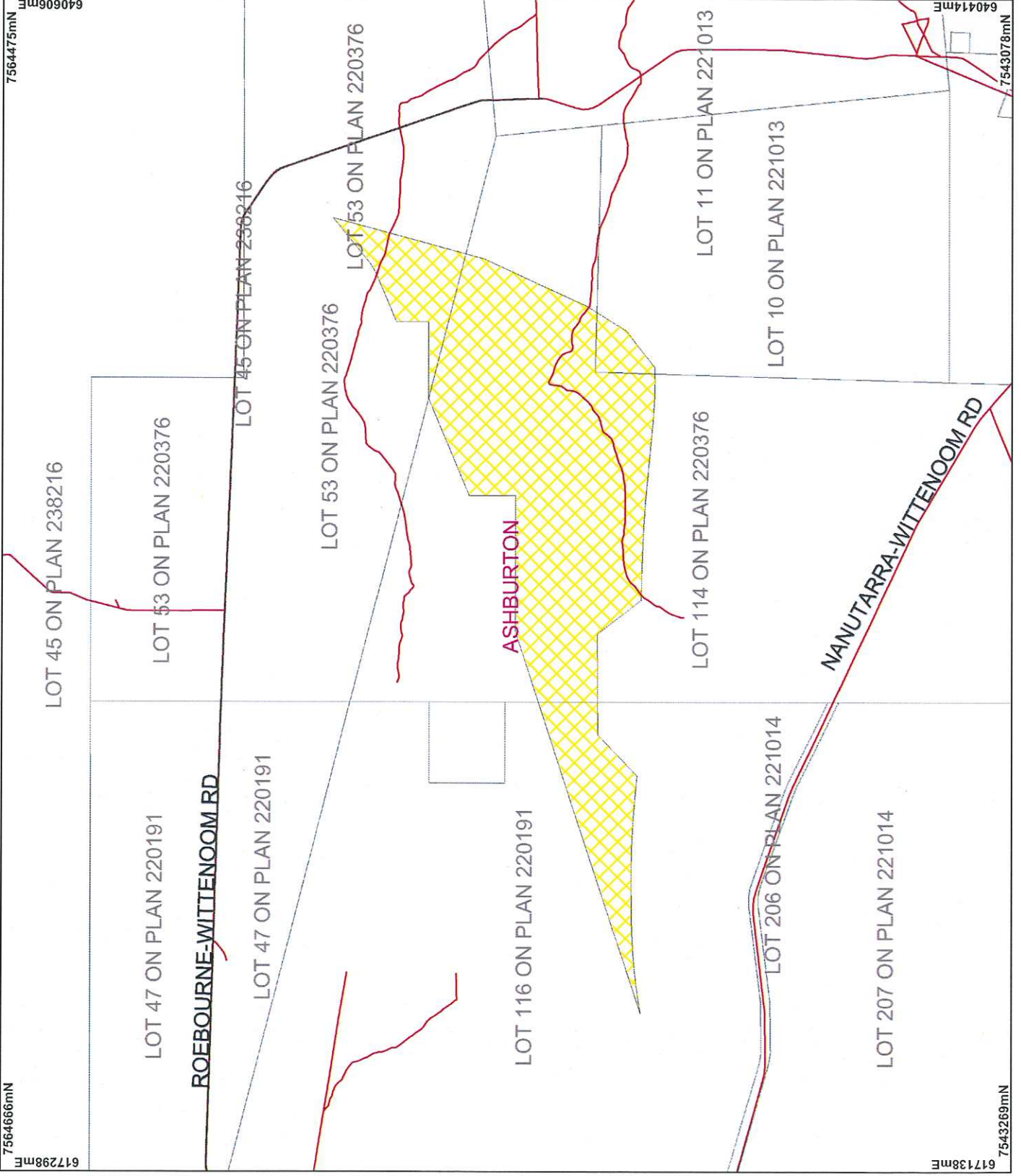
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Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

2 February 2011

# Plan 4078/1



## LEGEND

- Clearing Instruments
- Areas Approved to Clear
- Road Centrelines
- Cadastral for labelling
- Local Government Authorities

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



Scale 1:107771  
 (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.

*[Signature]*  
 K Faulkner  
 Date: 2/2/22

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.: 4078/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: The Pilbara Infrastructure Pty Ltd

### 1.3. Property details

Property: LOT 114 ON PLAN 220376 (Lot No. 114 NANUTARRA MULGA DOWNS 6751)  
LOT 53 ON PLAN 220376 ( MULGA DOWNS 6751)  
LOT 10 ON PLAN 221013 ( WITTENOOM 6751)  
LOT 116 ON PLAN 220191 ( CHICHESTER 6751)

Local Government Area:

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
13		Mechanical Removal	Road construction or maintenance

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 2 February 2011

## 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
FORTESCUE VALLEY 29: Sparse low woodland; mulga, discontinuous in scattered groups,	The proposal to clear 13 hectares of native vegetation is for the purpose of constructing an access track to undertaken geotechnical and hydrological investigations for the proposed Solomon Rail Spur. All works will be undertaken and managed in accordance with Fortescue Metals Group Limited, Exploration Environmental Management Plan (Fortescue Metals Group Limited, 2008) (Fortescue Metals Group Limited, 2010).	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non- aggressive (Keighery 1994)	Vegetation Condition was determined using Ecoscape (Australia) Pty Ltd (2010)'s, Flora and Vegetation Assessment Solomon Rail Project.
FORTESCUE VALLEY 111: Hummock grasslands, shrub steppe; Eucalyptus gamophylla over hard spinifex, and			
CHICHESTER PLATEAU 175: Short bunch grassland - savanna/grass plain (Pilbara).			
Shepherd (2009)			
As above	As above	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	As above
As above	As above	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	As above
As above	As above	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	As above

## 3. Assessment of application against clearing principles

### Comments

The proposed clearing of 13 hectares of native vegetation is for the purpose of constructing an access track to undertake geotechnical and hydrological investigations for the proposed Solomon Rail Spur. All works will be

undertaken and managed in accordance with Fortescue Metals Group Limited, Exploration Environmental Management Plan (Fortescue Metals Group Limited, 2008).

The vegetation under application is considered to be in a degraded to excellent (Keighery, 1994) condition. Environmental weed species *Cenchrus ciliaris* and *Vachellia farnesiana* were recorded within the application area (Ecoscape (Australia) Pty Ltd, 2010). The proponent should endeavour to prevent the spread of these weeds into new areas.

No recorded threatened fauna, rare flora or threatened ecological communities are known to occur within the area in which clearing is proposed. Approximately 99 to 100% of pre-European vegetation remains for recorded vegetation associations and the Pilbara bioregion has 99.89% of vegetation extent remaining (Shepherd, 2009).

The application area crosses an area associated with the floodplain of the Fortescue River (Ecoscape (Australia) Pty Ltd, 2010). Mulga communities, particularly those fringing the Fortescue River are considered to be regionally significant. Sheet flow resulting from land clearing may impact on the surrounding sensitive Mulga communities within this area. Therefore there will be some disturbance to vegetation associated with watercourses and wetlands. Appropriate management measures should be adopted to minimise indirect impacts resulting from the Solomon Rail Project on Mulga communities (Coffee Environments, 2010).

**Methodology** GIS Databases:  
- DEC Managed Lands & Waters - DEC 28/10/09  
- Pre-European vegetation - DA 01/01  
- ANCA, Wetlands - 26/03/99  
- Hydrogeology, statewide - DoW 13/07/06  
- Hydrography, linear - DoW 13/7/06  
- SAC Biodatasets - 22/06/10  
Keighery, 1994  
Shepherd, 2007  
DEC, 2010  
Fortescue Metals Group Limited, 2008  
Fortescue Metals Group Limited, 2010  
Coffey Environments, 2010

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

##### Comments

The applicant has a Section 91 Licence under the Land Administration Act 1997 for Solomon Rail Spur. This licence (Lic 50213-2004\_17\_17) covers the area under application.

##### Methodology

#### 4. References

- Coffee Environments Pty Ltd (2010), Flora and Vegetation Assessment Solomon Rail Project. DEC Ref: A308356  
Ecoscape (Australia) Pty Ltd (2010), Flora and Vegetation Assessment Solomon Rail Project. DEC Ref: A348267  
Fortescue Metals Group Limited (2008) Fortescue Metals Group Limited - Exploration Environmental Management Plan. DEC Ref: A318411  
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. (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.

#### 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)