



A545214

## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

<b>Purpose Permit number:</b>	CPS 4442/2
<b>Permit Holder:</b>	Pilbara Iron Company (Services) Pty Ltd
<b>Duration of Permit:</b>	8 June 2012 – 8 June 2017

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 maintenance and improvement of the existing integrated Rio Tinto Iron Ore railway and transport corridor infrastructure system to ensure the ongoing operational efficacy of this system.

#### 2. Type of clearing authorised

(a) In accordance with this Permit, the Permit Holder may clear native vegetation for *project activities*, which means any one or more of the following:

- (i) establishment of new water *bores* and pipelines to transport water from the water *bores*;
- (ii) construction of new *turkey nest dams*;
- (iii) maintenance of existing access tracks within environmentally sensitive areas;
- (iv) construction of new access tracks;
- (v) maintenance, installation and upgrade of *culverts, floodways, causeways and bridges* and drainage lines;
- (vi) maintenance and installation of *level crossings* and road intersections along rail network;
- (vii) maintenance and installation of signaling equipment and communications equipment;
- (viii) construction, maintenance and upgrade of *sidings*;
- (ix) widening of existing rail formations for *turnout* installations;
- (x) repair works required as a result of flooding/derailment events, including derailment recovery operations and diversions of access roads and railway embankments;
- (xi) construction of *laydown areas*;
- (xii) installation of *temporary structures*;
- (xiii) maintenance and upgrade of rail lines and formation materials;
- (xiv) providing clear access to all parts of the railway track, including signal infrastructure, driver change out areas, hot bearing detectors, dragging equipment detectors and rail bearing acoustic monitoring assets;
- (xv) creating and maintaining *firebreaks*;
- (xvi) clearing of *cutting drains*;
- (xvii) excavation of test pits and geotechnical works;
- (xviii) construction of *borrow pits*;
- (xix) construction of fences around *heritage sites* and other areas to be protected;
- (xx) installation and maintenance of railway and access road signage;
- (xxi) rehabilitation of previously cleared areas and rework of rehabilitated areas;
- (xxii) installation, maintenance and upgrade of infrastructure, including power and fuel infrastructure;
- (xxiii) dumping of *spoil*;
- (xxiv) installation, maintenance and upgrade of *crossovers*.

- (b) The Permit authorises the Permit Holder to clear native vegetation for *project activities* to the extent that the Permit Holder has the power to clear native vegetation for those *project activities* under any *written law*.

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

Clearing authorised under this Permit is to be undertaken within land tenure or rights administered under the *Mining Act 1904 (WA)*, *Mining Act 1978 (WA)*, *Land Act 1933 (WA)*, *Land Administration Act 1997 (WA)*, *Property Law Act 1969 (WA)*, *Transfer of Land Act 1893 (WA)*, *Strata Titles Act 1985 (WA)*, the *Rights in Water and Irrigation Act 1914 (WA)* or the following State Agreement Acts –

- *Iron Ore (Hamersley Range) Agreement Act 1963*
- *Iron Ore (Robe River) Agreement Act 1964*
- *Iron Ore (Hamersley Range) Agreement Act 1968(Paraburdoo)*
- *Iron Ore (Mount Bruce) Agreement Act 1972*
- *Iron Ore (Channar Joint Venture) Agreement Act 1987*
- *Iron Ore (Hope Downs) Agreement Act 1992*
- *Iron Ore (Yandicoogina) Agreement Act 1996*

**4. Area of Clearing**

The Permit Holder must not clear more than 500 hectares of native vegetation per calendar year, being a total of 2500 hectares of native vegetation for the term of this Permit.

**5. 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.

**6. Clearing not authorised**

- (a) This Permit does not authorise the Permit Holder to clear native vegetation for *project activities*, where:
- (i) The Permit Holder does not have lawful authority to access land;
  - (ii) the *project activity* lies within Millstream Chichester or Karijini National Parks;
  - (iii) the *project activity* is within 200 metres of the outer boundary of known *threatened ecological communities*; or
  - (iv) one or more of the *project activities* are incorporated or related to a proposal that is *referred to* and assessed under Part IV of the *EP Act* by the *EPA*.
- (b) If a *proposal* incorporating one or more of the *project activities* has been *referred to* the *EPA*, this Permit does not authorise any clearing for that *project activity*, until:
- (i) the *EPA* has given notice under section 39A(3) of the *EP Act* that it has decided not to assess the proposal; and
  - (ii) either:
    - (A) the period within which an appeal against the *EPA's* decision may be lodged has expired without an appeal being lodged; or
    - (B) an appeal has been lodged against the *EPA's* decision not to assess the proposal and the appeal was dismissed.
- (c) Condition 6(a) does not apply where the Permit Holder has obtained the consent of the *EPA* to conduct minor and preliminary works in accordance with section 41A(3), the Permit Holder may conduct any clearing in order to undertake those minor and preliminary works.
- (d) If the Permit Holder intends to clear native vegetation under this Permit for one or more of the *project activities* that are incorporated in a proposal *referred to* the *EPA*, then the Permit Holder must have regard to any advice or recommendations made by the *EPA* under section 39A(7) of the *EP Act*.

## PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

### **7. Avoid, minimise etc clearing**

In determining the amount of native vegetation to be cleared, the Permit Holder must abide by 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. Weed control**

When undertaking any clearing or other activity pursuant to this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

### **9. Flora management**

- (a) Prior to undertaking any clearing, the Permit Holder shall engage a *botanist* to undertake a Level 1 survey of the area(s) to be cleared in accordance with *Guidance Statement No. 51* to identify possible occurrences of, and habitat suitable for, rare and *priority flora*.
- (b) Prior to undertaking any clearing, where an area has been identified in accordance with condition 9(a) as containing possible occurrences of, and habitat suitable for, rare or *priority flora*, the Permit Holder shall engage a *botanist* to inspect that area for the presence of rare and *priority flora*.
- (c) Where rare flora or *priority flora* are identified in relation to condition 9(b) of this Permit, the Permit Holder shall ensure that:
  - (i) no clearing occurs within 50 metres of identified rare flora, unless approved by the CEO in writing;
  - (ii) no clearing of identified rare flora occurs unless approved under section 23F(2) of the *Wildlife Conservation Act 1950*;
  - (iii) no clearing of identified *priority flora* occurs unless approved by the CEO in writing; and
  - (iv) no clearing occurs within 10 metres of identified *priority flora*, unless approved by the CEO in writing.

### **10. Priority and threatened ecological community management**

- (a) Prior to undertaking any clearing within or within 20m of the boundary of the following priority ecological communities, the Permit Holder shall engage a *botanist* to undertake a Level 2 flora and vegetation survey of the area(s) to be cleared in accordance with *Guidance Statement No. 51*:
  - (i) West Angelas Cracking-Clays (Site Identifications: ANGELAS02, ANGELAS04, ANGELAS05, ANGELAS06, ANGELAS07, ANGELAS08, ANGELAS09 and ANGELAS10);
  - (ii) Roebourne Plains Gilgai Grasslands (Site Identifications: Edna01, Edna02, Blackhill S, RPG1, DRW14, KA01a, KA01c, KA01d and KA01e);
  - (iii) Coolibah - Lignum flats, sub type 1 (Site Identifications: Coondewanna, Coolibah07, Coolibah09, Coolibah29, Coolibah30, Coolibah32, Coolibah33, Coolibah 34, Coolibah35, Coolibah36, Coolibah37, Coolibah38, Coolibah39, Coolibah40 and Coolibah41);
  - (iv) Coolibah - Lignum flats, sub type 2 (Site Identifications: Lake Robinson and Coolibah06);
  - (v) Sand sheet vegetation (Robe Valley) (Site Identification: MEA14);
  - (vi) Wona Land System (Site Identification: Wittenoom); or
  - (vii) Horseflat Land System (Site Identifications: hof1077, hof1204, hof614, hof845, hof890 and hof993)

- (b) The Permit Holder must ensure that no clearing occurs within or within 20m of the mapped boundary of any community as listed in condition 10(a), unless approved by the CEO in writing.
- (c) If any possible new occurrences of any priority ecological community on the *Department's* "Priority Ecological Communities for Western Australia" list, or threatened ecological community on the *Department's* "threatened ecological communities for Western Australia" list are located during surveys, then this information must be provided to DEC.
- (d) The Permit Holder must ensure that no clearing occurs within or within 20m of the mapped boundary of any possible new occurrences of priority or threatened ecological community located during surveys, unless approved by the CEO in writing.

## 11. Fauna management

- (a) Prior to undertaking any clearing, the Permit Holder shall engage a *fauna specialist* to undertake a Level 1 survey of the area(s) to be cleared, in accordance with *Guidance Statement No. 56* to identify areas of habitat on which fauna, listed in the *Wildlife Conservation (Specially Protected Fauna) Notice* in operation at the time, have a specific dependence.
- (b) Prior to undertaking any clearing, where habitat areas are identified in accordance with condition 11(a), the area(s) shall be inspected for the presence of fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice* by a *fauna specialist*, in accordance with *Guidance Statement No. 56*.
- (c) Prior to undertaking clearing, where habitat areas are identified in accordance with condition 11(a), the Permit Holder must:
  - (i) avoid areas identified in accordance with condition 11(a); or
  - (ii) where the areas identified in accordance with condition 11(a) can not be avoided, prepare, implement and adhere to a *Fauna Management Plan*, designed by a *fauna specialist*.
- (d) Prior to undertaking any clearing, where fauna is identified in accordance with condition 11(b), the Permit Holder must prepare, implement and adhere to a *Fauna Management Plan*, designed by a *fauna specialist*.
- (e) The *Fauna Management Plan* must include the following:
  - (i) a plan for managing the *impacts*;
  - (ii) a plan for managing any fauna identified in accordance with condition 11(b);
  - (iii) a table setting out the Permit Holder's commitments to the *Fauna Management Plan* requirements; and
  - (iv) a program for monitoring compliance with the Permit Holder's commitments.
- (f) Once the Permit Holder has developed a *Fauna Management Plan*, the Permit Holder must provide that *Fauna Management Plan* to the CEO for the CEO's approval. The clearing to which the *Fauna Management Plan* relates and the implementation of the *Fauna Management Plan* shall not take place until the Permit Holder receives approval from the CEO.
- (g) If it is necessary to modify the *Fauna Management Plan* approved by the CEO, then the Permit Holder must provide that modified *Fauna Management Plan* to the CEO for the CEO's approval.

## 12. Revegetation and rehabilitation

- (a) The Permit Holder must *revegetate* and *rehabilitate* any area(s) no longer required for the purpose for which they were cleared under this Permit.
- (b) The Permit Holder need not *revegetate* and *rehabilitate* an area specified in condition 12(a) of this Permit if the Permit Holder intends to use that cleared area for another *project activity* within 12 months of that area no longer being required for the purpose for which it was originally cleared under this Permit.

- (c) The Permit Holder must prepare a *Revegetation Plan*, designed by an *environmental specialist*, if required to *revegetate* and *rehabilitate* an area specified in condition 12(a) of this Permit.
- (d) The *Revegetation Plan* must include the following:
  - (i) *site preparation*;
  - (ii) *weed control*;
  - (iii) *regeneration or direct seeding, at an optimal time*;
  - (iv) *a vegetation establishment period*;
  - (v) *revegetation success completion criteria*;
  - (vi) *remedial actions to be undertaken if success completion criteria are not met*;
  - (vii) *ongoing maintenance and monitoring of the area to be revegetated and rehabilitated*;
  - (viii) *timeframes for completion of the activities and*
  - (ix) *management commitments that will be achieved*.
- (e) Once the Permit Holder has developed a *Revegetation Plan*, the Permit Holder must provide that *Revegetation Plan* to the CEO for the CEO's approval.
- (f) If it is necessary to modify the *Revegetation Plan* approved by the CEO, then the Permit Holder must provide that modified *Revegetation Plan* to the CEO for the CEO's approval.
- (g) The Permit Holder shall implement the *Revegetation Plan* approved by the CEO.
- (h) The *revegetation and rehabilitation* of an area pursuant to condition 12, must be carried out as soon as possible, but no later than 24 months, after the Permit Holder no longer requires the area for a *project activity*.
- (i) The Permit Holder need not comply with condition 12(a) if the area to be *revegetated and rehabilitated* is:
  - (i) less than 0.5 hectares and
  - (ii) not located in an environmentally sensitive area.

### **PART III – MONITORING, RECORD KEEPING AND REPORTING**

#### **13. Monitoring**

The Permit Holder must monitor areas *revegetated and rehabilitated* under this Permit to determine compliance with the relevant *Revegetation Plan* and the conditions of this Permit.

#### **14. 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 dates on which clearing was done; and
  - (iv) the size of the area cleared (in hectares).
- (b) In relation to flora management pursuant to condition 9 of this Permit:
  - (i) the location of each rare flora and *priority flora* species 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 flora and *priority flora* identified; and
  - (iii) a copy of the *botanist's* flora survey report.
- (c) In relation to priority and threatened ecological community management pursuant to condition 10 of this Permit:

- (i) the name and site identification of each priority ecological community and possible new occurrences of priority or threatened ecological community;
  - (ii) the location of each priority ecological community and possible new occurrences of priority or threatened ecological community 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 boundary of the priority ecological community or possible new occurrences of priority or threatened ecological community identified;
  - (iv) the species composition of each priority ecological community identified;
  - (v) a map of the condition of each priority ecological community identified; and
  - (vi) a copy of the *botanist's* flora and vegetation survey report.
- (d) In relation to fauna management pursuant to condition 11 of this Permit:
- (i) a description and results of the fauna management activities undertaken in accordance with the *Fauna Management Plan* approved by the CEO; and
  - (ii) a copy of the *fauna specialist's* survey report.
- (e) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 12 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 and results of the *revegetation* and *rehabilitation* activities undertaken in accordance with the *Revegetation Plan* approved by the CEO;
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares); and
  - (iv) the species composition, structure and density of areas *revegetated* and *rehabilitated*.

## 15. 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 14 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 8 March 2017 the Permit Holder must provide to the CEO a written report of records required under condition 14 of this Permit where these records have not already been provided under condition 15(a) of this Permit.

## 16. Interpretation

The following rules of interpretation apply to this Permit:

- (a) a reference to any written law includes a reference to that written law as amended, repealed or replaced from time to time; and
- (b) if a word or phrase is defined, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.

## 17. Severance

It is the intent of these conditions that they shall operate so that, if a condition or part of a condition is beyond the CEO's power to impose, or is otherwise ultra vires or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the CEO's power to impose and are not otherwise ultra vires or invalid.

## 18. Inconsistency

- (a) The *EP Act* prevails to the extent of any inconsistency between its provisions and the conditions of this Permit.
- (b) Subject to condition 18(a), this Permit prevails to the extent of any inconsistency between its conditions, and the provisions of any other document referred to in this Permit.

## Definitions

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

**botanist** means a person with specific training and/or experience in the biology, identification and taxonomy of Western Australian flora and knowledge and experience in the region being surveyed;

**bore/s** an opening in the ground made or used to obtain access to underground water;

**borrow pit/s** means an area from which material is sourced to construct infrastructure or to alter the ground level, including by filling a hole;

**bridge/s** a structure spanning an area, including a river, chasm, road or railway, and affording passage;

**causeway/s** means a raised road or path, as across low or wet ground or water bodies;

**crossover/s** means a connection between two tracks achieved by linking two adjacent *turnouts*;

**culvert/s** means a metal, wooden, plastic, or concrete conduit through which surface water can flow under or across roads, railways or embankments;

**cutting drain/s** means a drain to allow water to be diverted away from an engineered structure;

**Department** means the Department of Environment and Conservation (Western Australia);

**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;

**EPA** means the Western Australian Environmental Protection Authority;

**EP Act** means the *Environmental Protection Act 1986*;

**fauna clearing person** means a person who has obtained a licence from the Department, issued pursuant to the *Wildlife Conservation Regulations 1970* authorising them to take fauna;

**Fauna management plan** means a plan developed by the Permit Holder for the management of fauna at the site in accordance with condition 11 of this Permit;

**fauna specialist** means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna and knowledge and experience in the region being surveyed;

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

**firebreak/s** means a firebreak established in accordance with the *Bush Fires Act 1954*;

**floodway/s** means an engineered path to channel floodwaters away from areas to be protected;

**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);

**Guidance Statement No 56** means Guidance for the Assessment of Environmental Factors: Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia. Guidance Statement No 56, Environmental Protection Authority (2004);

**heritage site/s** means:

- (a) an "Aboriginal site" as defined in the *Aboriginal Heritage Act 1972* (WA);
- (b) a "significant Aboriginal area" or "significant Aboriginal object" as defined in the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth); or
- (c) a site that has or is proposed to be listed on the "Register", as that term is defined in the *Heritage of Western Australia Act 1990* (WA); and
- (d) a place that is listed, or proposed to be listed on the "National Heritage List", as that term is defined in the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

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

**laydown area/s** means a place where materials, topsoil and equipment can be regularly stored on the ground for a period of time;

**level crossing/s** a place where a road and railway intersect at the same level;

**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;

**optimal time** means the period from November to December for undertaking *direct seeding*;

**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 or 4 in the *Department's Declared Rare and Priority Flora List for Western Australia* (as amended);

**project activity/ies** means those activities described in condition 2(a) of this Permit;

**referred** means referred to the Environmental Protection Authority under Part IV of the *Environmental Protection Act 1986*;

**regeneration** means *revegetation* that can be established from in situ seed banks contained either within the topsoil or seed-bearing *mulch*;

**rehabilitate** means actively managing an area containing native vegetation in order to improve the ecological function of that area;

**revegetate** means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

**Revegetation plan** means a plan developed by the Permit Holder for the revegetation and *rehabilitation* of a site in accordance with condition 13 of this Permit;

**siding/s** means a short siding or passage which enables vehicles, including trains, to pass one another;

**site preparation** means management of existing site topsoil and preparation of the finished soil surface, for example by ripping or tilling the soil surface and respreading site topsoil and chipped native vegetation;

**spoil** material that has built up around a structure, for example as a result of a derailment or weather event;

**temporary structure/s** means a structure not placed on permanent footings;

**threatened ecological community/ies** means those ecological communities endorsed by the Minister for the Environment and described in the "List of Threatened Ecological Communities on the Department of Environment and Conservation's Threatened Ecological Community (TEC) Database";



*turkey nest dam/s* means a dam constructed on relatively flat ground with earth walls on all sides;

*turnout* means an earthworks pad constructed to allow for access to install and maintain a rail crossover;

*vegetation establishment period* means a period of at least two summers after the *revegetation* during which time replacement and infill *revegetation* works may be required for areas in which *revegetation* has been unsuccessful, and involves regular inspections of *revegetation* sites to monitor the success of *revegetation*;

*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*;

*Wildlife Conservation (Specially Protected Fauna) Notice* means those fauna taxa gazetted as rare fauna pursuant to section 14(4)(a) of the *Wildlife Conservation Act 1950* (as amended);

*written law* has the same meaning as it is given in section 5 of the *Interpretation Act 1984*.



Roxane Shadbolt  
A/ MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

13 September 2012



## 1. Application details

### 1.1. Permit application details

Permit application No.: 4442/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Pilbara Iron Company (Services) Pty Ltd

### 1.3. Property details

Property:

- LOT 54 ON PLAN 243163 (DAMPIER 6713)
- CROWN RESERVE 30071 (MILLSTREAM 6716)
- LOT 100 ON PLAN 47815 (CHICHESTER 6751)
- LOT 102 ON PLAN 243174 (MOUNT SHEILA 6751)
- LOT 106 ON PLAN 243222 (MOUNT SHEILA 6751)
- LOT 106 ON PLAN 54397 (POINT SAMSON 6720)
- LOT 106 ON PLAN 56277 (FORTESCUE 6716)
- LOT 107 ON PLAN 55283 (FORTESCUE 6716)
- LOT 108 ON PLAN 220373 (INNAWANGA 6751)
- LOT 108 ON PLAN 56277 (FORTESCUE 6716)
- LOT 110 ON PLAN 241947 (MAITLAND 6714)
- LOT 12 ON PLAN 47815 (MOUNT SHEILA 6751)
- LOT 121 ON PLAN 219121 (KARIJINI 6751)
- LOT 122 ON PLAN 219121 (KARIJINI 6751)
- LOT 128 ON PLAN 242851 (ROCKLEA 6751)
- LOT 13 ON PLAN 47815 (CHICHESTER 6751)
- LOT 13 ON PLAN 47815 (FORTESCUE 6716)
- LOT 149 ON PLAN 184653 (COOYA POOYA 6714)
- LOT 153 ON PLAN 243222 (KARIJINI 6751)
- LOT 1563 ON PLAN 67603 (JUNA DOWNS 6751)
- LOT 1580 ON PLAN 72910 (NEWMAN 6753)
- LOT 175 ON PLAN 26146 (GAP RIDGE 6714)
- LOT 189 ON PLAN 219306 (NEWMAN 6753)
- LOT 20 ON PLAN 47816 (MOUNT SHEILA 6751)
- LOT 20 ON PLAN 47816 (ROCKLEA 6751)
- LOT 20 ON PLAN 47816 (TOM PRICE 6751)
- LOT 200 ON PLAN 47815 (MOUNT SHEILA 6751)
- LOT 207 ON PLAN 216688 (MOUNT ANKETELL 6714)
- LOT 215 ON PLAN 216769 (GAP RIDGE 6714)
- LOT 222 ON PLAN 34983 (JUNA DOWNS 6751)
- LOT 24 ON PLAN 241372 (DAMPIER 6713)
- LOT 24 ON PLAN 242287 (FORTESCUE 6716)
- LOT 24 ON PLAN 242287 (MILLSTREAM 6716)
- LOT 280 ON PLAN 217843 (ANTONYMYRE 6714)
- LOT 300 ON PLAN 63514 (FORTESCUE 6716)
- LOT 3007 ON PLAN 44794 (TOM PRICE 6751)
- LOT 3007 ON PLAN 58290 (MOUNT SHEILA 6751)
- LOT 301 ON PLAN 41097 (JUNA DOWNS 6751)
- LOT 301 ON PLAN 63514 (FORTESCUE 6716)
- LOT 302 ON PLAN 41097 (NEWMAN 6753)
- LOT 302 ON PLAN 50856 (NEWMAN 6753)
- LOT 302 ON PLAN 63514 (FORTESCUE 6716)
- LOT 303 ON PLAN 41097 (NEWMAN 6753)
- LOT 303 ON PLAN 50856 (NEWMAN 6753)
- LOT 303 ON PLAN 63514 (FORTESCUE 6716)
- LOT 304 ON PLAN 41097 (NEWMAN 6753)
- LOT 313 ON PLAN 63520 (FORTESCUE 6716)

LOT 32 ON PLAN 241590 (PARABURDOO 6754)  
 LOT 32 ON PLAN 47815 (MAITLAND 6714)  
 LOT 32 ON PLAN 47815 (MILLSTREAM 6716)  
 LOT 33 ON PLAN 240249 (FORTESCUE 6716)  
 LOT 34 ON PLAN 216143 (FORTESCUE 6716)  
 LOT 354 ON PLAN 58290 (MOUNT SHEILA 6751)  
 LOT 359 ON PLAN 58290 (MOUNT SHEILA 6751)  
 LOT 36 ON PLAN 47816 (ROCKLEA 6751)  
 LOT 37 ON PLAN 29815 (CHICHESTER 6751)  
 LOT 40 ON PLAN 242287 (HAMERSLEY RANGE 6716)  
 LOT 404 ON PLAN 194355 (POINT SAMSON 6720)  
 LOT 47 ON PLAN 216156 (MOUNT SHEILA 6751)  
 LOT 500 ON PLAN 56626 (COOYA POOYA 6714)  
 LOT 507 ON PLAN 61847 (MILLSTREAM 6716)  
 LOT 508 ON PLAN 61847 (MILLSTREAM 6716)  
 LOT 510 ON PLAN 61847 (MILLSTREAM 6716)  
 LOT 52 ON PLAN 238012 (CHICHESTER 6751)  
 LOT 52 ON PLAN 54397 (FORTESCUE 6716)  
 LOT 54 ON PLAN 241547 (PANNAWONICA 6716)  
 LOT 56 ON PLAN 55282 (FORTESCUE 6716)  
 LOT 57 ON PLAN 55282 (FORTESCUE 6716)  
 LOT 61 ON PLAN 54397 (MILLSTREAM 6716)  
 LOT 62 ON PLAN 55278 (FORTESCUE 6716)  
 LOT 65 ON PLAN 241547 (POINT SAMSON 6720)  
 LOT 663 ON PLAN 30490 (COOYA POOYA 6714)  
 LOT 663 ON PLAN 30490 (GAP RIDGE 6714)  
 LOT 68 ON PLAN 55312 (FORTESCUE 6716)  
 LOT 8 ON PLAN 241372 (MOUNT SHEILA 6751)  
 LOT 83 ON PLAN 238012 (CHICHESTER 6751)  
 LOT 9 ON PLAN 47815 (CHICHESTER 6751)  
 LOT 9 ON PLAN 47815 (MOUNT SHEILA 6751)  
 LOT 9 ON PLAN 47815 (TOM PRICE 6751)  
 LOT 96 ON PLAN 243145 (MOUNT SHEILA 6751)  
 LOT 97 ON PLAN 243145 (MOUNT SHEILA 6751)  
 PART LOT 63 ON PLAN 54397 (Lot No. 63 CAPE LAMBERT POINT SAMSON 6720)  
 PART LOT 77 ON PLAN 220192 (ROCKLEA 6751)  
 PART LOT 99 ON PLAN 238653 (MOUNT SHEILA 6751)  
 ROAD RESERVE (CHICHESTER 6751)  
 ROAD RESERVE (FORTESCUE 6716)  
 ROAD RESERVE (MILLSTREAM 6716)  
 ROAD RESERVE (MOUNT SHEILA 6751)  
 ROAD RESERVE (TOM PRICE 6751)  
 ROAD RESERVE (COOYA POOYA 6714)  
 ROAD RESERVE (MAITLAND 6714)  
 ROAD RESERVE (ROEBOURNE 6718)  
 UNALLOCATED CROWN LAND (CHICHESTER 6751)  
 UNALLOCATED CROWN LAND (MOUNT SHEILA 6751)  
 UNALLOCATED CROWN LAND (NEWMAN 6753)  
 Shires of East Pilbara, Roebourne and Ashburton  
 Rio Tinto Iron Ore Pilbara Rail Network

**Local Government Area:**  
**Colloquial name:**

#### 1.4. Application

**Clearing Area (ha)**  
 2500

**Method of Clearing**  
 Mechanical Removal

**For the purpose of:**  
 Railway construction or maintenance

#### 1.5. Decision on application

**Decision on Permit Application:**

GRANT

**Decision Date:**

13 SEPTEMBER 2012

## 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
Mapped Beard vegetation association 117 is described as Hummock grasslands, grass steppe; soft spinifex	The vegetation under application is likely to range from 'degraded' to 'pristine' (Keighery, 1994) condition with some areas having already been impacted as a result of the construction of the existing railway line and associated infrastructure.	Pristine: No obvious signs of disturbance (Keighery 1994)	The vegetation condition was assessed through aerial imagery (Dampier Preston 1.4m Orthomosaic - Landgate 2000; Yarraloola 1.4m Orthomosaic - Landgate 2001; Pannawonica 1.4m Orthomosaic - Landgate 2000; Elvire 1.4m Orthomosaic - Landgate 2000; Pinderi Hills 1.4m Orthomosaic - Landgate 2000; Roebourne 50cm Orthomosaic - Landgate 2007; Cooya Pooya 1.4m Orthomosaic - Landgate 1998; Millstream 80cm Orthomosaic - Landgate 2007; Mount Billroth 1.4m Orthomosaic - Landgate 2000; Jeerinah 50cm Orthomosaic - Landgate 2004; Rocklea 50cm Orthomosaic - Landgate 2004; Paraburdoo 50cm Orthomosaic - Landgate 2004; McRae 50cm Orthomosaic - Landgate 2004; Mount Bruce 50cm Orthomosaic - Landgate 2004; Munjina 50 cm Orthomosaic - Landgate 2004 and Mount Lionel 50cm Orthomosaic - Landgate 2004).
Association 127 - Bare areas; mud flats		To	
Association 589 - Mosaic: Short bunch grassland - savanna / grass plain (Pilbara) / Hummock grasslands, grass steppe; soft spinifex		Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	
Association 157 - Hummock grasslands, grass steppe; hard spinifex, <i>Triodia wiseana</i>			
Association 152 - Hummock grasslands, grass steppe; soft & hard spinifex soft spinifex			
Association 93 - Hummock grasslands, shrub steppe; kanji over soft spinifex			
Association 619 - Medium woodland; river gum ( <i>Eucalyptus camaldulensis</i> )			
Association 587 - Mosaic: Hummock grasslands, open low tree-steppe; snappy gum over <i>Triodia wiseana</i> / Hummock grasslands, shrub-steppe; kanji over <i>Triodia pungens</i>			
Association 603 - Hummock grasslands, sparse shrub steppe; <i>Acacia bivenosa</i> over hard spinifex			
Association 175 - Short bunch grassland - savanna/grass plain (Pilbara)			
Association 607 - Hummock grasslands, low tree steppe; snappy gum & bloodwood over soft spinifex & <i>Triodia wiseana</i>			
Association 609 - Mosaic: Hummock grasslands, open low tree steppe; bloodwood with sparse kanji shrubs over soft spinifex / Hummock grasslands, open low tree steppe; snappy gum over <i>Triodia wiseana</i> on a lateritic crust			
Association 605 - Hummock grasslands, shrub steppe; <i>Acacia pachycarpa</i> & waterwood over soft spinifex			
Association 82 - Hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i>			
Association 29 - Sparse low woodland; mulga, discontinuous in scattered groups			

Association 583 - Hummock  
grasslands, sparse shrub steppe; kanji  
& Acacia bivenosa over hard spinifex  
Triodia basedowii & T. wiseana

Association 646 - Hummock  
grasslands, shrub steppe; snakewood  
over Triodia basedowii

Association 644 - Hummock  
grasslands, open low tree steppe;  
mulga & snakewood over soft spinifex  
& Triodia basedowii

Association 645 - Hummock  
grasslands, shrub steppe; kanji &  
snakewood over soft spinifex & Triodia  
wiseana

Association 565 - Hummock  
grasslands, low tree steppe;  
bloodwood over soft spinifex

Association 567 - Hummock  
grasslands, shrub steppe; mulga &  
kanji over soft spinifex & Triodia  
basedowii

Association 18 - Low woodland; mulga  
(Acacia aneura)

Association 162 - Shrublands;  
snakewood scrub

Association 181 - Shrublands; mulga &  
snakewood scrub  
(Shepherd et al., 2001)

### 3. Assessment of application against clearing principles

#### Comments

The amendments to CPS 4442/1 are primarily administrative amendments to correct errors in conditions 15(a)(i), 15(b) and 18(b) which make reference to incorrect conditions. 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 4442/1.

#### Methodology

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

#### Comments

Pilbara Iron Company (Services) Pty Ltd have viewed the administrative amendments to the draft permit for the correction of errors in conditions 15(a)(i), 15(b) and 18(b) and had no objections to the proposed changes (RTIO, 2012a & RTIO, 2012c).

On the 16 August 2012, Pilbara Iron Company (Services) Pty Ltd requested an amendment to condition 4 for the limit of clearing of 500ha to be per calendar year, rather than per financial year, and the reporting date referred to in Condition 15(a) amended from 31 July each year to 30 June each year, in order to align the management of their clearing permits (RTIO, 2012b). These changes have been made in this amendment to CPS 4442/1.

On the 23 August 2012, DEC wrote to Pilbara Iron Company (Services) Pty Ltd formally advising of the intention to amend clearing permit CPS 4442/1. The Permit Holder waived the 28 day notification period on the 31 August 2012 (RTIO, 2012c).

#### Methodology

References:  
- RTIO (2012a)  
- RTIO (2012b)  
- RTIO (2012c)

#### 4. References

- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- RTIO (2012a) Email correspondence: Confirmation of proposed amendments to CPS 4442/1. Rio Tinto Iron Ore, Perth, Western Australia (DEC ref A530507).
- RTIO (2012b) Email correspondence: RTIO - Request for standardised permit conditions (annual reporting and permit expiry dates). Rio Tinto Iron Ore, Perth, Western Australia (DEC ref A535234).
- RTIO (2012c) Email correspondence: Amendment to CPS 4442/1 Pilbara Rail Network Strategic Permit and 28 day notification period waiver. Rio Tinto Iron Ore, Perth, Western Australia (DEC ref A540994).
- 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
CALM	Department of Conservation and Land Management (now DEC)
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)
RTIO	Rio Tinto Iron Ore
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DoW)