



## CLEARING PERMIT

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

|                               |                              |
|-------------------------------|------------------------------|
| <b>Purpose Permit number:</b> | CPS 4884/1                   |
| <b>Permit Holder:</b>         | Brookfield Rail Pty Ltd      |
| <b>Duration of Permit:</b>    | 23 April 2012– 23 April 2014 |

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 loop extension and curve straightening for rail line maintenance of the Collie to Picton Rail line.

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

Railway Reserve, PIN 1047982 (Worsley 6225)  
Lot 200 on Plan 5852 (Worsley 6225)

**3. Area of Clearing**

The Permit Holder must not clear more than 0.5 hectares of native vegetation within the area hatched yellow on attached Plan 4884/1.

**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 *Public Works Act* 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. Dieback and weed control

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.

## PART III - RECORD KEEPING AND REPORTING

### 9. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit in relation to the clearing of native vegetation authorised under this Permit:

- (a) 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;
- (b) the date that the area was cleared; and
- (c) the size of the area cleared (in hectares).

### 10. 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 9 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 23 February 2014, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(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;

*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*.



Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

29 March 2012

# Plan 4884/1



## LEGEND

- |  |   |
|--|---|
| <input type="checkbox"/> Cadastre        | <b>Clearing Instruments</b>                                 |
| Bunbury 50cm Orthomosaic - Landgate 2006 | <input checked="" type="checkbox"/> Areas Approved to Clear |
| Collie 50cm Orthomosaic - Landgate 2006  |   |



Scale 1:6028  
(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]* Date 29/3/12  
K Faulkner

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.



Department of Environment and Conservation

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## 1. Application details

### 1.1. Permit application details

Permit application No.: 4884/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Brookfield Rail

### 1.3. Property details

Property: LOT 200 ON PLAN 5852 (WORSLEY 6225)  
RAILWAY RESERVE (WORSLEY 6225)

Local Government Area: Shire of Collie

Colloquial name: Collie to Picton Rail Line

### 1.4. Application

|                    |           |                    |                                     |
|--------------------|-----------|--------------------|-------------------------------------|
| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of:                 |
| 0.5                |           | Mechanical Removal | Railway construction or maintenance |

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 29 March 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  |
|---|--|--|--|
| The vegetation under application is mapped as:  | The application is for the proposed clearing of 0.5ha within Lot 200 on Plan 5852 and Railway Reserve (PIN 1047982), Worsley, for the purpose of modifying the alignment of the rail line at approximately the 23km (Worsley) section of the Collie to Picton Rail Line.                         | Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994) | The vegetation condition and description was determined from a Department of Environment and Conservation (DEC) site visit conducted on 20 March 2012 (DEC, 2012). |
| Beard vegetation association 3: Medium forest; jarrah-marri (Shepherd 2009).  |  | to   |  |
| Mattiske vegetation complexes: Murray 1 (My1) which is described as Open forest of Eucalyptus marginata subsp. marginata-Corymbia calophylla-Eucalyptus patens on valley slopes to woodland of fs24 Eucalyptus rudis-Melaleuca raphiophylla on the valley floors in humid and subhumid zones (Mattiske and Havel 1998). | The vegetation under application was 'Degraded' at the eastern end of the applied area, where the clearing is proposed for the south side of the line only and the vegetation consists of Xanthorrhoea preisii, Macrozamia ridleyi, sedges and some Bossiaea aquifolium ' this area is regrowth. | Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)         |  |
| Yarragil 1 (Yg1) which is described as an Open forest of Eucalyptus marginata subsp. marginata-Corymbia calophylla on slopes with mixtures of Eucalyptus patens and Eucalyptus megacarpa on the valley floors in humid and subhumid zones (Mattiske and Havel 1998).  | The condition of the vegetation along the western section of the applied area is 'Good' condition and consists of Corymbia calophylla, Eucalyptus marginata, Persoonia longifolia and native groundcover species. No riparian vegetation was located within the applied area.                    |  |  |
| Hedde vegetation complexes: Murray Complex in medium to high rainfall(Hedde et al 1980).  |  |  |  |
| Yarragil Complex in medium to high rainfall (Hedde et al 1980).   |  |  |  |

### 3. Assessment of application against clearing principles

#### Comments

The application is for the proposed clearing of 0.5ha within a 1.035ha footprint area within Lot 200 on Plan 5852 and Railway Reserve (PIN 1047982), Worsley, for the purpose of modifying the alignment of the rail line at approximately the 23km (Worsely) section of the Collie to Picton Rail Line. The works include loop extension and curve straightening and is required for essential bridge maintenance relating to train safety.

A flora survey was conducted in October 2011 and no threatened or priority flora was found (Niche Environmental Services, 2011). The trees under application (including marri and jarrah) were assessed during the flora survey for their potential as habitat trees, but none were identified within the application area. In addition, no trees were observed with hollows (Niche Environmental Services, 2011).

Sixteen species of conservation significance have been recorded in the local area (10km) including *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed black-cockatoo), *Calyptorhynchus baudinii* (Baudin's black-cockatoo), *Calyptorhynchus latirostris* (Carnaby's black-cockatoo) and *Pseudocheirus occidentalis* (Western Ringtail Possum). (DEC, 2007)

These four species are listed as Rare or Likely to Become Extinct under the Wildlife Conservation Act 1950 and are also protected under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. The vegetation under application is within a highly vegetated local area that also contains suitable habitat for these species, therefore the vegetation under application is not considered significant habitat.

A DEC site inspection of the area under application confirmed there is unlikely to be significant impacts to the three above-mentioned species of black cockatoos. Black cockatoos were observed in the area (evidence of foraging observed and bird calls heard), however due to the small size of the trees proposed to be cleared they are unlikely to provide suitable nesting hollows for black cockatoos.

The Otho River crosses the western end of the application area and a minor, non-perennial watercourse runs along the northern border of the application area. Despite this, no riparian vegetation was located within the applied area (DEC, 2012).

The flora survey noted an absence of dieback and weeds within the application area, however the dieback pathogen has been recorded in the surrounding region and weeds occur in the adjoining native vegetation (Niche Environmental Services, 2011) which includes the Conservation Commission-managed Harris River State Forest at the eastern end of the application area. Weed and dieback hygiene measures will assist in mitigating potential land degradation impacts to the adjacent State Forest.

Due to the small amount of clearing (0.5ha) it is unlikely that the proposed clearing will impact on conservation significant fauna, biodiversity or cause appreciable land degradation in the local area.

Given the above, the assessment of the application has identified that the clearing may be at variance to Principle (h) and is not likely to be at variance to any of the clearing principles.

#### Methodology

##### References:

DEC (2012)  
DEC (2007- )  
Niche Environmental Services (2011)

##### GIS Databases:

- Pre European Vegetation
- Heddle Vegetation Complexes
- Matiske Vegetation Complexes
- Collie 50cm Orthomosaic - Landgate 2006
- Bubbury 50cm Orthomosaic - Landgate 2006
- DEC Tenure
- Hydrography, linear
- Rivers
- SAC Bio Datasets (Accessed 1/3/2012)

#### Planning instruments, Native Title, Previous EPA decision or other matters.

#### Comments

The area under application is not zoned under a local town planning scheme or metropolitan regional scheme.

The area under application falls within the Collie River Irrigation District Surface Water Area under the Rights in Water and Irrigation Act 1914.

No known Aboriginal Sites of Significance are located within the area under application.

One public submission has been received (29 January 2012) which raises the concern that railway maintenance should not necessarily include any more clearing as rail reserves are typically adequately wide. If clearing is required there should be the requirement for an offset of equal or greater area to compensate (Submission, 2012). The assessment against the ten clearing principles did not identify any significant environmental impacts requiring offsetting.

#### Methodology

References:

Submission (2012)

GIS databases:

- Town Planning Scheme Zones
- RIWI Act, Surface Water Areas and Irrigation Districts
- Aboriginal Sites of Significance
- Town Planning Scheme
- Metropolitan regional scheme

#### 4. References

- DEC (2007 - ) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 1/3/2012.
- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 4884/1 Lot 200 on Plan 5852 and Railway Reserve (PIN 1047982), Worsley. Site inspection undertaken 20/3/2012. Department of Environment and Conservation, Western Australia (DEC REF A485759).
- Heddl, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.
- Niche Environmental Services (2011) Assessment of the Flora and Vegetation at the 23km marker (Worsley) of the Collie to Picton Rail Line, Niche Environmental Services, Western Australia (DEC REF A459378).
- 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.
- Submission (2012) for clearing application CPS 4884/1. Received 29 January 2012.

#### 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)                    |