



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 4905/2
<b>Permit Holder:</b>	API Management Pty Ltd
<b>Duration of Permit:</b>	1 June 2012 – 1 June 2022

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 geotechnical and hydrogeological investigations and access tracks.

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

Section 91 licence LIC00217/2008\_3\_84 within:

Lot 165 on Plan 238633 (Cane)

Unnamed road reserve (PIN 11729747 Cane)

Lot 206 on Plan 220090 (Fortescue)

Lot 208 on Plan 220090 (Fortescue)

Lot 302 on Plan 63514 (Fortescue)

Lot 309 on Plan 63519 (Fortescue)

Lot 310 on Plan 63519 (Fortescue)

Unallocated Crown Land (Pin 1016546 Fortescue)

Lot 264 on Plan 220363 (Maitland)

Unallocated Crown Land (PIN 1017635 Maitland)

Lot 154 on Plan 220164 (Mardie)

Lot 263 on Plan 220164 (Mardie)

Lot 257 on Plan 30489 (Mardie)

Lot 660 on Plan 30489 (Mardie)

North West Coastal Highway road reserve (PIN 11733355, 11733289, 11733290, Mardie)

Lot 179 on Plan 238640 (Nanutarra)

Unallocated Crown Land (PIN 1016550 Hamersley Range)

#### 3. Area of Clearing

The Permit Holder must not clear more than 100 hectares of native vegetation within the area cross hatched yellow on attached Plan 4905/2.

#### 4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 25 April 2014.

#### 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 and approval from the Permit Holder.

## 6. 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 right to access land under the *Land Administration Act 1997* or any other written law.

## 7. 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

### 8. 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.

### 9. Flora management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to inspect that area for the presence of *priority flora*.
- (b) Where *priority flora* are identified in relation to condition 9(a) of this Permit, the Permit Holder shall ensure that:
  - (i) no clearing occurs within 10 metres of identified *priority flora*, unless approved by the CEO; and
  - (ii) no clearing of identified *priority flora* occurs unless approved by the CEO.

### 10. 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*:

- (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.

### 11. 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) At an optimal time within 12 months following completion of activities under this permit, *revegetate* and *rehabilitate* areas not required for future scheduled and approved development, by:
  - (i) ripping the ground on the contour to remove soil compaction; and
  - (ii) laying the vegetative material and topsoil retained under condition 11(a) on the cleared area(s).
- (c) Within 18 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 11(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 11(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.

- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 11(c)(ii) of this permit, the Permit Holder shall repeat condition 11(c)(i) and 11(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) Where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 11(c)(i) and (ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 11(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 11(c)(ii).

### **PART III - RECORD KEEPING AND REPORTING**

#### **12. 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 flora management pursuant to condition 9 of this Permit:
  - (i) the location of each *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 *priority flora* identified; and
  - (iii) a copy of the botanists flora survey report.
- (c) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 11 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 of the *revegetation* and *rehabilitation* activities undertaken;
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
  - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and
  - (v) a copy of the environmental specialist's report.

#### **13. Reporting**

- (a) The Permit Holder must provide to the CEO on or before 31 July of each year, a written report:
  - (i) of records required under condition 12 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 July and 30 June of the preceding year.
- (b) Prior to 1 March 2022, the Permit Holder must provide to the CEO a written report of records required under condition 12 of this Permit where these records have not already been provided under condition 13(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.

*botanist* means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

*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);

*weed/s* means any plant -

- (a) that is declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*;  
or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.



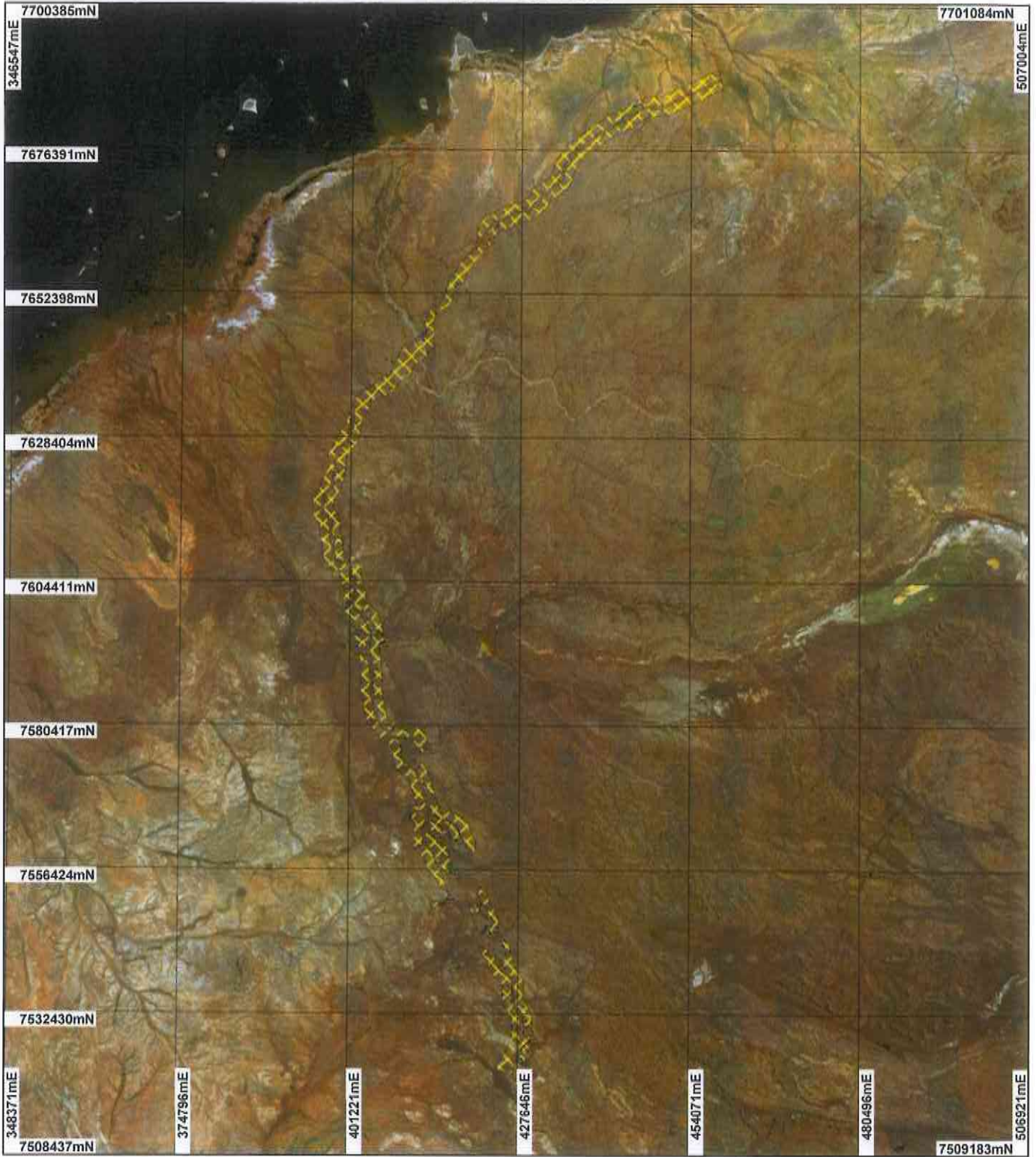
M Warnock  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

11 April 2013

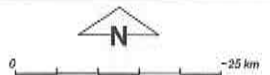


# Plan 4905/2



## LEGEND

-  Clearing instruments
-  Areas Approved to Clear
-  Cadastre
-  Western Australia Landsat Mosaic 25m - AGO 2006



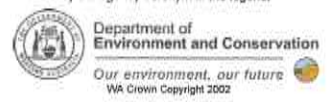
Scale 1:882248  
(Approximate when reproduced at A4)

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 01/14/13  
M. Warnock

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



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



## 1. Application details

### 1.1. Permit application details

Permit application No.: 4905/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: API Management Pty Ltd

### 1.3. Property details

Property: PART LOT 264 ON PLAN 220363 (Lot No. 264 NORTH WEST COASTAL MAITLAND 6714)  
PART LOT 263 ON PLAN 220164 (Lot No. 263 NORTH WEST COASTAL MARDIE 6714)  
UNALLOCATED CROWN LAND ( MAITLAND 6714)  
PART LOT 154 ON PLAN 220164 (Lot No. 154 NORTH WEST COASTAL MARDIE 6714)  
LOT 660 ON PLAN 30489 ( MARDIE 6714)  
ROAD RESERVE ( MARDIE 6714)  
UNALLOCATED CROWN LAND ( FORTESCUE 6716)  
LOT 309 ON PLAN 63519 (Lot No. 309 NORTH WEST COASTAL FORTESCUE 6716)  
LOT 206 ON PLAN 220090 ( FORTESCUE 6716)  
LOT 310 ON PLAN 63519 ( FORTESCUE 6716)  
LOT 302 ON PLAN 63514 ( FORTESCUE 6716)  
PART LOT 165 ON PLAN 238633 ( CANE 6710)  
UNALLOCATED CROWN LAND ( HAMERSLEY RANGE 6716)  
PART LOT 179 ON PLAN 238640 (Lot No. 179 NANUTARRA NANUTARRA 6751)  
Local Government Area: Shire of Ashburton and Shire of Roebourne

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
100		Mechanical Removal	Geotechnical investigations

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 11 April 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
Mapped Beard vegetation association 603: Hummock grasslands, sparse shrub steppe; Acacia bivenosa over hard spinifex (Shepherd, 2009).	The application is to clear 100 hectares of native vegetation within a 52.268 hectare footprint. Vegetation and flora surveys conducted within and around the area under application recorded 641 flora taxa within 52 vegetation communities. The vegetation under application is in a completely degraded to excellent (Keighery, 1994) condition (Astron, 2010), with majority being in a very good (Keighery, 1994) condition (Astron, 2010).	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The condition of the native vegetation under application was sourced from a flora and vegetation survey report by Astron, (2010). The report was a reconciliation of the vegetation and flora data as reported by Western Botanical (2009, 2010), AECON (2010) and Astron (2010).
Mapped Beard vegetation association 587: Mosaic: Hummock grasslands, open low tree-steppe; snappy gum over Triodia wiseana / Hummock grasslands, shrub-steppe; kanji over Triodia pungens (Shepherd, 2009).		To	
Mapped Beard vegetation association 175: Short bunch grassland - savanna/grass plain (Pilbara) (Shepherd, 2009).		Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	
Mapped Beard vegetation association 601: Mosaic: Sedgeland; various sedges with very sparse snakewood / Hummock grasslands, shrub-steppe; kanji over soft spinifex (Shepherd, 2009).			
Mapped Beard vegetation association 605: Hummock grasslands, shrub steppe; Acacia pachycarpa & waterwood over soft spinifex (Shepherd, 2009).			

Mapped Beard vegetation association 29: Sparse low woodland; mulga, discontinuous in scattered groups (Shepherd, 2009).

Mapped Beard vegetation association 93: Hummock grasslands, shrub steppe; kanji over soft spinifex (Shepherd, 2009).

Mapped Beard vegetation association 82: Hummock grasslands, low tree steppe; snappy gum over *Triodia wiseana* (Shepherd, 2009).

Mapped Beard vegetation association 620: Hummock grasslands, shrub steppe; snakewood over soft spinifex (Shepherd, 2009).

Mapped Beard vegetation association 157: Hummock grasslands, grass steppe; hard spinifex, *Triodia wiseana* (Shepherd, 2009).

Mapped Beard vegetation association 103: Hummock grasslands, shrub steppe; snakewood over soft spinifex & *Triodia wiseana* (Shepherd, 2009).

Mapped Beard vegetation association 18: Low woodland; mulga (*Acacia aneura*) (Shepherd, 2009).

### 3. Assessment of application against clearing principles

#### Comments

This amendment has been made to extend the period in which clearing is authorised (condition 4) until April 2014. Administrative amendments have also been made to condition 12 requiring reports to be submitted in relation to flora management and revegetation activities.

The assessment against the clearing principles has not changed and can be found in Decision Report CPS 4905/1.

#### 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 4905/1.

#### Methodology

### 4. References

- AECOM (2010) Proposed Anketell Port Transport Corridor, Associated Borrow Pits and Communication Towers - Level 2 Flora and Vegetation Assessment. Prepared for API Management Pty Ltd (DEC Ref DOC:A478194)
- Astron (2010) West Pilbara Iron Ore Project. Reconciliation of Vegetation Descriptions and Associated Vegetation Mapping. Prepared for API Management Pty Ltd (DEC Ref DOC:A478194)
- 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.
- Western Botanical (2009) Flora and Vegetation of the Proposed Cape Preston Rail Corridor West Pilbara Iron Ore Project. Prepared for API Management Pty Ltd (DEC Ref DOC:A478194)
- Western Botanical (2010) Flora and Vegetation of the Proposed Mine & Associated Infrastructure Areas West Pilbara Iron Ore Project. Prepared for API Management Pty Ltd (DEC Ref DOC:A478194)

### 5. Glossary

Term	Meaning
DEC	Department of Environment and Conservation
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community