



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4905/7
Permit Holder:	API Management Pty Ltd
Duration of Permit:	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 1160791, 11733355, 11733289 and 1340313 Mardie)

Lot 179 on Plan 238640 (Nanutarra)

Unallocated Crown Land (PIN 1016550 Hamersley Range)

Lot 122 on Plan 27721 (Nanutarra)

Lot 95 on Plan 238640 (Nanutarra)

Lot 3002 on Plan 41992 (Nanutarra)

Lot 662 on Plan 30490 (Nanutarra)

Lot 531 on Plan 221145 (Mardie)

Unallocated Crown Land (PIN 1016629 Nanutarra)

3. Area of Clearing

The Permit Holder must not clear more than 100 hectares of native vegetation within the area shaded yellow on attached Plan 4905/7.

4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 25 April 2017.

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.

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. 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 8(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.

9. 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.

10. 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 10(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 10(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 10(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 10(c)(ii) of this permit, the Permit Holder shall repeat condition 10(c)(i) and 10(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 10(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 10(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 10(c)(ii).

PART III - RECORD KEEPING AND REPORTING

11. 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 8 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 10 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.

12. 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 11 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) If no clearing authorised under this Permit was undertaken between 1 July to 30 June of the preceding financial 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 March 2022, the Permit Holder must provide to the CEO a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 12(a) of 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 ecology and taxonomy of Western Australian flora;

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 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, or who is approved by the CEO as a suitable environmental specialist.;

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;

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);

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.

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 a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



James Widenbar
MANAGER
CLEARING REGULATION

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

23 June 2016



1. Application details

1.1. Permit application details

Permit application No.: 4905/7
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: API Management Pty Ltd

1.3. Property details

Property: UNALLOCATED CROWN LAND, FORTESCUE
ROAD RESERVE - 11733355, MARDIE
UNALLOCATED CROWN LAND, MAITLAND
ROAD RESERVE - 11733289, MARDIE
UNALLOCATED CROWN LAND, HAMERSLEY RANGE
ROAD RESERVE - 11729747, CANE
ROAD RESERVE - 11733290, MARDIE
LOT 206 ON PLAN 220090, FORTESCUE
LOT 208 ON PLAN 220090, FORTESCUE
LOT 257 ON PLAN 30489, MARDIE
LOT 302 ON PLAN 63514, FORTESCUE
LOT 309 ON PLAN 63519, FORTESCUE
LOT 310 ON PLAN 63519, FORTESCUE
LOT 660 ON PLAN 30489, MARDIE
PART LOT 154 ON PLAN 220164, MARDIE
PART LOT 165 ON PLAN 238633, CANE
PART LOT 179 ON PLAN 238640, NANUTARRA
PART LOT 263 ON PLAN 220164, MARDIE
PART LOT 264 ON PLAN 220363, MAITLAND
UNALLOCATED CROWN LAND, MAITLAND
LOT 122 ON PLAN 27721, NANUTARRA
LOT 95 ON PLAN 238640, NANUTARRA
LOT 3002 ON PLAN 41992, NANUTARRA
LOT 662 ON PLAN 30490, NANUTARRA
LOT 531 ON PLAN 221145, MARDIE
UNALLOCATED CROWN LAND, NANUTARRA

Colloquial name:
Local Government Authority: Shire of Ashburton

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: Granted

Decision Date: 23 June 2016

Reasons for Decision: This amendment has been made to amend condition 4 to allow the clearing of native vegetation until 25 April 2017, the clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the clearing as proposed may be at variance to Principle (a) and (f), not likely to be at variance to principles (b), (c), (d), (g), (i), (j) and not at variance to principles (e) and (h).

Numerous watercourses intersect the application area, and therefore it is likely that the application may remove vegetation that is associated within the known watercourses. Giving consideration to the relatively small amount of vegetation to be removed from watercourses, it is unlikely that the impacts from the proposed clearing will significantly impact upon the known watercourses within the application area.

The application area comprises of known populations of priority flora and a priority ecological community. To mitigate impacts to priority flora and priority ecological communities, conditions have been placed on the permit requiring the avoidance of conservation significant flora species, the revegetation of temporary used areas and weed management.

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; <i>Acacia bivenosa</i> over hard spinifex (Shepherd et al., 2001).	The application is to clear 100 hectares of native vegetation located within Section 91 licence LIC00217/2008_3_84. Clearing is for the purpose of geotechnical and hydrogeological investigations and access tracks within the Shire of Ashburton and Shire of Roebourne.	Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).	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 the majority being in a very good (Keighery, 1994) condition (Astron, 2010).
Mapped Beard vegetation 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> (Shepherd et al., 2001).		To	
Mapped Beard vegetation association 175: short bunch grassland - savanna/grass plain (Pilbara) (Shepherd et al., 2001).		Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (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), AECOM (2010) and Astron (2010).
Mapped Beard vegetation association 601: mosaic: sedgeland; various sedges with very sparse snakewood / hummock grasslands, shrub-steppe; kanji over soft spinifex (Shepherd et al., 2001).			
Mapped Beard vegetation association 605: hummock grasslands, shrub steppe; <i>Acacia pachycarpa</i> & waterwood over soft spinifex (Shepherd et al., 2001).			
Mapped Beard vegetation association 29: sparse low woodland; mulga, discontinuous in scattered groups (Shepherd et al., 2001).			
Mapped Beard vegetation association 93: hummock grasslands, shrub steppe; kanji over soft spinifex (Shepherd et al., 2001).			
Mapped Beard vegetation association 82: hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i> (Shepherd et al., 2001).			
Mapped Beard vegetation association 620: hummock grasslands, shrub steppe; snakewood over soft spinifex (Shepherd et al., 2001).			
Mapped Beard vegetation association 157: hummock			

grasslands, grass steppe;
hard spinifex, *Triodia wiseana*
(Shepherd et al., 2001).

Mapped Beard vegetation
association 103: hummock
grasslands, shrub steppe;
snakewood over soft spinifex
& *Triodia wiseana* (Shepherd
et al, 2001).

Mapped Beard vegetation
association 18: low woodland;
mulga (*Acacia aneura*)
(Shepherd et al, 2001).

3. Assessment of application against clearing principles

Comments This amendment has been made to amend condition 4 to allow the clearing of native vegetation until 25 April 2017.

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

Methodology

Planning instruments and other relevant matters.

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., 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 (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)
- 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)