



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 5121/2
<b>Permit Holder:</b>	Robe River Mining Co. Pty Ltd
<b>Duration of Permit:</b>	19 October 2012 – 30 September 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 purpose of power station, utilities, associated infrastructure and works.

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

Lot 300 on Deposited Plan 216420 (Wickham)  
Lot 63 on Deposited Plan 54397 (Point Samson)  
Lot 134 on Deposited Plan 184076 (Wickham)  
Lot 542 on Deposited Plan 43130 (Wickham)  
Lot 64 on Deposited Plan 57724 (Wickham)  
Lot 392 on Deposited Plan 217328 (Wickham)  
Lot 707 on Deposited Plan 31274 (Wickham)  
Lot 708 on Deposited Plan 31274 (Wickham)  
Lot 709 on Deposited Plan 31274 (Wickham)  
unallocated Crown land (PIN 11261386, 694748, 11261424, 11261384)

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

The Permit Holder must not clear more than 32 hectares of native vegetation within the area cross hatched yellow on attached Plan 5121/2a.

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

#### **6. Compliance with Assessment Sequence and Management Procedures**

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

## PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

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

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- (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 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.

### **9. Flora management**

Where *priority flora* have been identified and their written location(s) provided to the CEO, the Permit Holder shall ensure that:

- (a) no clearing of identified *priority flora* occurs unless first approved by the CEO; and
- (b) no clearing occurs within 10 metres of identified *priority flora*, unless first approved by the CEO.

### **10. Fauna management**

The Permit holder must abide by the following fauna management actions to reduce impacts on individuals, populations and habitat of *Lersita neviniae* within the area hatched red on Plan 5121/2b:

- (a) clearing shall not exceed one hectare of *Lersita neviniae* habitat within the area hatched red on Plan 5121/2b;
- (b) no clearing of *Lersita neviniae* habitat for *non-essential purposes* is permitted; and
- (c) no equipment or construction materials to be stored within *Lersita neviniae* habitat.

## PART III - RECORD KEEPING AND REPORTING

### **11. Records must be kept**

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

- (a) In relation to the clearing of native vegetation authorised under this Permit:
  - (i) 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;
  - (ii) the date that the area was cleared; and
  - (iii) 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; and
  - (ii) the species name of each *priority flora* species identified.
- (c) In relation to fauna management pursuant to condition 10 of this Permit, the amount, in hectares, of *Lersita neviniae* habitat cleared.

## 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 January and 31 December of the previous calendar year.
- (b) Prior to 30 June 2017, 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:

*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;

*non-essential purposes* means to access or remove borrow material, or for the purpose of laydown or storage, or for any purpose other than that essential for the construction of the gas pipeline;

*priority flora* means those plant taxa described as priority flora classes 1, 2, 3, 4 or 5 in the *Department of Environment and Conservation's Threatened 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.



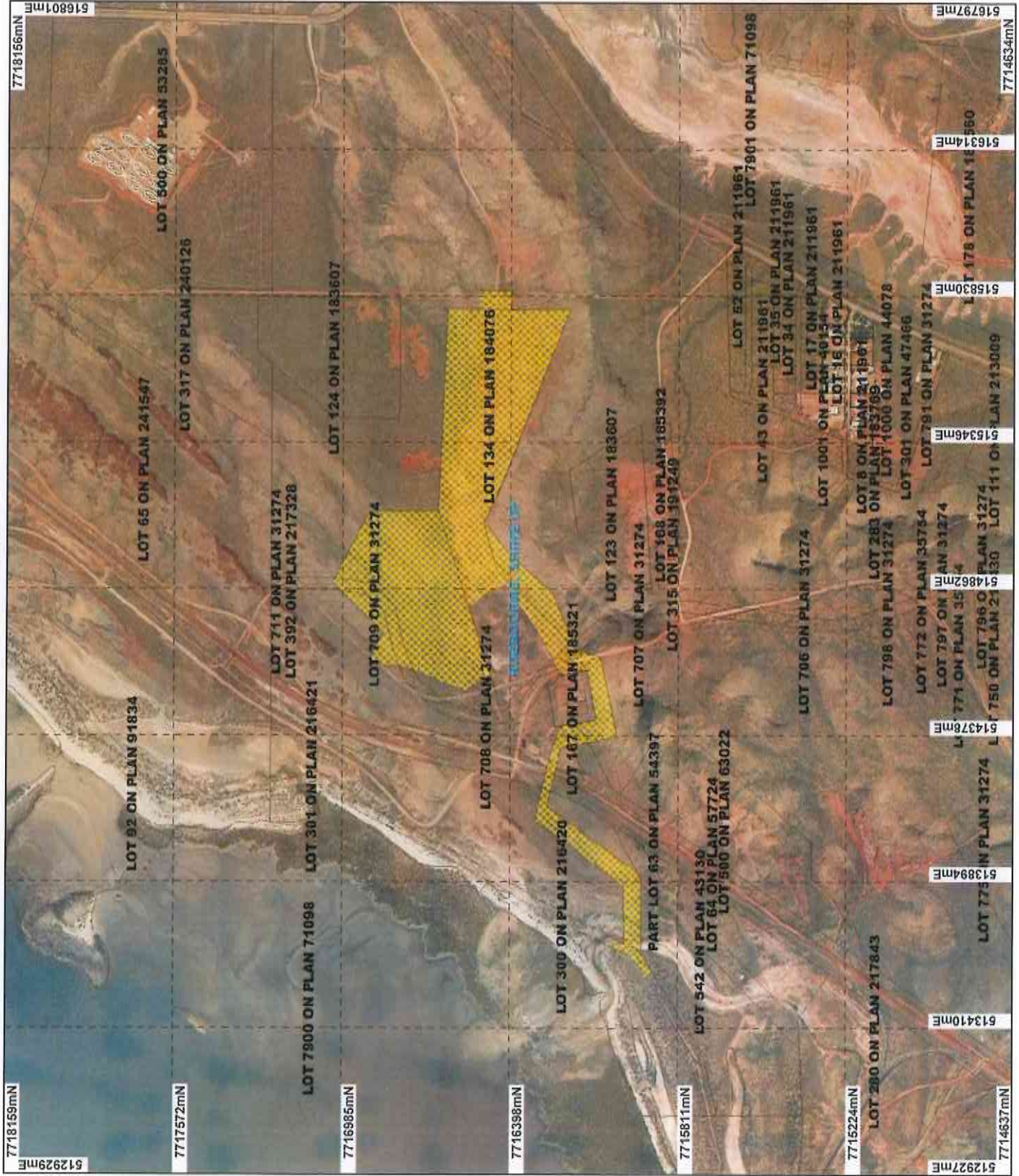
M Warnock  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

7 February 2012



# Plan 5121/2a



## LEGEND

- Clearing Instruments
- Areas Approved to Clear
- Local Government Authorities
- Cadastral for Labelling
- Roebourne 50cm Orthomosaic - Landgate 2007

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



0 50m 100m

Scale 1:17829

(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 Warrack* Date 7/9/13

M Warrack

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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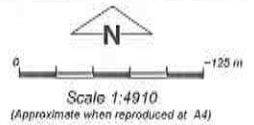


# Plan 5121/2b



## LEGEND

- Clearing Instruments
  - Areas Subject to Conditions
  - Local Government Authorities
  - Cadastre for labelling
- Roebourne 50cm Orthomosaic  
- Landgate 2007



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 *7/2/13*  
 M Warnock

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986  
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\* Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.



## 1. Application details

### 1.1. Permit application details

Permit application No.: 5121/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Robe River Mining Company Pty Ltd

### 1.3. Property details

Property:  
UNALLOCATED CROWN LAND ( WICKHAM 6720)  
LOT 134 ON PLAN 184076 (Lot No. 134 WALCOTT WICKHAM 6720)  
UNALLOCATED CROWN LAND ( WICKHAM 6720)  
LOT 542 ON PLAN 43130 ( WICKHAM 6720)  
PART LOT 63 ON PLAN 54397 (Lot No. 63 CAPE LAMBERT POINT SAMSON 6720)  
LOT 709 ON PLAN 31274 ( WICKHAM 6720)  
LOT 64 ON PLAN 57724 (Lot No. 64 CAPE LAMBERT WICKHAM 6720)  
LOT 707 ON PLAN 31274 ( WICKHAM 6720)  
LOT 708 ON PLAN 31274 ( WICKHAM 6720)  
LOT 392 ON PLAN 217328 ( WICKHAM 6720)  
LOT 300 ON PLAN 216420 ( WICKHAM 6720)

Local Government Area: Shire of East Pilbara  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
32		Mechanical Removal	Building or Structure

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 7 February 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 157; Hummock grasslands, grass steppe; hard spinifex <i>Triodia wiseana</i> (Shepherd et al, 2001).	The application is to clear up to 32 hectares of native vegetation within Lot 392, 300, 63, 134, 542, 64, 707, 708, 709 and unallocated Crown land, for the purpose of a power station, utilities and associated infrastructure.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)  To	The condition of the native vegetation under application was determined by a Flora and Fauna Assessment undertaken by GHD (2008).
	A flora and fauna survey undertaken by GHD (2008) within and around the area under application describes the vegetation as hummock grasslands occurring on plains that are dominated by <i>Triodia</i> species. The vegetation under application ranges from a good to very good (Keighery, 1994) condition (GHD, 2008).	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	



### 3. Assessment of application against clearing principles

#### Comments

The applicant has requested to amend Clearing Permit CPS 5121/1 to modify the gas pipeline corridor component of the Cape Lambert Power Station and Gas Pipeline Geotechnical project. The amendment includes a reduction in the area to be cleared to 32 hectares, inclusion of a portion of Lot 300 on Deposited Plan 216420 (Wickham) and additional portion of Lot 134 on Deposited Plan 184076 (Wickham) (Robe River, 2012; Robe River, 2013).

This application is part of the larger Cape Lambert iron ore handling, processing and ship loading facility expansion project. That project was originally assessed by the Office of the Environmental Protection Authority (OEPA) and approved on 30 September 2010 with the granting of Ministerial Statement 840 (Robe River, 2012). A key issue of the OEPA assessment was the presence of a geographically restricted species of skink (*Lerista* sp.) which was subsequently listed as rare or is likely to become extinct under the Wildlife Conservation Act 1950 on 6 November 2012.

The realigned clearing footprint contains approximately one hectare of the *Lerista*'s habitat. Appropriate fauna management practices will assist in mitigating impacts to this species.

The realignment may impact upon one or two individuals of a Priority One listed flora species (*Tephrosia* sp.). Flora management practices will assist in mitigating impacts to this species.

The assessment of the amended application has determined that the clearing is now at variance to principle (b). The assessment against the remaining clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 5121/1.

**Methodology**    References  
Robe River (2012)  
Robe River (2013)

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

#### Comments

The applicant has provided a copy of the Shire of Roebourne's (SoR) Council minutes dated 17 December 2012 giving consent to the creation of an easement over portion of Lot 134 on Deposited Plan 184076 to allow the expansion of the clearing footprint and the incorporation of that portion into the power station lease (s.79 lease). A letter from SoR addressed to Department of Regional Development and Lands (RDL) requests RDL to commence the excision proceedings was also supplied (Robe River, 2013).

The applicant has provided copy of RDL's s.91 Licence approval advice (Robe River, 2013).

The applicant waived the 28 day commenting period.

**Methodology**    References  
Robe River (2013)

### 4. References

- GHD (2008) Report for 320 Mt Marshalling Yards, Maintenance Workshop and Quarry - Flora and Fauna Assessment. WA, (DEC Ref: A497001)
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Robe River (2012) Application to amend Clearing Permit CPS 5121/1 and supporting documentation (DEC Ref: A572810 and A585552).
- Robe River (2013) Application to amend Clearing Permit CPS 5121/1 and supporting documentation (DEC Ref: A591859, A591865 and A595335).
- Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.

### 5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)

DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)