



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5149/1
Permit Holder:	Roy Hill Infrastructure Pty Ltd
Duration of Permit:	From 5 October 2012 to 5 October 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 realigning Marble Bar Road.

2. Land on which clearing is to be done

Licence Number Lic 00090-2012_1_60, De Grey

3. Area of Clearing

The Permit Holder must not clear more than 20 hectares of native vegetation within the area hatched yellow on attached Plan 5149/1.

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. 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

6. 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.

7. 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*:

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

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;

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*.

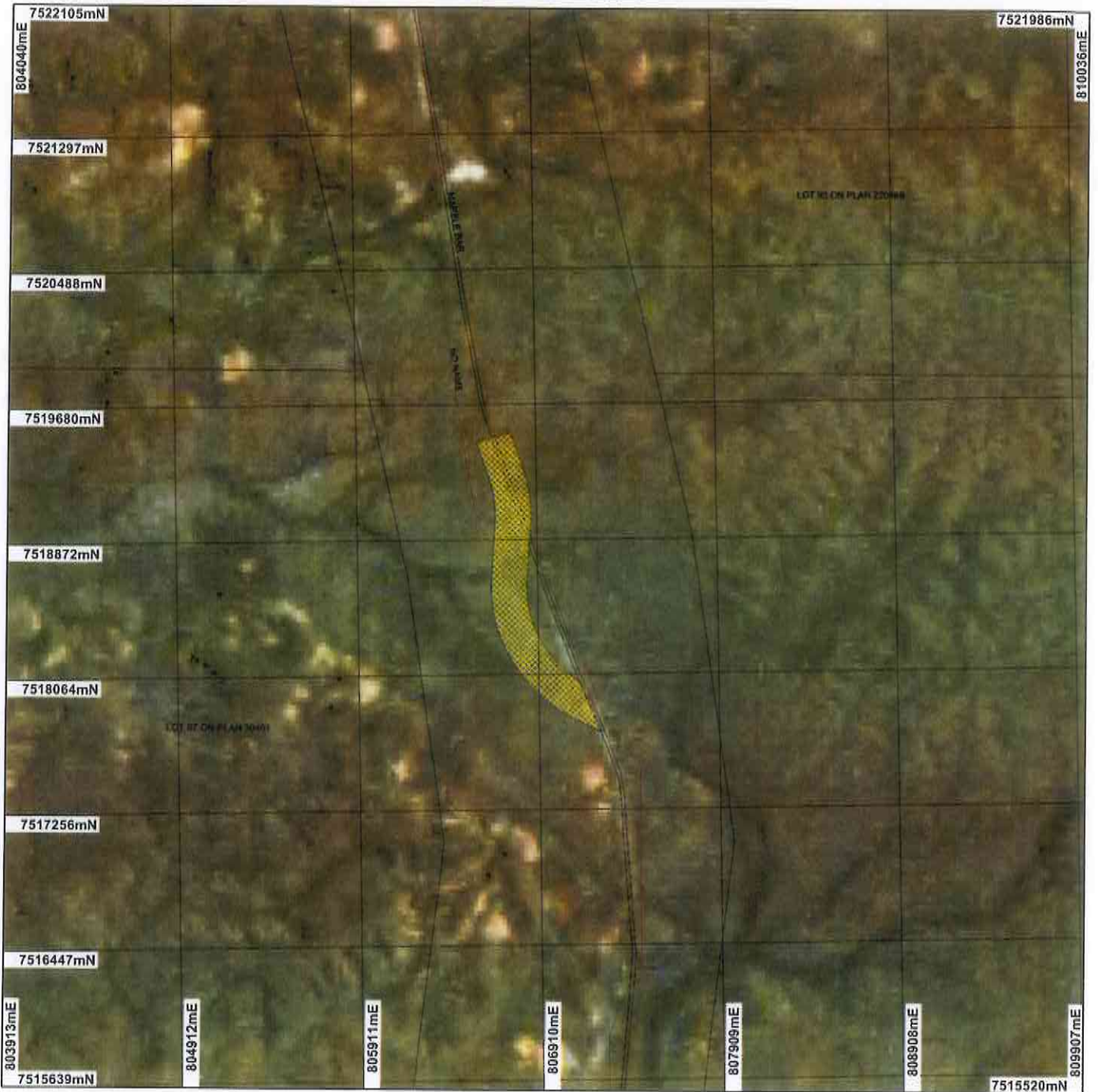


Roxane Shadbolt
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

13 September 2012

Plan 5149/1



LEGEND

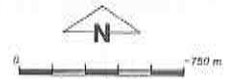
Cadastral

- Freehold
- Crown Reserve
- State Forest / Timber Reserve
- Marine Park
- Crown Lease (cont)

- Lease / Reserve
- Lease on State Forest / Timber Reserve
- Public Roads
- Unallocated Crown Land
- Water
- Road Centrelines

Clearing Instruments

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



Scale 1:32095

(Approximate when reproduced at Letter)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

R. Shadbolt Date 13/9/12
Roxane Shadbolt

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

Our environment, our future
WA Crown Copyright 2002

* 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.: 5149/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Roy Hill Infrastructure Pty Ltd

1.3. Property details

Property: DE GREY LOCATION 8 (NEWMAN 6753)
DE GREY LOCATION 8 (NULLAGINE 6758)
LOT 87 ON PLAN 30401 (NEWMAN 6753)
Local Government Area: Shire of East Pilbara
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
20		Mechanical Removal	Road 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 173 consists of Hummock grasslands and shrub steppe of kanji over soft spinifex and <i>T. wiseana</i> on basalt (Shepherd et al, 2001).	This application proposes to clear up to 20 hectares of native vegetation for the purpose of realigning Marble Bar Road.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994).	The condition of the vegetation was established through additional information provided with the application (Roy Hill, 2012).
	Six vegetation units have been mapped within the application area (Mattiske, 2011).	To	
	This application proposes to clear up to 20 hectares of native vegetation within Licence Number Lic 00090-2012_1_60, De Grey, for the purpose of realigning Marble Bar Road.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).	
	Six vegetation units have been mapped within the application area (Mattiske, 2011).		
	C1: Open woodland of <i>Eucalyptus</i> sp. over <i>Acacia</i> sp. over <i>Petalostylis labicheoides</i> , <i>Gossypium robinsonii</i> , <i>Acacia pyrifolia</i> , <i>Melaleuca lasiandra</i> , <i>Rulingia luteiflora</i> over <i>Tephrosia rosea</i> var. <i>clementii</i> , <i>Triodia longiceps</i> , <i>Triodia pungens</i> , <i>Cenchrus ciliaris</i> and <i>Cleome viscosa</i> on major creeklines with sandy soils;		
	C2: Shrubland of <i>Acacia</i> sp. with occasional emergent <i>Eucalyptus leucophloia</i> and <i>Corymbia hamersleyana</i> over <i>Gossypium robinsonii</i> , <i>Tephrosia rosea</i> var. <i>clementii</i> and <i>Petalostylis labicheoides</i> over <i>Cenchrus ciliaris</i> , <i>Triodia longiceps</i> and <i>Triodia pungens</i> on sandy-loam soils in minor creeks and gullies;		
	C3: Tall shrubland of <i>Acacia</i> sp., <i>Petalostylis labicheoides</i> and <i>Rulingia luteiflora</i> with emergent <i>Eucalyptus gamophylla</i> and <i>Eucalyptus leucophloia</i> over <i>Triodia longiceps</i> and <i>Triodia pungens</i> on sandy-loam soils in minor creeks and gullies;		

T1: Hummock grassland of *Triodia wiseana* and *Triodia longiceps* with emergent *Eucalyptus leucophloia* and *Corymbia hamersleyana* over *Acacia* sp., *Hakea lorea*, *Senna glutinosa* subsp. *glutinosa* and *Grevillea wickhamii* over *Indigofera monophylla*, *Goodenia stobbsiana*, *Senna* sp. and *Eriachne lanata* on gravelly soils on undulating low hills and plains;

T3: Hummock grassland of *Triodia pungens* and *Triodia longiceps* with occasional emergent *Eucalyptus leucophloia*, *Hakea lorea*, *Acacia* sp., *Senna glutinosa* subsp. *glutinosa*, *Solanum sturtianum*, *Corchorus walcottii*, *Goodenia stobbsiana* and *Eriachne obtuse* on gravelly soils on small hills and slopes; and

T4: Hummock grassland of *Triodia wiseana*, *Triodia pungens* and *Triodia longiceps* with patches of *Triodia basedowii* with emergent *Eucalyptus gamophylla* and *Eucalyptus leucophloia* over *Petalostylis labicheoides*, *Grevillea wickhamii* subsp. *aprica*, *Hakea lorea*, *Acacia* sp., and *Senna glutinosa* subsp. *glutinosa*, *Indigofera monophylla*, *Tribulus suberosus* and *Corchorus walcottii* on sandy-loam to clay loams with gravels on lower slopes.

3. Assessment of application against clearing principles

Comments

Proposal is not likely to be at variance to this Principle

This application proposes to clear up to 20 hectares of native vegetation within Licence Number Lic 00090-2012_1_60, De Grey, for the purpose of realigning Marble Bar Road. The vegetation is in a very good to degraded (Keighery, 1994) condition.

The closest priority flora species, *Rhagodia* sp. *Hamersley* (priority 3), has been mapped approximately 9.5km south west of the application area. A flora survey conducted by Mattiske (2011) identified no rare or priority flora within the application area.

No priority or threatened ecological communities have been mapped within the local area (20km radius).

The area under application is within an extensively vegetated landscape with approximately 99 per cent of Beard Vegetation Association 173 remaining within the Pilbara Bioregion (Government of Western Australia, 2011).

There are five conservation significant fauna species recorded within the local area (20km radius) including *Merops ornatus* (Rainbow Bee-eater), *Macroderma gigas* (Ghost Bat), *Ramphotyphlops ganeii* (Blind Snake) *Ardeotis australis* (Australian Bustard) and *Pseudomys chapmani* (Western Pebble-mound Mouse). The fauna habitats within the application area are well represented elsewhere within the local and regional area, therefore no significant loss of habitat for fauna indigenous to Western Australia is expected.

Several minor non perennial watercourses occur within the application area. Therefore the proposed clearing may be at variance to Principle (f).

The disturbance resulting from the proposed clearing will increase the risk of weeds spreading into adjacent land. Weed management practices will assist in mitigating this risk.

Given the above, the proposed clearing may be at variance to (f) and is not likely to be at variance to any other clearing principle.

Methodology

References:

- Government of Western Australia (2011)
- Mattiske (2011)
- Keighery (1994)

GIS Databases:

- SAC Bio Datasets (Accessed September 2012)
- Hydrography, linear
- Nature Map

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

Comments

The application area falls within the Wunna Nyiyaparli and Nyiyaparli Native Title Claim areas. A direct interest letter has been sent to the claimants and a response has not yet been received.

The application area is zoned 'rural' under the town planning scheme.

There is one Aboriginal Site of Significance within the area proposed to be cleared. It is the proponent's responsibility to comply with the Aboriginal Heritage Act 1972 and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

In December 2010 the applicant received approval under s45C of the Environmental Protection Act for the realignment of Marble Bar Road under Ministerial Statement (MS) 824. However following further detailed design an additional section of the road is proposed that is not approved under MS 824. Therefore the application is for the section of the Marble Bar Road realignment that is not located within the MS 824 approval area (Roy Hill, 2012).

Roy Hill Infrastructure Pty Ltd have a Licence to Occupy Crown Land in accordance with Section 91 of the Land Administration Act 1997 (WA), Licence Number Lic 00090-2012_1_60, the licence commences on 6 June 2012 and expires on 5 June 2014 (Department of Regional Development and Lands, 2012)

The proponent has advised that the application area includes a construction footprint, which will be rehabilitated following completion of road construction activities. The rehabilitation activities will be in accordance with Roy Hill Project Contractor Environmental Guidelines and Compliance Requirements and Roy Hill Project Contractor Land Rehabilitation Guidelines (Roy Hill, 2012).

Methodology

References:

- Department of Regional Development and Lands (2012)
- Roy Hill (2012)

GIS Databases:

- Aboriginal Sites of Significance
- Town Planning Scheme Zones

4. References

- Department of Regional Development and Lands (2012) Licence to Occupy Crown Land. Supporting information for CPS 5149/1 DEC Ref A525117.
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- 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 (2011) Flora and Vegetation Survey of Roy Hill Infrastructure Railway – Bonney Downs Alignment, August 2011.
- Roy Hill (2012) Clearing Permit application, supporting information for CPS 5149/1. Roy Hill Infrastructure Pty Ltd DEC Ref A521226.
- 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)