



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5623/2
Permit Holder:	Atlas Iron Limited
Duration of Permit:	14 September 2013 – 14 September 2023

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 road widening activities, geotechnical investigations, constructing lay down areas, borrow pits and water infrastructure.

2. Land on which clearing is to be done

Land parcels specified in Licence 00200/2013-A5775830 issued under section 91 of the *Land Administration Act 1997*.

3. Area of Clearing

The Permit Holder must not clear more than 153 hectares of native vegetation within the area hatched yellow on attached Plans 5623/2 (a) to (e).

4. Period in which clearing is authorised

The permit Holder shall not clear any native vegetation after 8 September 2018.

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. 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.
- (b) at an *optimal time* following completion of geotechnical investigations, constructing lay down areas and borrow pit operations, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;
 - (ii) ripping the pit floor and contour batters within the extraction site;
 - (iii) laying the vegetative material and topsoil retained under condition 10(a) on the cleared area(s); and
 - (iv) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) within 24 months of undertaking *revegetation* and *rehabilitation* 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 or decimal degrees;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).
- (b) 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 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar, 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 14 May 2023, 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:

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 20 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion 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;

optimal time means the period from November to December for undertaking *direct seeding*;

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

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 natural *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 the former Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

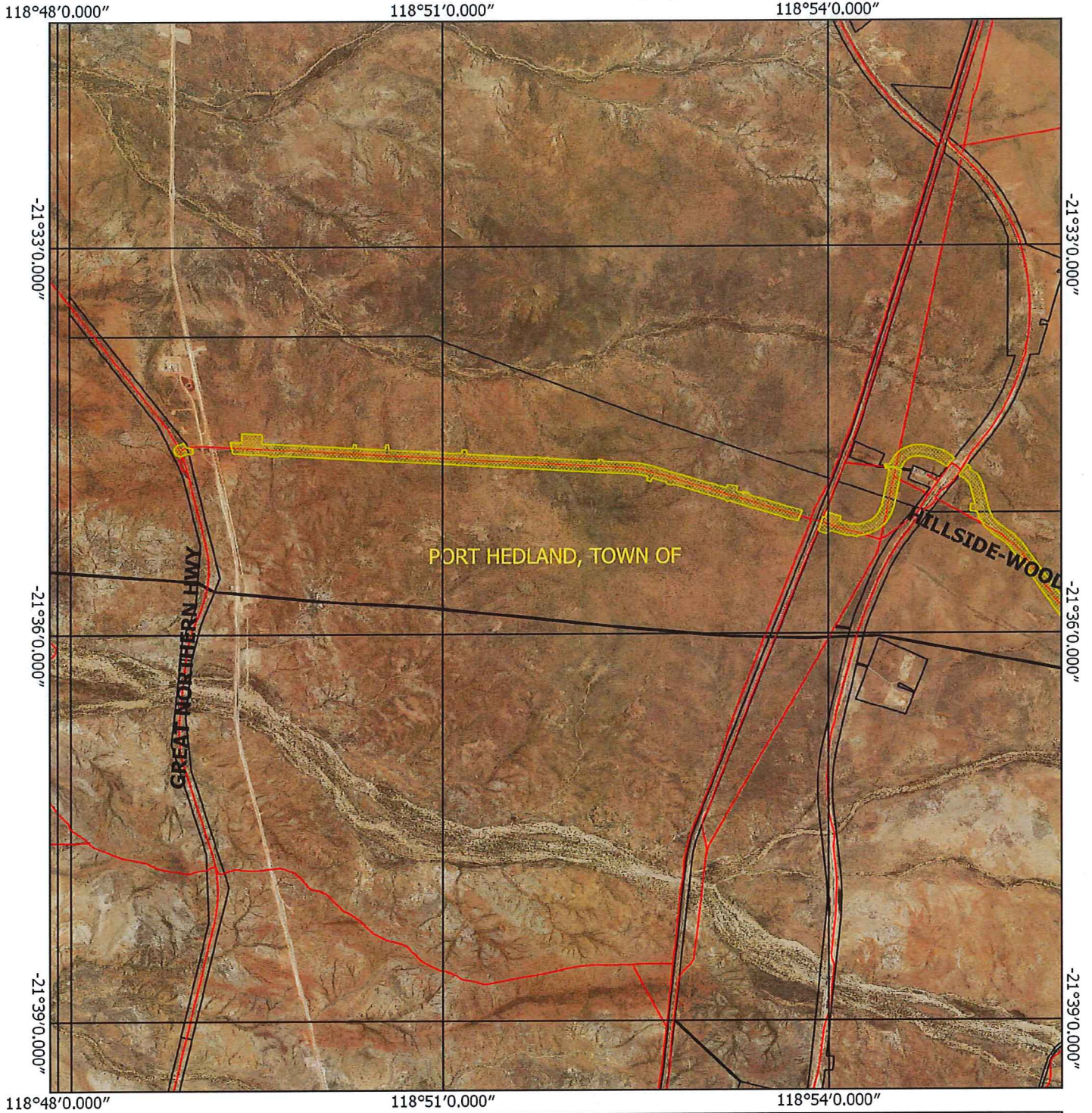


Dr Anne Mathews
SENIOR MANAGER
CLEARING REGULATION

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

24 November 2016

Plan 5623/2 (a)



Legend

- Roads
- LGA
- Cadastre
- Virtual Mosaic (LGATE-V001)
- ~
- Areas approved to clear



1:60,000

MGA 94
Geocentric Datum of Australia 1994

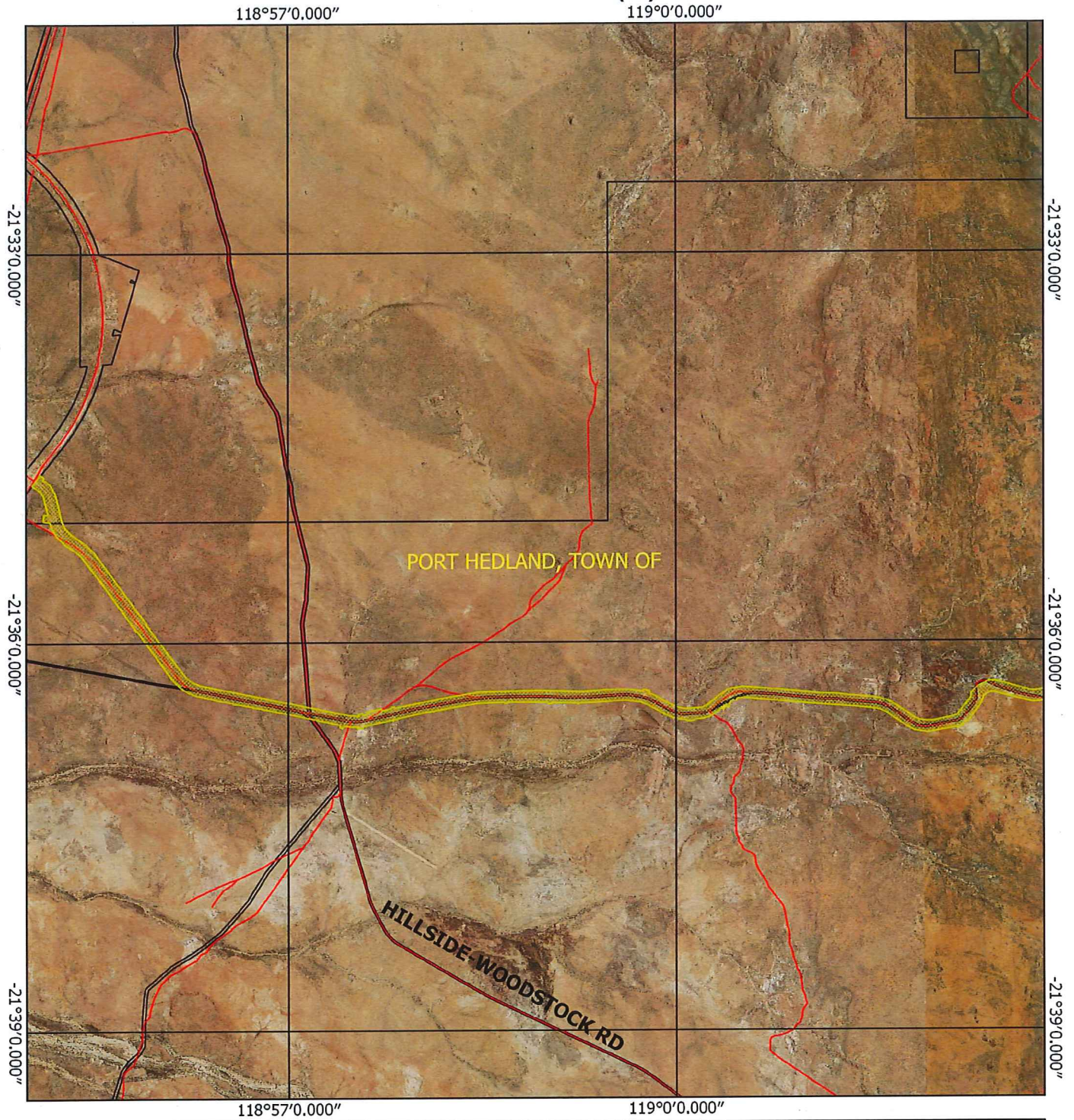
Anne Mathews Date: *24/11/2016*

Dr. Anne Mathews

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986



Plan 5623/2 (b)



Legend

- Roads
- LGA
- Cadastre
- Virtual Mosaic (LGATE-V001)
- Virtual Mosaic (LGATE-V001)
- Areas approved to clear



1:60,000

MGA 94
Geocentric Datum of Australia 1994

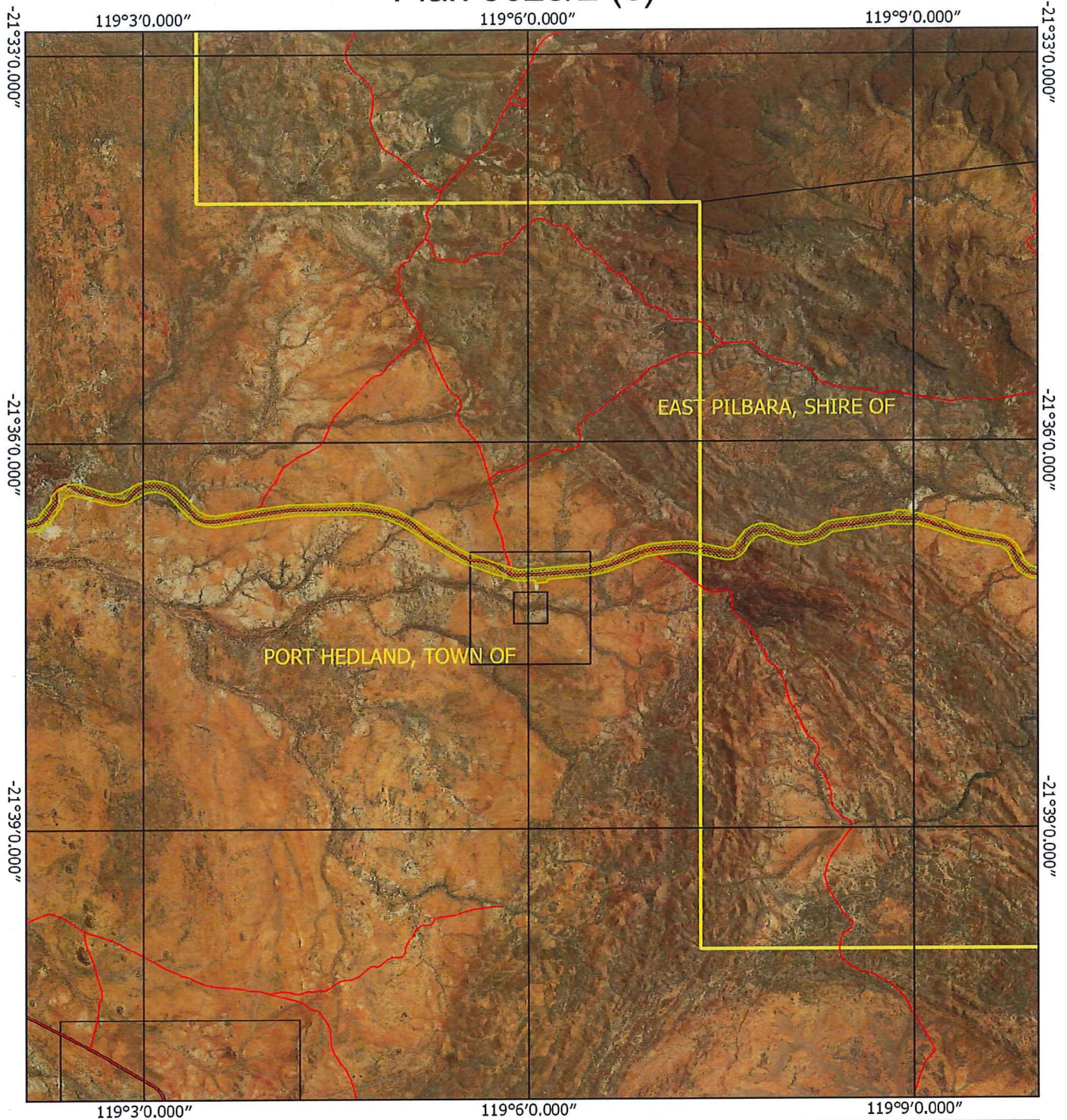
Anne Mathews Date *24/11/2016*

Dr. Anne Mathews

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986



Plan 5623/2 (c)



Legend

- Roads
- LGA
- Cadastre
- Virtual Mosaic (LGATE-V001)
- ^
- Areas approved to clear



1:60,000

MGA 94
Geocentric Datum of Australia 1994

Anne Mathews Date 24/11/2016

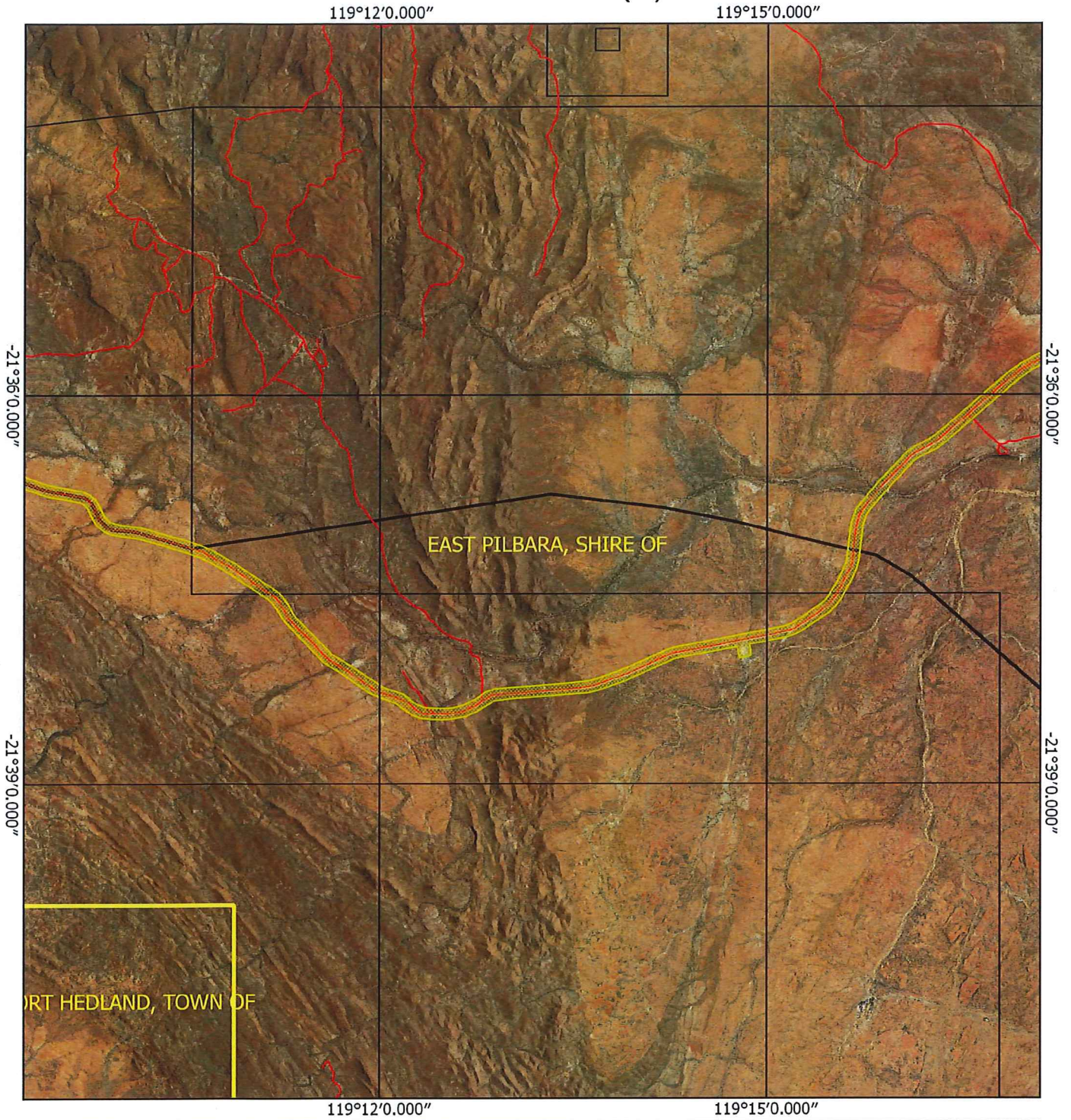
Dr. Anne Mathews

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 5623/2 (d)



Legend

- Roads
- LGA
- Cadastre
- Virtual Mosaic (LGATE-V001)
- Virtual Mosaic (LGATE-V001)
- Areas approved to clear



1:60,000

MGA 94
Geocentric Datum of Australia 1994

Anne Mathews Date *24/11/2016*

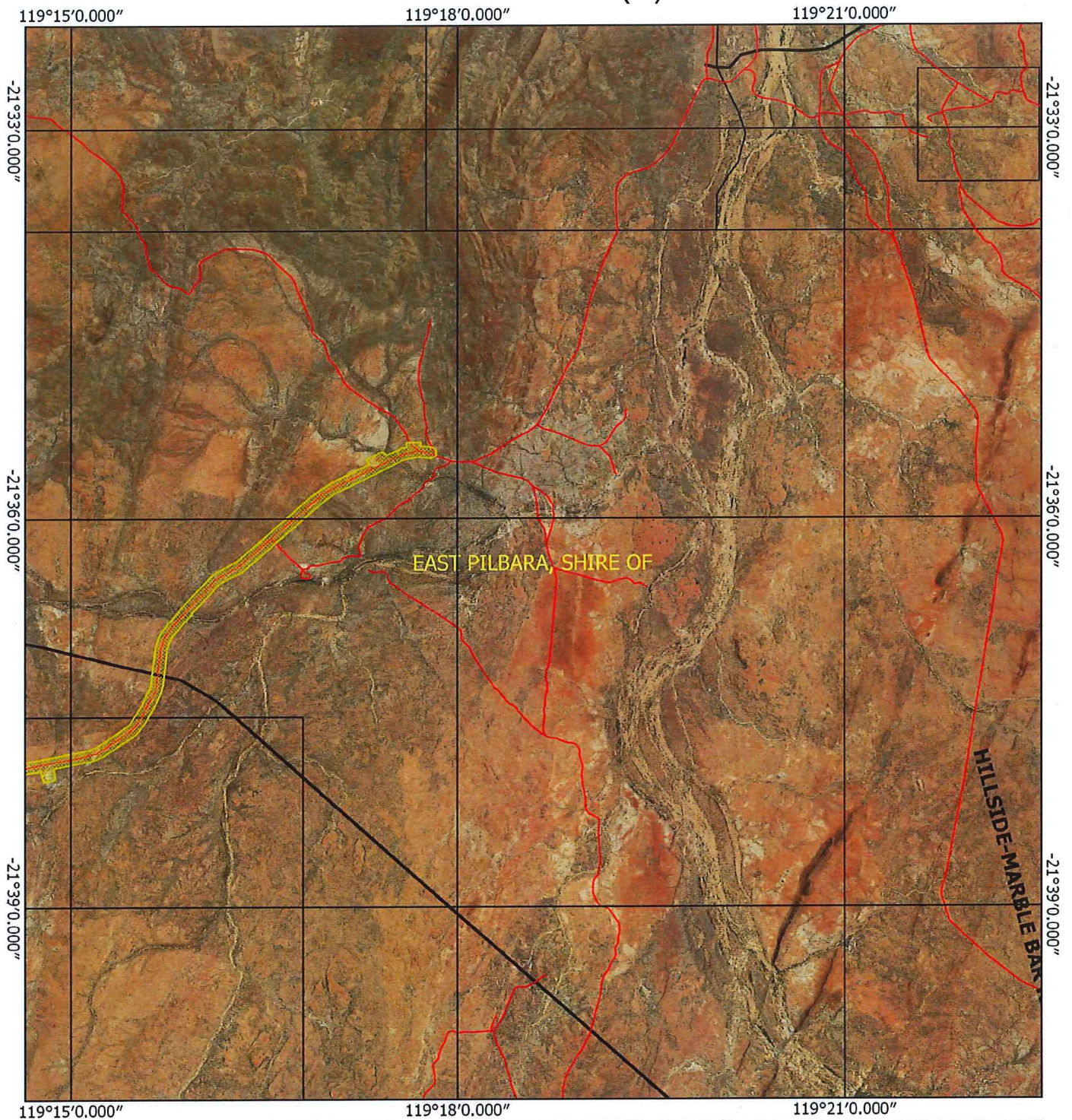
Dr. Anne Mathews

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986




GOVERNMENT OF
WESTERN AUSTRALIA

Plan 5623/2 (e)



Legend

-  Roads
-  LGA
-  Cadastre
- Virtual Mosaic (LGATE-V001)
- 
-  Areas approved to clear



1:60,000

MGA 94
Geocentric Datum of Australia 1994

Anne Mathews Date: *24/11/2016*

Dr. Anne Mathews

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986





1. Application details

1.1. Permit application details

Permit application No.: 5623/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Atlas Iron Limited

1.3. Property details

Property:
ROAD RESERVE - 11735144, MARBLE BAR
ROAD RESERVE - 11735132, MARBLE BAR
ROAD RESERVE - 11734444, MARBLE BAR
ROAD RESERVE - 11734445, MARBLE BAR
ROAD RESERVE - 11734446, MARBLE BAR
ROAD RESERVE - 11734447, MARBLE BAR
ROAD RESERVE - 11735150, MARBLE BAR
ROAD RESERVE - 11735149, NULLAGINE
LOT 1500 ON PLAN 68275, NULLAGINE
LOT 19 ON PLAN 240216, MARBLE BAR
LOT 235 ON PLAN 92011, MARBLE BAR
LOT 347 ON PLAN 55942, MARBLE BAR
LOT 352 ON PLAN 55943, MARBLE BAR
LOT 354 ON PLAN 217400, MARBLE BAR
Shire of East Pilbara and Town of Port Hedland

Local Government Authority: Shire of East Pilbara and Town of Port Hedland
DER Region: North West
Localities: NULLAGINE and MARBLE BAR

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
153		Mechanical Removal	Geotechnical activities, water infrastructure, borrow pits, laydown areas and road widening

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 24 November 2016

Reasons for Decision: 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 was concluded that the proposed clearing application may be at variance with principle (a), (f), (g) and (i) and is not likely to be at variance to the remaining principles.

The Delegated Officer determined that the clearing may impact conservation significant terrestrial fauna species and habitat. Revegetation and weed management measures will help to minimise long term impacts to biodiversity and land degradation. Furthermore, to mitigate potential impacts to watercourses and surface and ground water quality, the applicant will modify drainage culverts at existing flow-crossing points where appropriate.

Relevant State policies and other relevant policies have been taken into consideration in the decision to grant a clearing permit.

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 93 is described as hummock grasslands, shrub steppe; kanji over soft spinifex (Shepherd et al, 2001); and	The proposed clearing of 153 hectares is for the purpose of undertaking the Mount Webber Public Road Upgrade Project, which includes geotechnical activities, water	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994) To	Sections of the application area have been previously impacted by road construction and associated infrastructure and are in a degraded condition. Areas of very good or better condition

<p>Mapped Beard vegetation association 82 is described as hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i> (Shepherd et al, 2001).</p>	<p>infrastructure, borrow pits, laydown areas and road widening, within - Great Northern Highway, Hillside-Woodstock Road and Woodstock Marble Road reserves within the Town of Port Hedland and Shire of East Pilbara</p>	<p>Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)</p>	<p>exhibit some impacts from human disturbance, minor weed invasion (<i>Cenchrus ciliaris</i> and <i>Aerva javanica</i>) and cattle grazing (Atlas, 2013).</p>
---	--	---	--

3. Assessment of application against clearing principles

Comments The applicant applied to amend Clearing Permit CPS 5623/1 to update the clearing footprint and condition 2 of the Clearing Permit to reflect the footprint of Licence 00200/2013_A5775830 issued under section 91 of the *Land Administration Act 1997*. This Licence replaces the previous Licence 00200/2013-A3227408, which expired 13 June 2015. The purpose of the clearing has not changed.

A review of the available information identified that the assessment against the clearing principles has not changed since the assessment of the original application CPS 5623/1, and can be found in Decision Report CPS 5623/1.

Planning instruments and other relevant matters

Comments The application was advertised in *The West Australian* newspaper on 17 October 2016 by the Department of Environment Regulation inviting submissions from the public within a 21 day period. No submissions were received in relation to this application.

The assessment against Planning and Other Matters has not changed since the assessment of the original application CPS 5623/1, and can be found in Decision Report CPS 5623/1.

4. References

- Atlas (2013) Atlas Iron Limited, Application for Clearing Permit and supporting documentation, CPS 5623/1 (DER Ref: A633948).
- 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.