



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6754/2
Permit Holder:	API Management Pty Ltd
Duration of Permit:	12 December 2015 – 12 December 2025

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 LIC00904/2010_A5508600 within:

Lot 1501 on Deposited Plan 74341, Maitland

Lot 313 on Plan 63520, Fortescue

Lot 309 on Plan 63519, Fortescue

Lot 302 on Plan 63514, Fortescue

Lot 245 on Plan 220090, Fortescue

Lot 169 on Plan 218385, Fortescue

Lot 310 on Deposited Plan 63519, Fortescue

Lot 165 on Deposited Plan 238633, Cane

Unallocated Crown Land, Maitland (PIN 1017635)

Unallocated Crown Land, Fortescue (PIN 1016546)

3. Area of Clearing

The Permit Holder must not clear more than 150 hectares of native vegetation within the combined areas hatched yellow on attached Plan 6754/2a, Plan 6754/2b, Plan 6754/2c, Plan 6754/2d and Plan 6754/2e.

4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 12 December 2020.

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 – MANAGEMENT CONDITIONS

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

- (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. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to inspect that area for the presence of *Pseudomys chapmani* (Western Pebble-mound Mouse) mounds.
- (b) Where Western Pebble-mound Mouse mounds are identified in relation to condition 10(a) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing occurs within 20 metres of identified Western Pebble-mound Mouse mounds, unless approved by the CEO; and
 - (ii) no clearing of identified Western Pebble-mound Mouse mounds occurs unless approved by the CEO.

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 geotechnical investigations, *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 to 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 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 identified;
- (c) In relation to fauna management pursuant to condition 10 of this Permit:
 - (i) the location of each Western Pebble-mound Mouse mound 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.
- (d) 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 30 June 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 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 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 12 September 2025, 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:

botanist: means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of 2 years work experience in identification and surveys of flora native to the bioregion being inspected or surveyed, or who is approved by the CEO as a suitable botanist for the bioregion.

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;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

fill means material used to increase the ground level, or fill a hollow;

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.

local provenance means native vegetation seeds and propagating material from natural sources within 200 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;

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, 4 or 5 in the *Department of Parks and Wildlife's Threatened and Priority Flora List for Western Australia* (as amended);

regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) 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 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 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*

7 April 2016

Plan 6754/2a




Legend

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



1:83,020

MGA 94
Geocentric Datum of Australia 1994

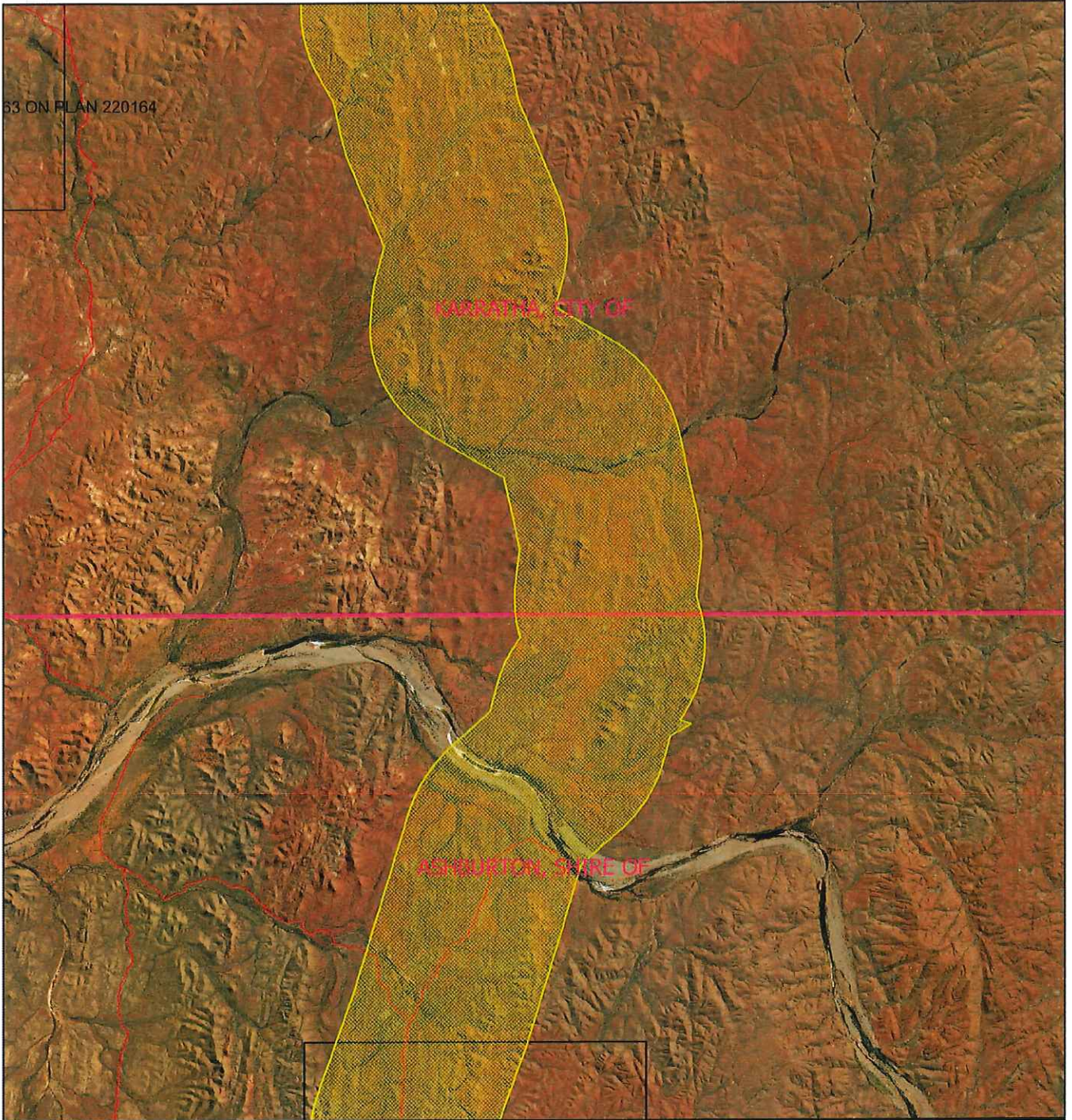
 Date 7/4/2016
James Widenbar

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 6754/2b



Legend

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



1:82,852

MGA 94
Geocentric Datum of Australia 1994

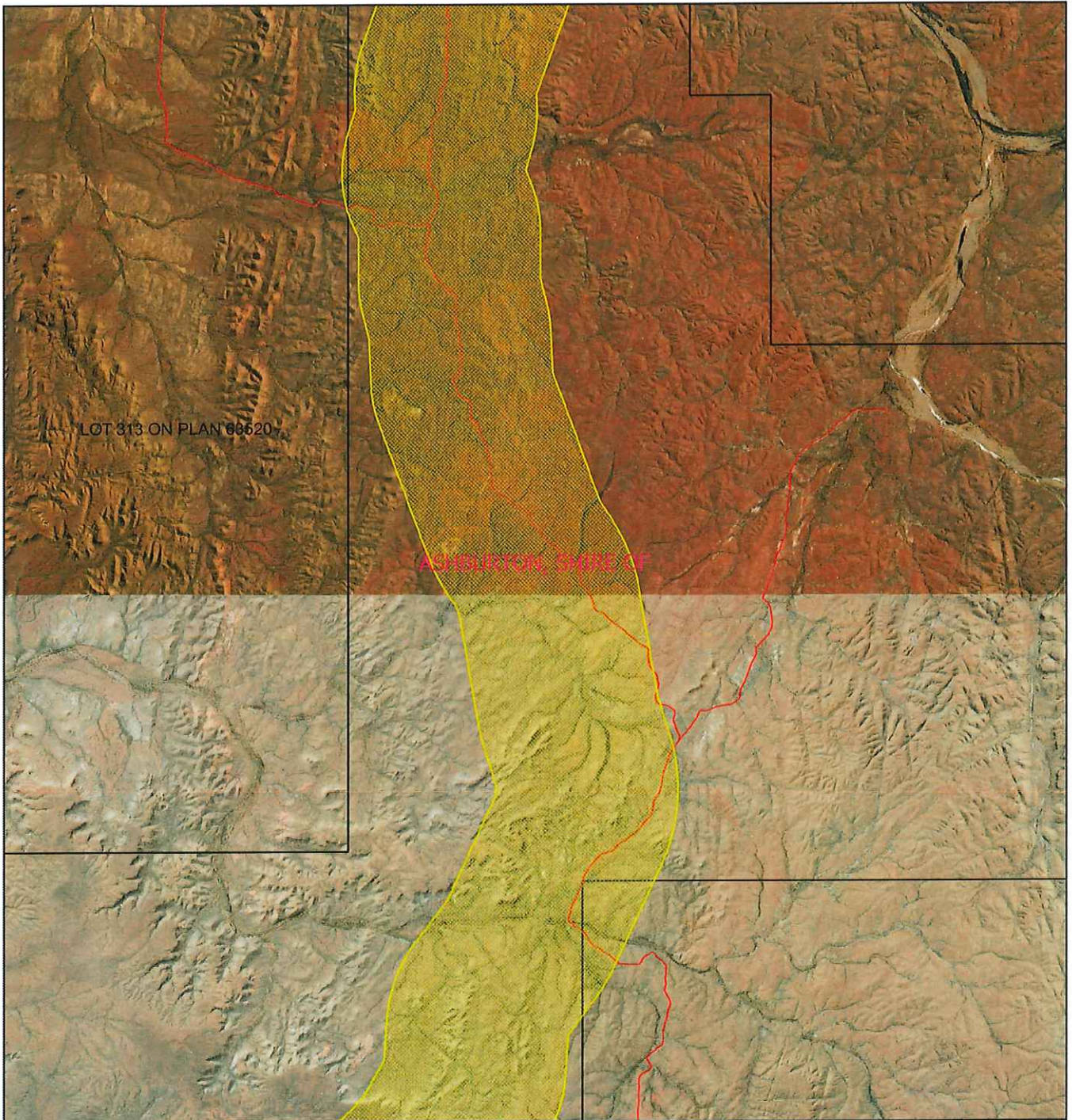
James Widenbar Date *7/24/2016*
James Widenbar

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 6754/2c



Legend

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



1:82,639

MGA 94
Geocentric Datum of Australia 1994

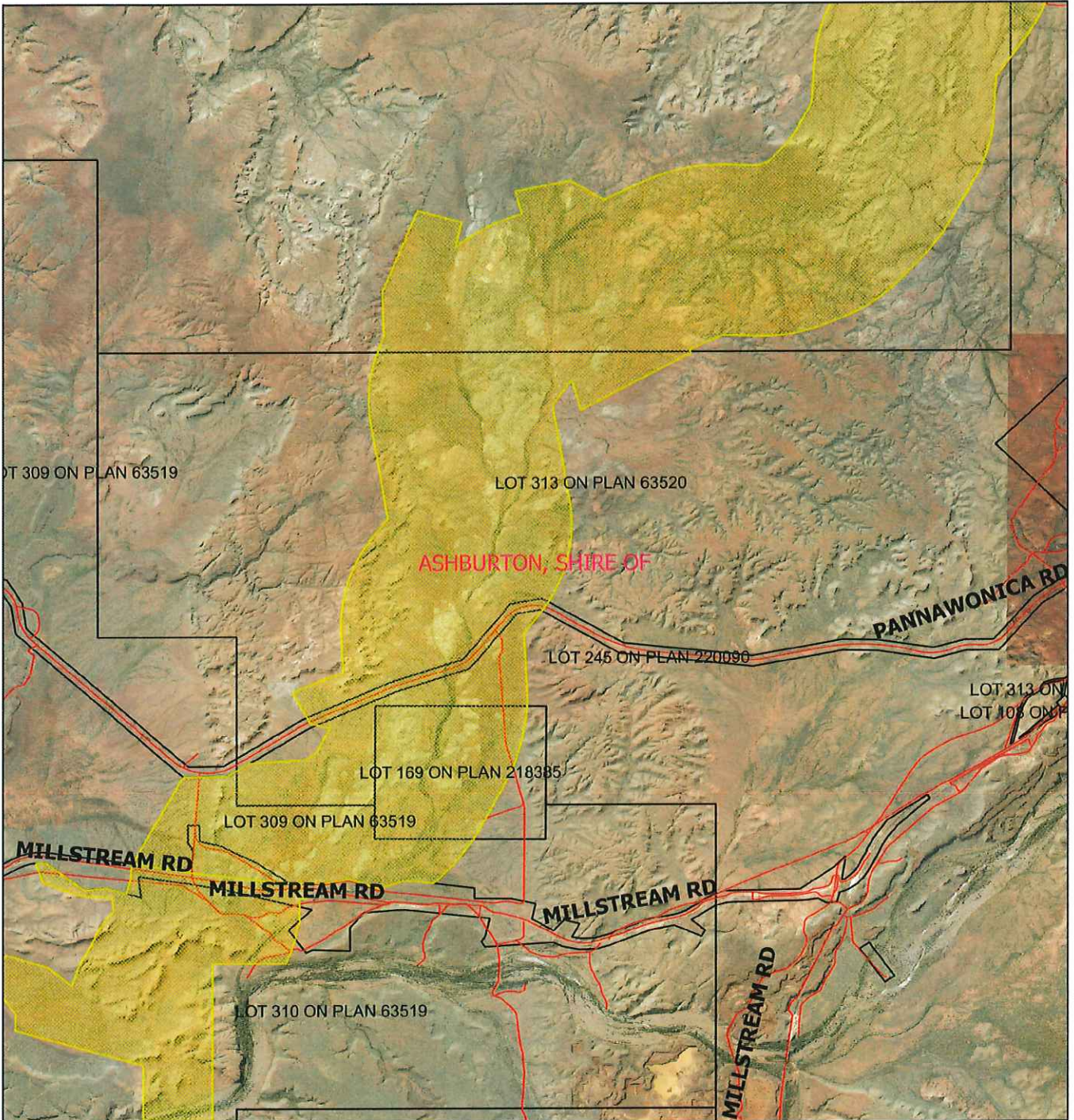

James Widenbar Date 7/4/2016

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 6754/2d



Legend

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



1:82,444

MGA 94
Geocentric Datum of Australia 1994

James Widenbar

Date *21/4/2016*

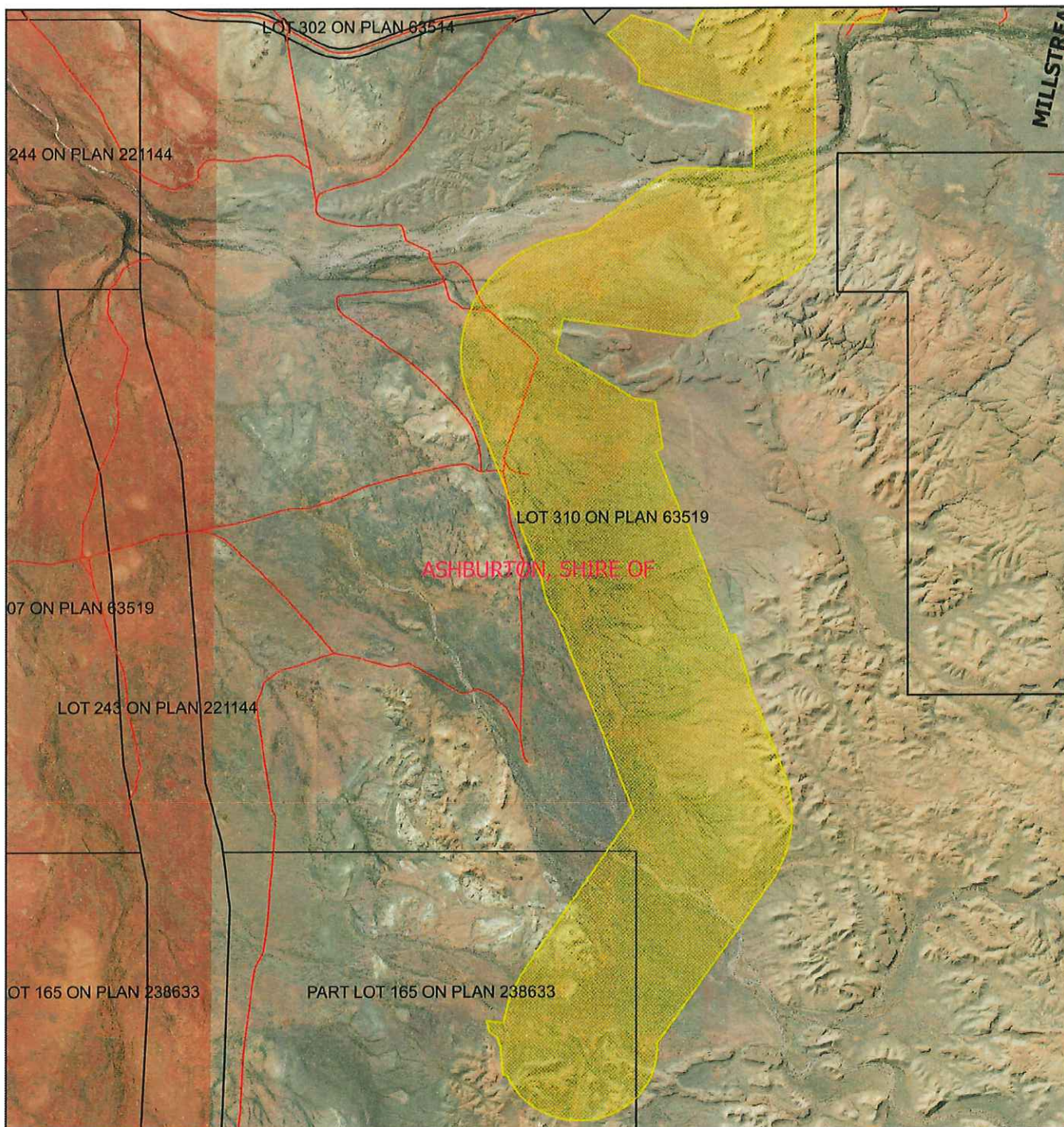
James Widenbar

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



GOVERNMENT OF
WESTERN AUSTRALIA


Plan 6754/2e



Legend

 Areas approved to clear

 Roads


 Cadastre
Virtual Mosaic (LGATE-V001)

 LGA



1:92,046

MGA 94
Geocentric Datum of Australia 1994

 Date 7/6/2016
James Widenbar

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



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 6754/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: API Management Pty Ltd

1.3. Property details

Property: PART LOT 263 ON PLAN 220164, MARDIE
PART LOT 165 ON PLAN 238633, CANE
LOT 313 ON PLAN 63520, FORTESCUE
LOT 310 ON PLAN 63519, FORTESCUE
LOT 309 ON PLAN 63519, FORTESCUE
LOT 302 ON PLAN 63514, FORTESCUE
LOT 245 ON PLAN 220090, FORTESCUE
LOT 169 ON PLAN 218385, FORTESCUE
UNALLOCATED CROWN LAND, MAITLAND
UNALLOCATED CROWN LAND, FORTESCUE

Colloquial name:
Local Government Authority: ASHBURTON, SHIRE OF and KARRATHA, CITY OF
Localities: FORTESCUE, CANE and MARDIE

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted

Decision Date: 7 April 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 it has been concluded that the proposed clearing is at variance to principle (f), may be at variance to principles (a) and (b), is not at variance to principle (e) and is not likely to be at variance to any of the remaining clearing principles.

Numerous watercourses intersect the application area, the applicant has advised that clearing within watercourses will only occur where access across watercourses is required. Given the clearing of 150 hectares occurs within a larger footprint the proposed clearing is not likely to significantly impact these watercourses.

The application area comprises of known populations of priority flora, a priority ecological community and provides habitat for conservation significant fauna, western pebble-mound mouse (*Pseudomys chapmani*). To mitigate impacts to priority flora, priority ecological communities and conservation significant fauna, conditions will be placed on the permit requiring the avoidance of conservation significant flora and fauna species, the revegetation of temporary used areas and weed management.

Through assessment it has been determined that the clearing is unlikely to have any significant environmental impacts. 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

Mapped Beard vegetation association 603 is described as hummock grasslands, sparse shrub steppe; *Acacia bivenosa* over hard spinifex (Shepherd et al. 2001).

Mapped Beard vegetation association 82 is described as hummock grasslands, low tree steppe; snappy gum over *Triodia wiseana* (Shepherd et al. 2001).

Mapped Beard vegetation association 173 is described as hummock grasslands, shrub steppe; kanji over soft spinifex and *Triodia wiseana* on basalt (Shepherd et al. 2001).

Mapped Beard vegetation association 605 is described as hummock grasslands, shrub steppe; *Acacia pachycarpa* and waterwood over soft spinifex (Shepherd et al. 2001).

Mapped Beard vegetation association 175 is described as short bunch grassland - savanna/grass plain (Pilbara) (Shepherd et al. 2001).

Mapped Beard vegetation association 587 is described as mosaic: hummock grasslands, open low tree-steppe; snappy gum over *Triodia wiseana* / Hummock grasslands, shrub-steppe; kanji over *Triodia pungens* (Shepherd et al. 2001).

Mapped Beard vegetation association 175 is described as savanna grass plain (Pilbara) (Shepherd et al. 2001).

Mapped Beard vegetation association 157 is described as hummock grasslands, grass steppe; hard spinifex, *Triodia wiseana* (Shepherd et al. 2001).

Mapped Beard vegetation association 620 is described as hummock grasslands, shrub steppe; snakewood over soft spinifex (Shepherd et al. 2001).

Clearing Description

The application is to clear 150 hectares of native vegetation for the purpose of geotechnical and hydrogeological investigations and access tracks.

Vegetation Condition

Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).

To

Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)

Comment

The condition and description of the vegetation under application was determined by vegetation and flora surveys undertaken by Biota Environmental Sciences (2015a and 2015b) and Phoenix Environmental Sciences (2015).

3. Assessment of application against clearing principles

Comments This amendment has been made to increase the clearing size by 50 hectares and include additional properties Lot 310 on Deposited Plan 63519, Fortescue and Lot 165 on Deposited Plan 238633, Cane.

A priority ecological community (PEC) 'Subterranean invertebrate communities of mesas in the Robe Valley region' has been mapped within the additional area proposed to be cleared.

The 'Subterranean invertebrate communities of mesas in the Robe Valley region' PEC lies within a series of isolated pisolitic mesas in the Robe Valley, where troglobitic faunal communities occur in extremely specialised habitat and appear to require the particular structure and hydrogeology associated within mesas (and other ironstone hills in the Robe Valley Region) to provide suitable humid habitat (Parks and Wildlife 2016). Given this PEC is subterranean the clearing proposed is not likely to impact upon this PEC. The applicant has advised that disturbance in areas of mesas will only consist of an access track of four metres wide (API Management 2015).

A flora and vegetation survey undertaken over the majority of the area under application identified one vegetation unit which fulfils the criteria for the PEC, 'Triodia sp. Robe River assemblages of mesas of the West Pilbara' (Priority 3) (Phoenix Environmental Sciences 2015). This PEC was found in the southern section of the alternative alignment and is restricted to the top and upper slopes of mesas (Parks and Wildlife 2016) and is not expected to be disturbed (API Management 2015). If disturbance is required within the PEC it will only consist of an access track of approximately four metre wide (API Management 2015). It is unlikely that the clearing as proposed will have a significant impact on the conservation values of this PEC (Parks and Wildlife 2016).

Apart from the above, the assessment against the clearing principles has not changed and can be found in Clearing Permit Decision Report CPS 6754/1.

Methodology References:
API Management (2016)
Parks and Wildlife (2016)
Phoenix Environmental Sciences (2015)

GIS Databases:
Groundwater Salinity
Hydrology, linear
NLWRA, Current Extent of Vegetation Remaining
Parks and Wildlife, Tenure
SAC Bio Datasets (accessed March 2016)
Soils statewide

Planning instruments and other relevant matters.

Comments If geotechnical and hydrological investigation activities are undertaken within the areas identified as suitable habitat for the PEC 'Subterranean invertebrate communities of mesas in the Robe Valley region', these activities may impact upon this PEC. It is recommended that the applicant contact the Department of Parks and Wildlife prior to undertaking activities that may impact this PEC.

No submissions have been received in relation to this application.

Methodology

4. References

- API Management Pty Ltd (2015) West Pilbara Iron Ore Project Southern Alternative Rail Corridor. Western Australia. DER Ref: A1009770
- Biota Environmental Sciences (2015a) WPIOP Pilbara Rail Corridor Borrow Pits Native Vegetation Clearing Permit Report. Western Australia. DER Ref: A966145
- Biota Environmental Sciences (2015b) WPIOP Pilbara Rail Corridor Option 1 – Targeted Vegetation and Flora Survey. Western Australia. DER Ref: A966145
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Parks and Wildlife (2016) Advice for Clearing Permit CPS 6754/2. Species and Communities Branch. Department of Parks and Wildlife. DER Ref: A1065869
- Phoenix Environmental Sciences (2015) Flora and vegetation survey for the Western Pilbara Iron Ore Project, rail corridor options. DER Ref: A1009770
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.