



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 2775/2
<b>Permit Holder:</b>	Electricity Generation Corp t/a Verve Energy
<b>Duration of Permit:</b>	12 March 2009 – 12 March 2014

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 investigations.

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

LOT 14 ON DIAGRAM 69527 (SCOTT RIVER EAST 6275)  
LOT 499 ON PLAN 122169 (SCOTT RIVER EAST 6275)  
LOT 921 ON PLAN 132962 (SCOTT RIVER EAST 6275)  
LOT 3 ON DIAGRAM 31767 (SCOTT RIVER EAST 6275)  
LOT 704 ON PLAN 231019 (SCOTT RIVER EAST 6275)

**3. Area of Clearing**

The Permit Holder must not clear more than 6.6 hectares of native vegetation within the area hatched yellow on attached Plan 2775/2.

**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 power to clear native vegetation for those activities under the *Energy Operators (Powers) Act 1979* 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. Flora management**

(a) Prior to undertaking any clearing authorised under this Permit, the site shall be inspected by a *flora specialist* for the presence of the following *priority flora taxa*:

- (i) *Hydrocotyle hamelinensis*;
- (ii) *Caladenia abbreviata*; and
- (iii) *Banksia sessilis* var. *cordata*.

(b) Where *priority flora taxa* are identified in relation to condition 8(a) of this Permit, the Permit Holder shall ensure that:

- (i) all records of *priority flora taxa* are submitted to the CEO; and
- (ii) no clearing occurs with 10 metres of identified *priority flora taxa*, unless approved by the CEO.

### **9. Vegetation management**

The Permit Holder shall not clear native vegetation within 100 metres of the *riparian vegetation* of any *wetland* within the area cross-hatched yellow on Plan 2775/2.

### **10. Fauna management**

The Permit Holder shall retain *habitat trees* found within the area cross hatched yellow on attached Plan 2775/2.

### **11. Dieback and weed control**

(a) 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* and *dieback*:

- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (ii) shall not move soils in wet conditions;
- (iii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

(b) At least once in each 12 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

### **12. Retain and spread vegetative material**

The Permit Holder shall:

- (a) retain the vegetative material removed by clearing authorised under this Permit;
- (b) stockpile the vegetative material in an area that has already been cleared; and
- (c) following clearing authorised under this Permit, lay the vegetative material on any areas no longer required.



## PART III - RECORD KEEPING AND REPORTING

### **13. Records must be kept**

- (a) The Permit Holder must maintain the following records for activities done pursuant to this Permit 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;
  - (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 8 of this Permit:
- (i) the location of each *priority flora taxa* recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings; and
  - (ii) the species of each *priority flora taxa* identified.
- (c) In relation to the retention and spread of vegetative materials pursuant to condition 12 of this Permit:
- (i) the location of those area(s) where vegetative material were spread, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings; and
  - (ii) the size of those area(s) where vegetative material were spread (in hectares).

### **14. Reporting**

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 13 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 12 December 2013, the Permit Holder must provide to the CEO a written report of records required under condition 13 of this Permit where these records have not already been provided under condition 14(a) of this Permit.

### **Definitions**

The following meanings are given to terms used in this Permit:

*dieback* means the effect of *Phytophthora* species on native vegetation;

*environmental specialist* means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, 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;

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

*habitat trees* means trees that have a diameter, at average adult human chest height, of greater than 75cm and provide roosts or nests for native fauna;

*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;

*riparian vegetation* has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004;

*term* means the duration of this Permit, including as amended or renewed;

*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*.

*wetland/s* means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.



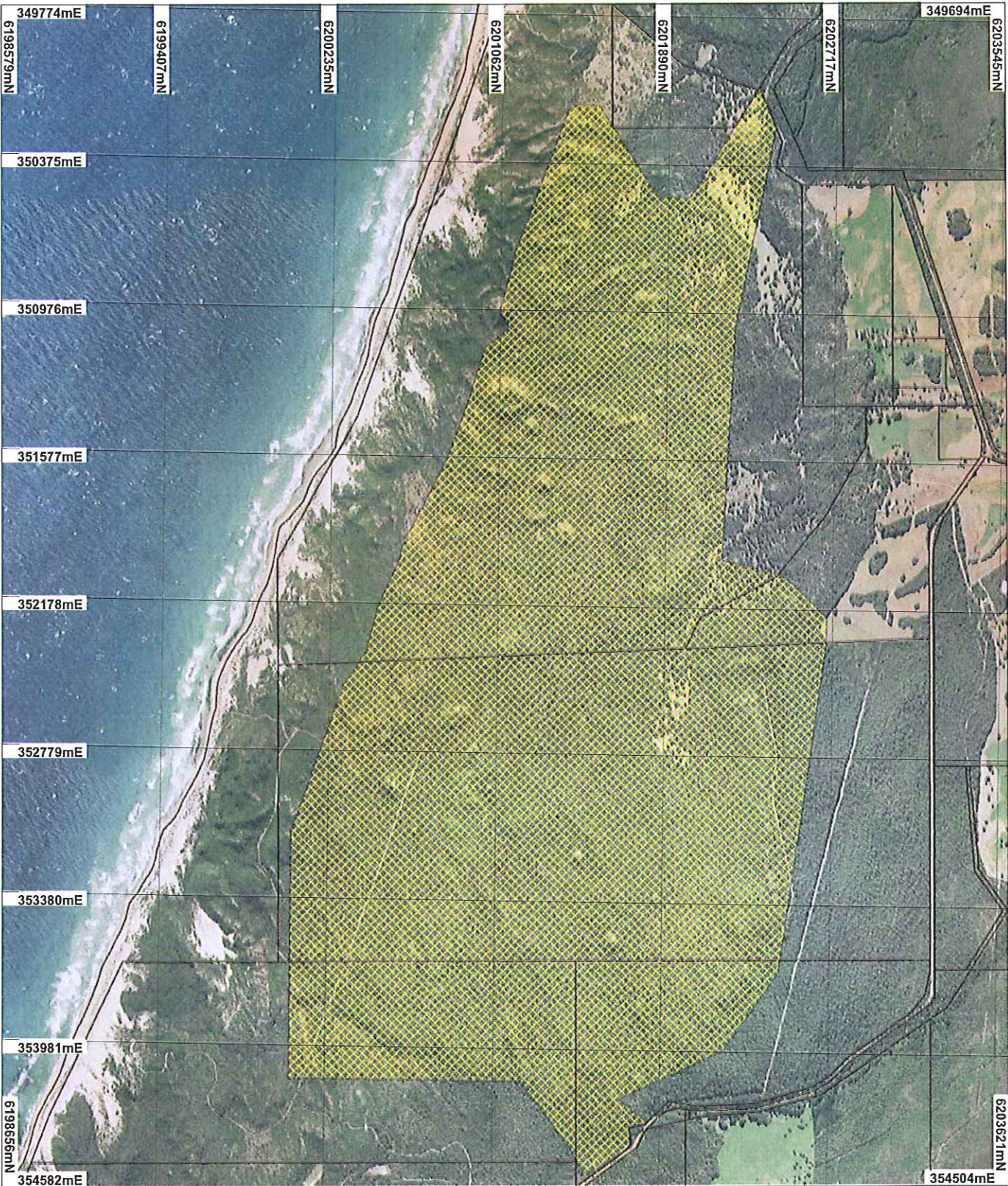
Keith Claymore  
A/ ASSISTANT DIRECTOR  
NATURE CONSERVATION DIVISION

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

16 July 2009



# Plan 2775/2



- LEGEND**
- Clearing Instrument
  - Certificate
  - Lessees' Stump Orders
  - 2004



Scale 1:22070  
 (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 misplacement inaccuracy.

*K. O'Byrne*  
 Date: 16/7/09

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.







## 1. Application details

### 1.1. Permit application details

Permit application No.: 2775/2  
 Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Electricity Generation Corp t/a Verve Energy

### 1.3. Property details

Property: LOT 14 ON DIAGRAM 69527 ( SCOTT RIVER EAST 6275)  
 LOT 704 ON PLAN 231019 ( SCOTT RIVER EAST 6275)  
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 LOT 3 ON DIAGRAM 31767 ( SCOTT RIVER EAST 6275)  
 LOT 921 ON PLAN 132962 ( SCOTT RIVER EAST 6275)

Local Government Area: Shire Of Nannup

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
6.6		Mechanical Removal	Miscellaneous
		Mechanical Removal	Miscellaneous

## 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
Beard Vegetation Associations: 3 - Medium forest; jarrah-marri	The application is for the clearing of 6.6 hectares of native vegetation for the purpose of geotechnical investigations.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	The vegetation condition was determined from vegetation survey reports (Biota Environmental Sciences 2009).
975 - Low woodland; jarrah			
990 - Low forest: peppermint ( <i>Agonis flexuosa</i> )			
1108 - Medium open woodland; marri			
1109 - Medium woodland; marri & river gum			

## 3. Assessment of application against clearing principles

### (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

#### Comments

#### Proposal may be at variance to this Principle

The application is to amend the boundary of the notified area of clearing permit CPS 2775/1. The clearing area remains as up to 6.6 hectares, but the new notified area increases from 711 hectares to 720. The vegetation within the application area is mostly in excellent (Keighery 1994) condition; however an area of pasture is in a completely degraded (Keighery 1994) condition also exists within the area (Biota Environmental Sciences 2009).

The local area is well vegetated (80.85% native vegetation remaining in the bioregion (Shepherd 2007)), and the vegetation under application is similar to habitats occurring in the local area (Biota Environmental Sciences 2009). It is therefore not considered to consist of a locally high level of biological diversity.

The proposed clearing has the potential to introduce or spread *Phytophthora cinnamomi* (dieback) throughout the application area and into neighbouring vegetation. Additionally, disturbance to the area could introduce or spread weed species. Given that the clearing activities may pose a threat to biological diversity, the proposed clearing may therefore be at variance to this principle. In order to mitigate these risks, weed and dieback

conditions will be placed on the permit.

**Methodology** Biota Environmental Sciences (2009)  
Keighery (1994)  
Shepherd (2007)

GIS database:

- Interim Biogeographic Regionalisation of Australia - EA 18/10/00
- SAC Biodatasets - accessed 21 Nov 08
- Pre European Vegetation - DA 01/01

**(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.**

**Comments Proposal may be at variance to this Principle**

Four rare and 3 priority fauna species were mapped within the local (10km radius) area and may be utilising the application area. However, a fauna survey conducted throughout the application area revealed 3 rare and 1 priority species.

*Calymptorhynchus latirostris* (Carnaby's Black Cockatoo) and *Calymptorhynchus baudinii* (Baudin's Black Cockatoo) were sighted in the area, and limited habitat for roosting (mature *Corymbia calophylla* trees) is present. *C. calophylla* are also a key habitat for *Falsistrellus mackenziei* (Western False Pipistrelle - P4) and as such these habitat trees should be retained. Additionally, *Pseudocheirus occidentalis* (Western Ringtail Possum) habitat is present and it is likely they exist within the application area in low densities (Biota Environmental Sciences 2009).

The application may therefore be at variance to this principle. In order to mitigate the potential threats to indigenous fauna species and their habitats within the application area, fauna conditions will be imposed on the permit.

**Methodology** Biota Environmental Sciences (2009)

GIS database:

- SAC Biodatasets - accessed 21 Nov 08

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.**

**Comments Proposal is at variance to this Principle**

One rare and 12 priority flora species are recorded within the local (10km radius) area. A flora survey was conducted throughout the application area and identified 3 priority flora species within the applied vegetation. *Hydrocotyle hamelinensis* (P2) is the most significant of these and has previously only been recorded on 2 other locations (Biota Environmental Sciences 2009), and the discovery of this species within this vegetation extends its known range.

Therefore, the clearing as proposed is at variance to this principle. In order to protect the rare and priority flora within the application area, flora management conditions will be imposed on the permit.

**Methodology** Biota Environmental Sciences (2009)

GIS database:

- SAC Biodatasets - accessed 21 Nov 08
- Mattiske Vegetation (01/03/1998)
- Soils, Statewide DA 11/99

**(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.**

**Comments Proposal is not likely to be at variance to this Principle**

A threatened ecological community is known to exist 5.6km east of the application area. The Scott River Ironstone Association occurs within a different vegetation type and the proposed clearing is outside the buffer area. The flora survey conducted within the application area identified no threatened or priority ecological communities present (Biota Environmental Sciences 2009). The vegetation under application is not likely to be necessary for the maintenance of this threatened ecological community, and as such the proposal is not likely to be at variance to this principle.

**Methodology** Biota Environmental Sciences 2009

GIS Database:

- SAC Biodatasets - accessed 21 Nov 08



- Mattiske Vegetation (01/03/1998)
- Soils, Statewide DA 11/99

**(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.**

**Comments Proposal is not likely to be at variance to this Principle**

The vegetation under application does not exist within an area that has been extensively cleared. The Shire of Nannup has 84.95% pre-European vegetation remaining and the local (10km radius) area has approximately 50% native vegetation remaining (Shepherd 2007).

All the Beard Vegetation Associations and Mattiske Vegetation Complexes mapped within the application area have more than 79% of their pre-European extent remaining within the Warren IBRA Bioregion (Shepherd 2007, Mattiske Consulting 1998).

The clearing of 6.6ha of native vegetation within the 720ha application area is not likely to reduce any vegetation representations below the 30% threshold set by the EPA (2000), and is therefore not likely to be at variance to this principle.

**Methodology** EPA (2000)  
Mattiske Consulting (1998)  
Shepherd (2007)

**GIS Databases:**

- Interim Biogeographic Regionalisation of Australia - EA 18/10/00
- Local Government Authorities - DLI 8/07/04
- Mattiske Vegetation - CALM 1/03/1998
- Pre European Vegetation - DA 01/01
- SAC Biodatasets - accessed 21 Nov 08
- NLWRA, Current Extent of Native Vegetation 20 Jan 2001

**(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.**

**Comments Proposal may be at variance to this Principle**

A palusplain, which is listed as an environmentally sensitive area, lies 20m north of the application area's northern most boundary. The application may therefore include native vegetation growing in association with a wetland, and as such may be at variance to this principle. In order to protect this significant wetland, buffer conditions will be imposed on the permit.

Many other minor watercourses and the Scott river occur within the local area, however these are all greater than 400m from the application area, and therefore the clearing will occur outside the buffer for these watercourses.

**Methodology** GIS Databases:  
- Clearing Regulations, Environmentally Sensitive Areas 30 May 2005  
- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain - DEC 11/04/07  
- Hydrography linear - DOW 13/7/06  
- Hydrography linear (hierarchy) - DoW 13/7/06

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments Proposal is not likely to be at variance to this Principle**

As the proposal is for the clearing of 6.6ha over a 720ha application area, it is not likely to cause appreciable land degradation. Additionally, there are no known risks of acid sulfate soils and the groundwater salinity is less than 500 mg/L. The clearing as proposed is not likely to be at variance to this principle.

**Methodology** GIS database:  
- Acid Sulfate Soil Risk Map, Swan coastal Plain - DEC 07/08/06  
- Salinity Risk LM 25m - DOLA 00  
- Soils, Statewide DA 11/99

**(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.**

**Comments Proposal is not likely to be at variance to this Principle**

The Gingilup Swamps Nature Reserve lies north west and north east of the application area, as close as 400m. The vegetation within this application area is likely to be providing ecological linkages between these



conservation areas. The proposal, however, is to clear 6.6ha across the 720ha application area for access tracks and geotechnical investigations, and as such will not include broad scale clearing. This reduces the impact the proposal has on the ecological linkages between the nature reserves. The clearing as proposed is therefore not likely to significantly impact on the environmental values of any nearby conservation areas, and is not likely to be at variance to this principle.

**Methodology** GIS Databases:  
- CALM Managed Lands and Waters - CALM 01/06/05

**(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.**

**Comments** **Proposal is not likely to be at variance to this Principle**

As the application is for the clearing of 6.6ha within a 720ha application area, and the local (10km radius) area is well vegetated with 50% native vegetation remaining. The groundwater salinity is mapped as less than 500 mg/L, and the majority of the area will probably drain to the coast rather than the inland surface water. The clearing as proposed is therefore not likely to be at variance to this principle.

**Methodology** GIS database:  
- Groundwater Salinity Statewide DoW 13/07/06  
- Hydrography, linear - DOW 13/7/06  
- Topographic Contours, Statewide - DOLA 12/09/02

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.**

**Comments** **Proposal is not likely to be at variance to this Principle**

As the application is for 6.6ha across a 720ha area, and will mainly consist of tracks and small areas for geotechnical investigations, the clearing as proposed is not likely to cause or exacerbate flooding and as such is not likely to be at variance to this principle.

**Methodology** GIS database:  
- Hydrography, linear - DOW 13/7/06  
- Topographic Contours, Statewide - DOLA 12/09/02

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

**Comments**

The application is for the amendment of the area within which clearing is to be done. The amendment does not affect the number of hectares to be cleared, but increases the land in which the clearing is to be done from 711ha to 720ha.

No submissions were received regarding this application.

The applicant is accessing the land through powers granted under the Energy Operators (Powers) Act 1979.

**Methodology**

#### **4. Assessor's comments**

**Comment**

The 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 proposed clearing is at variance to Principle (c), may be at variance to Principles (a), (b) and (f), and is not likely to be at variance to the remaining clearing Principles.

#### **5. References**

- Biota Environmental Sciences (2009). A Flora and Vegetation Survey of the Proposed Milyeannup Wind Farm. Prepared for Verve Energy. TRIM ref DOC75940.
- EPA (2000) Environmental protection of native vegetation in Western Australia. Clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2. December 2000. Environmental Protection Authority, Western Australia.
- 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, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.
- Shepherd, D.P. (2007). Adapted from: 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. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA105000124.

## 6. 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)