



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3784/3
Permit Holder:	Denmark Community Windfarm Ltd
Duration of Permit:	27 February 2012 – 27 February 2022

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 following purposes:

- To slash and clear an access track for drilling rig along designated access road alignments;
- To facilitate drilling rig access to hardstand areas and turbine bases;
- To drill access road ways;
- To micro site / survey road alignment;
- Construct a windfarm;
- Construct a car park; and
- Construct a formal access to the windfarm.

2. Land on which clearing is to be done

Lot 7625 on Plan 216756 (Reserve 24913), Ocean Beach

3. Area of Clearing

The Permit Holder must not clear more than 4 hectares of native vegetation within the area hatched yellow on attached Plan 3784/3.

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 *Land Administration Act 1997* or any other written law.
- The Permit Holder shall not clear any native vegetation after 27 February 2017.

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:

- 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.

8. 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* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) shall only move soils in *dry conditions*;
- (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

9. 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 clearing authorised under this Permit, *revegetate* and *rehabilitate* areas not required for 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 9(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 9(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 9(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 9(c)(ii) of this permit, the Permit Holder shall repeat condition 9(c)(i) and 9(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 9(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 9(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 9(c)(ii).

PART III - RECORD KEEPING AND REPORTING

10. 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;
 - (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 9 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.

11. 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 10 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 27 November 2021, the Permit Holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(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;

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;

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

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;

local provenance means native vegetation seeds and propagating material from natural sources within 30 kilometres 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 April to June for undertaking *direct seeding*, and the period from May to June for undertaking *planting*;

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

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 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*.

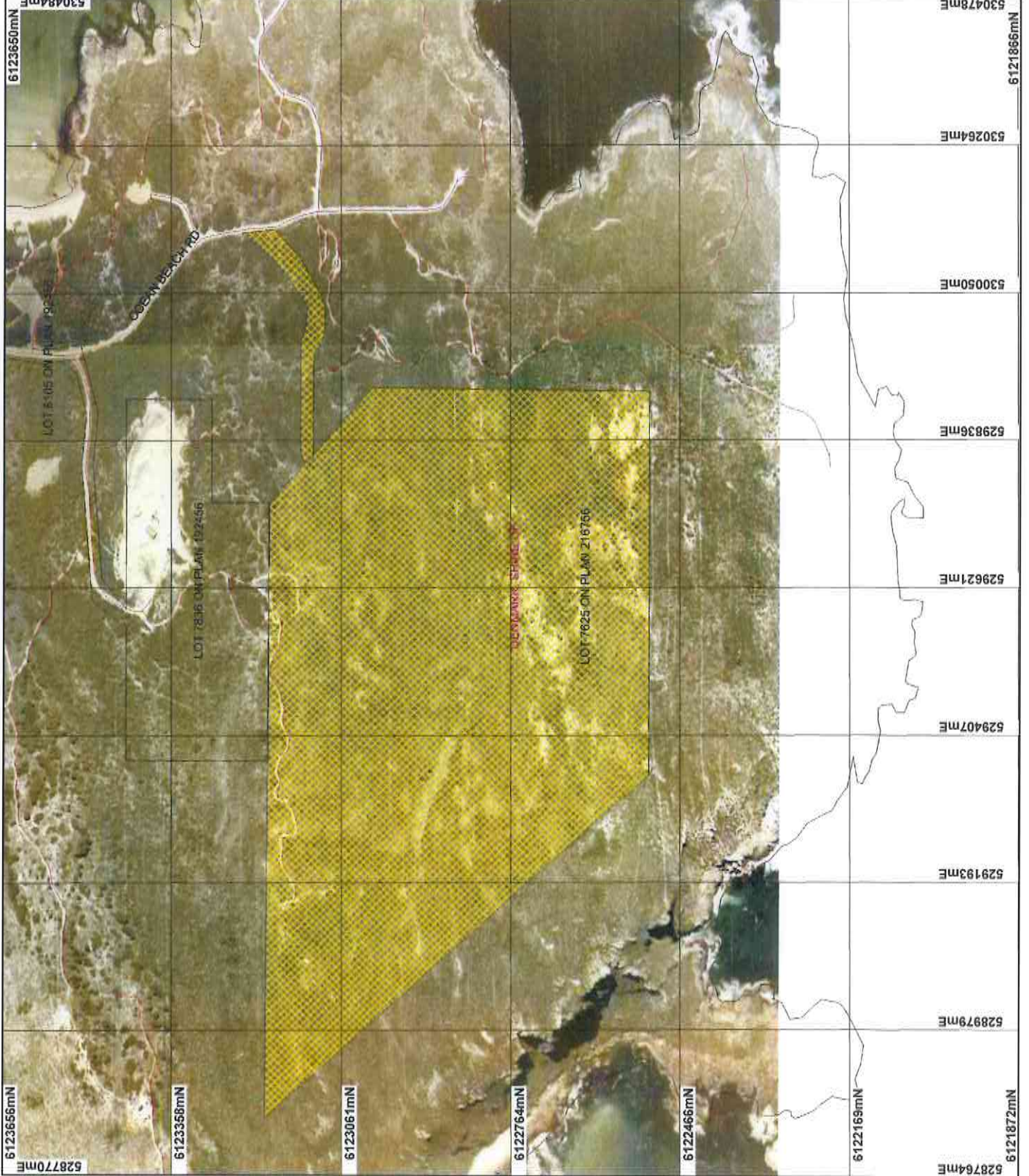


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

7 June 2012

Plan 3784/3



LEGEND

- Clearing Instruments
- Areas Approved to Clear
- Road Centrelines
- Cadastral for labelling
- Local Government Authorities
- Denmark 1.4m Orthomosaic - Landgate 2001

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



0 200 m

Scale 1:5432

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

[Signature] Date 7/6/12

K Faulkner

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.



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1. Application details

1.1. Permit application details

Permit application No.: 3784/3
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Denmark Community Windfarm Limited

1.3. Property details

Property: LOT 7625 ON PLAN 216756 (House No. 900 OCEAN BEACH OCEAN BEACH 6333)
Local Government Area: Shire of Denmark
Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 7 June 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
Beard Vegetation Association; 423 - Shrublands; Acacia scrub-heath (unknown spp.) (Shepherd, 2009).	The application is to clear 4 hectares of native vegetation in very good (Keighery, 1994) condition for the purpose of constructing a Windfarm and access tracks.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The vegetation clearing description and condition were determined from aerial orthomosaics and from a site inspection (DEC, 2010).

3. Assessment of application against clearing principles

Comments

The proponent has applied to increase the total clearing area to 4ha and include construction of a carpark and windfarm as purposes of the permit. A review of current environmental information reveals no new additional information. Therefore the assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 3784/1.

Methodology

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

Comments

No submissions from the public have been received.

A temporary licence has been granted by the Department of Regional Development and Lands to cover the realignment of the access track into Reserve 24913.

The South West Aboriginal Land and Sea Council (2012) has advised that they are in the process of conducting a search for any registered sites on the property, and note that as a number of sites are not registered, consultation with the claimants is required.

Methodology

4. References

- DEC (2010) Site Inspection Report for Clearing Permit Application CPS 3784/1, Denmark Community Windfarm Inc. Site inspection undertaken 8 July 2010. Department of Environment and Conservation, Western Australia (DEC ref. A317151).
- 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. (2009) Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in

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)