



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

**Purpose Permit number:** CPS 4049/2  
**Permit Holder:** Regional Power Corporation TA Horizon Power  
**Duration of Permit:** 17 January 2011 to 17 January 2018

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, access tracks and construction of fencing.

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

Lot 555 on Plan 60208 (BOODARIE 6722)

Lot 556 on Plan 60208 (BOODARIE 6722)

**3. Area of Clearing**

The Permit Holder must not clear more than 2.35 hectares of native vegetation within the area hatched yellow on attached Plan 4049/2.

**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. Period in which clearing is authorised**

The Permit Holder shall not clear any native vegetation after 17 January 2016.

**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 in an area that has already been cleared.
- (b) within 3 months following clearing authorised under this permit, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
  - (i) ripping the ground on the contour to remove soil compaction; and
  - (ii) laying the vegetative material and topsoil retained under condition 10(a) on the areas(s) no longer required for the purpose for which they were cleared.
- (c) within 24 months of laying the vegetative material and topsoil on the cleared area 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.

## 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;
  - (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;
  - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares); and
  - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*.



## 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 and 31 December of the preceding year.
- (b) Prior to 17 October 2017, 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 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 50 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;

*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*; and



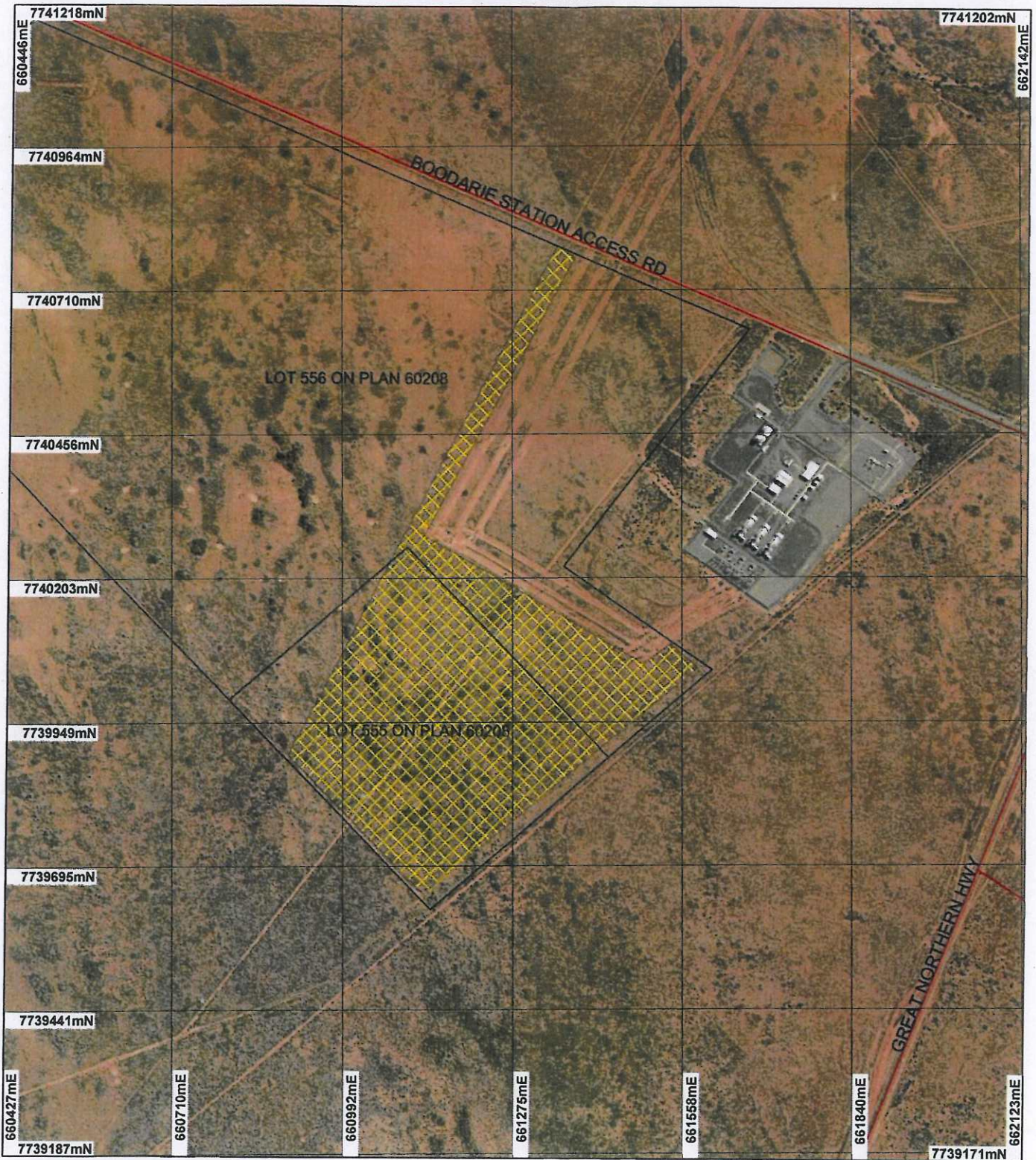
Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

5 May 2011



# Plan 4049/2



## LEGEND

### Clearing Instruments

- Areas Approved to Clear
- Road Centrelines
- Cadastre

Port Hedland Townsite 20cm  
Orthomosaic - Landgate  
2002



Scale 1:9340  
(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 measurement inaccuracies.

Date 5/5/11  
K Faakner

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.



Department of  
Environment and Conservation

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## 1. Application details

### 1.1. Permit application details

Permit application No.: 4049/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Regional Power Corporation TA Horizon Power

### 1.3. Property details

Property: LOT 555 ON PLAN 60208 ( BOODARIE 6722)  
LOT 556 ON PLAN 60208 ( BOODARIE 6722)  
Local Government Area: Town of Port Hedland  
Colloquial name:

### 1.4. Application

|                    |           |                    |                             |
|--------------------|-----------|--------------------|-----------------------------|
| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of:         |
| 2.35               |           | Mechanical Removal | Geotechnical investigations |

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 5 May 2011

## 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   |
|--|---|--|---|
| The vegetation under application is mapped as being composed of Beard vegetation association 589, which is described as a Mosaic: Short bunch grassland - savanna / grass plain (Pilbara) / Hummock grasslands, grass steppe; soft spinifex. | The vegetation proposed to be cleared is considered to be in very good to excellent (Keighery, 1994) condition (GHD, 2009), however much of the area has been impacted by fire and other disturbances are present such as tracks, powerlines and evidence of grazing (GHD, 2009). | Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)<br><br>To<br><br>Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994) | The description and condition of the vegetation under application was determined via the use of aerial imagery and a flora and vegetation survey conducted by GHD (2009). |

## 3. Assessment of application against clearing principles

### Comments

A proposal to clear 21.49 hectares was originally received by the applicant. This proposal was amended during the assessment of the application, reducing the area intended for clearing to 2.35 hectares. The proposed clearing of 2.35 hectares of native vegetation within a clearing envelope of approximately 23 hectares is required in order to allow for the geotechnical works and access tracks associated with construction of a gas-fired power station and associated infrastructure.

The vegetation proposed to be cleared is considered to be in very good to excellent (Keighery, 1994) condition (GHD, 2009), however much of the area has been impacted by fire and other disturbances are present such as tracks, powerlines and evidence of grazing (GHD, 2009).

No weeds were recorded within the clearing envelope. The proposed activities have the potential to introduce and/or spread weeds to the area and adjacent areas (GHD, 2009). Weed control conditions will reduce the risk of weed introduction and invasion

There are no known recorded occurrences of rare flora, threatened ecological communities (TEC's), priority ecological communities (PEC's) within the local area. During a flora survey conducted by GHD during June 2009 (GHD, 2009) no rare or priority flora species, TEC's or PEC's were observed. To determine the full range of flora, multiple surveys are required at different times of the year, and over a period of several years (GHD, 2009). However, given the relatively small size of the proposed clearing (2.35ha), it is considered unlikely that rare or priority flora will be impacted.

The vegetation type impacted by the proposed clearing (Beard vegetation association 589) retains close to 100% of its pre-European extent within the bioregion and Town of Port Hedland (730,683 ha and 338,405 ha, respectively) (Shepherd, 2009).

The proposed clearing does not impact on any wetlands or watercourses and is unlikely to result in land degradation, increase the risk of flooding or impact on the quality of surface or ground water.

Six fauna species of conservation significance have been recorded within the vicinity of the applied area, or have been identified as potentially utilising or frequenting the vegetation under application. Further to this the Australian Bustard (*Ardeotis australis*) (P4), was observed within the applied area. Given the local area is highly vegetated the area under application is not likely to represent significant habitat for local fauna. The applicant should ensure disturbance to these conservation significant species and their habitat is avoided, minimised and managed.

Given the above, the proposed clearing is considered not to be at variance to principle (e) and not likely to be at variance to the remaining clearing principles.

GHD (2009)

Keighery (1994)

Shepherd (2009)

GIS DataBases:

- Port Hedland Town Site 20cm Orthomosaic - Landgate 2002
- DEC Tenure (2010)
- SAC Biodatasets (accessed Nov 2010)
- Pre European Vegetation (DA 2001)
- Hydrography linear - DOW 13/7/06
- Hydrography linear (hierarchy) - DoW 13/7/06
- Clearing Regulations, Environmentally Sensitive Areas (2009)
- Soils, Statewide DA 11/99

#### Methodology

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

#### Comments

The application has been amended to include fencing as a purpose of the permit. This was omitted on 4049/1 by the Department of Environment and Conservation and therefore an administrative amendment has been undertaken.

The applicant has advised that the proposed gas-fired power station is to be referred to the Environmental Protection Authority (EPA), for a decision on whether it will be assessed under Part IV, in December 2010 (Strategen, 2010). The supporting information is currently in preparation for the referral and the applicant will notify the Department of Environment and Conservation (DEC) when the proposal has been referred.

As the geotechnical investigations and access tracks are temporary land uses, revegetation conditions will be required.

The application area lies within the Pilbara River tributaries and Groundwater Area. No groundwater is to be used or impacted for the geotechnical investigations.

The applicant has advised that a heritage agreement is currently being negotiated, and that the completion of this agreement is immanent.

The Department of Regional Development and Lands is the owner of Crown land, namely Lot 601 and Part Lot 600 and has no objection to Horizon Power's application for a clearing permit (DEC Ref: A343733).

#### Methodology

Strategen (2010)

#### 4. References

- GHD (2009) Horizon Power, Report for Horizon Boodarie Site, Flora and Fauna Report, July 2009. DEC Ref: A343733.
- 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 Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Strategen (2010) Application for a Clearing Permit (Purpose Permit), Lots 600 and 601, Boodarie Resource Processing Estate, October 2010. DEC Ref: A343728.



## 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)                    |