



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4645/1
Permit Holder:	Regional Power Corporation TA Horizon Power
Duration of Permit:	12 December 2011 – 12 December 2021

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 constructing and installing of a new underground electricity distribution network.
- 2. Land on which clearing is to be done**
Lot 75 of Deposited Plan 213140 (Camballin 6728)
- 3. Area of Clearing**
The Permit Holder must not clear more than 2.14 hectares of native vegetation within the area hatched yellow on attached Plan 4645/1.
- 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. Period in which clearing is authorised**
The Permit Holder shall not clear any native vegetation after 14 November 2016
- 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 power to clear native vegetation for those activities under the *Energy Operators (Powers) Act 1979* 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

- (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*:
 - (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iii) 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.

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) within 12 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) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
 - (ii) ripping the ground on the contour to remove soil compaction, were required; and
 - (iii) laying the vegetative material and topsoil retained under condition 10(a).
- (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.
- (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 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 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 and 31 December of the preceding year.

- (b) Prior to 12 September 2021, 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*.

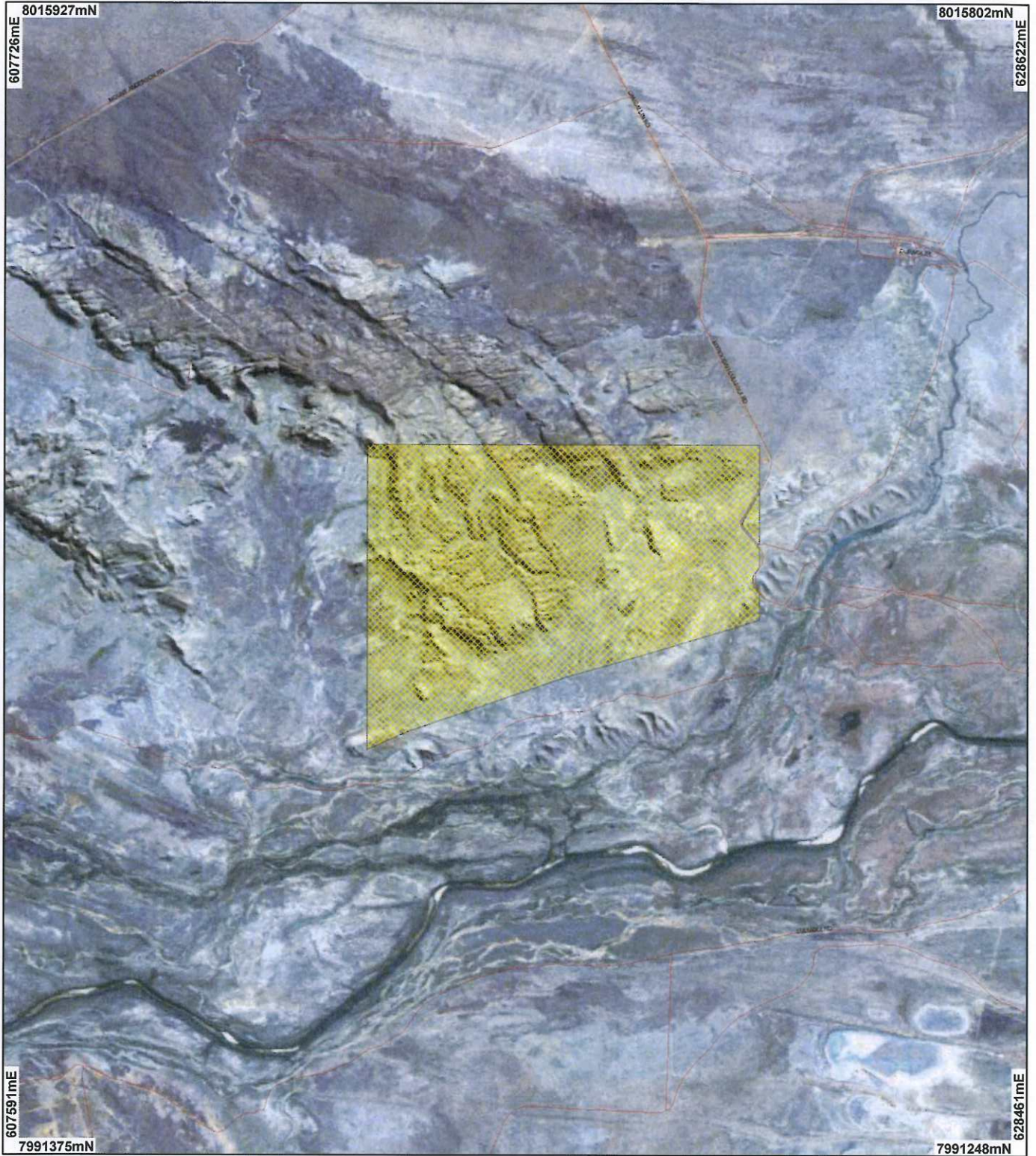


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

24 November 2011

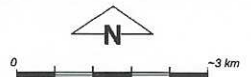
Plan 4645/1



LEGEND

-  Road Centrelines
-  Clearing Instruments
-  Areas Applied to Clear
-  Areas Subject to Conditions
-  Areas Approved to Clear
-  Cadastre for labelling

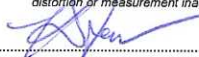
Western Australia Landsat
Mosaic 25m - AGO 2006



Scale 1:113947
(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 29/10/11

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.



Department of
Environment and Conservation

Our environment, our future
WA Crown Copyright 2002



1. Application details

1.1. Permit application details

Permit application No.: 4645/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Regional Power Corporation TA Horizon Power

1.3. Property details

Property: LOT 75 ON PLAN 213140 (CAMBALLIN 6728)
LOT 75 ON PLAN 213140 (CAMBALLIN 6728)

Local Government Area: Shire of Derby-West Kimberley

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.14		Mechanical Removal	Water/gas/cable/pipeline/power installation

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 24 November 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
Three Beard vegetation types are mapped within the applied area: Mapped Beard vegetation association 64 is described as Grasslands, tall bunch grass savanna low tree; baobabs (<i>Adansonia gregorii</i>), bauhinia & beefwood (<i>Grevillea striata</i> over ribbon grass). (Shepherd 2009) Mapped Beard vegetation association 705 is described as Hummock grasslands, sparse tree steppe; snappy gum & bloodwood (<i>E. dichromophloia</i>) & <i>Eucalyptus setosa</i> over spinifex & <i>Triodia intermedia</i> . (Shepherd 2009) Mapped Beard vegetation association 702 is described as Hummock grasslands, grass steppe; hard spinifex, <i>Triodia intermedia</i> . (Shepherd 2009)	This application proposes to clear 2.14 ha of native vegetation within Lot 75 on Plan 213140. The clearing is to occur mostly within road reserves where the vegetation is likely to be impacted, for the purpose of construction and installation of new underground electricity distribution network.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition of the vegetation was assessed using aerial imagery (Western Australia Landsat Mosaic 25m - AGO 2006)

3. Assessment of application against clearing principles

Comments	Proposal is not likely to be at variance to this Principle
	The application proposes to clear 2.14 ha of native vegetation within Lot 75 on Deposited Plan 213140, Camballin, for the purpose of construction and installation of new underground electricity distribution network to the residents of the Looma Aboriginal Community. Numerous fauna species of conservation significance were recorded within the local area (40km). These included <i>Petrogale lateralis</i> subsp. <i>lateralis</i> (black-footed Rock-wallaby), <i>Petrogale lateralis</i> subsp. <i>Ssp.</i> (West Kimberley Rock-wallaby) and <i>Falco peregrinus</i> (Peregrine Falcon). Given the long, linear extent of the proposed

clearing it is not likely to contain significant habitat for fauna native to Western Australia.

There are no known records of priority flora within the application area, the closest known record being *Goodenia byrnesii*, located approximately 6km west of the application area. The proposed clearing is along the existing road verges where the vegetation is likely to be in a degraded (Keighery 1994) condition and therefore unlikely to support rare or priority flora.

Camballin Floodplain is located approximately 1 km east of the application area. The Camballin Floodplain is listed on the Register of National Estate, is considered to be an ANCA wetland and an Environmentally Sensitive Area. Given the distance between this site and the proposed clearing area, along with the degraded (Keighery, 1994) condition and long and linear nature the proposed clearing it is not likely to impact upon this conservation area.

The assessment determined that the proposed clearing is not likely to significantly impact any biodiversity or environmental values; nor will it cause any appreciable land degradation within the local or regional context. Therefore, the proposed clearing is not likely to be at variance to any of the clearing principles.

Methodology

References:

- DEC (2007-)
- Keighery 1994
- Shepherd 2009

GIS Databases:

- ANCA, Wetlands
- SAC Biodatasets - accessed 18 October 2011
- Western Australia Landsat Mosaic 25m - AGO 2006
- Hydrography, linear

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

Comments

The proposal is to construct and install new underground electricity distribution network to provide a more efficient and reliable supply of electricity to the resident of the Looma Aboriginal Community.

Application area falls within the Camballin Irrigation District under the Rights in Water Irrigation Act 1914.

Application area falls within the Fitzroy River and Tributaries Surface Water area under the Rights in Water Irrigation Act 1914.

There are numerous aboriginal sites of significance within the application area. The applicant will be advised to liaise with the Department of Indigenous Affairs in regards to their obligation under the Aboriginal Heritage Act 1972.

Methodology

GIS Databases:

- Aboriginal Sites of Significance
- Cadastre
- RIWI Act, Groundwater areas
- RIWI Act, Surface water areas, Irrigation districts

4. References

DEC (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 18/10/2011

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.

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)