Approval

Muja to Wellstead Transmission Line Project, WA (EPBC 2011/6066)

This decision is made under sections 130(1) and 133 of the Environment Protection and Biodiversity Conservation Act 1999.

Proposed action

<table>
<thead>
<tr>
<th>person to whom the approval is granted</th>
<th>Electricity Networks Corporation</th>
</tr>
</thead>
<tbody>
<tr>
<td>proponent's ABN</td>
<td>ABN: 18 540 492 861</td>
</tr>
<tr>
<td>proposed action</td>
<td>To construct and operate a 330 kV transmission line between the Muja Power Station, approximately 20 km south east of Collie and the proposed Southdown Joint Venture Magnetite Project at Wellstead, located approximately 90 km north east of Albany, Western Australia [See EPBC Act referral 2011/6066].</td>
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Approval decision

<table>
<thead>
<tr>
<th>Controlling Provision</th>
<th>Decision</th>
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<tr>
<td>Listed threatened species and communities (sections 18 &amp; 18A)</td>
<td>Approved</td>
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</table>

Conditions of approval

This approval is subject to the conditions specified below.

Expiry date of approval

This approval has effect until 31 March 2062.

Decision-maker

<table>
<thead>
<tr>
<th>name and position</th>
<th>Barbara Jones</th>
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<tbody>
<tr>
<td></td>
<td>Assistant Secretary</td>
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<td></td>
<td>North, West and Offshore Assessment Branch</td>
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</tbody>
</table>

signature


date of decision

16 October 2012
Conditions attached to the approval

1) Within 30 days after the commencement of the action, the person taking the action must advise the department in writing of the actual date of commencement.

2) The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Environmental Management Plan required by this approval, and make them available upon request to the department. Such records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the department's website. The results of audits may also be publicised through the general media.

3) Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. This must occur annually for ten years following commencement of the action, then once every five years for the life of this approval. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the department at the same time as the compliance report is published.

4) To mitigate the impacts on listed threatened species, the person taking the action must prepare and submit an Environmental Management Plan (EMP) for the Minister's approval. The person taking the action must not commence construction unless the Minister has approved the EMP. If the Minister approves the EMP then the approved EMP must be implemented. The EMP must include:

a) Roles and responsibilities of employees and contractors involved in this project;

b) Measures for;

i. The ongoing management of clearing, pruning and revegetation of native vegetation

ii. The ongoing management of weeds on site

iii. The ongoing management of Phytophthora cinnamomi on site

iv. Fire control during construction and operation of the transmission line

v. The reinstatement of the site following construction works

vi. Site inspections, incident reporting and auditing;

c) Details of the installation, placement, maintenance, monitoring and reporting for the plastic nest boxes that are required under condition 9;

d) Details of the methodology and completion criteria for;

i. The clearing and pruning of plants greater than 4 m in height within 27 ha of native vegetation;

ii. The natural regeneration of 117 ha of native vegetation post construction; and,

iii. The revegetation of the existing transmission line route with 26 ha of native vegetation suitable for black cockatoo foraging and breeding;

e) The EMP must also include performance indicators, corrective actions, contingencies, timeframes and ongoing reporting for part 4 b), 4 c) and 4 d) of this condition, as outlined above.
5) If the person taking the action wishes to carry out any activity otherwise than in accordance with the Environmental Management Plan as specified in condition 4, the person taking the action must submit to the department for the Minister’s written approval a revised version of that plan. The varied activity shall not commence until the Minister has approved the revised management Environmental Management Plan, in writing. The Minister will not approve a revised plan, unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised plan, that plan must be implemented in place of the management plan originally approved.

6) Unless otherwise agreed to in writing by the Minister, the person taking the action must publish the Environmental Management Plan referred to in these conditions of approval on their website. The Environmental Management Plan must be published on the website within 1 month of being approved.

7) To mitigate the potential impacts to black cockatoos, the person taking the action must clear no more than 163 ha of native vegetation, of which the amount of permanent vegetation clearing for maintenance access tracks and transmission towers does not exceed 19 ha.

8) To mitigate potential impacts to black cockatoos, the person taking the action must not clear any trees known to contain a black cockatoo nest. This includes the 14 trees within the project corridor identified by the Western Australian Museum (Muja to Weelstead Proposed Transmission Line Targeted Black Cockatoo Assessment, Johnstone and Kirkby, 2011).

Any additional trees containing a black cockatoo nest subsequently identified must not be cleared without written approval from the department.

Trees containing a black cockatoo nest may only be pruned to maintain electrical clearance requirements or if they are within falling distance of infrastructure. Pruning of trees containing a black cockatoo nest must:

a) be undertaken under the guidance and supervision of either a black cockatoo expert or a suitably trained field officer; and

b) not result in the removal or damage to any black cockatoo nest.

9) To offset the impact of clearing of black cockatoo breeding habitat, the person taking the action must install at least 24 plastic nest boxes for black cockatoos within 2 years of the commencement of the action. Details on the installation, placement, maintenance, monitoring and reporting for the plastic nest boxes must be outlined in the Environmental Management Plan required under condition 4. The plastic nest boxes must be maintained for the life of this approval, subject to meeting the performance indicators included in Environmental Management Plan required under condition 4.

10) To offset the impact of clearing of black cockatoo habitat, the person taking the action must provide funds to the WA DEC for the acquisition and management of a property that:

a) contains at least 869 ha of high quality potential breeding habitat for black cockatoos; and

b) is within 50 km of the project site.

If the offset property is not one of the two options detailed in the preliminary documentation (Potential Offset Property Assessment Report, GHD to Western Power dated 25 October 2011), it must be provided to the department for approval.

Within 12 months of the commencement of construction, the person taking the action must provide in writing to the department evidence that funds have been provided to the WA DEC for the purchase of the offset property, and evidence that the offset property has been permanently protected by either;
a) an irrevocable conservation covenant; or
b) a conservation reserve that will be managed by the WA DEC; or
c) any other means that has been approved in writing by the department.

11) To offset the residual impacts to **black cockatoos**, the person taking the action must:

a) contribute at least $104,500 to the Western Australian Museum, for the purpose of funding a **black cockatoo** research program (as described in the Black Cockatoo Research Project, a partnership proposal between Western Water and Western Australian Museum August 2011); and

b) contribute at least $200,000 to the WA DEC for the funding of research for **black cockatoos**, as outlined in the Draft Proposal for Funding of Research and Mapping of Critical Breeding Habitat (10 September 2012; Version 2) provided to the department on 17 September 2012.

Within 12 months of the commencement of construction, the person taking the action must provide in writing to the department evidence that funds have been provided to the relevant parties.

Upon completion of the research programs the person taking the action must provide results of the research programs to the department.

12) If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.

**Definitions**

a) **Black cockatoo(s)** – the EPBC Act listed threatened species Carnaby’s Black Cockatoo (*Calyptorhynchus latirostris*), Baudin’s Black Cockatoo (*Calyptorhynchus baudini*) and the Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*).

b) **Black cockatoo expert** – a person with at least 5 years demonstrated experience in the ecology of **black cockatoos** that has been approved in writing by the department.

c) **Commence/ commencement** – Clearing of vegetation or any **construction**, excluding fences and signage, associated with the proposed action.

d) **Construction** – Includes any preparatory works required to be undertaken including clearing vegetation, the erection of any onsite temporary structures and the use of heavy duty equipment for the purpose of breaking the ground for buildings or infrastructure.

e) **Department** – The Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*.

f) **Electrical clearance requirements** – as per AS/NZS 7000: 2010 Overhead Line Design - detailed procedures

g) **Existing transmission line route** – the corridor for the existing Muja to Kojonup transmission line, which will be decommissioned and revegetated in accordance with the EMP.

h) **Minister** - The Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* and includes a delegate of the Minister.
i) **Native vegetation suitable for black cockatoo breeding** – Jarrah (*Eucalyptus marginata*) and Marri (*Corymbia calophylla*). This could also include species such as Wandoo (*E. wandoow*), Flooded Gum (*E. rudis*), York Gum (*E. loxophleba subsp. loxophleba*) Bullich (*E. megacarpa*), Swamp Yate (*E. occidentalis*), Blackbutt (*E. patens*) and Yate (*E. corrumpua*), or any other species approved in writing by the department.

j) **Native vegetation suitable for black cockatoo foraging** – any plants as specified in the WA DEC’s Plants for Carnaby’s Search Tool (which can be found at: http://www.dec.wa.gov.au/content/view/5983/1555/); or other species approved in writing by the department.

k) **Naturally regenerate** – the natural process by which vegetation replaces or re-establishes itself.

l) **Nest** - a hollow in a tree being used for breeding by black cockatoos or showing signs of recent breeding, such as chewing and wear at the entrance of the hollow. Includes the section of the tree containing the hollow cavity.

m) **Plastic nest boxes** – those made of PVC or suitable plastic material, as described in the WA DEC’s nest hollow guidelines (Artificial hollows for Carnaby’s cockatoo. Available at: http://www.dec.wa.gov.au/content/view/6333/2361/).

n) **Permanent vegetation clearing** – the permanent clearing of vegetation within the footprint. This footprint will not exceed 19 ha and will include the areas physically occupied by the transmission towers and 4m wide maintenance tracks. These areas will not be naturally or actively regenerated.

o) **Revegetate** – rehabilitation of vegetation through methods such as ground preparation, topsoil movement, weed control, direct seeding and/or seedling planting.

p) **Substantially commence** – Construction activities that have progressed further than just preliminary clearing and ground breaking activities to the erection of any onsite structures, buildings and/or infrastructure.

q) **Suitably trained field officer** – a person who has been trained by a black cockatoo expert for managing black cockatoo nests during the pruning process.

r) **WA DEC** – the Western Australian Department of Environment and Conservation.