



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 10494/1
Permit Holder:	Yindjibarndi Energy Corporation Pty Ltd
Duration of Permit:	From 28 May 2024 to 28 May 2034

The permit holder is authorised to clear *native vegetation* subject to the following conditions of this permit.

PART I – CLEARING AUTHORISED

1. Clearing authorised (purpose)

The permit holder is authorised to clear *native vegetation* for the purpose of constructing a solar facility and associated infrastructure.

2. Land on which clearing is to be done

Unallocated Crown Land PIN 1017635, Fortescue
Unallocated Crown Land PIN 1017648, Fortescue

3. Clearing authorised

The permit holder must not clear more than 516.85 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

4. Period during which clearing is authorised

The permit holder must not clear any *native vegetation* after 28 May 2029.

PART II – MANAGEMENT CONDITIONS

5. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending order of preference:

- (i) avoid the clearing of *native vegetation*;
- (ii) minimise the amount of *native vegetation* to be cleared; and
- (iii) reduce the impact of clearing on any environmental value.

6. Weed management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of 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 known *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.

7. Wind erosion management

The permit holder must commence construction of the solar farm no later than three (3) months after undertaking the authorised clearing activities to reduce the potential for wind erosion by minimising the exposure time of soils prior to construction.

8. Directional clearing

The permit holder must:

- (a) conduct clearing activities in a slow, progressive manner towards adjacent *native vegetation*; and
- (b) allow reasonable time for fauna present within the area being cleared to move into adjacent *native vegetation* ahead of the clearing activity.

9. Vegetation management – drainage line surface flow

The permit holder must:

- (a) avoid clearing within drainage lines, where practicable; and
- (b) maintain the existing surface flow of any drainage line that is to be impacted by the authorised clearing.

10. Vegetation management – watercourse surface flow

The permit holder must not clear *native vegetation* within the areas cross-hatched red in Figure 1 of Schedule 1, except for the purposes of constructing access tracks and crossings, and/or transmission infrastructure. Where *native vegetation* clearing is required within the area(s) cross-hatched red in Figure 1 of Schedule 1, the permit holder must:

- (a) not clear more than 1 hectare of *native vegetation* in total;
- (b) reduce the number of access tracks and crossings to a minimum, and consolidate watercourse crossings with other infrastructure where practicable;
- (c) ensure that surface flow is maintained, or is reinstated downstream into the existing natural watercourse; and
- (d) ensure that fauna movement and dispersal along the watercourse is maintained or reinstated.

11. Fauna management- backfilling

- (a) The permit holder must:
 - (i) backfill all excavations with excavated material on the day of excavating; or
 - (ii) fence all excavations on the day of excavating with fine mesh to prevent fauna access; or
 - (iii) cover all excavations on the day of excavating with a cover which prevents entry to the excavation by fauna species.
- (b) In areas where backfilling or fencing or covering of excavations in accordance with condition 11(a) is not possible for longer than 24 hours, the permit holder must:
 - (i) conduct a daily fauna inspection before 7am of any open, unfenced and uncovered excavations left for longer than 24 hours; and
 - (ii) ensure that fauna egress points appropriate for Northern Quoll (*Dasyurus hallucatus*), Western Pebble-mound Mouse (*Pseudomys chapmani*), Northern Short-tailed Mouse (*Leggadina lakedownensis*), Pilbara Olive Python (*Liasis olivaceus barroni*) and Lined Soil-crevice Skink (*Notoscincus butleri*) are installed every 500 metres at a minimum; and
 - (iii) if any trapped fauna is discovered, it is to be handled and relocated to an area of *native vegetation* outside of the disturbance footprint by a *fauna specialist*, and for any threatened fauna discovered, in accordance with a section 40 authorisation under the *Biodiversity Conservation Act 2016*.

12. Fauna management – pre-clearance surveys

- (a) *Immediately prior* to undertaking any clearing authorised under this permit, the permit holder shall engage a *fauna specialist* to undertake clearance surveys within the area to be cleared for the Northern Quoll, Western Pebble Mound Mouse, Northern Short-tailed Mouse and Pilbara Olive Python, including the identification and inspection of burrows, mounds and dens, and determination of whether burrows and/or dens and/or mounds are being utilised.
- (b) Where evidence of recent burrow, den or mound use is identified under condition 12(a) of this permit, the permit holder shall:
 - (i) engage a *fauna specialist* to flag the location of the burrow/s and/or den/s and/or mounds showing signs of recent use;
 - (ii) not clear within five metres of the flagged burrow/s and/or den/s and/or mounds;
 - (iii) engage a *fauna specialist* to monitor with cameras, the flagged burrow/s and/or den/s and/or mounds for a maximum of five days, or until such time that the relevant fauna have been observed to independently move on from the burrow/s and/or den/s and/or mounds; and
 - (iv) prior to clearing, engage a *fauna specialist* to re-inspect any flagged burrow/s and/or den/s and/or mounds for the presence of Northern Quoll, Western Pebble-mound Mouse or Northern Short-tailed Mouse.
- (c) If Northern Quoll are identified utilising any flagged burrow/s and/or den/s under condition 12 (b)(iv) of this permit and cannot be avoided in accordance with condition 5 of this permit, the permit holder shall engage a *fauna specialist* to remove and relocate the identified Northern Quoll to an area of *suitable habitat*, in accordance with a section 40 authorisation under the *Biodiversity Conservation Act 2016*.

- (d) Where active Northern Quoll burrows and or dens are identified under condition 12(a) of this permit, and/or Northern Quoll are relocated under condition 12(c) of this permit, the permit holder shall include the following in a report submitted to the *CEO* within two months of undertaking any *clearing* authorised under this permit:
- (i) The location of any active Northern Quoll burrows and/or dens identified, using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (ii) a description of the camera monitoring measures undertaken under condition 12(b)(iii) of this permit;
 - (iii) the date and time of Northern Quoll are recorded as independently moving from a flagged burrow or den;
 - (iv) the location of any Northern Quoll, as referred to under condition 12(a) of this permit, captured using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (v) the date, time, vegetation type and weather conditions at each location where Northern Quoll are captured under condition 12(d)(iv) of this permit;
 - (vi) the location of any Northern Quoll, identified in accordance with condition 12(a) of this permit, relocated using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (vii) the date, time, vegetation type and weather conditions at each location where Northern Quoll are relocated under condition 12(c) of this permit;
 - (viii) the name of the *fauna specialist* that relocated fauna under condition 12(c) of this permit; and
 - (ix) a copy of the fauna licence authorising the relocation of fauna under condition 12(c) of this permit.

13. Fauna management – time of clearing

The permit holder must undertake all activities authorised under this permit during day-time hours, to reduce the potential for vehicular fauna strike.

14. Flora management – pre-clearance surveys

- (a) Prior to undertaking any clearing within the areas cross-hatched red in Figure 1 of Schedule 1, the permit holder must engage a *botanist* to conduct a *targeted flora survey* of the areas to be cleared for the presence of *Trianthema* sp. Python Pool (G.R. Guerin & M.E. Trudgen GG 1023) and *Tephrosia lithosperma*.
- (b) Where *threatened flora* is identified under condition 14(a), the permit holder must not cause or allow:
 - (i) clearing within 50 metres of the identified threatened flora; unless approved by the *CEO*; and
 - (ii) clearing of the identified threatened flora, unless approved by the *CEO*.
- (c) Where *priority flora* is identified under condition 14(a), the permit holder must not cause or allow:
 - (i) clearing within 10 metres of the identified priority flora, unless approved by the *CEO*; and
 - (ii) clearing of the identified priority flora, unless approved by the *CEO*.

- (d) Where *threatened flora* or *priority flora* are identified under condition 14(a) of this permit, the permit holder must include the following in a report submitted to the *CEO* within three months of undertaking any clearing authorised under this permit:
- (i) the species name of each *threatened flora* and *priority flora* individual(s) identified under condition 14(a);
 - (ii) the number of individuals identified;
 - (iii) the date each individual was identified;
 - (iv) the location of each *threatened flora* and *priority flora*, identified under condition 14(a), either as the location of individual plants, or where this is not practical, the areal extent of the population and an estimate of the number of plants, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (v) the name of the botanist that undertook clearance surveys under condition 14(a) of this permit; and
 - (vi) the methodology used to survey the permit area.

15. Retain vegetative material and topsoil, revegetation and rehabilitation

The permit holder must:

- (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 six months following completion of clearing authorised under this permit, *revegetate* and *rehabilitate* areas not required for the purpose for which they were cleared by laying the vegetative material and topsoil retained under condition 15(a) on the cleared area(s).
- (c) Within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 15(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 15(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 15(c)(ii) of this permit, the permit holder shall repeat condition 15(c)(i) and 15(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 15(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 15(c)(ii), the *CEO* may require the permit holder to undertake additional *planting* and direct

seeding in accordance with the requirements under condition 15(c)(ii).

PART III - RECORD KEEPING AND REPORTING

16. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"> (a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 5; (f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with condition 6; (g) actions taken to minimise impacts of wind erosion in accordance within condition 7; (h) actions taken to undertake directional clearing and minimise impacts to fauna in accordance with condition 8; and (i) actions take in accordance with condition 9 to maintain the existing surface flow of any drainage line that is to be impacted by the authorised clearing.
2.	In relation to vegetation management pursuant to condition 10	<ul style="list-style-type: none"> (a) the size of the area(s) cleared (in hectares) within the areas cross-hatched red in Figure 1 of Schedule 1 of this permit; (b) the total number of access tracks and/or crossovers constructed; (c) actions taken to ensure that surface water flow is maintained, or reinstated downstream into the existing natural watercourse; and (d) actions taken to ensure that fauna movement and dispersal along the watercourse is maintained or reinstated.
3.	In relation to fauna management pursuant to condition 11	<ul style="list-style-type: none"> (a) evidence of backfilling/fencing/covering all excavations; (b) records of daily inspections undertaken in accordance with condition 11(b)(i); (c) evidence of installing fauna egress points in accordance with condition 11(b)(ii); and (d) records of any fauna discovered and the <i>fauna specialists</i> report of any relocation actions undertaken in accordance with condition 11(b)(iii).

No.	Relevant matter	Specifications
4.	In relation to flora management pursuant to condition 14	<ul style="list-style-type: none"> (a) actions taken to <i>demarcate</i> each <i>threatened flora</i> and/or <i>priority flora</i> species recorded and their relevant <i>buffers</i>; and (b) actions taken to avoid the clearing of <i>threatened flora</i> and/or <i>priority flora</i> species; (c) the name and location of each <i>threatened flora</i> and/or <i>priority flora</i> species, recorded using a GPS unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; and (d) a copy of the <i>botanist's</i> report in accordance with condition 14(d).
5.	In relation to the <i>revegetation</i> and <i>rehabilitation</i> of areas pursuant to condition 15	<ul style="list-style-type: none"> (a) the location of any <i>revegetated</i> and <i>rehabilitated</i> areas, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (b) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; (c) the size of the area <i>revegetated</i> and <i>rehabilitated</i> (in hectares); (d) the date(s) on which the <i>revegetation</i> and <i>rehabilitation</i> was undertaken; (e) action and timing of remedial actions undertaken within the area(s) that was <i>revegetated</i> and <i>rehabilitated</i> in accordance with condition 15(c)(ii) to 15(e); and (f) a copy of the <i>environmental specialist's</i> report in accordance with condition 15©(ii) and 15(e).

17. Reporting

The permit holder must provide to the *CEO* the records required under condition 16 of this permit when requested by the *CEO*.

DEFINITIONS

In this permit, the terms in Table have the meanings defined.

Table 2: Definitions

Term	Definition
<i>botanist</i>	means a person who holds a tertiary qualification specialising in environmental science or equivalent and has a minimum of two (2) years' work experience in Western Australian flora identification and undertaking flora surveys native to the bioregion being inspected or surveyed, or who is approved by the <i>CEO</i> as a suitable environmental specialist for the bioregion, and who holds a valid flora licence issued under the <i>Biodiversity Conservation Act 2016</i> .
<i>buffer</i>	means 50 metres for <i>threatened flora</i> and 20 metres for <i>priority flora</i> .
<i>CEO</i>	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
<i>clearing</i>	has the meaning given under section 3(1) of the EP Act.
<i>condition</i>	a condition to which this clearing permit is subject under section 51H of the EP Act.
<i>environmental specialist</i>	means a person 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, or who is approved by the <i>CEO</i> as a suitable environmental specialist.
<i>EP Act</i>	<i>Environmental Protection Act 1986 (WA)</i>
<i>department</i>	means the department established under section 35 of the <i>Public Sector Management Act 1994 (WA)</i> and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
<i>fauna specialist</i>	means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the <i>CEO</i> as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the <i>Biodiversity Conservation Act 2016</i> .
<i>fill</i>	means material used to increase the ground level, or to fill a depression.
<i>immediately prior</i>	means the pre-clearance surveys must be undertaken within 72 hours prior to clearing, unless otherwise approved by the <i>CEO</i> .
<i>local provenance</i>	means native vegetation seeds and propagating material from natural sources within 200 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion of the area cleared.
<i>mulch</i>	means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation.
<i>native vegetation</i>	has the meaning given under section 3(1) and section 51A of the EP Act.
<i>planting</i>	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.

Term	Definition
<i>priority flora</i>	means those plant taxa described as priority flora classes 1, 2, 3, or 4 in the Department of Biodiversity Conservation and Attractions <i>Threatened and Priority Flora List for Western Australia</i> (as amended).
<i>revegetate/ed/ion</i> and <i>rehabilitate/ed/ion</i>	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.
<i>suitable habitat</i>	means habitat known to support the Northern Quoll within the known current distribution of the species.
<i>targeted flora survey</i>	means a field-based investigation, including a review of established literature, of the biodiversity of flora and vegetation of the permit area, focusing on habitat suitable for flora species that are being targeted and carried out during the optimal time to identify those species. Where target flora are identified in the permit area, the survey must also include a minimum of a 10 metre radius of the surrounding areas to place the permit area into local context.
<i>threatened flora</i>	means those plant taxa listed as threatened flora under the <i>Biodiversity Conservation Act 2016</i> .
<i>weeds</i>	means any plant – <ul style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.

END OF CONDITIONS

Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

3 May 2024

Schedule 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

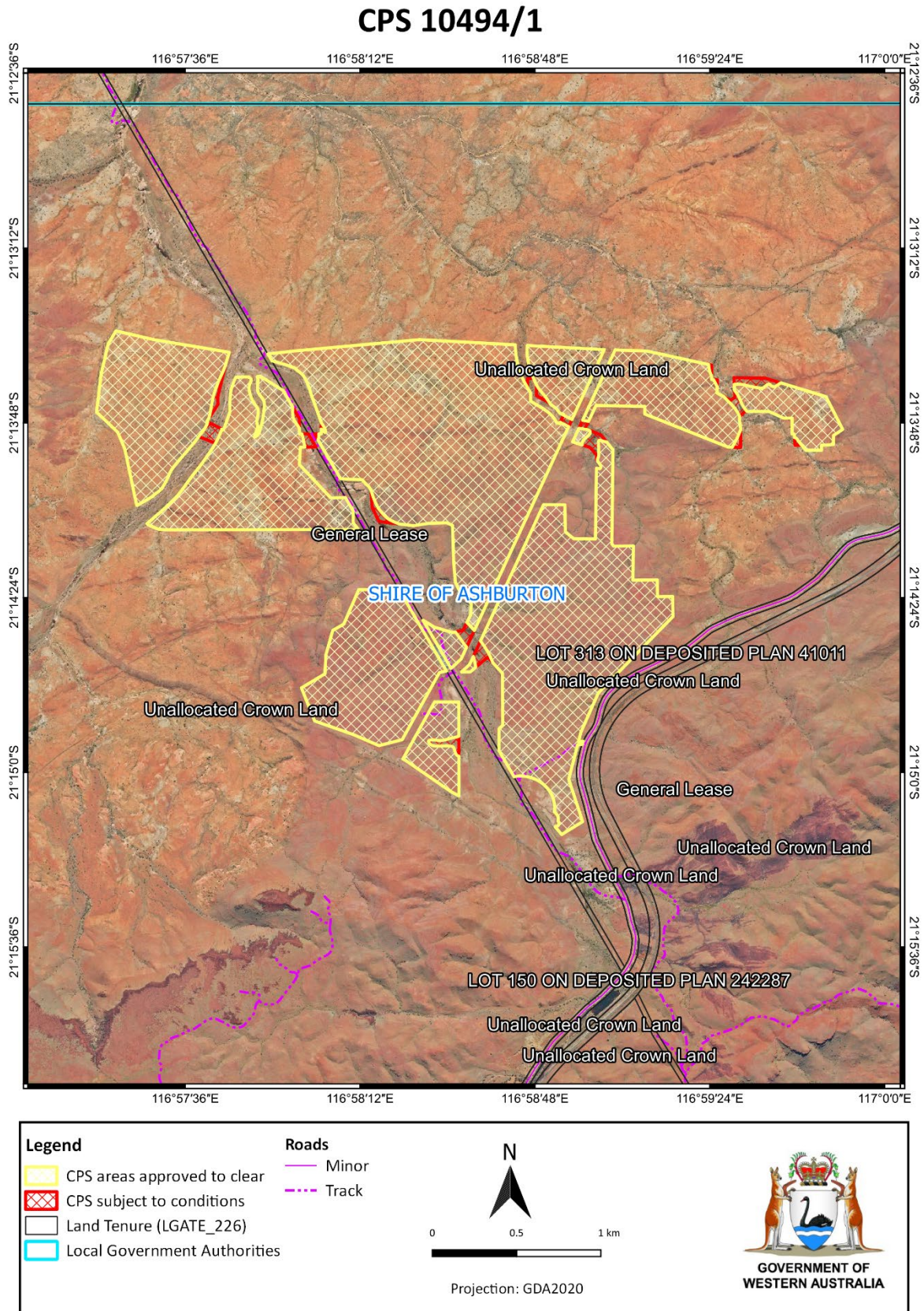


Figure 1: Map of the boundary of the area within which clearing may occur (yellow) and which is subject to conditions (red)