



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	10572/1
<b>Duration of Permit:</b>	From 2 November 2024 to 1 November 2029
<b>Permit Holder:</b>	Focus Operations Pty Ltd

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

### **PART I - CLEARING AUTHORISED**

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

Mining Lease 15/412  
Mining Lease 15/646  
Mining Lease 15/660  
Mining Lease 15/958  
Mining Lease 15/966  
Mining Lease 15/1114  
Mining Lease 15/1294

**2. Clearing authorised (purpose)**

The Permit Holder is authorised to clear native vegetation for the purpose of mineral production and associated activities.

**3. Area of Clearing**

The Permit Holder must not clear more than 220 hectares of native vegetation within the area cross-hatched yellow in Figure 1 of Schedule 1.

**4. Type of Clearing Authorised – staged clearing**

The Permit Holder shall not clear native vegetation unless mineral production and associated activities commences within six months of the authorised clearing being undertaken.

**5. Directional clearing**

The Permit Holder shall must:

- conduct all clearing authorised under this permit in one direction towards adjacent vegetation; and
- allow a reasonable time for fauna present within the area being cleared to move into that adjacent native vegetation ahead of the clearing activity.

### **PART II - MANAGEMENT CONDITIONS**

**6. Avoid, minimise and reduce the impacts and extent of clearing**

In determining the amount of native vegetation to be cleared under this Permit, the Permit Holder must apply the following principles, set out in descending 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.

## 7. 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 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.
- (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.

## 8. Vegetation Management

- (a) where practicable the Permit Holder shall avoid *clearing riparian vegetation*; and
- (b) where a *watercourse* or *drainage line* is to be impacted by clearing, the Permit Holder shall ensure that the existing surface flow is maintained, or reinstated downstream into existing natural drainage lines.

## 9. Fauna Management - Malleefowl

Where clearing authorised under this Permit is to occur between 1 September and 31 January, the Permit Holder shall:

- (a) Within two weeks prior to undertaking any clearing, engage an *environmental specialist* to conduct an inspection of the area to be cleared to identify *active (in use) Malleefowl (Leipoa ocellata) mounds*.
- (b) Where an *active (in use) Malleefowl mound* is identified under Condition 9(a) of this Permit, the Permit Holder shall ensure that no clearing occurs within 200 metres of the mound, during the months of September through to January, unless first approved by the *CEO*.

## 10. Fauna management - Chuditch

- (a) Within two weeks prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to undertake *clearance surveys* for chuditch (*Dasyurus geoffroi*).
- (b) Where chuditch dens are identified under Condition 10(a), the Permit Holder shall engage a *fauna specialist* to determine if the den is occupied.
- (c) Within two weeks prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to relocate any chuditch found under Condition 10(a) and 10(b) of this permit.
- (d) The Permit Holder shall engage a fauna spotter to traverse the project area ahead of clearing machinery, at the time of clearing and alert machinery operators to avoid injury or mortality to chuditch or other fauna gazetted within the *Wildlife Conservation (Specially Protected Fauna) Notice*.
- (e) Where any chuditch are identified and relocated under Condition 10(a), 10(b), 10(c) and 10(d) of this Permit, the Permit Holder shall include the following in a report submitted to the *CEO*:
  - (i) the location of any evidence of chuditch 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) the type of evidence recorded under Condition 10(e)(i) e.g. fauna individuals, burrows, scats, tracks;
  - (iii) the location and date where any chuditch were relocated 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;
  - (iv) the name of the *fauna specialist* that relocated the chuditch under Condition 10(c); and
  - (v) a copy of the fauna licence authorising the relocation of the chuditch under Condition 10(c).

### 11. Fauna management – Inland hairstreak

Where the fauna species *Jalmenus aridus* individuals or their breeding sites have been identified and their written locations, provided to the CEO, within the report ‘Coolgardie *Camponotus* sp. nr. *terebrans* Targeted Survey (2022), as retained on Department of Energy, Mines, Industry Regulation and Safety File No. DMS4245/2024 as Object ID A82604448 the Permit Holder shall ensure that:

- (i) no clearing occurs within 50 metres of identified *Jalmenus aridus* individuals or breeding sites, unless approved by the CEO.

## **PART III - RECORD KEEPING AND REPORTING**

### 12. Records to 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	<ol style="list-style-type: none"><li>(a) 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;</li><li>(b) the date that the area was cleared;</li><li>(c) the size of the area cleared (in hectares);</li><li>(d) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with Condition 6; and</li><li>(e) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with Condition 7; and</li><li>(f) actions taken in accordance with Condition 8.</li></ol>
2.	In relation to fauna management pursuant to Condition 9	<ol style="list-style-type: none"><li>(a) the location of each <i>Malleefowl</i> (<i>Leipoa ocellata</i>) mound, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings.</li></ol>
3.	In relation to fauna management pursuant to Condition 10	<ol style="list-style-type: none"><li>(a) actions taken to manage and mitigate impacts to chuditch (<i>Dasyurus geoffroi</i>) in accordance with Condition 10.</li></ol>
4.	In relation to fauna management pursuant to Condition 11	<ol style="list-style-type: none"><li>(a) actions taken to manage and mitigate impacts to inland hairstreak (<i>Jalmenus aridus</i>) in accordance with Condition 11.</li></ol>

### 13. Reporting

- (a) The Permit Holder shall provide a report to the CEO by 31 July each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and setting out the records required under Condition 12 of this Permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) If no clearing authorised under this Permit was undertaken between 1 July and 30 June of the previous financial year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO by 31 July of each year.
- (c) Prior to 1 November 2029, the Permit Holder must provide to the CEO a written report of records required under Condition 12 of this Permit where these records have not already been provided under Condition 13(a) or 13(b) of this Permit.

## DEFINITIONS

In this Permit, the terms in Table 2 have the meanings defined.

**Table 2: Definitions**

<b>Term</b>	<b>Definition</b>
active (in use) Malleefowl mound	means a mound with evidence of current Malleefowl ( <i>Leipoa ocellata</i> ) activity, such as: working of the mound; scratching; litter trails leading to the mound; or loose uncompacted surfaces. The form and structure of the mound will show that it is currently being prepared for egg laying or it already contains eggs.
CEO	the Chief Executive Officer of the Department responsible for administering the clearing provisions contained within the <i>Environmental Protection Act 1986</i> or an Officer with delegated authority under Section 20 of the <i>Environmental Protection Act 1986</i> .
clearance survey/s	means a search of immediate impact areas prior to clearing to locate fauna. The clearance survey should focus on locating burrows, recent foraging signs, fresh tracks and scats.
clearing	has the meaning given under section 3(1) of the EP Act.
condition/s	a condition to which this clearing permit is subject under section 51H of the EP Act.
department	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.
drainage line/s	means a natural depression that carries surface water runoff.
environmental specialist	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 CEO as a suitable environmental specialist.
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
fauna specialist	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 CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the <i>Biodiversity Conservation Act 2016</i> .
fill	means material used to increase the ground level, or to fill a depression.
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
riparian vegetation	has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulation 2004.
targeted fauna survey	means a field-based investigation, including a review of established literature, of the biodiversity of fauna in the Permit Area, focusing on habitat suitable for fauna species that are being targeted and carried out during the optimal time to identify those species. Where target fauna are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context.
watercourse	has the meaning given to it in section 3 of the <i>Rights in Water and Irrigation Act 1914</i> .
weed/s	means any plant – (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture</i>

Term	Definition
	<p><i>Management Act 2007</i>; or</p> <p>(b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or</p> <p>(c) not indigenous to the area concerned.</p>
Wildlife Conservation (Specially Protected Fauna) Notice	means those fauna taxa gazetted as threatened fauna pursuant to section 19(1) of the <i>Biodiversity Conservation Act 2016</i> (as amended).

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**END OF CONDITIONS**

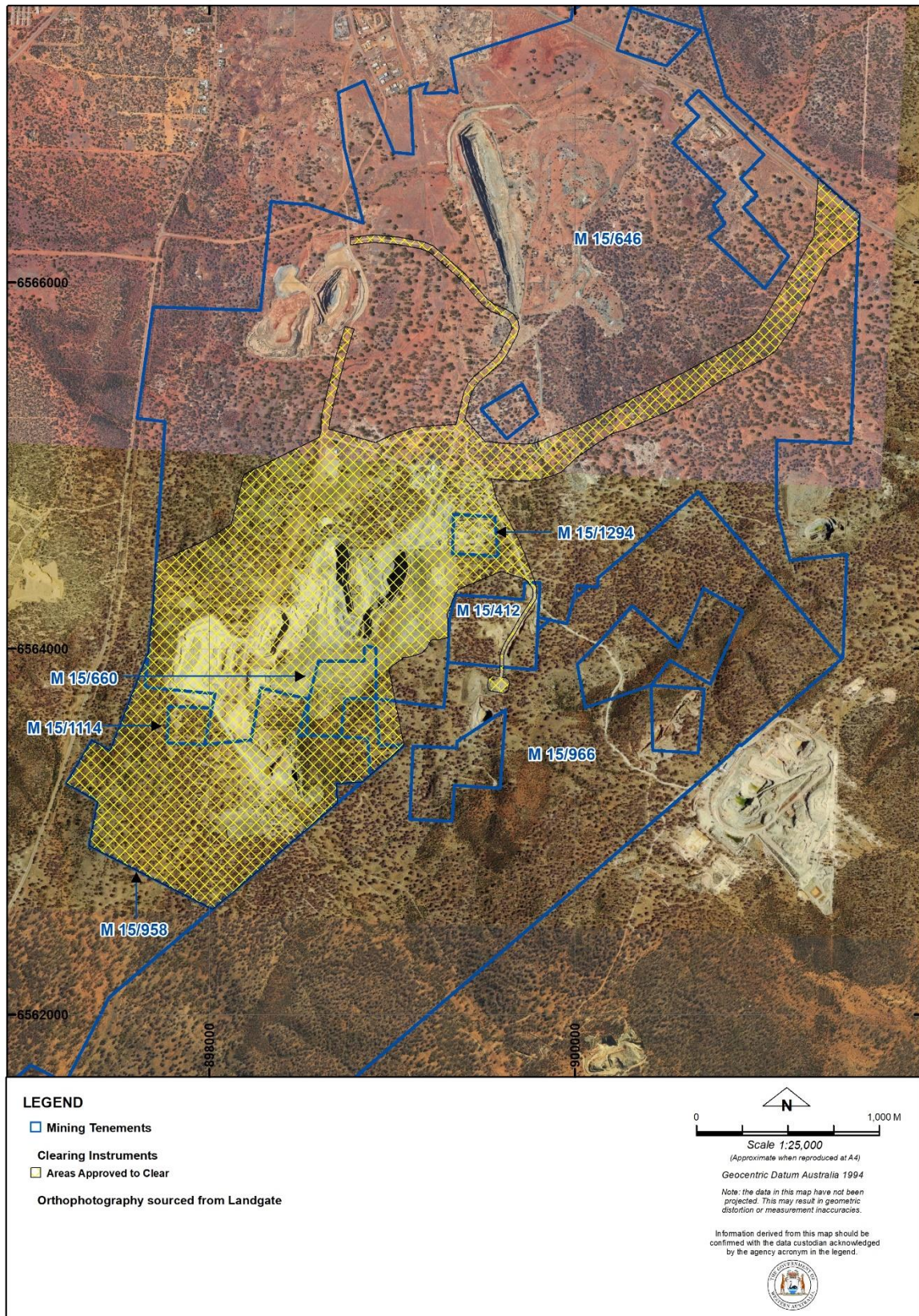
*Danielle Risbey*

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**Danielle Risbey** | Acting General Manager Mine Closure and Environmental Services  
Resource and Environmental Compliance Division  
10 October 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**