



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	5897/1
Duration of Permit:	From 6 September 2014 to 6 September 2026
Permit Holder:	The Griffin Coal Mining Company 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**
Collie Coal (Griffin) Agreement Act 1979, Coal Mining Leases 12/453, 12/454, 12/458, 12/459, 12/460, 12/461, 12/464, 12/465, 12/466, 12/532
Exploration Licence 12/1
- 2. Purpose for which clearing may be done**
Clearing for the purposes of exploration drilling, access tracks, drill lines and associated activities.
- 3. Area of Clearing**
The Permit Holder must not clear more than 21.3 hectares of native vegetation. All clearing must be within the areas shaded yellow and shaded red on attached Plan 5897/1.
- 4. Period in which clearing is authorised**
The Permit Holder shall not clear any native vegetation after 6 September 2019.
- 5. Clearing not authorised**
The Permit Holder shall not clear within the *Inferred extent of habitat* for *Calenenia sp.* Collie (E. Bennett s.n. PERTH 08396051) during the months of May through to November each year, unless approved by the CEO.
- 6. Clearing not authorised**
The Permit Holder shall not clear any native vegetation within the areas shaded blue on attached Plan 5897/1.
- 7. Clearing not authorised**
The Permit Holder shall not clear more than 5.13 hectares of native vegetation within the areas shaded red on attached Plan 5897/1.
- 8. Clearing not authorised**
Clearing authorised under this Permit for the purpose of access tracks and drill lines shall not exceed 4.5 metres in width.
- 9. Type of Clearing Authorised**
The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised is enacted within three months of the authorised clearing being undertaken.

10. 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.

PART II - MANAGEMENT CONDITIONS

11. Dieback and 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* and *dieback*:

- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (ii) shall only move soils in *dry conditions*;
- (iii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

12. Method of clearing

The Permit Holder shall only clear native vegetation using *raised blade clearing*, unless approved by the *CEO*.

13. Watercourse Management

- (a) Where practicable the Permit Holder shall avoid clearing *riparian vegetation*; and
- (b) Where a *watercourse* is to be impacted by clearing, the Permit Holder shall maintain the existing surface flow.

14. Fauna Management

- (a) Prior to undertaking any clearing authorised under this Permit, the area to be cleared shall be inspected for *black cockatoo habitat tree/s*.
- (b) The Permit Holder shall not clear *black cockatoo habitat tree/s* identified under Condition 14(a).

15. Fauna Management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to determine whether *black cockatoo habitat tree/s* identified under Condition 14(a) can be utilised for nesting by the fauna species listed below:

- (i) *Calyptorhynchus lateriosis* (Carnaby's cockatoo);
- (ii) *Calyptorhynchus baudins* (Baudin's cockatoo); and
- (iii) *Calyptorhynchus banksii naso* (Forest Red-tailed Black Cockatoo).

- (b) Unless approved by the *CEO*, the Permit Holder shall not clear within 50 metres of *black cockatoo habitat tree/s* identified under Condition 15(a).

16. Fauna Management

To apply for approval from the *CEO* to clear within 50 metres of *black cockatoo habitat tree/s* identified under Condition 15(a), the Permit Holder must submit a copy of the *fauna specialist's* report to the *CEO* containing the following records:

- (i) the coordinate of the tree in eastings and northings or decimal degrees using the Geocentric Datum of Australia;
- (ii) the fauna species and number of any individuals identified;
- (iii) the methodology used to inspect the tree; and
- (iv) a description of the tree.

17. Retain and spread vegetative material and topsoil

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 12 months following completion of clearing authorised under this Permit, *revegetate* and *rehabilitate* the areas that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) laying the vegetative material and topsoil retained under Condition 17(a) on the cleared area.
- (c) within 4 years of laying the vegetative material and topsoil on the cleared area in accordance with Condition 17(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 17(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 17(c)(ii) of this Permit, the Permit Holder shall repeat Condition 17(c)(i) and 17(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 17(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 17(c)(ii), the *CEO* may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under Condition 17(c)(ii).

PART III - RECORD KEEPING AND REPORTING

18. 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 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;
 - (ii) the date that the area was cleared;
 - (iii) the size of the area cleared (in hectares); and
 - (iv) purpose for which clearing was undertaken.
- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to Condition 17 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; and
 - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares).

19. Reporting

- (a) The Permit Holder shall provide a report to the Director Operations, Environment, Department of Mines and Petroleum by 30 September each year for the life of this permit, demonstrating adherence to all conditions of this permit, and setting out the records required under Condition 18 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 6 September 2026, the Permit Holder must provide to the Director Operations, Environment, Department of Mines and Petroleum a written report of records required under Condition 18 of this Permit where these records have not already been provided under Condition 19(a) of this Permit.

DEFINITIONS

The following meanings are given to terms used in this Permit:

black cockatoo habitat tree/s means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater;

CEO means the Chief Executive Officer of the Department of Environment Regulation or an officer with delegated authority under Section 20 of the *Environmental Protection Act 1986*;

dieback means the effect of *Phytophthora* species on native vegetation;

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;

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

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;

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 *Wildlife Conservation Act 1950*;

fill means material used to increase the ground level, or fill a hollow;

Inferred extent of habitat means the inferred extent of habitat that may support *Caladenia sp. Collie* (E. Bennett s.n. PERTH 08396051) shown on Figure 7 within the document titled "*Targeted Flora Survey Caladenia sp. Collie (E. Bennett s.n. PERTH 08396051)*" dated April 2013, Revision Number 2.

local provenance means native vegetation seeds and propagating material from natural sources within 10 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion 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;

raised blade clearing means setting the blade of a bulldozer above ground level and cutting off vegetation at the stem whilst leaving the root stock and topsoil intact;

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;

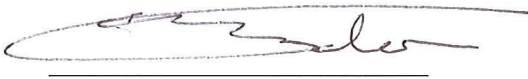
revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

riparian vegetation has the meaning given to it in Regulation 3 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

watercourse has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

weed/s means any plant -

- (a) that is declared under the section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Steve Tantala
DIRECTOR OPERATIONS
ENVIRONMENT
DEPARTMENT OF MINES AND PETROLEUM

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986

14 August 2014