



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number: 7097/1
Duration of Permit: From 20 August 2016 to 20 August 2021
Permit Holder: Lithium Australia NL

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**
Exploration Licence 74/543.
2. **Purpose for which clearing may be done**
Clearing for the purpose of mineral exploration and access tracks.
3. **Area of Clearing**
The Permit Holder must not clear more than 0.94 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 7097/1.
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.

PART II - MANAGEMENT CONDITIONS

5. **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 *dieback* and *weeds*:
 - (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
 - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared; and
 - (iv) only move soils in *dry conditions*.
6. **Vegetation management**
 - (a) Where practicable the Permit Holder shall avoid clearing *riparian vegetation*; and
 - (b) Where a *watercourse* or *wetland* is to be impacted by clearing, the Permit Holder shall maintain the existing surface flow.

7. Flora management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to conduct a *targeted flora survey* of the areas to be cleared for the presence of *priority flora*.
- (b) Where *priority flora* are identified under Condition 7(a) of this Permit, the Permit Holder shall engage a *botanist* to map the *critical habitat* of the identified *priority flora* within the Permit Area.
- (c) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *targeted flora survey* in a report to the *CEO*.
- (d) If *priority flora* are identified within the areas to be cleared, the *targeted flora survey* report must include the following:
 - (i) the location of each *priority flora*, 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 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (ii) the species name of each *priority flora* identified;
 - (iii) the methodology, used to survey the Permit Area and to establish the *critical habitat* of flora;
 - (iv) the extent of the *critical habitat* of the identified *priority flora* shown on a map; and
 - (v) a site description of the *critical habitat* of *priority flora* found.
- (e) Where *priority flora* are identified under Condition 7(a) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing of *critical habitat* of the identified *priority flora* occurs, unless first approved by the *CEO*; and
 - (ii) no clearing of the identified *priority flora* occurs, unless first approved by the *CEO*.

8. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* of the areas to be cleared to identify *critical habitat* being utilised by the fauna species listed below:
 - (i) Numbat (*Myrmecobius fasciatus*).
- (b) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *fauna survey* in a report to the *CEO*.
- (c) The *fauna survey* report must include the following:
 - (i) the location of the habitat 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 location of any fauna species, as listed in Condition 8(a) identified, 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 methodology, used to survey the Permit Area and to establish the *critical habitat*;
 - (iv) the extent of the *critical habitat* of the identified fauna shown on a map; and
 - (v) a description of the *critical habitat* of fauna found.
- (d) Where fauna are identified under Condition 8(a) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing of *critical habitat* of the identified fauna occurs, unless first approved by the *CEO*; and
 - (ii) no taking of identified fauna occurs, unless first approved by the *CEO*.

9. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the areas to be cleared shall be inspected by a *fauna specialist* who shall identify *black cockatoo habitat tree/s*.
- (b) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide, to the *CEO* the location of each *black cockatoo habitat tree/s*, 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.
- (c) Where *black cockatoo habitat tree/s* have been identified under Condition 9(a), the Permit Holder shall not clear;
 - (i) *black cockatoo habitat tree/s*; and
 - (ii) within 10 metres of *black cockatoo habitat tree/s*.

10. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* within the areas to be cleared to identify *Leipoa ocellata* (Malleefowl) mounds and *Leipoa ocellata* (Malleefowl) *critical habitat*.
- (b) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *fauna survey* in a report to the *CEO*.
- (c) The *fauna survey* report must include;
 - (i) the location of each *Leipoa ocellata* (Malleefowl) mound, 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, to the *CEO*;
 - (ii) The location of the *Leipoa ocellata* (Malleefowl) *critical habitat*, 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, to the *CEO*;
 - (iii) the methodology used to survey the Permit Area and to establish the *Leipoa ocellata* (Malleefowl) *critical habitat* and identify the mound/s;
 - (iv) the extent of the *critical habitat* of the *Leipoa ocellata* (Malleefowl) shown on a map; and
 - (v) a description of the *critical habitat* found.
- (d) Where *Leipoa ocellata* (Malleefowl) mounds are identified under Condition 10(a) of this Permit, the Permit Holder shall ensure that no clearing of *critical habitat* of the identified *Leipoa ocellata* (Malleefowl) mounds occurs, unless first approved by the *CEO*.

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:

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.

12. Reporting

- (a) The Permit Holder shall provide a report to the Director Operations, Environment, Department of Mines and Petroleum 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 11 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 20 August 2021, the Permit Holder must provide to the Director Operations, Environment, Department of Mines and Petroleum 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:

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;

botanist means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of 2 years work experience in identification and surveys of flora native to the bioregion being inspected or surveyed, or who is approved by the *CEO* as a suitable botanist for the bioregion;

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*;

critical habitat means any part of the Permit Area comprising of the habitat of flora or fauna species and its population, that is critical for the health and long term survival of the flora or fauna species and its population;

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

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

fauna specialist means a person who holds a tertiary qualification specializing 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*;

fauna survey means a field-based investigation, including a review of established literature, of the biodiversity of fauna and/or fauna habitat of the Permit Area. Where conservation significant fauna are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

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

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;

priority flora means those plant taxa described as priority flora classes 1, 2, 3, 4 or 5 in the *Department of Parks and Wildlife's Threatened and Priority Flora List for Western Australia* (as amended);

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

targeted flora survey 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 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 *Rights in Water and Irrigation Act 1914*;

weed/s means any plant -

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

wetland/s means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary;

Wildlife Conservation (Rare Flora) Notice means those plant taxa gazetted as rare flora pursuant to section 23F(2) of the *Wildlife Conservation Act 1950* (as amended).



Marnie Leybourne
A/EXECUTIVE DIRECTOR
ENVIRONMENT
DEPARTMENT OF MINES AND PETROLEUM

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

28 July 2016