



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

<b>Purpose Permit number:</b>	9654/1
<b>Duration of Permit:</b>	From 13 December 2022 to 13 December 2029
<b>Permit Holder:</b>	Premier Coal Limited

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 (Western Collieries) Agreement Act 1979, Mining Lease 262SA (AML 70/262)*

**2. Clearing authorised (purpose)**

The Permit Holder is authorised to clear native vegetation for the purpose of coal exploration.

**3. Area of Clearing**

The Permit Holder must not clear more than 10 hectares of native vegetation within the area cross-hatched yellow in Figure 1 of Schedule 1.

**4. Clearing Restricted**

The Permit Holder shall not clear native vegetation within the areas shaded red in Figure 1 of Schedule 1.

**5. Type of Clearing Authorised – Staged clearing**

The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised is enacted within 6 months of the authorised clearing being undertaken.

**6. Period in which clearing is Authorised**

The Permit Holder must not clear any native vegetation after 13 December 2027.

**7. Clearing not authorised (tree diameter)**

The Permit Holder must ensure that no clearing occurs within 10 metres of any *habitat trees*.

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

**8. 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.

**9. Weed and dieback 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) ensure that no known *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;
  - (iv) only move soils in *dry conditions*; and
  - (v) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is transferred to areas of comparable *soil disease status*.
- (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.

#### 10. Dieback Management Plan

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall prepare a dieback management plan;
- (b) The dieback management plan shall include:
  - (i) an assessment of the dieback status of the vegetation within the Permit Area;
  - (ii) management strategies to prevent the introduction and spread of dieback within the Permit Area;
  - (iii) a monitoring program for dieback within the Permit Area.
- (c) prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide a copy of the dieback management plan to the CEO.
- (d) The Permit Holder shall implement the dieback management plan.
- (e) The Permit Holder shall provide a copy of any revisions of dieback management plan to the CEO, and implement the revised version of the plan.

The permit hold must prepare a dieback management plan in consultation with *DBCA* and submit the dieback management plan to the *CEO* prior to the commencement of any clearing activities.

#### 11. Surface water flow management

- (a) where a *watercourse* or *drainage line* is to be impacted by clearing, the Permit Holder shall ensure that the existing surface flow is maintained.

#### 12. 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 Permit Area for the presence of threatened flora listed in the *Wildlife Conservation (Rare Flora) Notice* and *priority flora* in accordance with *EPA Technical Guidance*.
- (b) 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*.
- (c) If threatened or *priority flora* are identified within the Permit Area, the *targeted flora survey* report must include the following:
  - (i) the location of each threatened or *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 threatened, or *priority flora* identified;
  - (iii) the methodology used to survey the Permit Area;
  - (iv) the extent of the identified threatened or *priority flora* shown on a map; and
  - (v) a site description of where the threatened or *priority flora* was found.
- (d) Where threatened flora or *priority flora* are identified in relation to Condition 12(a) of this Permit, the Permit Holder shall ensure that:
  - (i) no clearing occurs within 50 metres of identified threatened flora, unless approved by the *CEO*; and
  - (ii) no clearing of identified *priority flora* occurs; and
  - (iii) no clearing occurs within 10 metres of identified *priority flora*, unless first approved by the *CEO*.
- (e) For the purpose of this Permit, a *targeted flora survey* conducted within the previous two years will satisfy Condition 12(a).

### 13. Fauna management - Chuditch

- (a) Up to one week prior to undertaking clearing of any of the area cross-hatched yellow in Figure 1 of Schedule 1, that area shall be inspected by a *fauna specialist* to identify chuditch (*Dasyurus geoffroii*) dens and individuals.
- (b) Where a chuditch (*Dasyurus geoffroii*) individual(s) is identified in accordance with condition of this Permit, clearing shall only occur within that area after the individual has either:
  - (i) moved on to adjacent suitable habitat of its own accord; or
  - (ii) has been relocated to adjacent suitable habitat by a *fauna specialist*.
- (c) Where a chuditch (*Dasyurus geoffroii*) den(s) is identified in accordance with Condition 13(a) of this Permit, clearing shall only occur within that area after an equivalent replacement chuditch (*Dasyurus geoffroii*) den(s) has been installed in adjacent suitable habitat.
- (d) The Permit Holder is not required to comply with Conditions 13(a), (b) and (c) of this Permit if the clearing of that area is undertaken during the period 1 January to 31 August.
- (e) The Permit Holder shall conduct clearing in a slow progressive manner towards adjacent remnant vegetation to allow fauna to escape the clearing activity.

### 14. Retain vegetative material and topsoil, revegetation and rehabilitation

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 6 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) ripping the ground on the contour to remove soil compaction;
  - (ii) laying the vegetative material and topsoil retained under Condition 14(a) on the cleared area;
  - (iii) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;
  - (iv) deliberately laying vegetative material and topsoil that have comparable vegetation types, comparable soil types and comparable *soil disease status* to pre-clearing vegetation types within the Permit area;
- (c) within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with Condition 14(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 14(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.

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

### **15. 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**

<b>No.</b>	<b>Relevant matter</b>	<b>Specifications</b>
1.	In relation to the authorised clearing activities generally	<ul 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 8;</li> <li>(e) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with Condition 9; and</li> <li>(f) actions taken in accordance with Conditions 5, 10 and 11.</li> </ul>
2.	In relation to habitat tree management pursuant to Condition 7 of this Permit	<ul style="list-style-type: none"> <li>(a) the name and location of each habitat tree, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings, in accordance with Condition 6;</li> </ul>
3.	In relation to flora management pursuant to Condition 12 of this Permit	<ul style="list-style-type: none"> <li>(a) the name and location of each threatened flora and/or priority flora species, 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) actions taken to demarcate each <i>threatened flora</i> and/or <i>priority flora</i> species recorded and their relevant buffers; and</li> <li>(c) actions taken to avoid the clearing of <i>threatened flora</i> and/or <i>priority flora</i> species.</li> </ul>
4.	In relation to fauna management pursuant to condition 13 of this Permit	<ul style="list-style-type: none"> <li>(a) the date(s) of inspection(s) by the <i>fauna specialist</i>;</li> <li>(b) a description of the <i>fauna specialist</i> inspection methodology employed; the location of each chuditch (<i>Dasyurus geoffroii</i>) individual identified, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;</li> <li>(c) the date each chuditch (<i>Dasyurus geoffroii</i>) individual was identified;</li> <li>(d) the date(s) each identified chuditch (<i>Dasyurus geoffroii</i>) individual moved on to adjacent suitable habitat or was relocated to adjacent suitable habitat and a description of the adjacent suitable habitat;</li> <li>(e) the location of each chuditch (<i>Dasyurus geoffroii</i>) den identified, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;</li> </ul>

No.	Relevant matter	Specifications
		<p>(f) the date each chuditch (<i>Dasyurus geoffroii</i>) den was identified;</p> <p>(g) a photo and description of each chuditch (<i>Dasyurus geoffroii</i>) den identified; the location of each replacement chuditch (<i>Dasyurus geoffroii</i>) den installed, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;</p> <p>(h) the date each replacement chuditch (<i>Dasyurus geoffroii</i>) den was installed; and</p> <p>(a) a photo and description of each replacement chuditch (<i>Dasyurus geoffroii</i>) den installed and the surrounding suitable habitat.</p>
5.	In relation to the <i>revegetation</i> and <i>rehabilitation</i> management pursuant to Condition 14 of this Permit	<p>(a) The location of any areas <i>revegetated</i> and <i>rehabilitated</i>, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;</p> <p>(b) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; and</p> <p>(c) the size of the area <i>revegetated</i> and <i>rehabilitated</i> (in hectares).</p>

## 16. 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 15 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 10 December 2029, the Permit Holder must provide to the *CEO* a written report of records required under Condition 16 of this Permit where these records have not already been provided under Condition 16(a) or 16(b) of this Permit.

## DEFINITIONS

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

**Table 2: Definitions**

Term	Definition
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> .
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.
DBCA	Department of Biodiversity, Conservation and Attractions.
drainage line	means a natural depression that carries surface water runoff.
dry conditions	means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle

<b>Term</b>	<b>Definition</b>
	chassis or wheel arches.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
dieback	means the effect of <i>Phytophthora</i> 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.
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</i> (WA)
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.
habitat tree	Habitat tree means trees that have a diameter, measured at 150 centimetres from the base of the tree, of 50 centimetres or greater (or 30 centimetres or greater for <i>Eucalyptus salmonophloia</i> or <i>Eucalyptus wandoo</i> ).
local provenance	means native vegetation seeds and propagating material from natural sources within 30 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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
regeneration	means <i>revegetation</i> that can be established from in situ seed banks contained either within the topsoil or seed-bearing <i>mulch</i> .
rehabilitate / rehabilitated / rehabilitation	means actively managing an area containing native vegetation in order to improve the ecological function of that area.
revegetate / revegetated / revegetation	means the re-establishment of a cover of <i>local provenance</i> native vegetation in an area using methods such as natural <i>regeneration</i> , <i>direct seeding</i> and/or <i>planting</i> , 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) Regulation 2004.
soil disease status	means soil types either infested, not infested, uninterpretable or not interpreted with a pathogen.
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 Management Act 2007</i> ; or

Term	Definition
	(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.

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**END OF CONDITIONS**



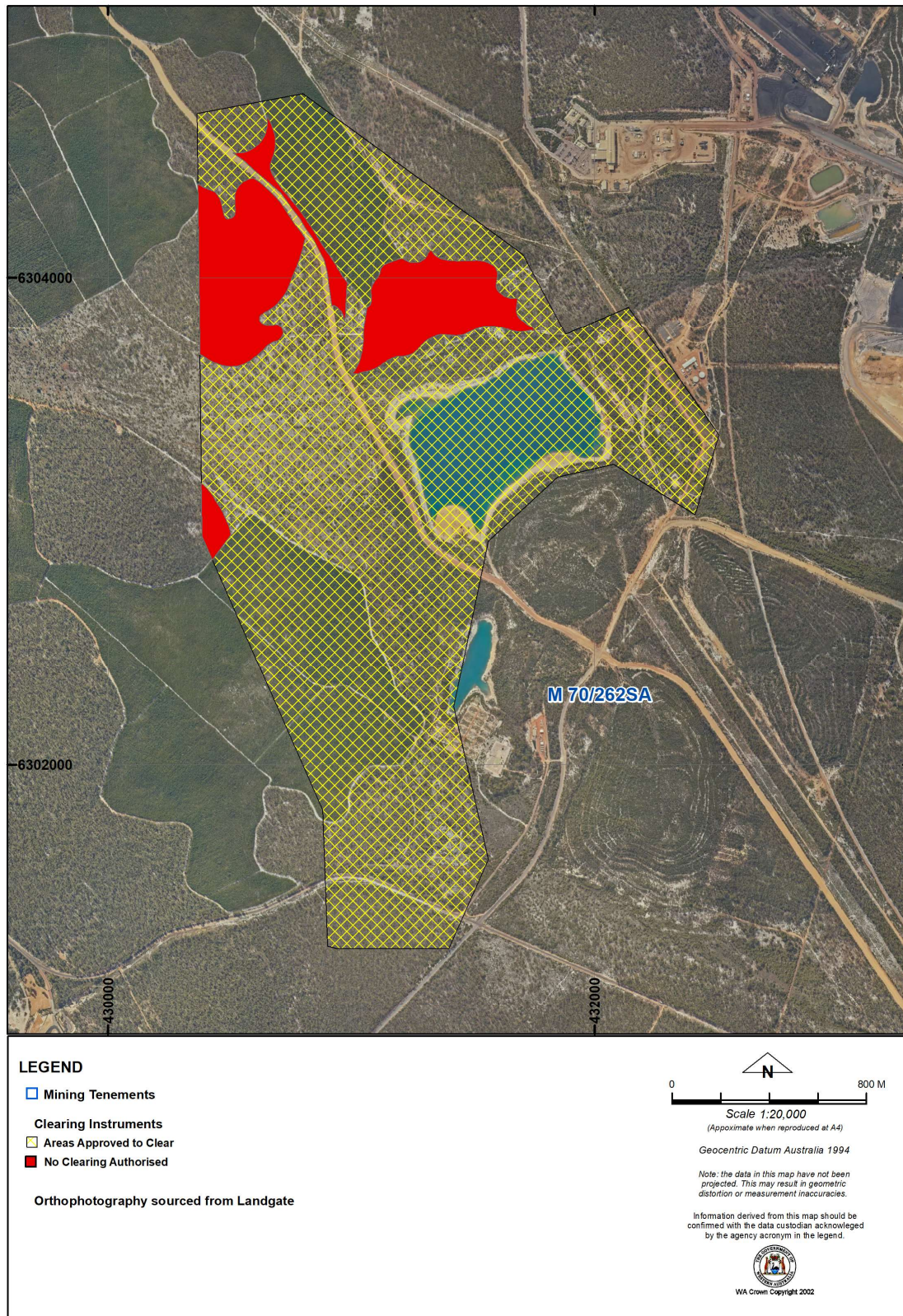
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Tyler Sujdovic  
Acting Executive Director Resource and Environmental Compliance  
Resource and Environmental Compliance Division  
18 November 2022

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

# 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**