



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 9713/3

File Number: DWERT10068

Duration of Permit: From 27 December 2022 to 27 June 2026

ADVICE NOTE:

In relation to condition 6 of this Permit, it is noted that 21.51 hectares of Lot 42 on Plan 58430, Wellesley, will be attributed to the offset for this project. The nominated 21.51-hectare area contains foraging habitat for *black cockatoo species*, in addition to other environmental values.

PERMIT HOLDER

Albemarle Lithium Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 254 on Deposited Plan 416516, Harvey

AUTHORISED ACTIVITY

The permit holder must not clear more than 51.61 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. 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:

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

2. Weed and dieback 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* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no known *dieback* or *weed*-affected soil, *mulch*, *fill*, or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

3. Directional clearing

The permit holder must conduct clearing activities in a slow, progressive manner to allow fauna to move into adjacent *native vegetation* ahead of the clearing activity.

4. Fauna management – western ringtail possums

- (a) In relation to the area cross-hatched yellow in Figure 1 of Schedule 1, the permit holder must engage a *fauna specialist* to inspect that area immediately prior to, and for the duration of clearing activities, for the presence of western ringtail possum(s) (*Pseudochirus occidentalis*).
- (b) Clearing activities must cease in any area where fauna referred to in condition 4(a) are identified until either:
 - (i) the western ringtail possum(s) individual has moved on from that area to adjoining *suitable habitat*; or
 - (ii) the western ringtail possum(s) individual has been removed by a *western ringtail possum specialist*.
- (c) Any western ringtail possum(s) individual removed in accordance with condition 4(b)(ii) must be relocated by a *western ringtail possum specialist* to a *suitable habitat* within the area cross-hatched red in Figure 2 of Schedule 2, or as otherwise approved by the *CEO*.
- (d) Where fauna is identified under condition 4(a), the permit holder must within 14 calendar days provide the following records to the *CEO*:
 - (i) the number of individuals identified;
 - (ii) the date each individual was identified;
 - (iii) the location where each individual was identified recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA20), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (iv) the number of individuals removed and relocated;
 - (v) the relevant qualifications of the *western ringtail possum specialist* undertaking removal and relocation;

- (vi) the date each individual was removed;
- (vii) the method of removal;
- (viii) the date each individual was relocated;
- (ix) the location where each individual was relocated to, recorded using a GPS unit set to GDA20, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
- (x) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

5. Wind erosion management

The permit holder must commence construction of the laydown area no later than three (3) months after undertaking the authorised *clearing* activities to reduce the potential for wind erosion.

6. Offset – Land acquisition

No later than 27 June 2026, the Permit Holder must fund the purchase of native vegetation within the area cross-hatched red in Figure 3 of Schedule 2 (Lot 42 on Plan 58430, Wellesley) for inclusion of native vegetation into conservation estate managed by the Department of Biodiversity, Conservation and Attractions.

7. 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 Geocentric Datum Australia 2020 (GDA20), 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 2; (f) actions taken to minimise the risk of the

No.	Relevant matter	Specifications
		<p>introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 2;</p> <p>(g) actions undertaken in accordance with condition 3;</p> <p>(h) actions taken to manage and mitigate impacts to western ringtail possums in accordance with condition 4;</p> <p>(i) actions undertaken in regards in wind erosion management in accordance with condition 5; and</p> <p>(j) actions taken to acquire and conserve the area cross-hatched red in Figure 2 of Schedule 2 of this Permit in accordance with condition 6 of this Permit.</p>

8. Reporting

The permit holder must provide to the *CEO* the records required under condition 7 of this permit when requested by the *CEO*.

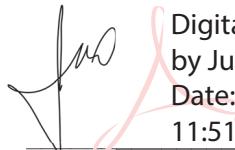
DEFINITIONS

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

Table 2: Definitions

Term	Definition
black cockatoo species	means one or more of the following species: (a) <i>Calyptorhynchus lateriosus</i> (Carnaby's cockatoo); (b) <i>Calyptorhynchus baudinii</i> (Baudin's cockatoo); and/or (c) <i>Calyptorhynchus banksii naso</i> (forest red-tailed black cockatoo).
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
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.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
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.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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.
suitable habitat (western ringtail possum)	means habitat known to support western ringtail possums (<i>Pseudocheirus occidentalis</i>) within the known current distribution of the species, typically characterised by abundant foliage, presence of suitable nesting structures such as tree hollows, as well as high canopy cover and continuity. Known habitat includes peppermint (<i>Agonis flexuosa</i>) dominated woodlands, jarrah (<i>Eucalyptus marginata</i>) and marri (<i>Corymbia calophylla</i>) forests, riparian vegetation with a canopy of Bullrich (<i>Eucalyptus megacarpa</i>) or flooded gum (<i>Eucalyptus rudis</i>), karri (<i>Eucalyptus diversicolor</i>) forests, sheoak (<i>Allocasuarina fraseriana</i>) dominated woodlands, and other stands of myrtaceous trees growing near swamps, watercourses or floodplains.
weeds	means any plant – (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

Term	Definition
	(c) not indigenous to the area concerned.
western ringtail possum specialist	means a <i>fauna specialist</i> who holds a tertiary qualification specialising in environmental science or equivalent, has a minimum of two years of work experience in western ringtail possum (<i>Pseudochirus occidentalis</i>) identification, surveys of western ringtail possums and capture and handling of western ringtail possums, and holds a valid fauna licence issued under the <i>Biodiversity Conservation Act 2016</i> .

END OF CONDITIONS


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Juraj Galba
MANAGER
GREEN ENERGY APPROVALS

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

18 December 2025

SCHEDULE 1



Figure 1: Map of the boundary of the area within which clearing may occur

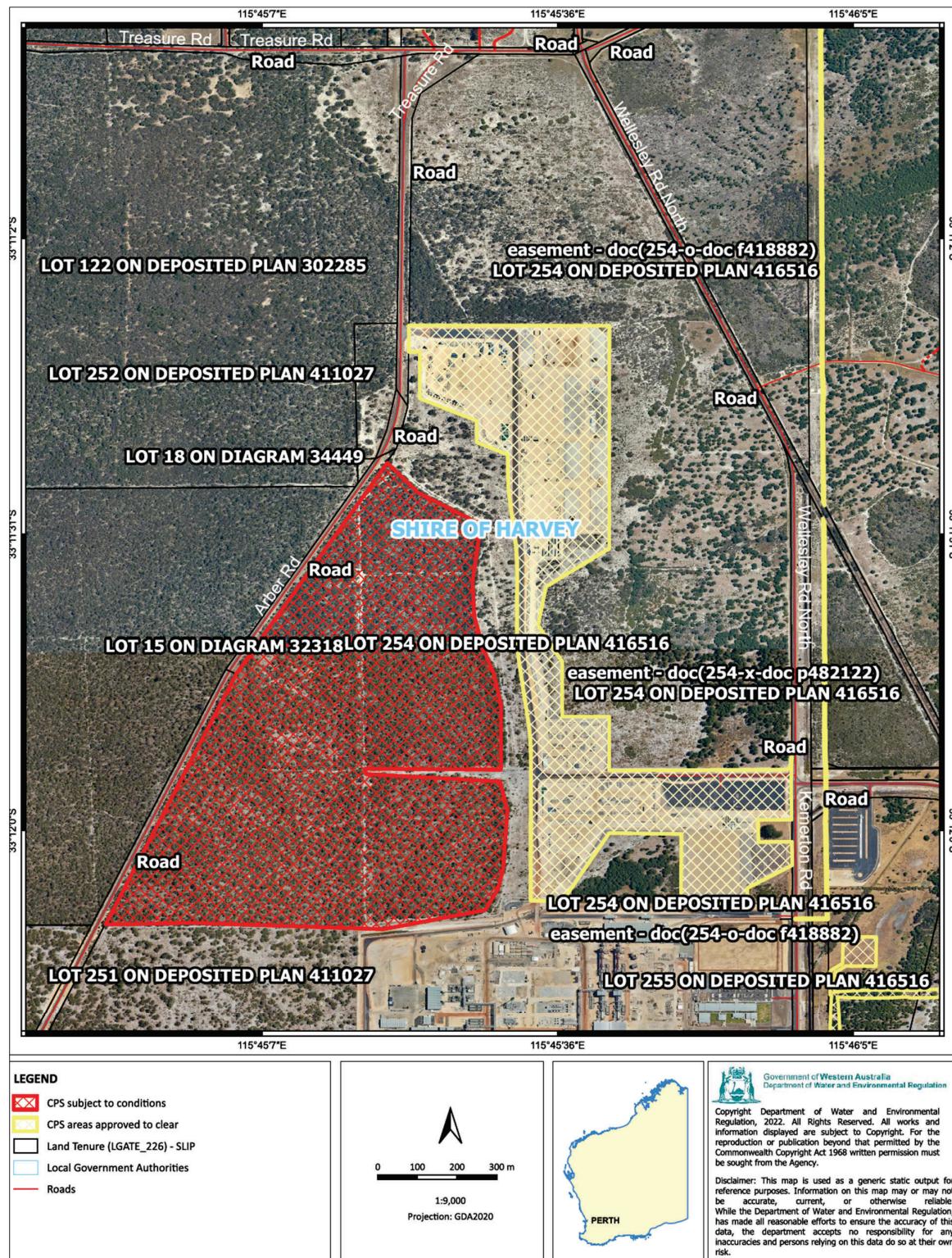


Figure 2: Map of the boundary of the area (red hatched area) within which western ringtail possum individuals removed in accordance with condition 4(b)(ii) must be relocated to

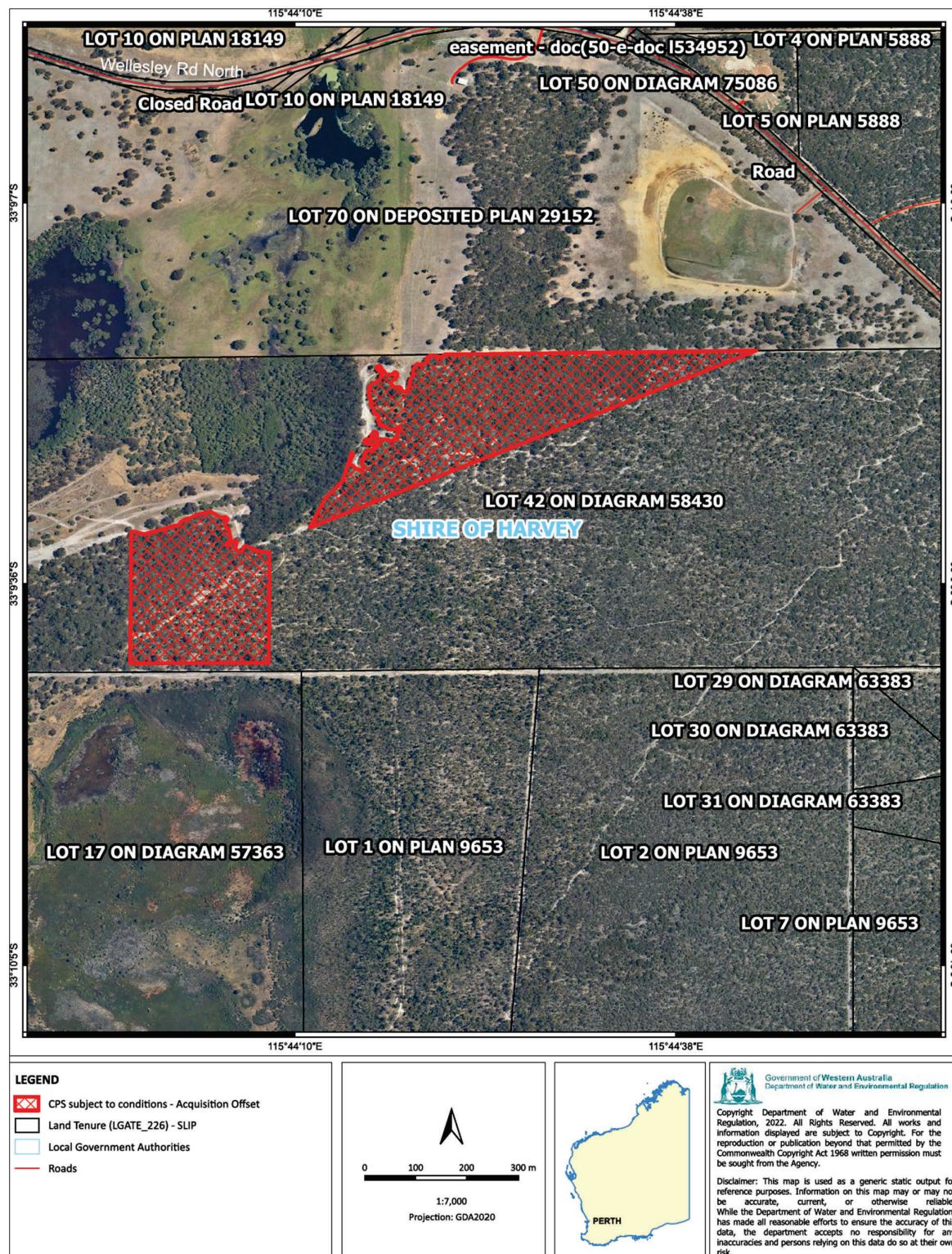


Figure 2: Map of the boundary of the area (red hatched area) that must be acquired in accordance with condition 6



Clearing Permit Decision Report

1. Application details and outcome

1.1. Permit application details

Permit number:	CPS 9713/3
Permit type:	Area permit
Applicant name:	Albemarle Lithium Pty Ltd
Purpose of clearing:	Establishing a construction laydown area
Property:	Lot 254 on Deposited Plan 416516
Location (LGA area/s):	Shire of Harvey

1.2. Description of clearing activities

On 2 December 2022, the Department of Water and Environmental Regulation (Department) granted Albemarle Lithium Pty Ltd Clearing Permit CPS 9713/1 to clear 51.61 ha of native vegetation for the purpose of establishing a construction laydown area for a period of 3 years from 27 December 2022 to 27 December 2025.

On 21 February 2025, the Department granted Albemarle Lithium Pty Ltd with an amended Clearing Permit CPS 9713/1 to extend the due date for Condition 6 of the Permit to allow for the offset requirement to be fulfilled by 27 December 2025, aligned with the expiry date of the Permit.

On 21 November 2025, the Department received an application from Albemarle Lithium Pty Ltd to amend CPS 9713/2 and extend the due date for Condition 6 of the Permit to allow for the offset requirement to be fulfilled by 27 June 2026 and extend the duration of the Permit accordingly, to align with this date. The proposed amendment does not require any changes in the clearing footprint or the nature and extent of the offset. The applicant advised that the administrative and legal processes required to fulfill the offset requirements are being finalised but a 6-month extension to the clearing permit is required to ensure compliance with the permit conditions.

Decision:	Granted
Decision date:	18 December 2025
Decision area:	51.61 hectares (ha) of native vegetation

1.3. Reasons for decision

This clearing permit application was made in accordance with section 51E of the *Environmental Protection Act 1986* (EP Act) and was received by the Department of Water and Environmental Regulation (DWER) on 21 November 2025. DWER advertised the application for public comment for a period of 7 days, and one submission was received.

In undertaking the assessment, the Delegated Officer had regard for the:

- site characteristics
- relevant datasets (See Appendix B), including any new biodiversity records with the local area since the grant of Clearing Permit CPS 9713/2
- the clearing principles set out in Schedule 5 of the EP Act;
- concern raised by public members during the submission period; and
- any other matters considered relevant to the assessment, and information provided by the applicant.

Based on available databases, the assessment against 10 Clearing Principles has not changed from the assessment undertaken for Clearing Permit CPS 9713/1, including the offset requirements. Likewise, planning instruments and other matters relevant to the assessment of the amendment are unchanged and can be found in the Decision Report for CPS 9713/1. The Delegated Officer determined that the proposed amendment of the permit duration and due date of the offset proposal as per Condition 6 of the permit, is unlikely to lead to an unacceptable risk to the environment.

OFFICIAL
1.4. Site map

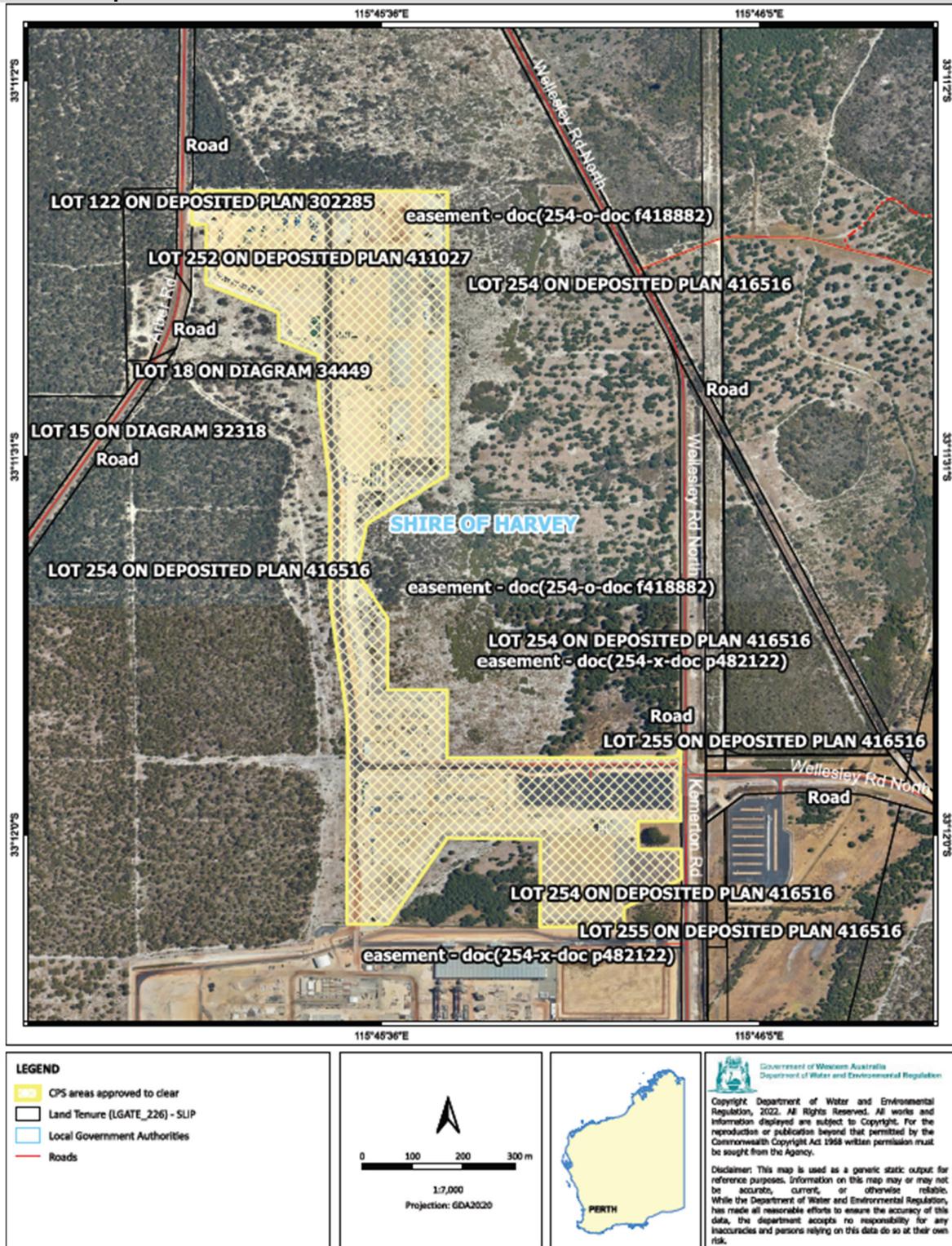


Figure 1: The area crosshatched yellow indicates the area authorised to be cleared under the granted clearing permit

2. Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with Section 51O of the EP Act (See Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- The Precautionary Principle
- The Principle of intergenerational equity
- The Principle of the conservation of biological diversity and ecological integrity.

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016 (WA) (BC Act)*
- *Conservation and Land Management Act 1984 (CALM Act)*
- *Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)*

Relevant policies considered during this assessment include:

- *Environmental Offsets Policy (2011)*

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)
- *Environmental Offsets Guidelines* (August 2014)
- *Technical Guidance – Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA,2016)
- *Technical Guidance – Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA,2016)

Appendix A – Details of public submission

Summary of comments	Consideration of comment
The proponent has failed to provide adequate justification for requesting an extension in the duration on the Permit to fulfill the Offset requirements for CPS 9713/1.	When applying to amend Clearing Permit CPS 9713/2, the permit holder informed the department that administrative and legal procedures for transferring the offset site to DBCA management were underway. Due to uncertainties regarding the timing of these processes, which were outside the permit holder's control, a six-month extension was requested. The permit holder deemed this duration appropriate, balancing the timely implementation of the offset following native vegetation clearing with the necessity for additional time. The department acknowledges the complexity of transferring land to DBCA management, noting that the timeline is influenced by various uncontrollable factors. Accordingly, the Department found the proposed amendment reasonable and proceeded to accept the amendment application for assessment.
The proponent has failed to fulfill the Offset requirements within the timeframe outlined on Permit CPS 9713/2 and is therefore in non-compliance with the Permit Offset conditions.	According to the EP Act, permit holders are required to adhere to all conditions outlined in their clearing permit for its entire duration. Since Clearing Permit CPS 9713/3 is still active, a review of the permit holder's compliance with its conditions cannot be initiated at this time.
The Offset proposal should also protect the Western Ringtail Possum species since the proposed clearing activities constitute as a Significant Residual Impact to the species having resulted in the loss of	As outlined in the decision report for CPS 9713/1, the Department's assessment concluded that the proposed clearing would not result in significant residual impacts on WRP requiring offsets, due to the limited canopy connectivity within the area. Nevertheless, the Department included a permit condition requiring the permit holder to inspect the area prior to any clearing activities and to prohibit clearing if WRP individuals are present, until

Summary of comments	Consideration of comment
foraging habitat availability, vital habitat connectivity, displacement of the species in the local area etc.	such time as those individuals have either vacated the area or have been relocated by a qualified WRP specialist.
The proposed Offset site, Lot 42 is unsuitable and unable to fulfill the intended purpose of the Offset conditions; to protect habitat connectivity and species including three species of Black Cockatoos and the Western Ringtail Possum.	As outlined in the decision report for CPS 9713/1, the Department assessed the offset site as adequate to compensate the significant residual impacts of the clearing. Lot 42 offers high-quality foraging habitat for three species of black cockatoo in proximity to water sources that support their roosting and breeding activities. The area's foraging value for black cockatoos was substantiated by a survey submitted to the Department prior to the issuance of Clearing Permit CPS 9713/1. The survey findings can be accessed here . Recognizing the risk of native vegetation loss at the offset site due to the existing exploration licence held by the permit holder, the Department requested the proponent to secure the site through the transfer of land to DBCA for ongoing conservation management. This requirement was incorporated into the offset calculators to determine the necessary quantum of the offset.

Appendix B - References and databases

1. GIS datasets

Publicly available GIS Databases used (sourced from www.data.wa.gov.au):

- Aboriginal Heritage Places (DPLH-001)
- Cadastre Address (LGATE-002)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- IBRA Vegetation Statistics
- Regional Parks (DBCA-026)

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

2. References

Albemarle Lithium Pty Ltd (2025) Area Clearing Permit Application for an Amendment of CPS 9713/3, received 21 November 2025 (DWER Ref:DWERDT1244444)

Department of Environment Regulation (DER) (2013). A guide to the assessment of applications to clear native vegetation. Perth. Available from: [Key document template - Guideline](#)

Department of Water and Environmental Regulation (DWER) (2025). CPS 9713/1 Decision Report (DWER Ref:DWERDT1080277). Available from: [Microsoft Word - CPS 9713-1 - Area permit](#)

Department of Water and Environmental Regulation (DWER) (2019). Procedure: Native vegetation clearing permits. Joondalup. Available from:

https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits_v1.PDF

Ecoedge (2018). Lot 42 Wellesley Road North, Kemerton Offset Site Study Report; prepared for GHD on behalf of Albemarle June 2018 (DWER Ref: DWERDT1249199) Available from:

<https://ftp.dwer.wa.gov.au/permit/9713/CPS%209713-3%20-%20Supporting%20information%20-%20Offset%20Site%20Study%20Report.pdf>