GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	9148/4
Duration of permit:	20 February 2021 to 19 February 2031
Permit holder:	Black Cat (Kal East) 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 25/104
Mining Lease 25/350
Mining Lease 25/360
Mining Lease 26/248
Mining Lease 26/364
Mining Lease 26/417
Miscellaneous Licence 25/23
Miscellaneous Licence 25/37
Miscellaneous Licence 25/49
Miscellaneous Licence 25/64

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 250 hectares of native vegetation within the areas shaded yellow and red in Figure 1 and Figure 2 of Schedule 1.

4. 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.

5. Directional clearing

The permit holder shall:

(a) conduct all clearing authorised under this permit in one direction towards adjacent vegetation; and

(b) 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:

(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.

7. 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*:

(a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;

(b) ensure that no known *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.

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 (*Leipoa ocellata*)

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 (*Leipoa ocellata*) 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 – arid bronze azure butterfly (*Ogyris petrina*)

(a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to identify any potential *critical habitat* utilised by arid bronze azure butterfly (*Ogyris petrina*).

(b) Where potential *critical habitat* has been identified under Condition 10(a), the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* within the areas to be cleared, to identify the fauna species listed below:

(i) sugar ant (*Camponotus* sp. nr. *terebrans*) colonies

(ii) arid bronze azure butterfly (*Ogyris petrina*).

(c) 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*.

(d) Where sugar ant (*Camponotus* sp. nr. *terebrans*) colonies are identified under this Permit, the Permit Holder shall ensure that:

(iii) no clearing occurs within 100 metres of sugar ant (*Camponotus* sp. nr. *terebrans*) colonies.

11. Fauna management – inland hairstreak butterfly (*Jalmenus aridus*)

(a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to identify potential *critical habitat* utilised by inland hairstreak butterfly (*Jalmenus aridus*).

(b) Where potential *critical habitat* has been identified under Condition 11(a), the Permit Holder shall engage a *fauna specialist* to conduct a fauna survey within the areas to be cleared, to identify the fauna species listed below:

(i) inland hairstreak butterfly (*Jalmenus aridus*)

(c) 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*.

(d) Where inland hairstreak butterfly (*Jalmenus aridus*) are identified under this Permit, the Permit Holder shall ensure that:

(i) no clearing occurs within 50 metres of inland hairstreak *host plant/s*.

12. **Fauna management – southern whiteface**

Where clearing authorised under this Permit within the area shaded red is to occur between 1 July and 31 October, the Permit Holder shall:

(a) Within fourteen (14) days prior to undertaking any clearing, engage a *fauna specialist* to conduct an inspection of the area to be cleared to identify *active (in use) southern whiteface (Aphelocephala leucopsis) nests*.

(b) Where an *active (in use) southern whiteface (Aphelocephala leucopsis) nest* is identified under Condition 12(a) of this Permit, the Permit Holder shall ensure that no clearing occurs within 10 metres of the nest, during the months of July through to October.

PART III – RECORD KEEPING AND REPORTING

13. 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	(a) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum of Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (b) the date that the area was cleared; (c) the size of the area cleared (in hectares); (d) actions taken in accordance with condition 4; (e) actions taken in accordance with condition 5; (f) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 6; and (g) actions taken to minimise the risk of the introduction and spread of *weeds* in accordance with condition 7.
2.	In relation to vegetation management pursuant to condition 8	(a) actions taken to manage and mitigate impacts to *riparian vegetation* in accordance with condition 8; and (b) the size and location of riparian vegetation cleared using a Global Positioning System (GPS) unit set to Geocentric Datum of Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees.

No.	Relevant matter	Specifications
3.	In relation to fauna management pursuant to condition 9	(a) The location of each active (in use) Malleefowl (*Leipoa ocellata*) mound recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; and (b) actions taken to in accordance with Condition 9.
4.	In relation to fauna management pursuant to condition 10	(a) The location of potential critical habitat for arid bronze azure butterfly (*Ogyris petrina*), recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (b) The location of sugar ant (*Camponotus* sp. nr. *terebrans*) colonies, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (c) The location of arid bronze azure butterfly, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (d) the extent of the potential critical habitat of the identified fauna shown on a map; (e) a description of the potential critical habitat; (f) the methodology, used to survey the Permit Area for sugar ant (*Camponotus* sp. nr. *terebrans*) colonies; (g) the methodology, used to survey the Permit Area for arid bronze azure butterfly (*Ogyris petrina*); and (h) actions taken in accordance with Condition 10
5.	In relation to fauna management pursuant to condition 11	(a) The location of potential *critical habitat* for species identified under Condition 11(a)(i), recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (b) The location of inland hairstreak butterfly (*Jalmenus aridus*), recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (c) The location of inland hairstreak butterfly *host plant/s* recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (d) the methodology, used to survey the Permit Area and to establish the potential *critical habitat*; (e) the extent of the potential *critical habitat* of the identified fauna shown on a map; and (f) a description of the potential *critical habitat*; and (g) the methodology, used to survey the Permit Area for inland hairstreak butterfly (*Jalmenus aridus*); and (h) actions taken in accordance with Condition 11.
6.	In relation to fauna management	(a) the location of each active (in use) southern whiteface

No.	Relevant matter	Specifications
	(southern whiteface) pursuant to condition 12	(*Aphelocephala leucopsis*) nest, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum of Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (b) actions taken to demarcate each active (in use) southern whiteface (*Aphelocephala leucopsis*) nest recorded and their relevant buffers; (c) actions taken to avoid the clearing of active (in use) southern whiteface (*Aphelocephala leucopsis*) nests and their relevant buffers; and (d) actions taken in accordance with Condition 12.

14. Reporting

(a) The permit holder must provide a written 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 13 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 19 February 2031, the permit holder must provide to the *CEO* a written report of records required under condition 13 of this permit where these records have not already been provided under condition 14(a) or 14(b) of this permit.

DEFINITIONS

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

Table 2: Definitions

Term	Definition
active (in use) malleefowl mound	means a mound with evidence of current malleefowl (*Leipoa ocellata*) 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.
active (in use) southern whiteface nest	means a nest with evidence of current southern whiteface (*Aphelocephala leucopsis*) activity, such as fresh nesting material (grass, bark and roots), a breeding pair, eggs, or hatchlings.
CEO	the Chief Executive Officer of the Department responsible for administering the clearing provisions contained within the *Environmental Protection Act 1986* or an Officer with delegated authority under Section 20 of the *Environmental Protection Act 1986*.
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.
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.
department	means the department established under section 35 of the *Public Sector Management Act 1994* (WA) 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.
EP Act	*Environmental Protection Act 1986* (WA)

Term	Definition
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 *Biodiversity Conservation Act 2016.*
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. The survey must be conducted during the season and conditions most suitable for detection and identification of fauna species.
fill	means material used to increase the ground level, or to fill a depression.
host plant/s	means the following plant taxa; *Acacia tetragonophylla* and *Senna artemisioides* ssp. *filifolia*, but not limited to.
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) 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 a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or (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.

END OF CONDITIONS

Danielle Risbey

Danielle Risbey | General Manager Mine Closure and Environmental Services
Resource and Environmental Compliance Division
05 November 2026

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 and Figure 2).

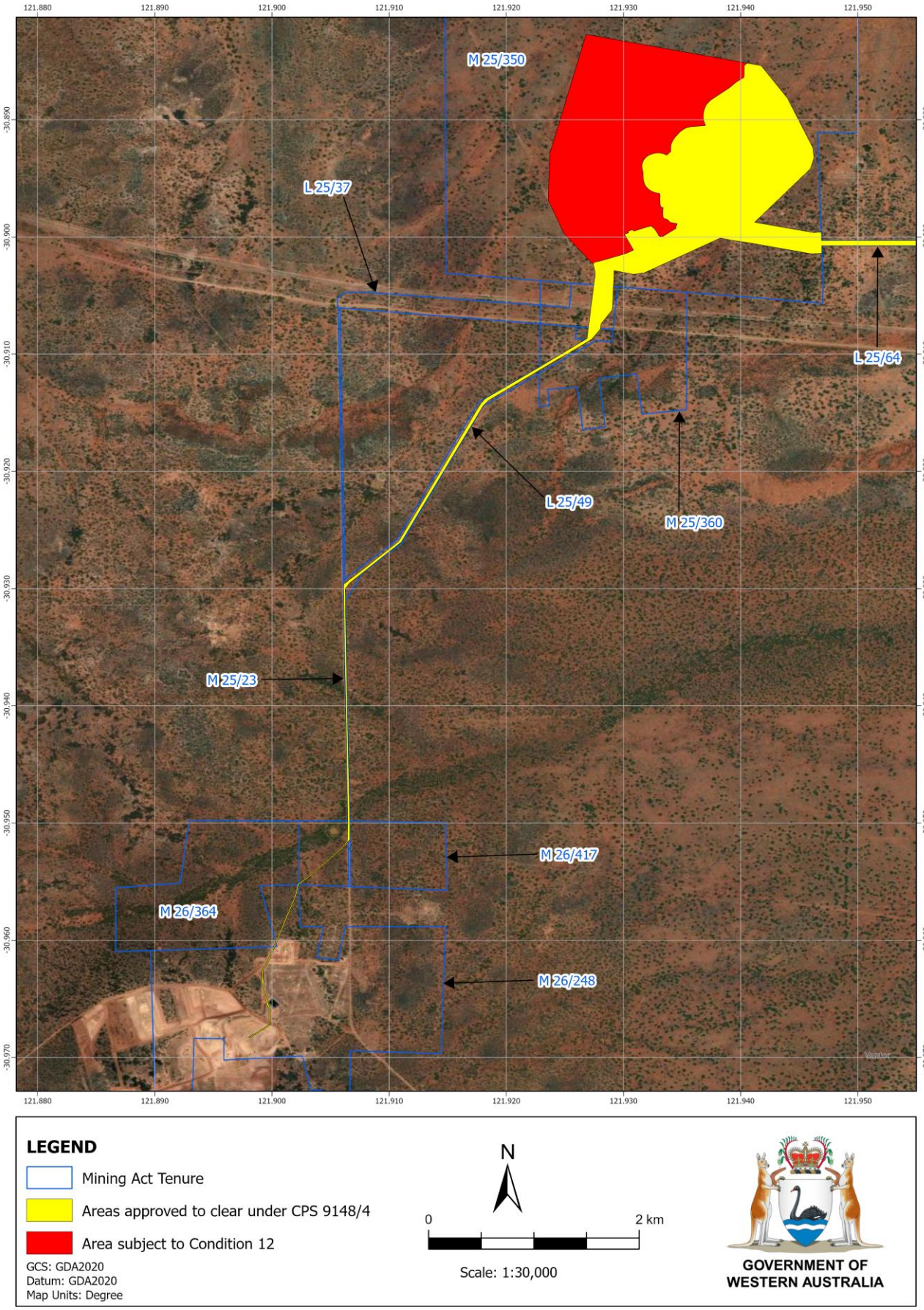


Figure 1: Map of the boundary of the area within which clearing may occur.

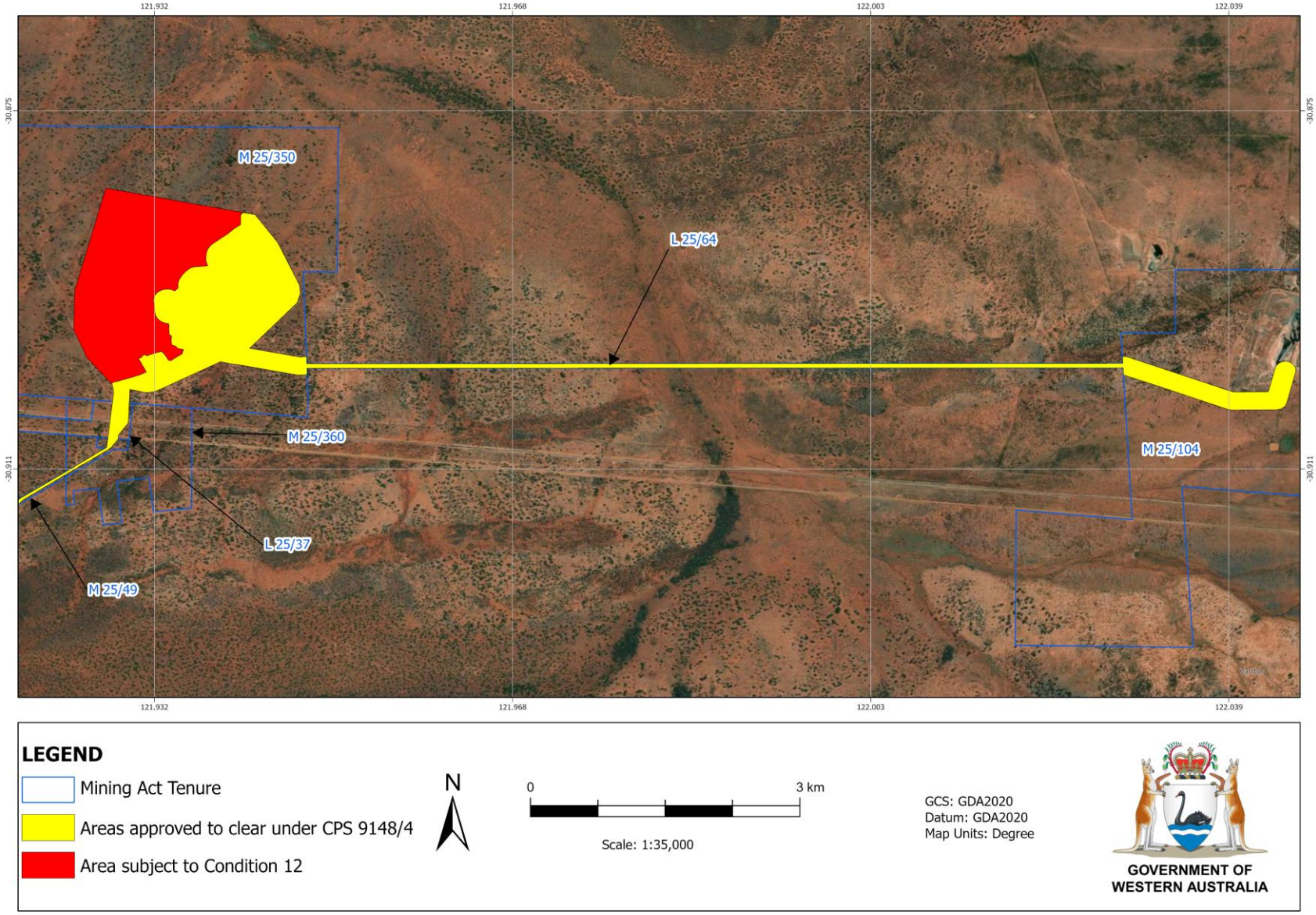


Figure 2: Map of the boundary of the area within which clearing may occur.