



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

<b>Purpose permit number:</b>	CPS 2351/1
<b>Permit holder:</b>	BHP Billiton Nickel West Pty Ltd
<b>Purpose of clearing:</b>	Mineral Exploration
<b>Shire:</b>	City of Kalgoorlie-Boulder
<b>Duration of permit:</b>	22 June 2008 – 22 June 2013

### TABLE OF CONTENTS

1. LAND ON WHICH CLEARING IS TO BE DONE .....	2
2. AREA OF CLEARING .....	2
3. APPLICATION .....	2
4. COMPLIANCE WITH ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES .....	2
5. AVOID, MINIMISE ETC CLEARING.....	2
6. WEED CONTROL .....	3
7. FLORA MANAGEMENT .....	3
8. FAUNA MANAGEMENT .....	3
9. REVEGETATION.....	3
10. RECORDS MUST BE KEPT .....	4
11. REPORTING .....	4
DEFINITIONS .....	5

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The permit holder is authorised to clear native vegetation for the above stated purposes, subject to the conditions of this Permit.

### **PART I – CLEARING AUTHORISED**

#### **1. Land on which clearing is to be done**

Lot 48 on Plan 226304.

#### **2. Area of clearing**

The Permit holder must not clear more than 300 hectares within the area cross-hatched yellow on attached Plan 2351/1.

#### **3. 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.

#### **4. Compliance with Assessment Sequence and Management Procedures**

Prior to clearing any native vegetation under conditions 1 and 2 of this Permit, the Permit holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

### **PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES**

#### **5. Avoid, minimise etc clearing**

- (a) In determining the amount of native vegetation to be cleared for the purposes of mineral exploration the Permit holder must have regard to the following principles, set out in order of preference:
- (i) avoid the clearing of native vegetation;
  - (ii) minimise the amount of native vegetation to be cleared; and
  - (iii) reduce the impact of clearing on any environmental value.

## 6. Weed Control

- (a) When undertaking any clearing and *revegetation*, or other activity pursuant to this Permit the Permit holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - (ii) ensure that no *weed*-affected *mulch*, *fill* or other material is brought into the area to be cleared; and
  - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

## 7. Flora Management

- (a) Prior to undertaking any clearing within the area in accordance with this permit, the area shall be inspected by a *flora specialist* who shall identify *Priority Flora taxa* and *Significant Flora taxa*.
- (b) Where *Priority Flora taxa* and *Significant Flora taxa* are identified in relation to condition 7(a) the Permit holder shall ensure that:
- (i) All records of *Priority flora taxa* and *Significant Flora taxa* are submitted to the CEO;
  - (ii) No clearing occurs within 10m of identified *Priority Flora taxa* and *Significant Flora taxa*, unless approved by the CEO.

## 8. Fauna Management

- (a) Prior to clearing, the site shall be walked, inspected and surveyed by a *fauna specialist* to identify the presence of Malleefowl (*Leipoa ocellata*) mounds.
- (b) The Permit holder shall not clear within 50m of Malleefowl (*Leipoa ocellata*) mounds identified in condition 8(a) above.

## 9. Revegetation

The Permit holder must *revegetate* all areas cleared for the purpose of exploration and prospecting in accordance with the following:

- (a) The Permit holder shall retain the vegetative material and topsoil removed by clearing in accordance with this Permit;
- (b) Within six months of the area no longer being required for the purpose of the exploration and prospecting the Permit holder must *revegetate* the area by:
- (i) Deep ripping the soil of any area to be rehabilitated;
  - (ii) Laying topsoil retained in accordance with condition 9(a) on the area;



- (c) Within one year of undertaking *revegetation* in accordance with condition 9(b), the Permit holder must:
  - (i) Determine the species composition, structure and density of the area *revegetated*;
  - (ii) Where, in the opinion of an *flora specialist*, the composition structure and density determined under condition 9(c)(i) will not result in a similar species composition, structure and density to pre-clearing vegetation types in that area the Permit holder must undertake planting or seeding of native vegetation; and
  - (iii) Propagative material must be sourced from within 50 km of the area to be *revegetated*.

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

#### **10. Records must be kept**

The Permit holder must maintain the following records for activities done pursuant to this Permit, as relevant:

- (a) In relation to the clearing of native vegetation undertaken pursuant to the purpose of clearing:
  - (i) the location where the clearing occurred, recorded using Geocentric Datum Australia 1994;
  - (ii) the date that the area was cleared; and
  - (iii) the size of the area cleared (in hectares).
- (a) In relation to Flora Management pursuant to condition 7:
  - (i) the location of each *Priority Flora taxa* and *Significant Flora taxa* recorded using Geocentric Datum Australia 1994; and
  - (ii) the species of each *Priority Flora taxa* and *Significant Flora taxa* identified.
- (b) In relation to fauna management pursuant to condition 8:
  - (i) The location of each Malleefowl mound in accordance with condition 8(a) recorded using Geocentric Datum Australia 1994.
- (c) In relation to the *revegetation* of areas pursuant to conditions 9(b) and (c):
  - (i) The location of any area *revegetated* recorded using Geocentric Datum Australia 1994;
  - (ii) A description of the *revegetation* activities undertaken; and
  - (iii) The size of the area *revegetated* (in hectares).

#### **11. Reporting**

The Permit holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 10 and activities done by the Permit holder under this Permit between 1 January and 31 December of the preceding year.

## Definitions

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

*fauna specialist* means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

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

*flora specialist* means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

*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 taxa* means those plant taxa that described as priority flora classes 1, 2, 3 or 4 in the *Declared Rare and Priority Flora List for Western Australia*, Department of Environment and Conservation, as amended;

*revegetation* means the re-establishment of a cover of native vegetation in an area such that the species composition, structure and density is similar to pre-clearing vegetation types in that area, and can involve regeneration, direct seeding and/or planting.

*Significant Flora taxa* means the species identified as *Daviesia sp. affin. pachyloma* and *Lepidosperma sp. affin. diurnum* within the Western Botanical (2007) Flora and Vegetation Assessment, Selcast Project Area, December 2007.

*weed* means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the Agricultural and Related Resources Protection Act 1976.



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

22 May 2008