



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Purpose Permit Number: 3094 / 1
File Number: A0675/200901
Duration of Permit: From 4 July 2009 to 31 July 2014

PERMIT HOLDER

BHP Billiton Nickel West Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Mining Lease 53/56
Mining Lease 53/57
Mining Lease 53/165
Mining Lease 53/166
Mining Lease 53/167
Mining Lease 53/218
Mining Lease 53/462
Mining Lease 53/489

PURPOSE FOR WHICH THE CLEARING MAY BE DONE

1. Clearing for the purposes of mineral production.

CONDITIONS

Type of clearing authorised

1. The Permit Holder shall not clear more than 200 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow on attached Plan 3094/1.
2. The Permit Holder shall not clear native vegetation unless the purpose for which the clearing is authorised is enacted within 6 months of the clearing being undertaken.

Avoid, minimise etc clearing

3. In determining the amount of native vegetation to be cleared authorised under this Permit, 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.

Weed control

4. 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*:
 - (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 soil, *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.

Retain vegetative material and topsoil

5. The Permit Holder shall 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.

Flora management

- 6(a) Prior to undertaking any clearing authorised under this permit, the site shall be inspected by a *flora specialist* for the presence of the following *priority flora taxa*:
- (i) *Hemigenia exilis* (P4)
- (b) Where *priority flora taxa* are identified in relation to condition 6(a) of this Permit, the Permit Holder shall ensure that:
- (i) all records of *priority flora taxa* are submitted to the Director, Environment Division, Department of Mines and Petroleum; and
 - (ii) no clearing occurs with 10 metres of identified *priority flora taxa*, unless approved by the Director, Environment Division, Department of Mines and Petroleum.

Records to be kept

7. 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;
- (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.

Reporting

- 8(a) The Permit Holder shall provide a report to the Director, Environment Division, Department of Mines and Petroleum by 28 February each year for the life of this permit, demonstrating adherence to all conditions of this permit, and setting out the records required under Condition 7 of this permit in relation to clearing carried out between 1 January and 31 December of the previous year.
- (b) Prior to 31 July 2014, the Permit Holder must provide to the Director, Environment Division, Department of Mines and Petroleum a written report of records required under Condition 7 of this Permit where these records have not already been provided under Condition 8(a) of this Permit.

Definitions

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

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;

weed/s 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*.

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

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



Phil Gorey
DIRECTOR
ENVIRONMENT DIVISION
DEPARTMENT OF MINES AND PETROLEUM
Officer with delegated authority under Section 20
of the Environmental Protection Act 1986

4 June 2009