



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	3094/3
Duration of Permit:	From 4 June 2009 to 31 July 2029
Permit Holder:	BHP Billiton Nickel West 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 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

2. Purpose for which clearing may be done

Clearing for the purpose of mineral production, mineral exploration, construction and maintenance of infrastructure, and associated activities.

3. Area of Clearing

The Permit Holder must not clear more than 200 hectares of native vegetation. All clearing must be within the areas cross-hatched yellow on attached Plan 3094/3.

4. 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.

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 six months of the authorised clearing being undertaken.

PART II - MANAGEMENT CONDITIONS

6. 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*:

- (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.

7. Retain vegetative material and topsoil

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.

8. Flora management

- (a) Prior to undertaking any clearing authorised under this permit, the site shall be inspected by a *botanist* for the presence of the following *priority flora* taxa:
 - (i) *Hemigenia exilis* (P4).
- (b) where *priority flora* taxa are identified in relation to Condition 8(a) of this Permit, the Permit Holder shall ensure that:
 - (i) all records of the identified *priority flora* taxa are submitted to the *CEO*;
 - (ii) no clearing of the identified *priority flora* taxa occurs, unless first approved by the *CEO*; and
 - (iii) no clearing occurs within 10 metres of the identified *priority flora* taxa, unless first approved by the *CEO*.

PART III - RECORD KEEPING AND REPORTING

9. Records to be kept

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 or decimal degrees;
- (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.

10. Reporting

- (a) The Permit Holder shall provide a report to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety 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 9 of this permit in relation to clearing carried out between 1 January and 31 December of the previous calendar year.
- (b) Prior to 31 July 2029, the Permit Holder must provide to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety a written report of records required under Condition 9 of this Permit where these records have not already been provided under Condition 10(a) of this Permit.

DEFINITIONS

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

botanist means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of 2 years work experience in identification and surveys of flora native to the bioregion being inspected or surveyed, or who is approved by the *CEO* as a suitable botanist for the bioregion;

CEO means the Chief Executive Officer of the Department of Water and Environmental Regulation or an officer with delegated authority under Section 20 of the *Environmental Protection Act 1986*;

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;

priority flora means those plant taxa described as priority flora classes 1, 2, 3, or 4 in the Department of Biodiversity, Conservation and Attractions Threatened and Priority Flora List for Western Australia (as amended);

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 Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Daniel Endacott
General Manager Environmental Compliance
Resource and Environmental Compliance Division
23 May 2019

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