



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4544/3
Permit Holder:	BHP Nickel West Pty Ltd
Duration of Permit:	24 October 2011 – 24 October 2026

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

- 1. Purpose for which clearing may be done**
Clearing for the purpose of Goldfields Highway road upgrades.
- 2. Land on which clearing is to be done**
Goldfields Highway road reserve (Lot 159 on Plan 26053, PIN 1345552), Wiluna
- 3. Area of Clearing**
The Permit Holder must not clear more than 20 hectares of native vegetation within the areas hatched yellow in Figure 1 of Schedule 1.
- 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**
This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the power to clear native vegetation for those activities under the *Main Roads Act 1930*, or any other written law.
- 6. Avoid, minimise and reduce the impacts and extent of clearing**
In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must 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 *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. Flora management

- (a) Prior to undertaking any clearing authorised under this permit within the areas cross-hatched yellow on Figure 1 of Schedule 1, the permit holder must engage a *botanist* to conduct a *targeted flora survey* of the permit area for the presence of *threatened flora* listed under the *Biodiversity Conservation Act 2016* and *priority flora*.
- (b) Where *threatened flora* is identified under condition 8(a), the permit holder must not cause or allow:
 - (i) clearing within 50 metres of the identified *threatened flora*; and
 - (ii) clearing of the identified *threatened flora*.
- (c) Where *priority 1 and 2 flora* are identified under condition 8(a), the permit holder must not cause or allow:
 - (i) clearing within 50 metres of the identified *priority 1 and 2 flora*; and
 - (ii) clearing of the identified *priority 1 and 2 flora*.
- (d) Where *priority 3 and 4 flora* are identified under condition 8(a), the permit holder must:
 - (i) not cause or allow clearing of more than 50 percent of the population of the identified *priority 3 or 4 flora*; and
 - (ii) prior to clearing, map the population of the identified *priority 3 and 4 flora* that is not to be cleared under condition 8(d)(i).
- (e) Within two months of undertaking any clearing authorised under this permit within the combined areas cross-hatched yellow on Figure 1 of Schedule 1, the permit holder must provide the results of the *targeted flora survey* in a report to the *CEO*.
- (f) If any *threatened flora* or *priority flora* are identified within the areas cross-hatched yellow on Figure 1 of Schedule 1, the *targeted flora survey* report must include the following:
 - (i) the location of each *threatened flora* and *priority flora*, identified under condition 8(a), either as the location of individual plants, or where this is not practical, the areal extent of the population and an estimate of the number of plants, 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 species name of each *threatened flora* and *priority flora* species identified under condition 8(a);
 - (iii) map/s showing the location of any identified population of *priority 3 or 4 flora* cleared and the remaining population; and
 - (iv) the methodology used to survey the permit area.

9. 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 1994 (GDA94), 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 6; and(f) actions taken to minimise the risk of the introduction and spread of weeds in accordance with condition 7.
2.	In relation to flora management pursuant to condition 8	<ul style="list-style-type: none">(a) the name and location of each threatened flora and/or priority flora species, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;(b) actions taken to demarcate each threatened flora and/or priority flora species recorded and their relevant buffers; and(c) actions taken to avoid the clearing of <i>threatened flora</i> and/or <i>priority flora</i> species.

10. Reporting

- (a) The permit holder must provide to the *CEO*, on or before 31 December of each calendar year, a written report containing:
 - 1. the records required to be kept under condition 9; and
 - 2. records of activities done by the permit holder under this permit between 1 July of the preceding calendar year and 30 June of the current calendar year.
- (b) If no clearing authorised under this permit has been undertaken, a written report confirming that no clearing under this permit has been undertaken, must be provided to the *CEO* on or before 31 December of each calendar year.
- (c) The permit holder must provide to the *CEO*, no later than 90 calendar days prior to the expiry date of the permit, a written report of records required under condition 9, where these records have not already been provided under condition 10(a).

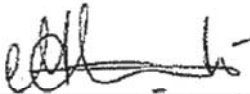
DEFINITIONS

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

Table 2: Definitions

Term	Definition
botanist	means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of two (2) years work experience in Western Australian flora identification and undertaking flora surveys native to the bioregion being inspected or surveyed, or who is approved by the CEO as a suitable environmental specialist for the bioregion, and who holds a valid flora licence issued under the <i>Biodiversity Conservation Act 2016</i> .
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the Environmental Protection Act 1986.
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.
fill	means material used to increase the ground level, or to fill a depression.
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 from time to time).
priority 1 and 2 flora	means those plant taxa associated with that specific priority flora classification.
priority 3 and 4 flora	means those plant taxa associated with that specific priority flora classification.
targeted flora survey	means a field-based investigation, including a review of established literature, of the biodiversity of flora and vegetation of the permit area, focusing on habitat suitable for flora species that are being targeted and carried out during the optimal time to identify those species. Where target flora are identified in the permit area, the survey must also include a minimum of a 10 metre radius of the surrounding areas to place the permit area into local context.
threatened flora	Means those plant taxa listed as threatened flora under the <i>Biodiversity Conservation Act 2016</i> .

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 (c) not indigenous to the area concerned.
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Meenu Vitarana
A/MANAGER
NATIVE VEGETATION REGULATION

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

19 October 2021

Schedule 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

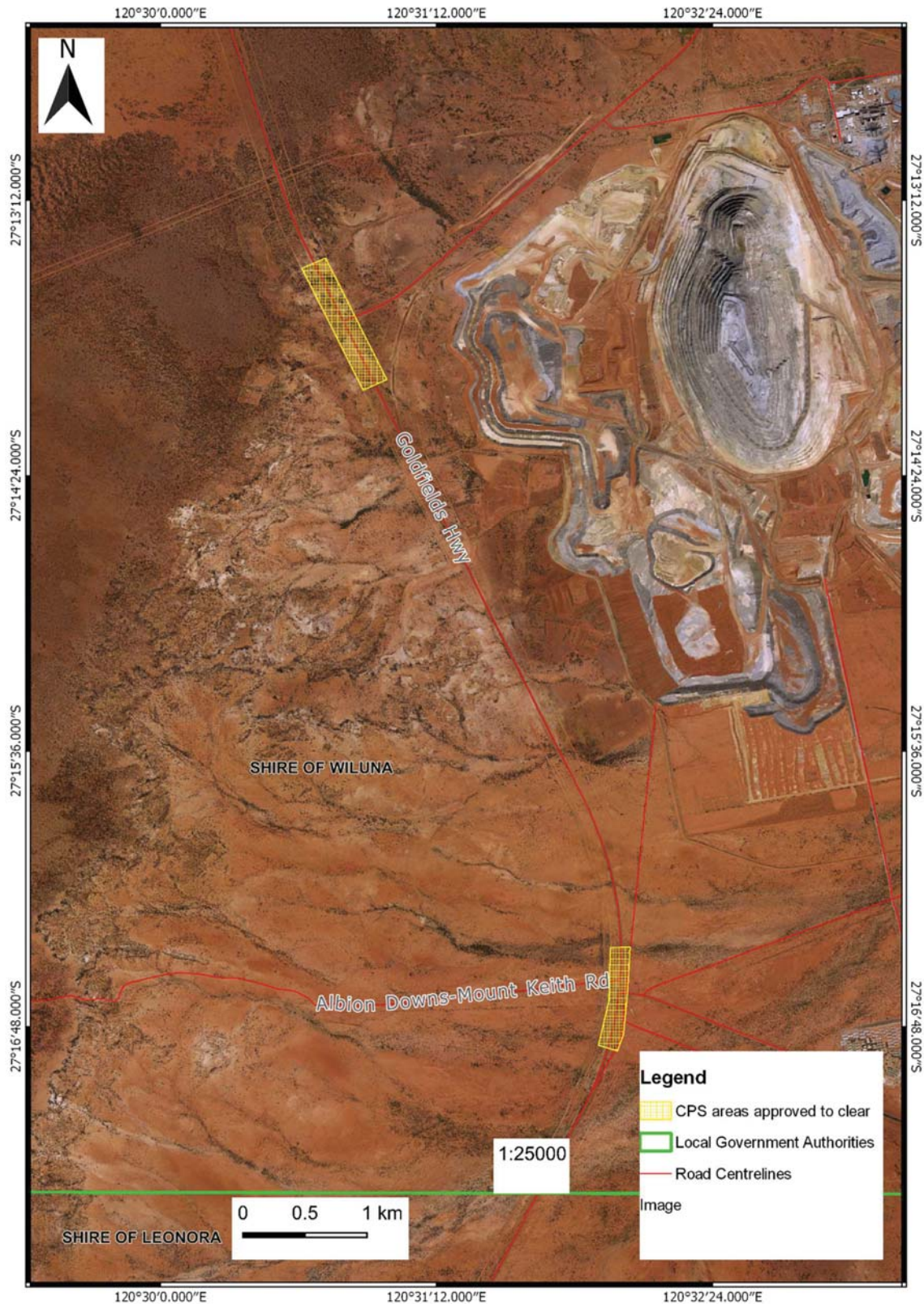


Figure 1: Map of the boundary of the area within which clearing may occur



1. Application details

1.1. Permit application details

Permit application No.: 4544/3
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: BHP Nickel West Pty Ltd

1.3. Property details

Property: Goldfields Highway road reserve (LOT 159 ON PLAN 26053, PIN 1345552), WILUNA
Local Government Authority: SHIRE OF WILUNA

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
20		Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 19 October 2021
Reasons for Decision: The amendment has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*, and it has been concluded that the proposed clearing may be at variance to Principles (a) and (f) and is not likely to be at variance to the remaining principles.

The amendment to Clearing Permit CPS 4544/2 has been undertaken to extend the permit expiry date. A review of current environmental information revealed the occurrence of a Priority 1 flora species *Eremophila congesta* within the local area, and noting the application area may comprise suitable and significant habitat for the species, a pre-clearing survey requirement has been included in the amended clearing permit. The Delegated Officer determined that the proposed clearing can be managed to be environmentally acceptable with avoid and minimise, weed control and flora management conditions.

2. Site Information

2.1. Existing environment and information

Clearing Description The vegetation to be cleared is representative of the Murchison region with some areas highly degraded by road construction and maintenance (BHP, 2011). The northern proposed area borders the outskirts of a breakaway area and the southern proposed area consists of stony plains and crosses a narrow drainage line.

This amendment application is to extend the duration of the permit by five years. The boundary of the application area remains unchanged. The applicant confirmed no clearing has been undertaken to date under CPS 4544/1 and CPS 4544/2.

Vegetation Description The mapped Beard vegetation association Wiluna 18 is described as low woodland, mulga (Shepherd et al, 2001).

Vegetation Condition The description and condition of the vegetation was determined by aerial imagery (Mt Keith 50cm Orthomosaic-Landgate 2005, Yeelirrie 50cm Orthomosaic- Landgate 2005) and photographs supplied by the applicant (BHP, 2011).

Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery. 1994).

Soil Type Soil types within the application area are mapped as the following systems:

- Bevon System (279Bv) described as irregular low ironstone hills with stony lower slopes supporting mulga shrublands
- Monk System (279Mk) described as hardpan plains with occasional sandy banks supporting mulga tall shrublands and wanderrrie grasses (DPIRD, 2021).

3. Assessment of application against clearing principles

This amendment has been made in order to extend the duration of the permit to 24 October 2026.

A review of current environmental information reveals 10 priority flora species within the local area (10 kilometres). *Eremophila congesta* which has been recorded 7 kilometres northeast of the northern application area is a priority 1 flora species. This species occurs within the same soil and vegetation type as that under application; on irregular low ironstone hills with stony lower slopes supporting mulga shrublands. Considering *Eremophila congesta* may occur within the application due to the presence of suitable habitat, a flora management and reporting condition has been added to this permit to undertake pre-clearance surveys and avoid clearing within suitable buffers to Threatened and Priority flora species, if found present.

Noting the above, the proposed clearing is considered may be at variance with principle (a). The assessment against the remaining clearing principles has not changed and can be found in Clearing Permit Decision Report CPS 4544/1.

Planning instruments and other relevant matters.

The assessment against planning instruments and other matters has not changed and can be found in Clearing Permit Decision Report CPS 4544/1.

4. References

BHP (2021) Clearing Permit amendment application CPS 4544/3, Received 30 August 2021 (DWER Ref: DWERDT497322).

BHP (2011) BHP Billiton Nickel West Mt Keith Clearing Permit Application (Purpose Permit) supporting information for CPS 4544/1, BHP Billiton Nickel West Mt Keith Operation, Welchpool DC, WA.

Department of Primary Industries and Regional Development (DPIRD) (2021) *NRInfo Digital Mapping*. Department of Primary Industries and Regional Development, Western Australia. Available from: <https://maps.agric.wa.gov.au/nrm-info/> (accessed October 2021).

Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Shepherd, D.P. (2009) Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), *Native Vegetation in Western Australia*. Technical Report 249. Department of Agriculture Western Australia, South Perth.