



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	8877/2
Duration of Permit:	From 14 November 2020 to 30 September 2035
Permit Holder:	BHP 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

Nickel (Agnew) Agreement Act 1974, Mineral Lease 255SA (AML 70/255);

General Purpose Leases 36/49-51, 53/11-14;

Mining Leases 36/4, 36/9, 36/78, 36/87, 36/102-103, 36/129-131, 36/155-156, 36/158-160, 36/183-185, 36/216-220, 36/230, 36/242-243, 36/246-247, 36/285-286, 36/288-291, 36/294, 36/306-307, 36/336, 36/389, 36/399, 36/409, 36/422, 36/439-440, 36/452-457, 36/467, 36/509-510, 36/517, 36/549, 36/618, 36/631, 36/658, 36/676-677, 53/56-57, 53/165-167, 53/187, 53/218, 53/243, 53/371, 53/410-411, 53/462-463, 53/466-467, 53/475, 53/483-489;

Miscellaneous Licences 36/51-54, 36/56, 36/60, 36/67-81, 36/85-86, 36/88-91, 36/93-95, 36/97, 36/101-104, 36/109-110, 36/206, 36/240, 36/249, 53/31, 53/54, 53/56, 53/58, 53/63-65, 53/67, 53/76, 53/82, 53/109-110, 53/122-132.

2. Clearing authorised (purpose)

The Permit Holder is authorised to clear native vegetation for the purpose of mineral exploration, mineral production and associated activities.

3. Area of Clearing

The Permit Holder must not clear more than 6,000 hectares of native vegetation within the areas cross-hatched yellow in Figures 1-5 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 6 months of the authorised clearing being undertaken.

5. Period in which clearing is Authorised

The Permit Holder must not clear any native vegetation after 30 September 2030.

6. 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.

PART II - MANAGEMENT CONDITIONS

7. 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 have regard to the following principles, set out in 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.

8. 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;
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

9. Vegetation Management

- (a) where practicable the Permit Holder shall avoid clearing *riparian vegetation*; and
- (b) where a *watercourse* or *drainage line* or *wetland* 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*.

10. Flora Management

Where *priority flora* have been identified and their locations reported within document 'BHP Billiton Nickel West, Northern Operations, Strategic Native Vegetation Clearing Permit (NVCP) Application, Supporting Information, April 2020', as retained on Department of Mines, Industry Regulation and Safety File No. A0633/202001 as Doc ID 7332479, the Permit Holder must ensure that no greater than:

- (i) 527 individuals of the priority 2 flora species *Hibbertia* sp. Sherwood Breakaways (R.J. Cranfield 6771) are impacted; and
- (ii) 233 individuals of the priority 3 flora species *Thryptomene* sp. Leinster (B.J. Lepschi & L.A. Craven 4362) are impacted.

11. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) 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;
- (b) within 12 months following completion of clearing authorised under this Permit, *revegetate* and *rehabilitate* the areas that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) ripping the ground on the contour to remove soil compaction;
 - (ii) laying the vegetative material and topsoil retained under condition 11(a) on the cleared area; and
 - (iii) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land.
- (c) within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with condition 11(b) of this Permit:
 - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
 - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under *condition* 11(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.

- (d) where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 11(c)(ii) of this Permit, the Permit Holder shall repeat condition 11(c)(i) and 11(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 11(c)(i) and (ii) of this Permit, that determination shall be submitted for the *CEO's* consideration. If the *CEO* does not agree with the determination made under condition 11(c)(ii), the *CEO* may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 11(c)(ii).

PART III - RECORD KEEPING AND REPORTING

12. 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	<p>(a) 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;</p> <p>(b) the date that the area was cleared;</p> <p>(c) the size of the area cleared (in hectares);</p> <p>(d) actions taken to avoid, minimise, and reduce the impacts and extent of <i>clearing</i> in accordance with condition 7; and</p> <p>(e) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with condition 8; and</p> <p>(f) actions taken in accordance with condition 9.</p>
2.	In relation to flora management pursuant to condition 10	<p>(a) the name and location of each <i>priority flora</i> species, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;</p> <p>(b) actions taken to demarcate each <i>priority flora</i> species recorded and their relevant buffers; and</p> <p>(c) actions taken to avoid the clearing of <i>priority flora</i> species.</p>
3.	In relation to the <i>revegetation</i> and <i>rehabilitation</i> management pursuant to condition 11	<p>(a) The location of any areas <i>revegetated</i> and <i>rehabilitated</i>, 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;</p> <p>(b) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; and</p> <p>(c) the size of the area <i>revegetated</i> and <i>rehabilitated</i> (in hectares).</p>

13. Reporting

- (a) The Permit Holder shall provide a report to the *CEO* by 31 October each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and setting out the records required under condition 12 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 October of each year.
- (c) Prior to 30 September 2035, the Permit Holder must provide to the *CEO* a written report of records required under condition 12 of this Permit where these records have not already been provided under condition 13(a) or 13(b) of this Permit.

DEFINITIONS

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

Table 2: Definitions

Term	Definition
CEO	the Chief Executive Officer of the Department responsible for administering the clearing provisions contained within the <i>Environmental Protection Act 1986</i> or an Officer with delegated authority under Section 20 of the <i>Environmental Protection Act 1986</i> ;
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.
drainage line	means a natural depression that carries surface water runoff.
fill	means material used to increase the ground level, or to fill a depression.
direct seeding	means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
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 <i>CEO</i> as a suitable environmental specialist.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
local provenance	means native vegetation seeds and propagating material from natural sources within 200 kilometres in the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion of the area cleared.
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.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
priority flora	means those plant taxa described as priority flora classes 1, 2, 3, or 4 in the Department of Biodiversity, Conservation and Attractions' <i>Threatened and Priority Flora List for Western Australia</i> (as amended);

Term	Definition
regenerate / regeneration	means <i>revegetation</i> that can be established from in situ seed banks contained either within the topsoil or seed-bearing mulch;
rehabilitate / rehabilitated / rehabilitation	means actively managing an area containing <i>native vegetation</i> in order to improve the ecological function of that area.
revegetate / vegetated / revegetation	means the re-establishment of a cover of <i>local provenance native vegetation</i> in an area using methods such as natural <i>regeneration</i> , <i>direct seeding</i> and/or <i>planting</i> , so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
riparian vegetation	has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulation 2004.
watercourse	has the meaning given to it in section 3 of the <i>Rights in Water and Irrigation Act 1914</i> .
weed/s	means any plant – <ul style="list-style-type: none"> (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.
wetland/s	means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.

END OF CONDITIONS

Dan Endacott
General Manager Environmental Compliance
Resource and Environmental Compliance Division
16 September 2021

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

SCHEDULE 1

The boundary of the area authorized 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

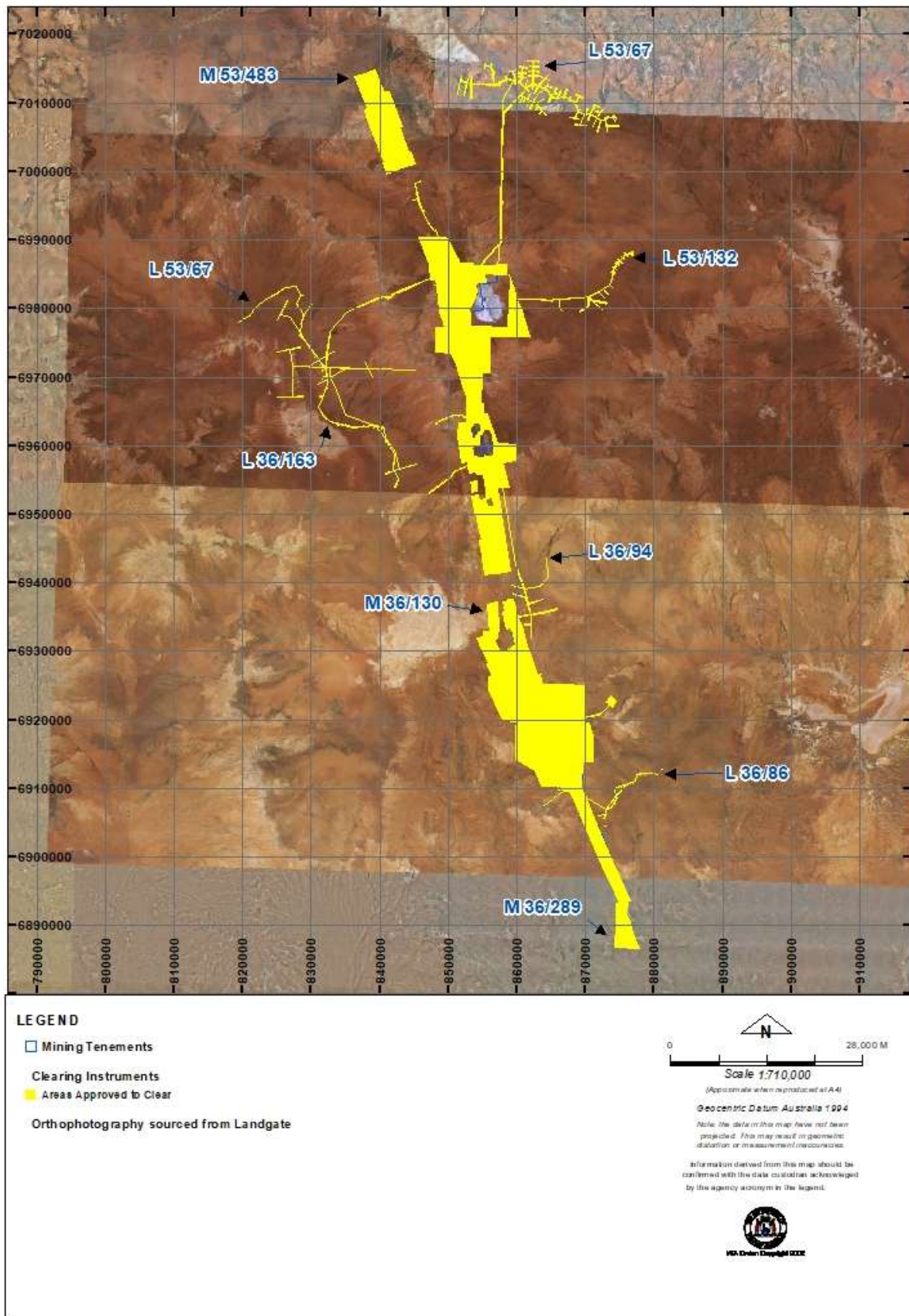


Figure 2: Map of the boundary of the area within which *clearing* may occur

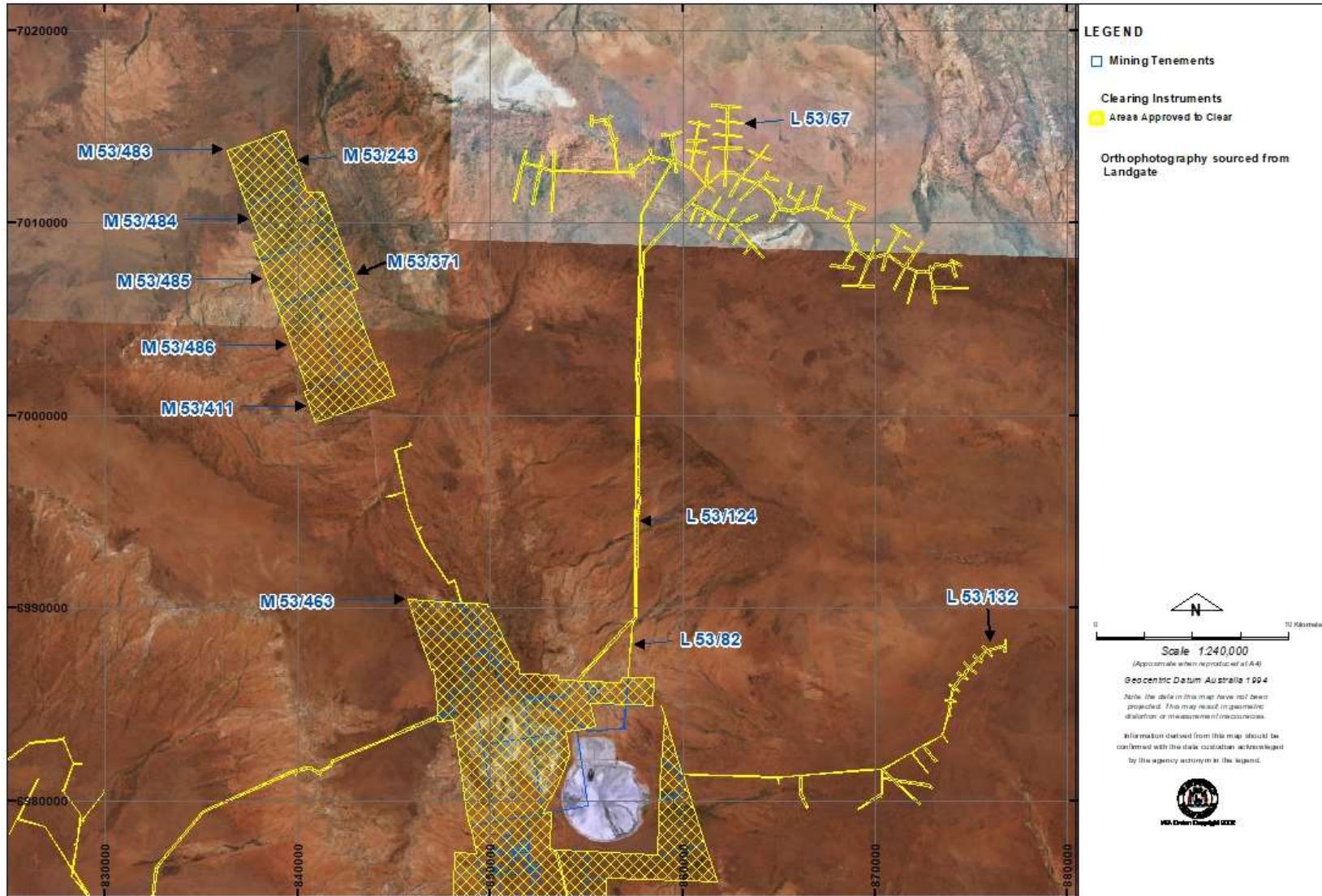


Figure 3: Map of the boundary of the area within which *clearing* may occur

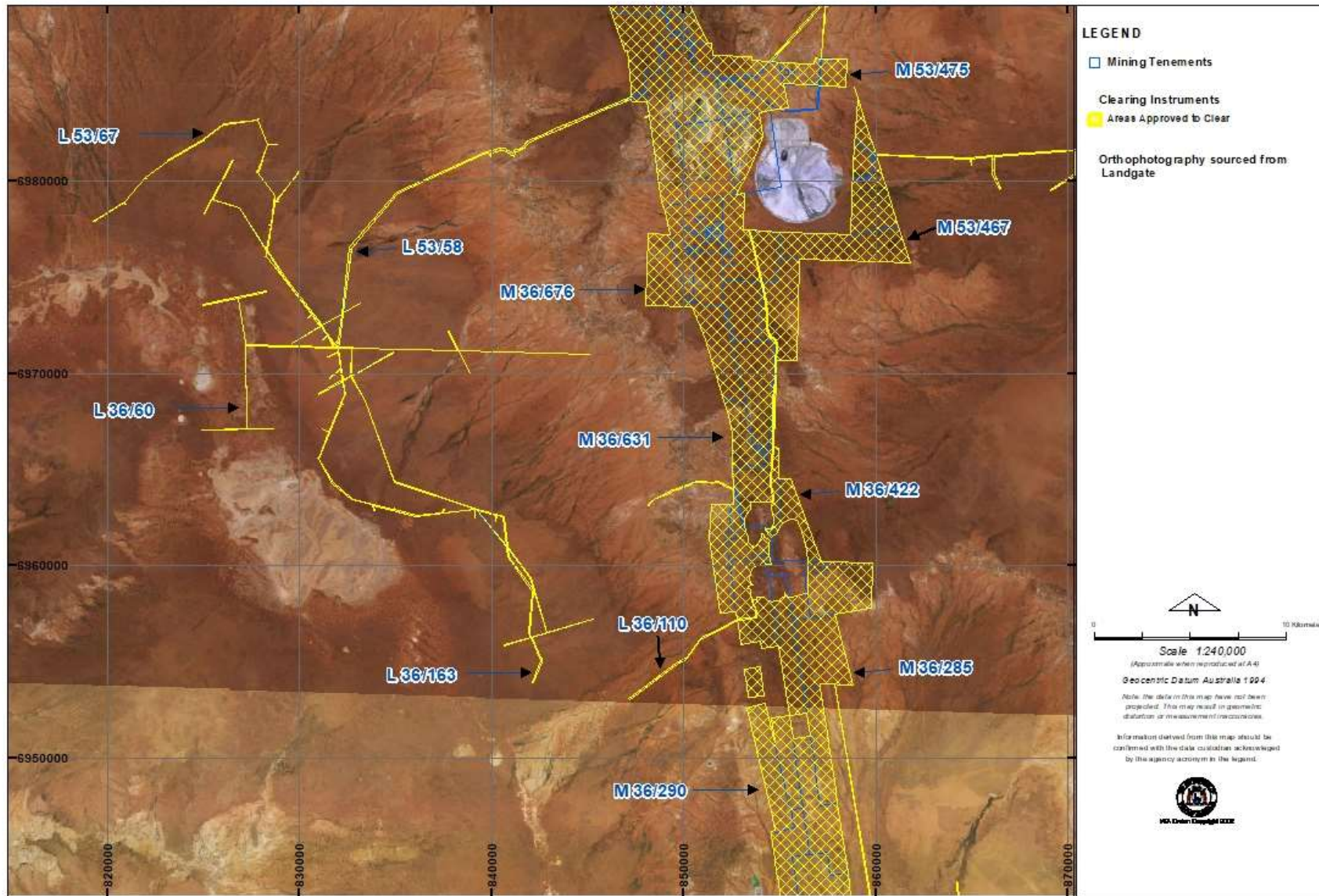


Figure 4: Map of the boundary of the area within which *clearing* may occur

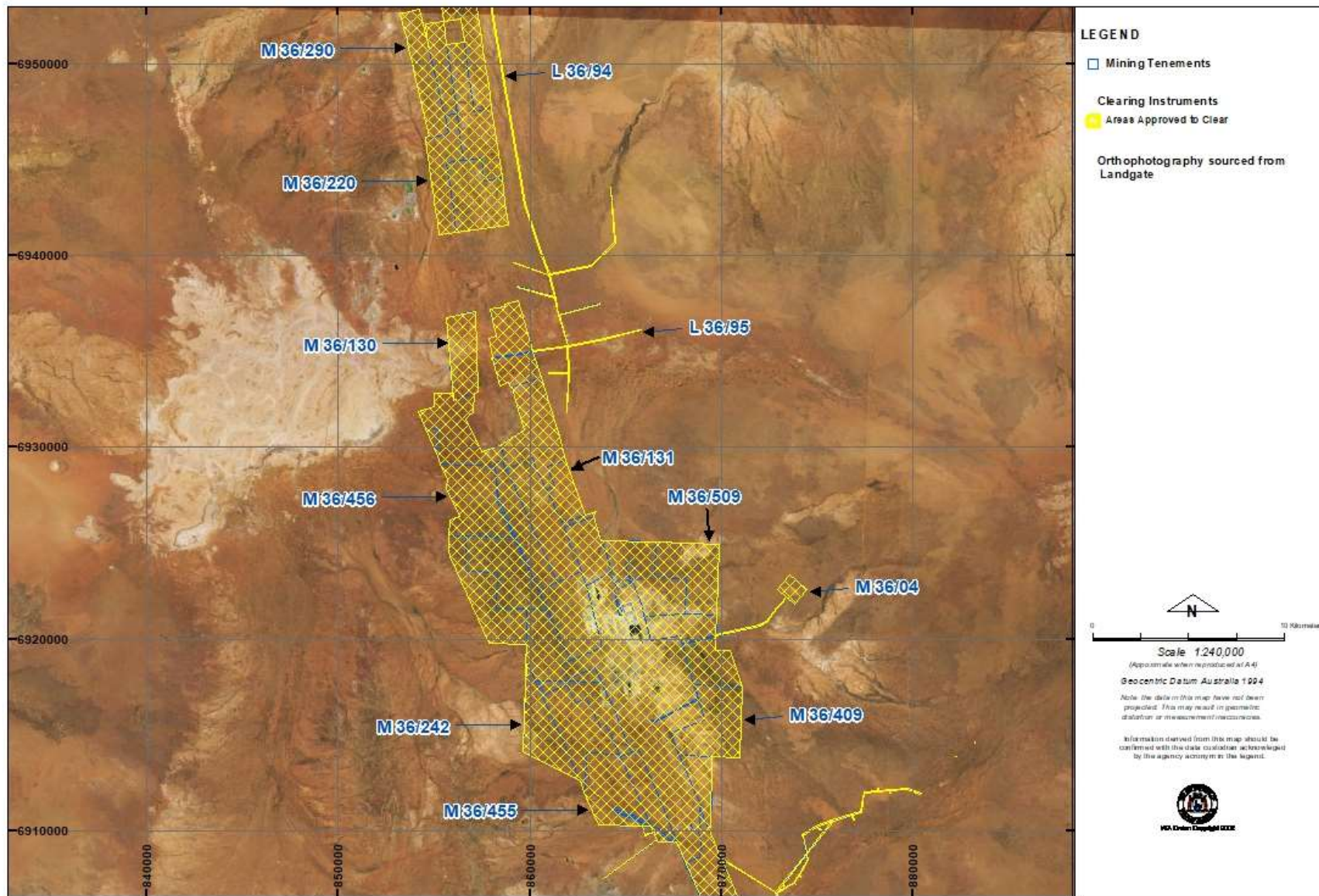


Figure 5: Map of the boundary of the area within which clearing may occur

