

BHP

Native Vegetation Clearing Permit Application

**Kalgoorlie Nickel Smelter
Binduli Water Pipeline**

**Supporting Information
December 2023**

Abbreviations

Term	Meaning
BHP NiW	BHP Nickel West Pty Ltd
BoM	Bureau of Meteorology
CPS	Clearing Permit System
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DBCA	Department of Biodiversity, Conservation and Attraction
DPHL	Department of Planning, Lands and Heritage
EMS	Environmental Management System
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
ha	hectares
IBRA	Interim Biogeographic Regionalisation for Australia
km	kilometres
m	metres
mm	millimetres
NKS	Kalgoorlie Nickel Smelter
NVCP	Native Vegetation Clearing Permit
the State Agreement	<i>Nickel Refinery (Western Mining Corporation Limited) Agreement Act 1968</i>

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1 Introduction

1.1 Project Context

BHP Nickel West Pty Ltd (BHP NiW) currently operates the Kalgoorlie Nickel Smelter (NKS), originally constructed and commissioned in 1973, under the *Nickel Refinery (Western Mining Corporation Limited) Agreement Act 1968* (the State Agreement) which terminated in 2008. NKS is situated in the Goldfields region of Western Australia, approximately 560 kilometres (km) east of Perth and approximately 15 km south of the

City of Kalgoorlie-Boulder, at address Lot 100 on Deposited Plan 212288 ('Lot 100'), Celebration Road (



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Figure 1).

The NKS smelts nickel concentrate supplied from BHP NiW and third-party mines and concentrators, which has a nickel content of approximately 15%. The concentrate received is smelted to produce a nickel matte of approximately 66% nickel content, which is then transported to the BHP NiW Kwinana Nickel Refinery for further processing or sold to third parties.

Extending approximately 12 km north of the NKS is a water pipeline and access road corridor. The corridor contains an existing underground water pipeline which transfers potable water to NKS from the Water Corporation Binduli Offtake site, and adjacent access road (**Figure 2**). The water pipeline was constructed in 1971 under the State Agreement, and due to its age, it frequently experiences failures and requires replacement to ensure a reliable supply of water to NKS.

1.2 Purpose of Document

BHP NiW has identified that a Native Vegetation Clearing Permit (NVCP) is required to cover the proposed activities to replace the water pipeline in sections. This NVCP application is to ensure any ground disturbance from the proposed activities is adequately assessed.

Figure 2. The Indicative Disturbance Footprint is shown on **Figure 3** to **Figure 8**.

This document provides supporting information to accompany BHP NiW's Application Form (NV-F01 Application for new permit or referral form) (**Appendix 1**).

1.3 Tenure

The Application Area includes the following tenure with lease details provided in **Table 1** and Notice of Grant in **Appendix 2**.

Table 1: Tenure Information

Tenement ID	Property Type	Property Description	Legal Area (ha)	Application Date	Grant Date	Expiry Date
L26/288	L (Miscellaneous Licence - AUS WA)	Pipeline and road from NKS to Binduli Offtake covering an existing track and underground water pipeline that supplies potable water to the smelter	47	10/05/2019	31/10/23	30 Oct 2044

1.4 Proponent

The proponent for this NVCP application is BHP NiW, and the contact details are provided in **Table 2**.

Table 2: BHP NiW Contact Details

Contact	BHP NiW Details
Address for correspondence	BHP Nickel West Land Services PO Box 8301 PERTH BUSINESS CENTRE WA 6849 nickelwestGLS@bhp.com
Contact (Perth)	Mark Erskine Superintendent - Environmental Approvals South Ph: 0451 765 362 Email: mark.erskine@bhp.com
Contact (Site)	Lauren Stirbinskis Acting Superintendent Environment Ph: 0448 456 838 Email: lauren.stirbinskis@bhp.com

1.5 Approvals History

1.5.1 Existing Clearing Permits

In 2018, BHP NiW was granted CPS 8164/2. CPS 8164/2 is a Purpose Permit which allows for clearing of no greater than 15 hectares (ha) of native vegetation within Lot 100 and Lot 66 on Deposited Plan 14433, Feysville

("Lot 66"). This permit is due to expire in 2028; however, the disturbance limit is not sufficient to support ongoing operations.

In 2022, BHP NiW submitted a NVCP application covering NKS and adjoining road corridor within BHP NiW freehold land and associated Miscellaneous Licences and General Purpose tenure. The purpose of the NVCP was activities associated with maintenance and/or expansion projects at the NKS; including but not limited to, expansion of the slag dump and processing infrastructure, and to support maintenance activities along the road between the smelter and the Goldfields Highway. The 2022 application sought approval to clear up to 231 ha of native vegetation within an application area of approximately 706 ha. This application was granted in June 2022, under CPS 9556/1. The proposed clearing area is the subject of this current application and was not included in the 2022 NVCP application as tenure had not been granted at the time of application.

1.5.2 Other Approvals

State Agreement

NKS and the water pipeline were originally constructed and operated in accordance with the State Agreement. The State Agreement was terminated in 2008 under the agreement ratified by the *Nickel Refinery (BHP Billiton Nickel West Pty Ltd) (Termination of Agreements) Agreement Act 2008 (WA)*.

NKS presently sits on freehold land held by BHP NiW and continues to be operated pursuant to applicable laws.

BHP NiW applied for tenure for the water pipeline in 2019 and Miscellaneous Licence 26/288 has now been granted.

Environmental Protection Act 1986

There is no active Ministerial Statement or assessment applicable to NKS operations. The proposed activities are not expected to have significant environmental impacts and therefore referral under Part IV of the *Environmental Protection Act 1986 (WA)* (EP Act) is not required.

For NKS, BHP NiW currently holds licence L8653/2012/2 under Part V of the EP Act. This licence was granted in June 2012 and authorises emissions and discharges resulting from NKS operations. The licence was amended in August 2017 to authorise BHP NiW to process waste oil (Amendment Notice 1). In 2023, the licence was further amended to incorporate conditions relating to the operation of Oxygen Vacuum Pressure Swing Adsorption (VPSA) Plant 1 (constructed under W6588/2021) and for the inclusion of a second Oxygen VPSA Plant. The amendment also included the consolidation of Amendment Notice 1 with the licence and updated to contemporise the format and appearance. This licence is due to expire in June 2034.

Environmental Protection (Clearing of Native Vegetation) Regulations 2004

BHP NiW holds the relevant authority to apply for and undertake approved or exempt clearing activities within the NKS and road corridor area (under CPS 8164/2 and CPS 9556/1).

Planning and Development Act 2005

BHP NiW holds a number of development applications under the *Planning and Development Act 2005 (WA)* associated with operations at NKS. Development applications P120/21 and P055/22 were determined in August 2021 and June 2022, respectively, and authorised the construction of Oxygen Production Plants to support nickel smelting at NKS. Development application P049/22 was determined in May 2022 and authorised the construction of a Residue Storage Dam. Development application P055/22 was determined in June 2022 and authorised the construction and operation of Oxygen VPSA Plant 2. Development application P004/23 was determined in February 2023 and authorised the installation and operation of a nickel concentrate storage

shed. Development application P06/23 was determined in July 2023 and authorised the installation of a nickel concentrate dryer and associated infrastructure.

Dangerous Goods Safety Act 2004

The storage of dangerous goods at NKS has been authorised in accordance with the licence conditions under licence DGS005987. This licence was granted in 2005 and is valid until March 2027.



Figure 1: Application Area Regional Location

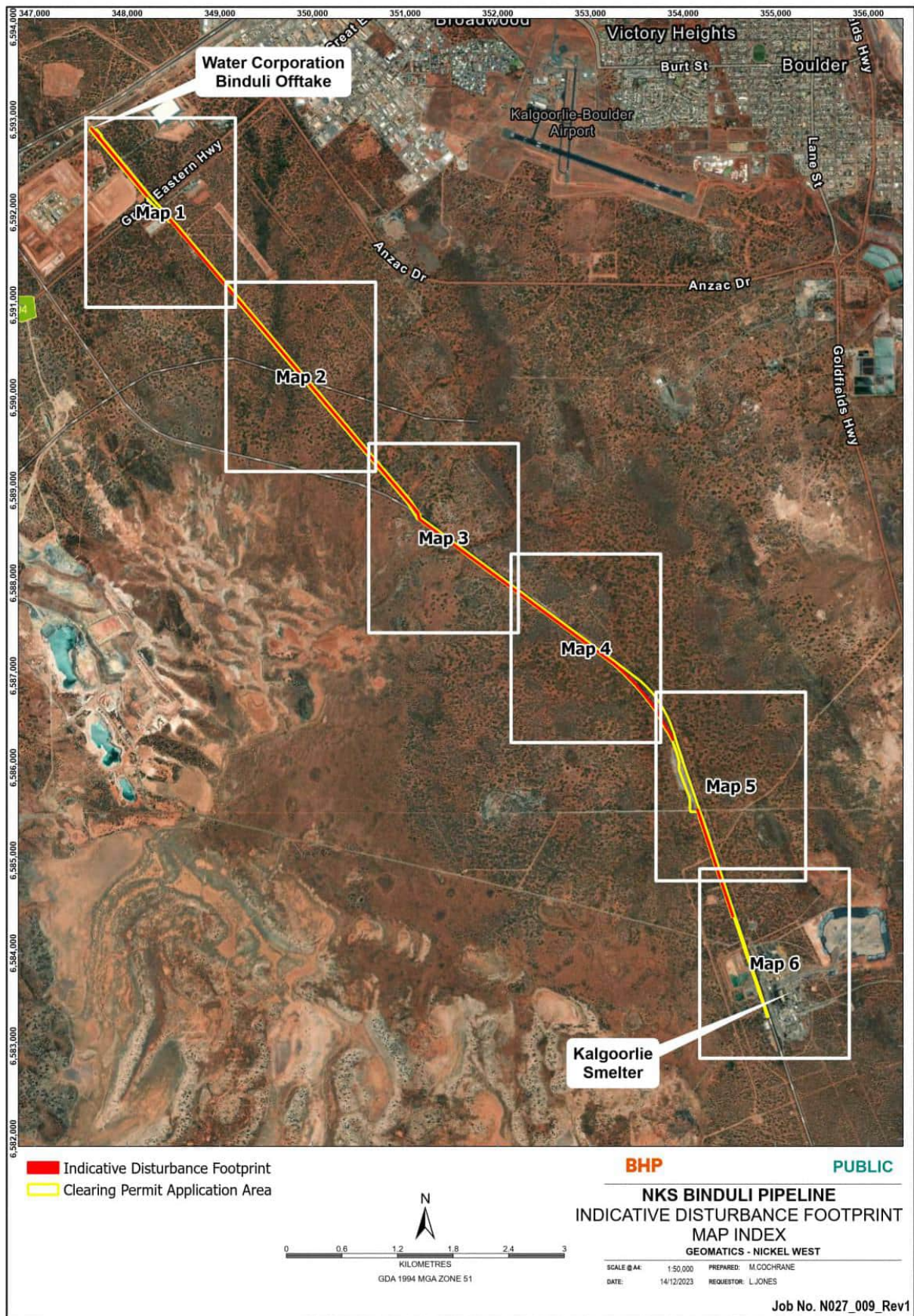


Figure 2: Extent of Application Area and Indicative Disturbance Footprint - Map Index



Figure 3: Indicative Disturbance Footprint Map 1



Figure 4: Indicative Disturbance Footprint Map 2



Figure 5: Indicative Disturbance Footprint Map 3



Figure 6: Indicative Disturbance Footprint Map 4



Figure 7: Indicative Disturbance Footprint Map 5



Figure 8: Indicative Disturbance Footprint Map 6

2 Proposed Activities

The existing water pipeline, constructed of asbestos cement (AC), is now nearing end of life and requires replacement in order to ensure a consistent supply of water to support operations at NKS. BHP NiW is proposing to remove sections of the AC pipe and install new polyethylene (PE) pipe of larger capacity (315DN) to provide for potential future increases in water demands. The works will be undertaken in stages to ensure water supply is not interrupted during maintenance works.

The scope of works is likely to include:

- Installation of new PE pipe in sections, running south from Water Corporation Binduli Offtake site to NKS. The majority of the new piping will be laid in the existing pipeline trench, with approximately 3.5km being laid in a new trench running parallel to the existing trench;
- Connections to existing AC and PE pipes, where required;
- Cut-in to existing AC pipeline between the rail reserve and near the rail siding;
- Removal and disposal of redundant AC pipeline by a licenced contractor;
- Revegetation of disturbed ground with self-sustaining native vegetation (i.e., native vegetation species which can survive in local conditions with nil to minimal maintenance or other intervention).

All clearing for vehicle access, laydown areas, topsoil stockpiles, equipment and material storage will be contained within the Indicative Disturbance Footprint. Disturbance will be contained to existing cleared/degraded areas, where possible. BHP NiW proposes to clear up to 13 ha within the 47 ha Application Area.

3 Existing Environment

3.1 Climate

The Coolgardie bioregion experiences an arid to semi-arid climate, with an average rainfall between 200-300 millimetres (mm), sometimes in summer but typically in winter (Cowan, 2001). Summer rainfall originates from deteriorating tropical cyclones that cross the coast of northern Western Australia and dissipate to the south-east. Winter rainfall results from cold fronts crossing the southern coastline and moving inland.

The Bureau of Meteorology (BoM) weather station at Kalgoorlie-Boulder Airport (station 12038) is the closest station to the Application Area that provides long-term climatic data; located approximately 4 km east of the northern section of the Application Area. Kalgoorlie-Boulder Airport receives an average annual rainfall of 264.6 mm, with peak rainfall occurring in summer (February) and winter (June) (**Figure 9**). The highest temperatures are recorded between November and March; with the highest mean maximum temperature being 33.7°C, recorded in January (**Figure 9**). The lowest temperatures are recorded between June and August; with the lowest mean minimum temperature being 5.1°C, recorded in July.

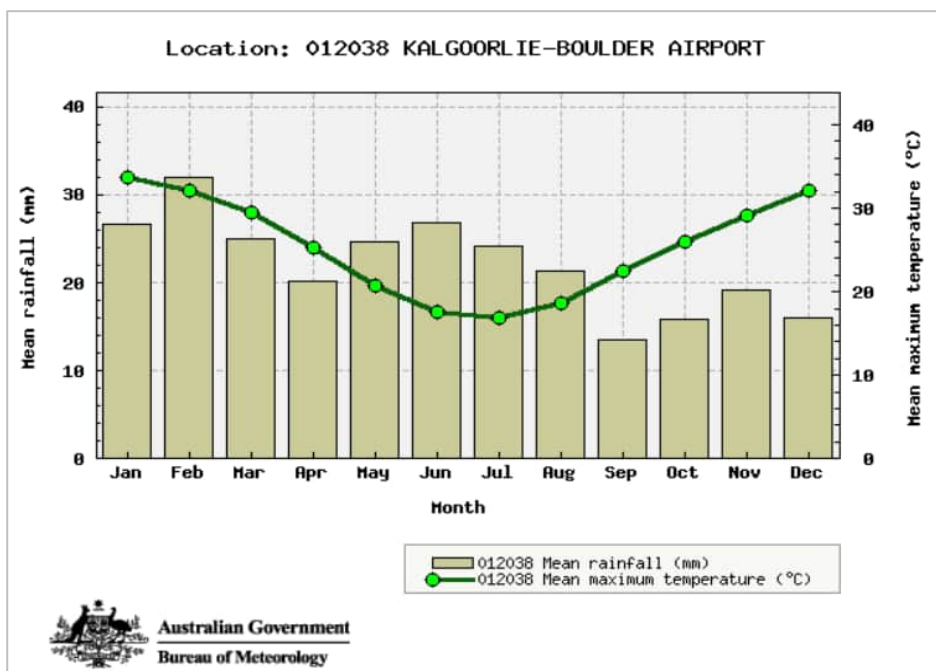


Figure 9: Long term climate averages for Kalgoorlie-Boulder Airport station (BoM 2023)

3.2 Geology and Soils

The Application Area falls within the Kalgoorlie Province, which consists of an extensive plateau of low relief. Flat to undulating plains with small valleys (occasionally broken by low narrow rocky hills, ridges, tors and bosses) are most commonly found on granitic terrain (Tille, 2006). On these plains may be found some silcrete duricrust, claypans, salt lakes with dunes and lunettes, gilgai areas, small remnants of sand plain, and small dune tracts (Tille, 2006).

Based on the Atlas of Australian Soils, compiled by the Commonwealth Scientific and Industrial Research Organisation (CSIRO), the Application Area intersects soil units BB5 and Mx43. Soil unit BB5 is described as

shallow soils with predominantly physical limitations, and soil unit Mx43 as soils naturally low in nutrients with predominantly chemical limitations (CSIRO, 1992).

The Application Area is located exclusively within the Mx43 land system. The Mx43 land system is described as gently undulating valley plains and pediments with some outcrop of basic rock, typically occurring on stony plains or sand plains (Biologic, 2021).

3.3 Surface Hydrology

The dominant natural hydrological features of the Eastern Goldfields subregion (in which the Application Area is located) are the ephemeral salt (playa) lakes and claypans. In close proximity to the NKS is White Lake, approximately 4 km to the west and Hannan Lake 5 km to the east (BHP, 2021) (**Figure 1**). Due to the arid-semi arid climate, and high evaporation and infiltration rates, surface flows are limited in the region and the salt lakes are predominantly dry (BHP, 2021). However, extreme rainfall events, typically associated with ex-tropical cyclones, can occasionally lead to partial or complete filling of salt lakes, with surface water sometimes persisting for several months.

The Application Area does not contain major rivers, watercourses, or salt lakes (BHP, 2021). Three minor non-perennial watercourses intersect the Application Area, with surface drainage flow toward White Lake situated to the southwest. The watercourses are only likely to contain surface water for temporary periods of time following substantial rainfall events.

3.4 Contaminated Sites

There are no registered contaminated sites known to occur within the Application Area, according to the Contaminated Site Database (DWER, 2023).

3.5 Heritage

3.5.1 Aboriginal Heritage

NKS is situated within the Marlinyu Ghoorlie (WC2017/007) Native Title claim area. BHP NiW has established a Heritage Agreement with Marlinyu Ghoorlie and continues to engage with Marlinyu Ghoorlie while waiting for the outcome of the claim. A site visit and consultation with the Marlinyu Ghoorlie was undertaken in August 2023 and no concerns were raised with regards to the replacement of the water pipeline.

A search of the Department of Planning, Lands and Heritage (DPLH) register of Aboriginal Sites confirms that no Aboriginal Heritage Sites or Places are known to exist within the Application Area. Future development activities will comply with the *Aboriginal Heritage Act 1972*.

Heritage surveys will be undertaken for any projects which have the potential to impact identified heritage sites and heritage sites will be avoided where possible.

Heritage sites will also be managed through the internal BHP NiW Environment and Heritage Impact Approval process. This process is used to manage potential environmental impacts and to ensure compliance with regulatory requirements, environmental, Aboriginal heritage, land tenure and legal commitments prior to and during land disturbance.

3.5.2 European Heritage

No DPLH registered European Heritage Sites or Places are within the Application Area.

3.6 Flora and Vegetation

NKS is located in the Coolgardie Botanical District, in the South Western Interzone Botanical Province, and is characterised by eucalypt woodlands, becoming open and with saltbush-bluebush understorey on the more calcareous soils (Beard, 1990).

Biologic Environmental Survey (Biologic) completed a flora and vegetation survey of the NKS area and adjoining corridors (including the existing pipeline corridor) in September 2021 (**Appendix 4**). The survey area comprised an area of approximately 717 ha. Additional flora and vegetation surveying was undertaken in October 2022 of the area surrounding the NKS (up to 3 km) by Botanica Consulting (Botanica) (**Appendix 5**). The survey area encompassed an area of approximately 6,404 ha.

Collectively, the survey efforts of both Biologic and Botanica covered the entire proposed Application Area. Of note, the pipeline corridor is largely cleared and degraded due to the existing pipeline and access tracks. Based on the results of the above surveys, the area surrounding the Application Area is dominated by two vegetation types (Biologic 2021; Botanica 2023) (**Table 3**). These vegetation types are considered widespread in the local area and Coolgardie bioregion.

Table 3: Vegetation types surrounding the Application Area

Vegetation type	Vegetation description
Eucalyptus Mid Woodland	Low open to mid woodland of <i>Eucalyptus salubris</i> and <i>Eucalyptus salmonophloia</i> over mid open shrubland of <i>Senna artemisioides</i> subsp. <i>filifolia</i> and <i>Eremophila scoparia</i> and low open mixed shrubland on clay-loam plain and lower slopes
Eucalyptus Low Open Mallee Woodland	Low open woodland of <i>Eucalyptus lesouefii</i> and other <i>Eucalyptus</i> species over mid sparse shrubland of <i>Melaleuca sheathiana</i> and low mixed shrubland over occasional patches of <i>Triodia</i> hummock grasses on clay-loam plains and flats

One PEC, 'Emu Land System', was identified by the desktop assessment as occurring approximately 40 km to the north-east of the Application Area. This PEC is listed as a Priority 3 community and consists of fresh or brackish ephemeral lakes and swamps with cane grass, lignum, and paperbark shrublands (DBCA 2022). None of the vegetation types mapped in the vicinity of the Application Area have affinities to the 'Emu Land System' PEC.

Three introduced flora (weed) species were observed by Biologic (2021) within the Application Area, with solitary infestations of **Cenchrus ciliaris*, **Echium plantagineum* and **Eragrostis curvula*. The weeds were recorded in close proximity to where the Application Area intersects the Great Eastern Highway or Kalgoorlie Railway (Biologic 2021).

No Threatened Flora as listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *Biodiversity Conservation Act 2016* (BC Act) have been recorded within or surrounding the Application Area, and none are expected to occur (Biologic 2021, Botanica 2023). Targeted surveying did not record any Priority Flora, as listed by the Department of Biodiversity, Conservation and Attractions (DBCA), and none are considered likely to occur (Biologic 2021, Botanica 2023).

3.7 Fauna and Fauna Habitats

Targeted vertebrate fauna surveying was also undertaken for the NKS smelter area and adjoining corridors in conjunction with the flora and vegetation surveys (Biologic 2021; Botanica 2023).

As the Application Area is largely cleared and disturbed due to the existing pipeline and access track, it has not been defined as fauna habitat because of lack of vegetation.

No Threatened Fauna as listed under the EPBC Act or BC Act, or Priority Fauna as listed by the DBCA have been recorded within the Application Area, and none are expected to be reliant on the Application Area for habitat (Biologic 2021, Botanica 2023).

4 Environmental Management

4.1 Corporate Level Plans and Procedures

BHP's *Our Charter*, available on the BHP website, outlines BHP's purpose and values and provides measurements for success.

BHP NiW manages the environment through the application of the BHP NiW Environmental Management System (EMS). The EMS provides the framework for compliance to legislative requirements, internal operating procedures and corporate standards, as appropriate to the nature and scale of the BHP NiW Operations.

The EMS ensures BHP NiW activities meet applicable legislative and other obligations, are conducted in a manner broadly aligned with Australian/New Zealand Standards (AS:NZS) ISO14001:20015.

4.2 Site Specific Plans and Procedures

To support corporate level documents BHP NiW has an *internal Environment Approvals Handover Checklist* (NIW-HSEC-FRM-0009) and an Environment and Heritage Impact Approval process. These processes are used to manage any potential environmental impacts of any proposal and to ensure regulatory requirements, environmental, Aboriginal heritage, land tenure and legal commitments are clearly communicated and understood prior to and during land disturbance.

All personnel carrying out works associated with clearing activities are required to comply with BHP NiW's organisational level requirements, plans and policies, site level procedures, and any relevant legislative and licensing requirements.

5 Proposed NVCP Instruments

BHP NiW commits to undertaking clearing activities in accordance with the content and commitments outlined in **Table 4**. BHP NiW will manage the clearing within the Application Area in accordance with the commitments to ensure no direct or indirect significant residual impacts to biodiversity or land conservation.

Table 4: Proposed NVCP Content and Commitments

Proposed Content	
Authorising agency	Department of Water and Environmental Regulation
Permit title	BHP Nickel West Binduli Water Pipeline NVCP
Area of clearing	13 ha
Application area	47 ha
Purpose of clearing	Maintenance and replacement of water pipeline
Tenure	Miscellaneous Licence L26/288
Duration of permit	10 years
Proposed annual reporting date	July each year following the permit grant date
Proposed final reporting date	10 years following the permit grant date
Proposed Commitments	
Soil	<p>No soil will be removed from the Application Area. Topsoil will be stockpiled and reused for landscaping/rehabilitation where practical. Clearing and topsoil to be managed in accordance with BHP NiW Topsoil Stripping and Handling Procedure (NIW-HSEC-PRO-0035), as may be amended from time to time.</p> <p>The removal and disposal of asbestos will be undertaken by a licensed asbestos removalist in accordance with BHP NiW Asbestos Containing Material Procedure (NIW-HSEC-PRO-0041). Where possible, the pipe will be dismantled at the collars and removed in sections to avoid cutting of the asbestos pipe. The existing pipe trench will be backfilled to match existing ground slopes and disturbed areas rehabilitated (topsoiled).</p>
Land conservation	<p>Clearing will be managed through the Environment and Heritage Impact Approval process. This process is used to manage potential environmental impacts and to ensure compliance with regulatory requirements, environmental, Aboriginal heritage, land tenure and legal commitments prior to and during land disturbance.</p> <p>Previously cleared/disturbed areas will be prioritised to ensure the clearance of native vegetation is minimised where possible.</p>

Proposed Commitments	
Heritage	<p>Heritage surveys will be undertaken for any projects which have the potential to impact identified heritage sites and heritage sites will be avoided where possible.</p> <p>All future development activities will comply with the <i>Aboriginal Heritage Act 1972</i> (and any superseding legislation).</p> <p>Heritage sites will also be managed through the internal NiW Environment and Heritage Impact Approval process. This process is used to manage potential heritage impacts and to ensure compliance with regulatory requirements, environmental, Aboriginal heritage, land tenure and legal commitments prior to and during land disturbance.</p>
Weeds	<p>BHP NiW will identify weed contaminated soil prior to stripping and stockpile the material separately from clean topsoil. Any imported soil will be weed free.</p> <p>Weed management will also be managed through the internal NiW Environment and Heritage Impact Approval process. This process is used to manage potential environmental impacts and to ensure compliance with regulatory requirements, environmental, Aboriginal heritage, land tenure and legal commitments prior to and during land disturbance.</p>
Fauna	<p>Clearing activities will be undertaken in a slow, progressive manner in a single direction towards adjacent native vegetation to allow fauna to move into adjacent native vegetation ahead of the clearing activity.</p>

6 Clearing Principles Assessment

As discussed in Sections 3.6 and 3.7, there are no conservation significant flora or fauna species occurring within the Application Area, and none are expected to occur (due to recent targeted surveying not recording any recent evidence, and none being assessed as likely to occur (Biologic 2021, Botanica 2023)). There are also no confirmed significant ecological communities known from within or surrounding the Application Area. The vegetation associations and habitats surrounding the Application Area are not unique and are well represented within the local area and the region (Biologic 2021, Botanica 2023). It is important to note that a significant portion (20.3 ha, 43.2%) of the Application Area has already been cleared or disturbed, in association with the existing water pipeline and access track, and the remaining vegetation is likely to be in poor condition due to its proximity to these previously disturbed areas.

An assessment of the Application Area against the Clearing Principles has been undertaken based on the findings of recently completed flora, vegetation, and fauna surveys. BHP NiW considers that the proposed clearing within the Application Area will not result in any significant environmental or social impacts and complies with the Clearing Principles (as detailed in **Table 5**).

Table 5: Assessment against the Clearing Principles

Assessment	Outcome
Principle A - Native vegetation should not be cleared if it comprises a high level of biological diversity	
<p>The vegetation within the Application Area is represented in the same or better condition within the broader region and is not considered to be of outstanding biodiversity or higher genetic diversity than the remaining native vegetation in the bioregion. The Application Area is largely cleared of native vegetation and the condition of remaining vegetation is considered degraded, due to historic disturbance of the area associated with the existing pipeline and access track.</p> <p>As detailed in Section 3.6 none of the vegetation types surrounding the Application Area are considered to be of local importance, with the vegetation types occurring broadly in the subregion. None of the vegetation types have affinities to ecological communities known from the region.</p>	Not at variance to this Principle
Principle B - Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia	
<p>The Application Area is largely cleared or degraded and lacking native vegetation, and as such does not provide habitat for fauna species. Native vegetation and fauna habitats in the surrounding area occur broadly in the local area and region. Therefore, the proposed clearing of native vegetation is not considered to alter ecological functions and processes that protect significant habitat for fauna.</p> <p>As discussed in Section 3.7, there are no conservation significant fauna known from within the Application Area, and none are considered likely to occur.</p>	Not at variance to this Principle
Principle C - Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora	
<p>No flora listed under the EPBC Act nor gazetted as Threatened under the BC Act are known from, or recorded in, the Application Area. As discussed in Section 3.6, surveys of the Application Area did not record any evidence of conservation significant flora, and the landforms/habitat of the Application Area do not provide habitat to support Threatened flora.</p>	Not at variance to this Principle

Assessment	Outcome																								
Principle D - Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community																									
<p>No ecological communities are known from within, or adjacent to, the Application Area. The vegetation within the Application Area neither comprises nor is necessary for the maintenance of a threatened ecological community.</p> <p>As detailed in Section 3.6, the Application Area consists of largely cleared and degraded vegetation. In addition, none of the vegetation types surrounding the Application Area are considered to be of local importance, and none of the vegetation types have affinities to ecological communities known from the region. The vegetation types occur beyond the Application Area and broadly in the subregion.</p>	Not at variance to this Principle																								
Principle E - Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared																									
<p>The Application Area is located wholly within the Eastern Goldfields subregion of the Coolgardie IBRA bioregion. The Eastern Goldfields subregion covers an area of 5,102,428 ha (Cowan, 2001) compared to the area of proposed clearing of 13 ha.</p> <p>The Application Area is located within three vegetation associations (as mapped by Shepherd, Beeston, & Hopkins, 2002), all of which will have more than 96% of their pre-European extent remaining within the Eastern Goldfields subregion and will remain at more than 96% following the proposed clearing:</p> <table border="1" data-bbox="165 858 1700 1010"> <thead> <tr> <th>Vegetation association</th> <th>Pre-European Extent (ha)</th> <th>Current Extent (ha)</th> <th>Current % Remaining</th> <th>Area in Application Area (ha)</th> <th>% Remaining after proposed clearing</th> </tr> </thead> <tbody> <tr> <td>Coolgardie 9</td> <td>98,770.16</td> <td>95,687.65</td> <td>96.88</td> <td>10.85</td> <td>96.87</td> </tr> <tr> <td>Coolgardie 123</td> <td>9,090.22</td> <td>8,902.02</td> <td>97.93</td> <td>0.50</td> <td>97.93</td> </tr> <tr> <td>Coolgardie 1294</td> <td>6,295.55</td> <td>6,047.45</td> <td>96.06</td> <td>0.75</td> <td>96.05</td> </tr> </tbody> </table> <p>(Government of Western Australia, 2019)</p> <p>The Application Area is already largely disturbed (associated within the existing road and pipeline). The vegetation is not considered a significant remnant of native vegetation in an area that has been extensively cleared. The native vegetation and habitats surrounding the Application Area are well represented in the local area and region.</p> <p>The Application Area is neither within an extensively cleared region nor will the proposed clearing contribute to a significantly decreased representation of local or regional vegetation types.</p> <p>As detailed above for Principal B, the Application Area is not considered as habitat for significant species.</p>	Vegetation association	Pre-European Extent (ha)	Current Extent (ha)	Current % Remaining	Area in Application Area (ha)	% Remaining after proposed clearing	Coolgardie 9	98,770.16	95,687.65	96.88	10.85	96.87	Coolgardie 123	9,090.22	8,902.02	97.93	0.50	97.93	Coolgardie 1294	6,295.55	6,047.45	96.06	0.75	96.05	Not at variance to this Principle
Vegetation association	Pre-European Extent (ha)	Current Extent (ha)	Current % Remaining	Area in Application Area (ha)	% Remaining after proposed clearing																				
Coolgardie 9	98,770.16	95,687.65	96.88	10.85	96.87																				
Coolgardie 123	9,090.22	8,902.02	97.93	0.50	97.93																				
Coolgardie 1294	6,295.55	6,047.45	96.06	0.75	96.05																				

Assessment	Outcome
<p>Principle F - Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland</p>	
<p>The Application Area does not contain major rivers or watercourses; and there are no permanent watercourses or wetlands within, or associated with, the Application Area.</p> <p>As discussed in Section 3.3, three minor non-perennial watercourses intersect the Application Area. These watercourses are only likely to contain surface water for temporary periods of time following substantial rainfall events and flow towards the adjacent ephemeral salt (playa) lakes. Any clearing will be undertaken to maintain the natural surface water flow of the minor ephemeral watercourses that intersect the Application Area.</p>	<p>Not at variance to this Principle</p>
<p>Principle G - Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation</p>	
<p>Proposed clearing within the Application Area is considered unlikely to cause appreciable land degradation. Previously cleared/ disturbed areas associated with the existing road and pipeline will be utilised where possible to ensure the clearance of native vegetation is minimised.</p> <p>Clearing will be managed through BHP NiW's Environment and Heritage Impact Approval (EHIA) process. This process is used to manage potential environmental impacts and to ensure compliance with regulatory requirements, environmental, Aboriginal heritage, land tenure and legal commitments prior to and during land disturbance.</p> <p>No soil will be removed from the Application Area, with all topsoil stockpiled and reused. Clearing and topsoil to be managed in accordance with BHP NiW Topsoil Stripping and Handling Procedure (NIW-HSEC-PRO-0035). Any clearing will be undertaken to maintain the natural surface water flow of the minor ephemeral watercourses that intersect the Application Area. There is no erosion, changes to pH, water logging or salinization anticipated as a result of the proposed clearing within the Application Area.</p> <p>As discussed in Section 3.6, three introduced flora (weeds) species have been recorded within the Application Area: <i>*Cenchrus ciliaris</i>, <i>*Echium plantagineum</i> and <i>*Eragrostis curvula</i> (Biologic 2021, Botanica 2023). Each weed was recorded from a single location within the Application Area adjacent to previously disturbed areas; <i>*Cenchrus ciliaris</i> and <i>*Eragrostis curvula</i> were both recorded adjacent to the Goldfields Highway, and <i>*Echium plantagineum</i> was recorded adjacent to the Kalgoorlie rail line. None of the weeds are Weed of National Significance. <i>*Echium plantagineum</i> (Patterson's Curse) is a Declared Pest under Section 22 of the BAM Act, although is exempt from control and keeping requirements. <i>*Eragrostis curvula</i> (African Lovegrass) is on the priority list for weed management in the Goldfields bioregion due to it being currently absent from lands managed by the DBCA. Weed control activities are undertaken at site on an as needs basis to control outbreaks, and weed management will also be managed through the EHIA process.</p>	<p>Not at variance to this Principle</p>

Assessment	Outcome
<p>Principle H - Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area</p>	
<p>The Application Area is not within or adjacent any conservation areas. The closest conservation area is the Goongarrie National Park. This National Park is located on the boundary of the Murchison region approximately 90 km north of Kalgoorlie. Native vegetation within the Application Area is not considered to form an ecological linkage to this conservation area.</p>	<p>Not at variance to this Principle</p>
<p>Principle I - Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water</p>	
<p>The proposed clearing is not expected to cause deterioration in the quality of surface water or groundwater.</p> <p>Groundwater in the local area is saline and the limited clearing proposed within the Application Area is not expected to cause any changes to the saline levels of the groundwater, or of surface water.</p> <p>As discussed in Section 3.3, three minor non-perennial watercourses intersect the Application Area. These watercourses are only likely to contain surface water for temporary periods of time following substantial rainfall events with water flowing via the watercourse towards the adjacent ephemeral salt (playa) lakes. The proposed clearing of native vegetation within the Application Area is not expected to result in changes to the quality of the surface water in these watercourses.</p>	<p>Not at variance to this Principle</p>
<p>Principle J - Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding</p>	
<p>The incidence or intensity of flooding is not likely to be altered by the proposed clearing of native vegetation within the Application Area.</p> <p>As detailed in Section 3.3, the Application Area does not contain major rivers or watercourses and is likely to only contain surface water in ephemeral watercourse for temporary periods of time following substantial rainfall events. Three minor non-perennial watercourses intersect the Application Area. Surface drainage flows away from the area toward salt lakes situated to the east and west of the Application Area. As the Application Area is already largely cleared and degraded, it is unlikely that surface runoff generated from the proposed clearing could create sufficient concentrated water volumes to cause even a localised flood event.</p>	<p>Not at variance to this Principle</p>

7 References

- BHP (2021) *Kalgoorlie Nickel Smelter Water Management Report*. Perth, WA.
- Botanica Consulting (Botanica) (2023) *Kalgoorlie Nickel Smelter Reconnaissance Flora/ Vegetation and Basic Fauna Assessment*. Report prepared for BHP Nickel West, April 2023.
- Biologic Environmental Survey (Biologic) (2021) *Kalgoorlie Nickel Smelter, Reconnaissance Flora and Vegetation Survey and Basic Terrestrial Fauna Survey*. Report prepared for BHP Nickel West, December 2021.
- Biologic Environmental Survey (Biologic) (2022) *Kalgoorlie Smelter: Aquatic and Subterranean Fauna Desktop Assessment*. Report prepared for BHP Nickel West, September 2022.
- Cowan, M. (2001) *Coolgardie 3 (COO3 - Eastern Goldfields subregion)*, in N. L. McKenzie, J. E. May, and S. McKenna (Eds.), *A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions in 2002* (pp. 156-169). Kensington, WA: Department of Conservation and Land Management.
- Commonwealth Scientific and Industrial Research Organisation (CSIRO) (1992) *Digital Atlas of Australian Soils*. Australian Soil Resource Information System.
- Department of Water and Environmental Regulations (DWER) (2021) *Guideline: Native vegetation clearing referrals*. Department of Water and Environmental Regulations, Government of Western Australia.
- Department of Water and Environmental Regulations (DWER) (2023) *Contaminated Sites Database*. Department of Water and Environmental Regulations, Government of Western Australia.
- Golder Associates (2018) *Nickel West Kalgoorlie Nickel Smelter, Kalgoorlie, Western Australia, Site Investigation Report*. West Perth, WA.
- Government of Western Australia (2019) *2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Simplified Report)*, current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth, WA.
- Shepherd, D. P., Beeston, G. R., & Hopkins, A. J. M. (2002). *Native vegetation in Western Australia: Extent, type and status*. Perth, Western Australia: Western Australian Department of Agriculture.
- Tille, P. (2006) *Soil-landscapes of Western Australia's Rangelands and Arid Interior*. Department of Agriculture and Food Resource Management Technical Report 313.

Appendices

Appendix 1 Form C2 Application for a Clearing Permit (Purpose Permit)



Application for new permit or referral to clear native vegetation

This is the form to submit a referral of proposed clearing or apply for a clearing permit under Part V of the *Environmental Protection Act 1986* (EP Act).

Before you submit this form, please check you have completed all the fields for the form type and fully prepared any required supporting documents (including maps etc.). We will return / decline any forms that are not correctly completed.

To find out more about the stages of assessment for clearing permit forms, see the [Procedure: Native vegetation clearing permits](#).

Part 1 – Form type

<p>Select your form type.</p> <p>NOTE: Where appropriate in this form, and unless stated otherwise, the terms ‘application’ and ‘applicant’ also mean ‘referral’ and ‘referrer’ respectively.</p>	<p><input type="checkbox"/> Referral of proposed clearing (s.51DA of the EP Act)</p> <p><input type="checkbox"/> Application for an area permit (s.51E of the EP Act)</p> <p><input checked="" type="checkbox"/> Application for a purpose permit (s.51E of the EP Act)</p>
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Part 2 – Applicant details

2.1 Applicant name

<p>For area permits:</p> <p>If granted, the name(s) of (all) landowner(s) will be listed as ‘permit holders’ on the permit.</p>	<input type="checkbox"/> Applying as an individual – complete the following:	
	Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:
<p>For purpose permits:</p> <p>If granted, the name(s) of (all) applicant(s) will go on the permit.</p>	Name(s)	
	<input checked="" type="checkbox"/> Applying as a body corporate or other entity formed at law – complete the following:	
	Name	BHP Nickel West Pty Ltd (BHP NiW)
	Australian Company Number (ACN)	004 184 598
<input type="checkbox"/> Applying as a government entity (e.g. government department, local government authority, or other statutory body)		
Name		

2.2 Applicant contact details

Provide the contact details for the above (primary contact).

Title	<input type="checkbox"/> Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:		
First name	Jacinta		
Last name	Parsons		
Position	General Manager, Kalgoorlie Nickel Smelter		
Company name	BHP Nickel West Pty Ltd		
Contact phone number (1)	0428 927 196	Phone number (2)	
Email address	jacinta.parsons@bhp.com		

2.2 Applicant contact postal details

Provide the postal address for the above individual, body corporate or local government authority (primary contact).

Address line 1	PO Box 8301		
Address line 2			
Suburb	Perth Business Centre		
State	WA	Postcode	6849

2.3 Applicant contact – registered business address

If applying as a company, incorporated body, local government authority or public authority, please also supply the registered business office address.

Address line 1	125 St Georges Terrace		
Address line 2			
Suburb	Perth		
State	WA	Postcode	6000
Contact phone number (1)		Phone number (2)	

2.4 Electronic correspondence consent

Both the Department of Water and Environmental Regulation (DWER) and Department of Mines, Industry Regulation and Safety (DMIRS) prefer to send all correspondence via email. We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act via email. Please indicate your consent in this section of the form.

I consent that all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable) about the subject of this form will be exclusively via email, using the email address provided above.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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2.5 Contact details for enquiries

If different from the applicant's contact details, enter the contact details of a person with whom DWER or DMIRS should liaise with (e.g. a consultant).

Same as applicant's contact details	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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If 'No' – complete the following:

Contact name	Mark Erskine		
Position (if applicable)	Superintendent Environmental Approvals - Southern		
Company name (if applicable)	BHP Nickel West Pty Ltd		
Contact phone number (1)	0451 765 362	Phone number (2)	
Business or postal address line 1	125 St Georges Terrace		
Business or postal address line 2			
Suburb	Perth		
State	WA	Postcode	6000
Email address	Mark.erskine@bhp.com		

Part 3 – Land details

- You must accurately describe the location of the land where your clearing is proposed.
- If you have a large number of properties, please provide the relevant details for each property in a separately attached supporting document.

3.1 Property details

I have a large number of properties and have given the relevant details in an attached supporting document.	<input type="checkbox"/> Yes – skip to Part 4 <input checked="" type="checkbox"/> No
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If 'No' – complete the following:

<u>Land description</u> Provide the following details, as applicable, for all properties: <ul style="list-style-type: none"> – volume and folio number – lot or location number(s) – crown lease or reserve number – pastoral lease number – mining tenement number 	Miscellaneous Licence L26/288		
Street address – Line 1	N/A		
Street address – Line 2	N/A		
Suburb	Kalgoorlie		
State	WA	Postcode	6430
Local government area(s)	City of Kalgoorlie-Boulder		
Land zoning	Miscellaneous Licence under Mining Act		

Part 4 – Relationship to landowner

Tell us which of the following options best describes you as the person completing and submitting this form. If you are filling out this form on behalf of the applicant, answer this question as though you are the applicant.

Proof of ownership may include:

- a certificate of title (that is less than 6 months old)
- a pastoral or mining lease
- public authority that has care, control or management of the land
- other form of lease, land tenure or specific arrangement.

Relationship to landowner <i>(select one of the following options)</i>	Complete the following
<input checked="" type="checkbox"/> I am the landowner	<input checked="" type="checkbox"/> Attach proof of ownership
<input type="checkbox"/> I am lodging a form on behalf of the landowner (e.g. a consultant)	<input type="checkbox"/> Attach proof of ownership
<input type="checkbox"/> I am acting on the landowner's behalf and will be jointly responsible for the clearing permit (i.e. joint form)	<input type="checkbox"/> Attach proof of ownership <input type="checkbox"/> Complete and attach an 'Acting on behalf and jointly responsible' letter
<input type="checkbox"/> I am likely to become the landowner	<input type="checkbox"/> Attach the Certificate of Title <input type="checkbox"/> Attach evidence of the pending transfer of ownership and/or contract of sale ('offer and acceptance')
<input type="checkbox"/> I will undertake the clearing activities with the landowner's authority and will be the permit holder	<input type="checkbox"/> Attach proof of ownership <input type="checkbox"/> Complete and attach an 'Authority to access and clear native vegetation' letter (if the applicant is not the landowner)
<input type="checkbox"/> A person with multiple land parcels	<input type="checkbox"/> Attach proof of ownership <input type="checkbox"/> Complete and attach 'Authority to access and clear native vegetation' letter (if the applicant is not the landowner)

Part 5 – Proposed clearing

5.1 Maps and/or spatial data

<p>Select which map type(s) you will attach with your form.</p> <p>Note: We will decline / return forms (as applicable) if you do not provide sufficient information for this question.</p>	<p><input type="checkbox"/> An ESRI shapefile with the following properties (<i>preferred</i>)</p> <ul style="list-style-type: none"> • Geometry type: polygon shape • Coordinate system: Geocentric Datum of Australia (GDA) 2020 (geographic latitude / longitude) • Datum: GDA 2020 <p><input checked="" type="checkbox"/> An aerial photograph or map with a north arrow, clearly marking the proposed clearing area</p> <p>Note:</p> <ul style="list-style-type: none"> • An ESRI shapefile must use one of the following filename extensions: .shp, .shx, .dbf, and/or .prj • You must provide an ESRI shapefile if the form requires an assessment under an <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act) accredited process. See Part 8 of this form for more information.
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5.2 Size

- If you propose to clear a patch(s) of vegetation, enter a hectare value for the total size of the area (mark number of trees as zero).
- If you propose to remove only individual trees from the area(s) (i.e. the shrubs, grasses, groundcover plants will remain intact), provide the number of trees (and mark total area as estimated hectares).
Note: If any shrubs, grasses, and/or groundcover plants MAY be damaged in the clearing process, add this to the total area.
- If you propose to clear an area of vegetation within a larger footprint, enter the hectare value for the total size of the area to be cleared (mark number of trees as zero) and the size of the footprint. For example, 5 hectares of clearing within a 10 hectare footprint. This option is only available for **purpose permit** applications.
- Enter values for BOTH number of trees and the size of the area if you are clearing individual trees in one area AND a patch of vegetation in a different area.
- Please note the following area conversions/calculations:

1 hectare = 10,000 m ²	Area of circle = 3.14 x radius ²
1 acre = 0.4 hectares / 4,000 m ²	Area of a rectangle = length x width
1 tree = 0.01 hectares / 100 m ²	Area of a triangle = ½ length x perpendicular height

Total area of clearing proposed (hectares)	13
Footprint of clearing (hectares) (purpose permit only)	47
Number of individual trees to be removed	N/A

Note: Calculate the area of a tree based on the area encompassed by the tree's drip line; that being the outermost circumference of the tree's canopy.

5.3 Purpose

Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.)	Maintenance and replacement of existing underground water pipeline. Refer to NVCP Supporting Document.
Specify what the final land use will be after clearing	No change in land use

5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Mechanical
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5.5 Timeframe

Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)	Start date: Permit grant date End date: 10 years following permit grant date
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Note: The clearing referral process is not suitable for any clearing that is expected to take longer than two years.

5.6 Avoidance and mitigation

Explain how you have, or will, put avoidance and mitigation measures in place to eliminate, reduce, or otherwise mitigate the need for and scale of the proposed clearing of native vegetation.

Attach supporting documents to substantiate your explanation.

Your explanation should demonstrate you have planned the project so that the least clearing possible is to be undertaken. The following questions may help you frame your explanation:

- Why did you select this location and amount of clearing?
- What alternatives to clearing – e.g. engineering solutions – did you consider?
- What changes, if any, did you make to the location or amount of clearing to reduce the impacts of the clearing?

Note: If you do not demonstrate adequate efforts to avoid and mitigate clearing, we will ask you to do so during the validation of this form.

Provide the avoidance and mitigation details	Refer to Supporting Document Section 4 and Table 3
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Part 6 – Offset

<p>Do you want to submit a clearing offset proposal with your form? For more information on environmental offsets, refer to DWER's website and Fact Sheet 11: Environmental offsets for native vegetation clearing permits.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>If 'Yes' – please complete and attach Appendix A of the Clearing of native vegetation offsets procedure guideline as a supporting document for your form.</p>	<input type="checkbox"/> Appendix A attached

Part 7 – Surveys for assessments (IBSA and IMSA)

<p>Do you want to submit marine or biodiversity surveys in support of your form?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – skip to Part 8
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7.1 Biodiversity surveys

If you want to submit any biodiversity surveys to support this form, you must follow the Environmental Protection Authority's (EPA) [Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments](#) (IBSA). If you do not meet the IBSA requirements, DWER/DMIRS (as applicable) may decline/return your form. For further information on IBSA, refer to [DWER's website](#).

Please provide the IBSA number(s) – or submission number(s) if the IBSA number has not yet been issued – in the space provided. Note that a submission number is not confirmation that a biodiversity survey has been accepted and is not the same as an IBSA number. IBSA numbers are only issued once a survey has been accepted. Once an IBSA number is issued, please notify DWER / DMIRS (as applicable). Please note DWER / DMIRS will suspend the assessment timeframes for your form until you provide the IBSA number(s).

<p>Have you submitted all the biodiversity surveys that support this form to the IBSA portal, via ibsasubmissions.dwer.wa.gov.au?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
<p>Provide an IBSA number (preferred) or a submission number(s)</p>	

7.2 Marine surveys

If you want to submit any marine surveys to support this form, you must follow the EPA's [Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments](#) (IMSA). If you do not meet the IMSA requirements, DWER may decline / return your form. For more information on IMSA, refer to [DWER's website](#).

<p>Have you prepared all the marine surveys that support this form in accordance with the EPA's <i>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments</i>?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
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Part 8 – Assessment Bilateral Agreement

The native vegetation clearing processes under Part V of the EP Act have been accredited by the Commonwealth of Australia under the EPBC Act and so can be assessed under an assessment bilateral agreement.

To be assessed this way, the proposed clearing action must have been referred to the Commonwealth under the EPBC Act and deemed a **‘controlled action’** before you submit this form.

For further information, see [DWER’s website guidance on the assessment bilateral agreement](#).

Is your proposed clearing a controlled action?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – skip to Part 9
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If ‘Yes’ – complete the following:

Please make sure you have entered all the mandatory details in the Annex C7 form	<input type="checkbox"/> <i>Annex C7 form</i> attached
List the controlling provisions identified in the notification of the controlled action decision	

Part 9 – Other approvals

Which department are you submitting this form to? If the clearing is for mineral and petroleum activities authorised under the <i>Mining Act 1978</i> , the various Petroleum Acts, and/or a State Agreement Act, select ‘Department of Mines, Industry Regulation and Safety’. For all other clearing activities, select ‘Department of Water and Environmental Regulation’.	<input checked="" type="checkbox"/> Department of Mines, Industry Regulation and Safety <input type="checkbox"/> Department of Water and Environmental Regulation
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9.1 Environmental impact assessment (Part IV of the EP Act)

Clearing may be referred to the EPA if it is considered to be part of a ‘significant proposal’, as defined by s.37B(1) of the EP Act, or will likely to be part of a larger development. An example is when the clearing is for a road to a future mine.

Section 37B(1) of the EP Act defines a ‘significant proposal’ as “a proposal likely, if implemented, to have a significant effect on the environment”. If a decision-making authority (e.g. DWER or DMIRS) considers the proposal in this form is likely to constitute a ‘significant proposal’, under s.38(5) of the EP Act they must refer the proposal to the EPA or for assessment under Part IV, if such a referral has not already been made.

<p>Has the proposed clearing or any related matter been referred to the EPA?</p>	<p><input type="checkbox"/> Yes</p> <p>Enter details: <input type="text"/></p> <p><input checked="" type="checkbox"/> No – complete question below.</p>
<p>If 'No' – do you intend to refer the proposal to the EPA?</p>	<p><input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')</p> <p><input type="checkbox"/> Yes – intend to refer (proposal will require a s.45C amendment to the current Ministerial Statement)</p> <p><input type="checkbox"/> No – a current valid Ministerial Statement applies</p> <p>Enter Ministerial Statement number: <input type="text"/></p> <p><input checked="" type="checkbox"/> No – not a significant proposal</p>

9.2 Other approvals – pre-application scoping (DWER forms only)

<p>Have you had any pre-application/ pre-referral/ scoping meetings with DWER about any planned applications?</p>	<p><input type="checkbox"/> Yes</p> <p>Enter details: <input type="text"/></p> <p><input checked="" type="checkbox"/> No</p>
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9.3 Other approvals – works approval, licence or registration (Part V Division 3 of the EP Act)

<p>Have you applied for or do you intend to apply for a Part V Division 3 works approval, licence or registration, or the amendment or renewal of any of the above, under the EP Act or Environmental Protection Regulations 1987 (EP Regulations)?</p> <p>It is an offence to perform any action that would cause a premises to become a prescribed premises of a type listed in Schedule 1 of the EP Regulations, unless that action is done in accordance with a works approval, licence, or registration.</p> <p>For further guidance, see DWER's Procedure: Prescribed premises works approvals and licences and Guideline: Industry Regulation Guide to Licensing.</p>	<p><input type="checkbox"/> Yes</p> <p>Application reference: <input type="text"/></p> <p><input type="checkbox"/> No – a valid works approval or licence applies</p> <p>Works approval or licence number: <input type="text"/></p> <p><input type="checkbox"/> No – a valid registration applies</p> <p>Registration number: <input type="text"/></p> <p><input checked="" type="checkbox"/> No – not required</p>
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9.4 Water licences and permits (*Rights in Water and Irrigation Act 1914*)

<p>Have you applied or do you intend to apply for:</p> <ul style="list-style-type: none"> • a licence or amendment to a licence to take water (surface water or groundwater) • a licence or amendment to a licence to construct wells (including bores and soaks), or • a permit or amendment to a permit to interfere with the bed and banks of a watercourse? <p>For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i>, see DWER's Procedure: Water licences and permits.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – a current valid licence or permit applies</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Licence or permit number:</td> <td></td> </tr> </table> <p><input type="checkbox"/> No – an exemption applies</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Enter details:</td> <td></td> </tr> </table> <p><input checked="" type="checkbox"/> Not applicable</p>	Licence or permit number:		Enter details:	
Licence or permit number:					
Enter details:					

Part 10 – Prescribed fee

10.1 Referral or application?

<p>There are no prescribed fees for referrals.</p> <p>Is this form a referral of proposed clearing or an application for a new permit?</p>	<p><input type="checkbox"/> Referral – skip to Part 11</p> <p><input checked="" type="checkbox"/> Application – continue and complete Part 10</p>
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10.2 Calculating the application fees

You must pay the prescribed fee at the time you submit the application form.

Please calculate the prescribed fee using the online [clearing permit fee calculator tool](#).

For further guidance, see DWER's online [clearing fees frequently asked questions](#).

Calculated fee:	\$3,000
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10.3 Payment method

Fees are payable to:

- **DWER** for all clearing purposes other than mineral and petroleum activities
- OR
- **DMIRS** for mineral and petroleum clearing activities under the *Mining Act 1978*, various Petroleum Acts, or State Agreement Acts.

<p>Please indicate how you would like to pay your application fee. Select one option only.</p> <p>DWER will only accept fees paid via either:</p> <ul style="list-style-type: none"> • DWER's BPoint system (go to www.dwer.wa.gov.au/make-a-payment) • secure EFT payment, or • cheque/money order. <p>DMIRS will only accept fees paid via secure credit card payment at the DMIRS online payment and application lodgement portal.</p> <p>Do not send cash in the mail.</p>	<p><input type="checkbox"/> (DWER) Secure credit card payment through BPoint</p> <p>See www.dwer.wa.gov.au/make-a-payment.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">Receipt number</td> <td style="width: 70%;"></td> </tr> <tr> <td style="padding: 5px;">Date of payment</td> <td></td> </tr> </table> <p><input type="checkbox"/> (DWER) Secure EFT payment</p> <p>See www.dwer.wa.gov.au/make-a-payment for payment details.</p> <p><i>State the name of the intended permit holder clearly in the EFT payment subject.</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">Date of payment</td> <td style="width: 70%;"></td> </tr> </table> <p><input type="checkbox"/> (DWER) Cheque/money order</p> <p><i>Please make cheques or money orders payable to the Department of Water and Environmental Regulation.</i></p> <p><input checked="" type="checkbox"/> (DMIRS) Secure credit card payment online at the DMIRS online payment and application lodgement portal.</p> <p>Please note: All DMIRS applications will be paid online and submitted simultaneously. Please save this application form, along with any supporting documents, and have them ready for the submission portal. Use the link above to pay for and submit your application.</p> <p><i>A receipt will be issued upon submission only. Please ensure this receipt is saved for your records.</i></p>	Receipt number		Date of payment		Date of payment	
Receipt number							
Date of payment							
Date of payment							

For further information on fees, go to the [clearing permit fees frequently asked questions page](#) on DWER's website.

Part 11 – Form checklist

Please ensure you have included the following as part of your form. You may also attach additional information to support the assessment of your proposal; for example, reports on salinity, fauna or flora studies or other environmental reports for the site. You should submit these in electronic format on a suitable portable digital storage device.

Required

- Proof of land ownership (see attachment requirements in Part 4).
- An aerial photograph and/or map with a north arrow that clearly shows the areas of vegetation for proposed clearing or an ESRI shapefile (see Part 5).
- If this form is a permit application, payment of the prescribed fee (see Part 10).

As required

- Copy of written authority to act on behalf of landowner (see Part 4).
- Evidence of the pending transfer of land ownership, such as the offer and acceptance, or written notice from the current landowner.
- If you want the form to be assessed under the assessment bilateral agreement, include all details the [Annex C7 form](#) asks for, such as 'Proposed clearing action and impact assessment details' and 'Consultation' information.
- If the form includes a proposal for clearing offsets, include Appendix A of the [Clearing of native vegetation offsets procedure](#) guideline.
- IBSA number.

Additional supporting information

- Photos of the area.
- Biodiversity surveys that follow the EPA's [Instructions for the preparation of IBSA data packages](#) or [Instructions for the preparation of IMSA data packages](#) (as applicable).
- Any other additional supporting information.

Part 12 – Request for exemption from publication

The information you submit as part of this form will be made publicly available. If you wish to submit commercially or otherwise sensitive or confidential information, please identify the information in this section, and include a written statement of the reasons why you request each item of information be kept confidential.

DWER and DMIRS will take reasonable steps under Part 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations) to protect confidential material and/or otherwise sensitive information (such as information of a kind listed under r.13 of the Clearing Regulations).

However, please note that DWER and DMIRS cannot commit to redacting all personal information from all supporting documents. We advise you to remove all personal information, including signatures, from any supporting documents before you submit them to us. Please note that all the information you submit may become the subject of an application for release under the *Freedom of Information Act 1992 (WA)* (FOI Act).

You must identify all information in this form or attached supporting documents that you propose to be exempt from public disclosure in the table below. You must then attach a separate redacted version of this form and its supporting documents. This is in addition to the unredacted version(s) you submit to DWER/DMIRS (as applicable) for assessment. You must specify the grounds for claiming an exemption in accordance with Part 3 of the Clearing Regulations.

Is any information in this form or in any attached supporting documents confidential or commercially sensitive?	<input type="checkbox"/> Yes	
	Specify what part of this form or relevant attachment	
	Specify grounds for claiming exemption from publication	
	<input checked="" type="checkbox"/> No	
Attach file(s) with the relevant confidential information redacted	<input type="checkbox"/> File name: <input type="checkbox"/> File name: <input type="checkbox"/> File name:	

Part 13 – Declaration

General

I / We declare and/or acknowledge that:

- the information I / we have provided in this form is true and correct
- I / we have legal authority to sign on behalf of the applicant (where authorisation provided)
- I / we have been authorised to make this form by the owner of the land (as applicable)
- I / we have not altered the requirements and instructions set out in this form
- I / we have provided a valid email address in Part 2 for receipt of correspondence via email from DWER or DMIRS (as applicable) in relation to this form
- successful delivery to my / our server constitutes receipt of correspondence and service of any statutory notices or instruments, and
- giving or causing to be given information that to my knowledge is false or misleading is an offence under s.112 of the EP Act and may incur a penalty of up to \$100,000.

Publication


I / We declare and/or acknowledge that:

- this form (including all attachments) will be a public document and may be published, except for personal information including personal signatures, email and home addresses and any documents verifying my / our identity
- the marine surveys provided in accordance with Part 7 will be published and used for the purposes of the IMSA project, in accordance with your declaration made in the Metadata and Licensing Statement
- all necessary consents for the publication of information have been obtained from the relevant third parties
- the specification of the information identified in Part 12 constitutes a written request under r.11(2) of the Clearing Regulations not to publish that information due to its confidential or otherwise sensitive nature
- subsequent information provided to DWER or DMIRS (as applicable) in relation to this form will be a public document and will be published under r.8A of the Clearing Regulations, unless accompanied by a further written request under r.11(2) by the referrer or applicant that that information be treated as confidential
- in accordance with the requirements of r.11, r.12 and r.13 of the Clearing Regulations, DWER or DMIRS (as applicable) must refrain from publishing bank account details or confidential material (as defined under r.11(1) of the Clearing Regulations)
- DWER or DMIRS (as applicable) may refrain from publishing:
 - o certain otherwise sensitive information identified in Part 12, if satisfied it is desirable to not publish due to the confidential nature of the information
 - o personal information or certain otherwise sensitive information listed under r.13 of the Clearing Regulations.

Are you signing as an individual or a company?	<input type="checkbox"/> An individual
Note: A person expressly authorised or authorised to execute on	

behalf of a body corporate must sign this form.	<input checked="" type="checkbox"/> A company <input type="checkbox"/> Other entity formed at law
---	--

I / We hereby declare, the information provided is correct.

Signature			
Name	Jacinta Parsons		
Date declaration signed	22/12/2023		
Position (if applicable)	General Manager, Kalgoorlie Nickel Smelter		
Company or organisation (if applicable)	BHP Nickel West Pty Ltd	ACN:	004 184 598

Note that all persons who will be listed on any clearing permit granted for this application as holders of the permit must sign the application form. If more than one signature is required, attach all signatures together in a separate attachment.

Part 14 – Submission

14.1 Method of submission

<p>Confirm how you will submit your form (<i>mark one option only</i>).</p> <p>To submit to DWER:</p> <p>Files larger than 50MB cannot be received via email. You can email DWER to make other arrangements for electronic transfer.</p> <p>To submit to DMIRS:</p> <p>The DMIRS online portal can accept 1024MB for each attachment. Files larger than 45MB cannot be received via email. You can email DMIRS to make other arrangements for electronic transfer.</p>	<input type="checkbox"/> A signed, electronic copy of the form, including all attachments, has been submitted via the applicable email address specified below (if submitting form to DWER).
	<input type="checkbox"/> A signed, electronic copy of the form has been submitted via the applicable email address specified below, and attachments have been submitted via File Transfer, or electronically by other means as arranged with the relevant department (if submitting form to DWER).
	<input type="checkbox"/> A full, signed hard copy has been sent to the applicable postal address specified below (if submitting form to DWER).
	<input checked="" type="checkbox"/> A signed electronic copy of the form, fee payment, and any supporting documentation has been saved and uploaded to the DMIRS online payment and application lodgement portal (if submitting form to DMIRS).

14.2 Submission details

- Please retain a copy of this form for your records.
- We will decline or return incomplete forms that do not meet the requirements for a valid referral or permit application (as applicable).
- If you do not have enough space on any part of this form, please continue on a separate sheet of paper and attach it to this form.

<p>Department of Water and Environmental Regulation</p> <p>Forms for all clearing purposes (other than mining and petroleum activities) may be submitted via:</p> <p>Email: info@dwer.wa.gov.au or</p> <p>Post: Department of Water and Environmental Regulation Locked Bag 10 Joondalup DC WA 6919</p> <p>If you have any questions about lodging your form, please contact DWER via:</p> <p>Email: info@dwer.wa.gov.au</p> <p>Phone: (08) 6364 7000</p> <p>For more information: www.dwer.wa.gov.au</p>	<p>Department of Mines, Industry Regulation and Safety</p> <p>Forms related to mining and petroleum clearing activities (under delegation) can be lodged online via the DMIRS online payment and application lodgement portal.</p> <p>If you have any questions about lodging your form, please contact DMIRS via:</p> <p>Email: nvab@dmirs.wa.gov.au</p> <p>Phone: (08) 9222 3535</p> <p>For more information: www.dmirs.wa.gov.au</p>
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Appendix 2 Notice of Grant L26/288



BHP NICKEL WEST PTY LTD
C/- LAND & TENURE
PO BOX 8301
PERTH BUSINESS CENTRE WA 6849

Dear Sir/Madam,

APPLICATIONS FOR MISCELLANEOUS LICENCE 26/288

I wish to advise that the above applications were granted on 31/10/2023 subject to the endorsements/conditions detailed on the attached schedules

The miscellaneous licence has been granted for the following prescribed purposes:

- A pipeline
- A road

Your attention is drawn to Conditions 1 and 2 in the attached Schedule of Conditions.

The intent of these conditions is to improve communication and working relationships between pastoralists and tenement holders. This will also support the principles of the Code of Conduct issued jointly by the Mining Industry and Pastoralist Associations.

Please note that all tenement-holders are required to participate in the Mining Rehabilitation Fund (MRF). The MRF requires information on disturbances to be reported for each tenement before 30 June each year, for the purpose of calculating an annual MRF levy. You may shortly receive a letter containing instructions and verification codes for on-line registration with the MRF and we encourage you to complete the registration process (and lodge your assessment information) as soon as possible. Further information on the MRF can be found at:

<http://www.dmp.wa.gov.au/Environment/Mining-Rehabilitation-Fund-MRF-4906.aspx> or by contacting the MRF team at MRFFenquiry@dmirs.wa.gov.au

As of 1 July 2023, your attention is drawn to the provisions of the *Aboriginal Cultural Heritage Act 2021* and any Regulations thereunder, and the Aboriginal Cultural Heritage Management Code.

Yours sincerely

Melissa Baroni

Melissa Baroni | Regional Mining Registrar
Resource Tenure Division
31 October 2023

SCHEDULE OF ENDORSEMENTS/CONDITIONS

ENDORSEMENTS

		Start Date	End Date
1	The Licensee's attention is drawn to the provisions of the Aboriginal Cultural Heritage Act 2021 and any Regulations thereunder, and the Aboriginal Cultural Heritage Management Code.	31/10/2023	
2	The Licensee's attention is drawn to the Environmental Protection Act 1986 and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004, which provides for the protection of all native vegetation from damage unless prior permission is obtained.	31/10/2023	
3	The licensee is to obtain the written approval of the City of Kalgoorlie-Boulder or Main Roads WA (MRWA) or both where applicable and lodge a copy of that approval with the Mining Registrar prior to the construction of that part of the road that will intersect with any existing road. Where a difference exists between DMIRS conditions and the requirements of either authority, the requirements of the authority prevail.	31/10/2023	
4	The licensee's attention is drawn to the existence of Petroleum Pipeline Licence 27 and in particular section 65 of the the Petroleum Pipelines Act, 1969.	31/10/2023	
5	The grant of the licence does not include Lot 505 on Deposited Plan 417574 and the area of land thereunder.	31/10/2023	
6	The Licensee's attention is drawn to the provisions of section 55 of the Land Administration Act 1997.	31/10/2023	
	In respect to Water Resource Management Areas (WRMA) the following endorsements apply:	31/10/2023	
7	The Licensee's attention is drawn to the provisions of the: <ul style="list-style-type: none"> • Waterways Conservation Act, 1976 • Rights in Water and Irrigation Act, 1914 • Metropolitan Water Supply, Sewerage and Drainage Act, 1909 • Country Areas Water Supply Act, 1947 • Water Agencies (Powers) Act 1984 	31/10/2023	
8	The rights of ingress to and egress from, and to cross over and through, the mining tenement being at all reasonable times preserved to officers of Department of Water and Environmental Regulation (DWER) for inspection and investigation purposes.	31/10/2023	
9	The storage and disposal of petroleum hydrocarbons, chemicals and potentially hazardous substances being in accordance with the current published version of the Department of Water and Environmental Regulation (DWER) relevant Water Quality Protection Notes and Guidelines for mining and mineral processing.	31/10/2023	
10	The taking of groundwater from an artesian well and the construction, enlargement, deepening or altering of any artesian well is prohibited unless current licences for these activities have been issued by Department of Water and Environmental Regulation (DWER).	31/10/2023	
11	Measures such as drainage controls and stormwater retention facilities are to be implemented to minimise erosion and sedimentation of adjacent areas, receiving catchments and waterways.	31/10/2023	
12	All activities to be undertaken so as to avoid or minimise damage, disturbance or contamination of waterways, including their beds and banks, and riparian and other water dependent vegetation.	31/10/2023	
	In respect to Proclaimed Ground Water Area 21 (GWA 21 Goldfields) the following endorsement applies:	31/10/2023	
13	The taking of groundwater and the construction or altering of any well is prohibited without current licences for these activities issued by the Department of Water and Environmental Regulation (DWER), unless an exemption otherwise applies.	31/10/2023	

CONDITIONS

		Start Date	End Date
1	The Licensee submitting a plan of proposed operations and measures to safeguard the environment to the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety for their assessment and written approval prior to commencing any developmental or productive mining or construction activity.	31/10/2023	
2	The rights of ingress to and egress from Miscellaneous Licences 26/142, 26/160 and 26/232 being at all times preserved to the licensees and no interference with the purpose or installations connected to the licences.	31/10/2023	
3	No interference with the transmission line or the installations in connection therewith, and the rights of ingress to and egress from the facility being at all times preserved to the owners thereof.	31/10/2023	
4	To properly maintain the installations as directed by the Environmental Officer, Department of Mines, Industry Regulation and Safety (DMIRS).	31/10/2023	
5	All topsoil that may be removed ahead of pipelaying operations to be stockpiled for replacement in accordance with the directions of the Environmental Officer, DMIRS.	31/10/2023	
6	Ingress and egress of pastoralists and tenement holders to be preserved by the construction of vehicular access crossings over any pipeline constructed pursuant to this licence.	31/10/2023	

SCHEDULE OF ENDORSEMENTS/CONDITIONS

		Start Date	End Date
7	Wherever any part of a road intersects an existing fence, the holder shall where necessary construct a gate or livestock grid having such dimensions and be constructed of such materials and be of such standard as agreed with the pastoralist or as determined by the Environmental Officer, DMIRS.	31/10/2023	
8	The road to be constructed using proper materials to suit the purpose for which it is being constructed, and further that it be constructed in a workman like manner and further that it be constructed to the satisfaction of the Environmental Officer, DMIRS.	31/10/2023	
9	The licensee shall maintain the road from time to time and shall be required to ensure that it is safe for the purpose that it is constructed.	31/10/2023	
10	The licensee is to obtain the written approval of the City of Kalgoorlie Boulder or Main Roads WA (MRWA) or both where applicable prior to the commencement of any activities in respect to the licence purposes.	31/10/2023	
11	The prior written consent of the Minister responsible for the Mining Act 1978 being obtained before commencing any activities in respect to the licence purposes on the Railway Reserve.	31/10/2023	
	In respect to Petroleum Pipeline Licence 27 the following conditions apply:	31/10/2023	
12	The rights of ingress to and egress from the petroleum pipeline licence area being at all times preserved for the employees, contractors and agents of the owners and operators of the pipeline.	31/10/2023	
13	Such further conditions as may from time to time be imposed by the Minister responsible for the Mining Act 1978 for the purposes of protecting the Petroleum Pipeline and any existing condition imposed for this purpose may be cancelled or varied.	31/10/2023	
	Consent to commence activities in respect to the purpose of the licence on Government Requirements Reserve 33948 and Parklands Reserve 8168 granted.	31/10/2023	

----- No Register Entries -----

Holder Changes

Dealing	Status	From Holder	Shares	To Holder	Shares
A to A (Name) 623065	Recorded 21/05/2021 11:03:42	BHP BILLITON NICKEL WEST PTY LTD	100	BHP NICKEL WEST PTY LTD	100

Appendix 3 Letter of Authority to DWER



GPO Box S1431
Perth, Western Australia 6845
Australia

T +61 8 6311 0000
bhp.com

9 October 2023

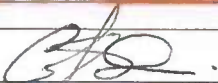

General Manager
Department of Water and Environmental Regulation
Prime House
8 Davidson Tce
Joondalup WA 6027

Via email to: info@dwer.wa.gov.au

Dear Sir/Madam

BHP Nickel West Pty Ltd – Company Representation - Letter of Authority

Due to management changes, BHP Nickel West has revised the list of personnel authorised to apply for and amend Native Vegetation Clearing Permit Applications, and Part VI and V submissions on behalf of BHP Nickel West under the *Environmental Protection Act 1986* (WA). The revised list of authorised company representatives includes:

Name	Position	Site	Signature
New additions:			
Chris Stone	Head of Planning and Technical	All Nickel West Sites	
Patsy Mitchell	A/General Manager	Kwinana Nickel Refinery (including Baldivis)	
Previously advised/signatures provided:			
Alexandra Robertson	General Manager Kwinana	Kwinana Nickel Refinery (including Baldivis)	Previously provided
Jacinta Parsons	General Manager Kalgoorlie	Kalgoorlie	
Matthew Terry	General Manager Concentrators	Mt Keith, Leinster and Kambalda	
Mike Moscarda	General Manager Northern Operations	Northern Operations (including but not limited to Leinster, Mt Keith and Cliffs)	
Jessica Farrell	Asset President	All Nickel West Sites	

It is further advised that company authorisation extends to personnel acting in the abovementioned positions.

If you have any queries regarding this matter, please do not hesitate to contact Cleve Etherington, Superintendent Environment Northern Operations at cleve.etherington@bhp.com or 0400 290 101.

Yours sincerely



Jessica Farrell
Asset President Nickel West
For and on behalf of BHP Nickel West Pty Ltd