



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 1197/5
Permit Holder:	BHP Billiton Nickel West Pty Ltd.
Duration of Permit:	18 June 2007 – 18 June 2014

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

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purposes of expanding accommodation facilities, wastewater treatment plant, landfill site, firebreaks and seepage management.

2. Land on which clearing is to be done

LOT 59 ON PLAN 220367
LOT 350 ON PLAN 40459 (CROWN LEASE H586770)
LOT 163 ON PLAN 30116

3. Area of Clearing

The Permit Holder must not clear more than 159.57 hectares of native vegetation within the area hatched yellow on attached Plan 1197/5.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise etc 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

PART III - RECORD KEEPING AND REPORTING

7. Records must be kept

The Permit Holder must maintain the following records for activities done in relation to the clearing of native vegetation authorised under this Permit:

- (a) the species composition, structure and density of the cleared area;
- (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
- (c) the date that the area was cleared; and
- (d) the size of the area cleared (in hectares).

8. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 7 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 18 March 2014, the Permit Holder must provide to the CEO a written report of records required under condition 7 of this Permit where these records have not already been provided under condition 8(a) of this Permit.

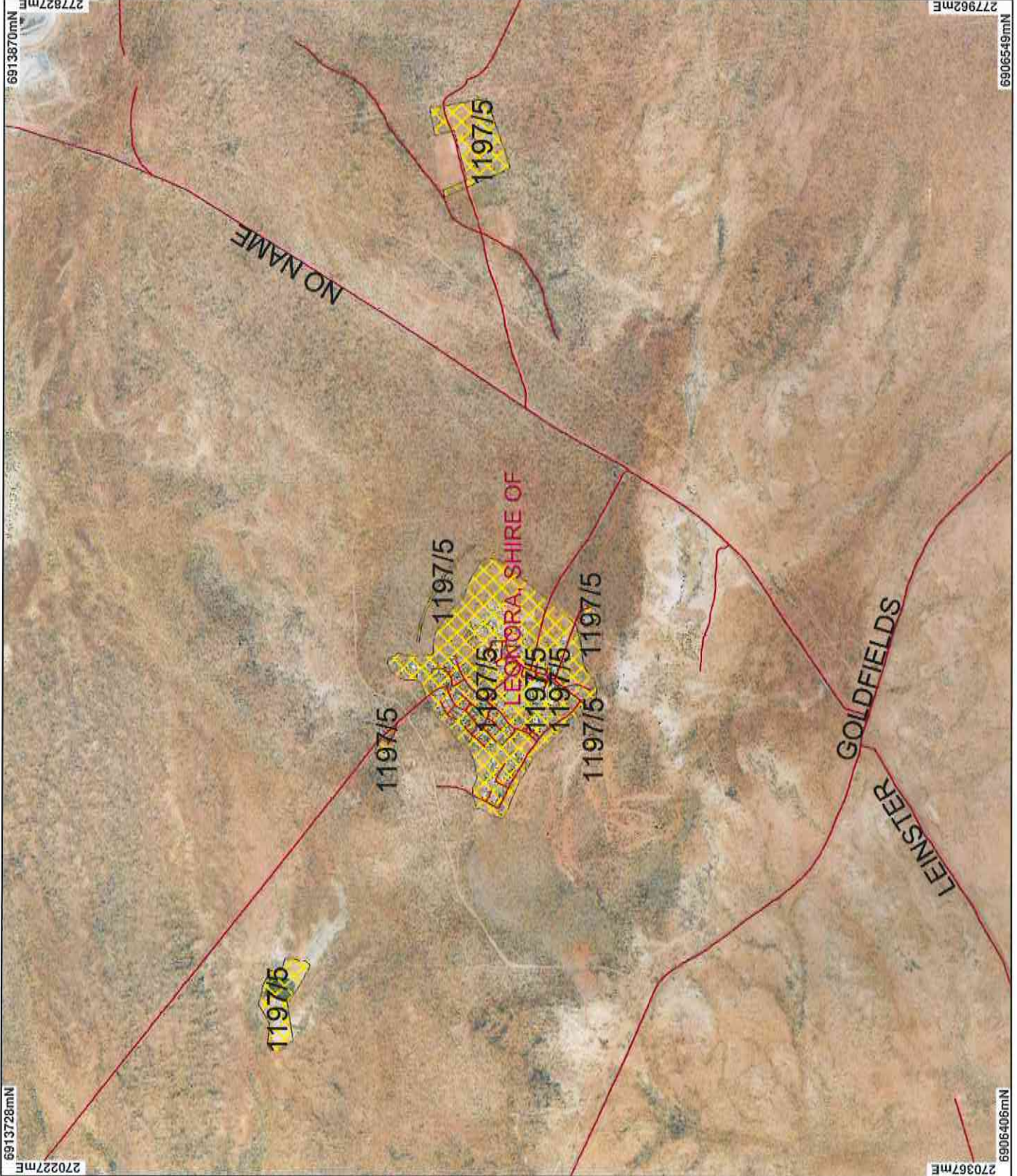


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

10 May 2012

Plan 1197/5



LEGEND

Clearing Instruments

- Areas Applied to Clear
- Areas Subject to Conditions
- Areas Approved to Clear

Road Centrelines

Local Government Authorities
 Sir Samuel 50cm Orthomosaic - Landgate
 2005



0 1 2 km

Scale 1:35043
 (Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been
 projected. This may result in geometric
 distortion of measurement instruments.

Kelly Faulstich
 Date 10/5/12

Kelly Faulstich

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

Information derived from this map should be
 confirmed with the data custodian acknowledged
 by the agency acronym in the legend.



Department of
 Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 1197/5
 Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: BHP Billiton Nickel West Pty Ltd (Nickel West - Leinster Nickel Operation (LNO))

1.3. Property details

Property: LOT 163 ON PLAN 30116 (LEINSTER 6437)
 LOT 350 ON PLAN 40459 (LEINSTER 6437)
 LOT 59 ON PLAN 220367 (LEINSTER 6437)

Local Government Area: Shire of Leonora

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
159.57		Mechanical Removal	Building or Structure

1.5. Decision on application

Decision on Permit Application: Grant
 Decision Date: 10 May 2012

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard vegetation association 18 Wiluna is described as Low woodland; mulga (Acacia aneura) (Shepherd et al, 2001).	The proposed amendment is to increase the size of the area to be cleared by 11.8 to a total of 159.57 hectares, to add maintenance of the Leinster Township Waste Water Treatment Plant and implementation of seepage management measures to the purpose of clearing and to extend the duration of the permit by two years.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The description and condition of the native vegetation under application was determined by vegetation survey (Landcare Services, 1997) and analysis of aerial imagery.
	The vegetation under application is described as Stony Plain Acacia Eremophila Shrublands (Landcare Services, 1997) in good (Keighery, 1994) condition.		

3. Assessment of application against clearing principles

Comments **Proposal is not likely to be at variance to this Principle**
 Clearing Permit CPS 1197/4 has been amended to increase the clearing of native vegetation by a further 11.8 hectares to a total of 159.57 hectares and to add maintenance of the Leinster Township Waste Water Treatment Plant and implementation of seepage management measures to the purpose of clearing.

The assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 1197/4.

Methodology

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The permit has been amended to extend the duration by two years. CPS 1197/5 is due to expire 18 June 2014.

The applicant operates the Leinster Waste Water Treatment Plant under Licence 6606/1995/7 (DEC, 2009). This licence includes conditions relating to the maintenance of the treatment plant and effluent storage facilities. Department of Environment and Conservation (DEC) Works Approval may be required for the implementation of the seepage management measures; however no application for Works Approval has been received to date (DEC, 2012a). The applicant will be advised to submit a Works Approval application.

A submission was received from Central Desert Native Title Services (Central Desert), legal representative for the Tjiwarl native title claim group, advising that they were not in a position to obtain instructions from the Tjiwarl claim group and requesting a decision on clearing permit application CPS 1197/5 be delayed until Central Desert had an opportunity to obtain instructions (Central Desert, 2012). DEC has advised Central Desert that they were unable to delay a decision on the application but that the applicant would be advised of their obligations under the Native Title Act 1993 (DEC, 2012b)

Methodology

References:

- Central Desert (2012)
- DEC (2009)
- DEC (2012a)
- DEC (2012b)

4. References

- Central Desert (2012). Submission received from Central Desert Native Title Services in regard to Clearing Permit application CPS 1197/5. DEC reference: A494225.
- DEC (2009). Environmental Protection Act 1986 Licence 6606/1995/7. Leinster Townsite Waste Water Treatment Plant. Issued 27 March 2009. DEC reference: A499002.
- DEC (2012a). Advice received from the Department of Environment and Conservation's Kalgoorlie Region in regard to the requirement for Works Approval to undertake seepage management measures for the Leinster Township Waste Water Treatment Plant. DEC reference: A501134.
- DEC (2012b). Response to Central Desert Native Title Services request for a decision on clearing permit application CPS 1197/5 to be delayed. DEC reference: A500220.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Landcare Services (1997). Habitat Mapping Project Leinster Townsite and Borefields. Prepared by Landcare Service Pty Ltd for WMC Resources Ltd, June 1997. DEC reference: A498534.
- Shepherd, D.P. (2009) Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.

5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)