

Department of Water and Environmental Regulation (DWER)
Department of Mines, Industry Regulation and Safety (DMIRS)

# Application to amend a clearing permit

Environmental Protection Act 1986, section 51KA

## FORM C4

The clearing of native vegetation is prohibited in Western Australia unless a clearing permit has been granted for the clearing or where a permit is not required (either due to a referral determination that one is not needed or because an exemption applies). A person who causes or allows unauthorised clearing commits an offence.

For further information on the stages of assessment for clearing permit applications (including amendments to existing permits), see the <u>Procedure: Native vegetation clearing permits</u> on DWER's website.

CPS No.
Date stamp

Part 1: Assessment bilateral agre	ement						
If the amendment of a clearing permit will or is likely to impact on		Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?					
a matter of national environmental significance identified under the		Yes EPBC number:					
Environment Protection and Biodiversity Conservation Act		No Proceed to Part 2					
1999 (Cth) (EPBC Act) the original application must have been assessed in accordance with the bilateral assessment, and a variation under the EPBC Act is required prior to submitting this	List t decis	he controlling provisions identified in the notification of the controlled action sion.					
amendment application form.  To be assessed in this manner, the proposed clearing action must be referred to the Commonwealth under the EPBC Act and deemed a 'controlled action' prior to submitting this application form.							
Further information is located in Form Annex C7 and A guide to native vegetation clearing processes under the Assessment bilateral agreement available at www.der.wa.gov.au/our-work/clearing-permits.		Form Annex C7 is complete and the required supporting information is attached.					

Part 2: Clearing permit details				
Amendments can only be made to active clearing permits.	Permit number for existing clearing permit	cPS 9713/1		
Applications must be made more than 90 working days prior to the existing permit expiring to ensure there is adequate time to assess the amendment.	Permit holder's name (as it appears on the existing clearing permit)	Albemarle Lithium Pty Ltd		
FILE REFERENCE	Permit expiry date:	27 December 2025		
	Mark this box if there are les the existing permit.	s than 90 working days until the expiry of		

Part 3: Applicant								
Applicant details								
To apply for an amendment to a permit you must be the current	Are you applying as an one only.	or incorporated boo	ly? Enter details	s for				
holder of the existing permit. Include Australian Company	An Title	Mr   Mrs	☐ Ms ☐	Other:				
Number (ACN) if the proposed permit holder is a body corporate	individual Name/s							
or other entity formed at law.	OR							
	A body corporate or other entity formed at law (include ACN)	other entity formed at Albemarle Lithium Pty Ltd (ACN 618 095 471)						
Applicant contact details								
If applying as a company or incorporated body, please also	Provide contact details	for the above individual	or body corporate					
supply the registered business office address.  DWER and DMIRS prefer to send	Contact person (and position, if applicable)	Tom Baddeley						
all correspondence via email.  We request that you consent to receiving all correspondence	Company name (if applicable)	Albemarle Lithium Pty Ltd						
relating to instruments and notices under Part V of the EP Act ("Part V documents") via email by indicating your consent in this section of the application	Postal / business address  Level 1, 197 St Georges Terrace, Perth, WA, 6000							
form.  Where 'yes' is selected, all correspondence from DWER or DMIRS (as applicable) will be	Phone (fixed line):		Phone (mobile):	0419 834 32	21			
sent to you via email, to the email address provided in this section.  Where 'no' has been selected, Part V documents will be posted	Email address Tom.baddeley@albemarle.com							
to you in hard copy to the postal/business address you have		correspondence betwee		Yes	No			
provided in this section. Other general correspondence may still		OMIRS (as applicable), i ubject of this application		,				
be sent to you via email.	via email, using the em							
Contact details for enquiries					10.			
If different from the applicant's	Where contact details differ to those of the applicant, complete the below section:							
contact details, enter the contact details of a person with whom DWER or DMIRS should liaise	Contact person (and position, if applicable)  Bronwyn Bell							
with concerning this clearing application.	Company name (if applicable)	Albemarle Lithium Pty Ltd						
	Postal / business address	Level 1, 197 St Georges Terrace, Perth, WA, 6000						
	Phone (fixed line)		Phone (mobile)	0448 773 579				
	Email address	Bronwyn.bell@albem	arle.com					

Additional information to support the assessment of your	Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):				
application to amend may be attached.		Extend the duration of the clearing permit.			
Please ensure you have included the following as part of your application:		Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.			
<ul> <li>a photocopy of the granted clearing permit, with proposed changes highlighted,</li> </ul>		Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.			
<ul><li>and</li><li>payment of the prescribed fee.</li></ul>		Redescribe the boundary of the area authorised to be cleared [for an area permit only]			
When providing details of the proposed change(s), if any additional clearing is proposed,		Make a correction to the clearing permit.			
nclude details of: the proposed method of the		Other.			
clearing;	Prov	ide details of the proposed change(s), and the rationale(s) for it / them.			
the purpose of the clearing;	Requ	est amendment to Condition 7			
clearing is proposed to be undertaken (taking note of the published minimum assessment timeframes for DWER / DMIRS, as applicable); and the final land use.	"With later I veget 58430 the D We re "No la veget 58430 the D (ie: to Ratio Clear	ition 7 currently states: in 24 months of the commencement of clearing authorized under this permit and not than 27 December 2025, the permit holder must fund the purchase of native faction within the area cross-hatched red in Figure 2 of Schedule 2 (Lot 42 on Plan 0), Wellesley) for inclusion of native vegetation into conservation estate managed is experiment of Biodiversity, Conservation and Attractions."  Equest Condition 7 be amended to: Interest than 27 December 2025, the permit holder must fund the purchase of native faction within the area cross-hatched red in Figure 2 of Schedule 2 (Lot 42 on Plan 10), Wellesley) for inclusion of native vegetation into conservation estate managed is experiment of Biodiversity, Conservation and Attractions."  The remove the requirement for within 24 months of clearing)  The provided in February 2023 and hence the data 124 months of the commencement of clearing is February 2025.			
	Althorof the of We will be instead	ugh Albemarle is progressing negotiations with DevelopmentWA for the purchase designated offset land and with DBCA around the vesting of that land to the State estern Australia, the tripartite agreement is still in draft and it is unlikely all matters are resolved by February 2025 and hence the request to extend the due date to ad align with the permit expiry of 27 December 2025.  Ould expect all matters enabling the offset land purchase and transfer to occur to solved by this date.			
For an application to amend the size of the area permitted to be cleared, or add a land parcel to the clearing permit, you must have the authority of the land and undertake the clearing.	of aut by the	the nature of the applicant's authority to access the land to be cleared. Evidence hority can include e.g. a copy of the certificate of title or a letter of authority signed a landowner or other person with authority to give legal land access permission. The evidence of authority. Note that a letter of authority must explicitly state the eart has authority to clear on the land.]			
Provide additional property details f required – if applying to extend he size of the area to be cleared into another land parcel.		description: volume and folio number, lot or location number(s), Crown lease or re number, pastoral lease number, or mining tenement number of all properties.			

Part 4: Proposed amendments										
You must provide evidence that avoidance and mitigation options have been pursued to	Have alternatives that would avoid or minimise the need for clearing been considered and applied?									
eliminate, reduce or otherwise mitigate the need for, and scale of, the proposed clearing of native vegetation.	If yes, provide details:									
	N/A									
Refer to DWER's Clearing of native vegetation offsets	Do you want to submit a clearing permit offset proposal with your application?									
procedure quideline available on the DWER website, and the EPA's WA Environmental	If yes, provide details, and complete and attach Appendix A of the Clearing of native vegetation offsets procedure guideline.									
Offsets Policy and Guidelines on the EPA website for further information.	N/A									
Part 5: Other DWER approvals					1					
Instructions:										
			n A and then skip to Part 6 of this	s form.						
If your application is to be sub-		both S	ections A and B.		-		-			
Section A: Environmental Impac		-41		_	_					
Environmental Impact Assessm		(Ct)								
Has this clearing application or been referred to the Environmer Authority?			Yes – provide details [ ]							
radioney i			No							
Do you intend to refer the proposal to the Environmental Protection Authority?		Yes – intend to refer (proposal is a 'significant proposal')								
Section 37B(1) of the EP Act defines a "a proposal likely, if implemented, to he the environment".	ave a significant effect on	Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement)  MS [ ]								
that the proposal in this application is I 'significant proposal', they are required	If a decision-making authority (e.g. DWER or DMIRS) considers that the proposal in this application is likely to constitute a 'significant proposal', they are required under section 38(5) of the EP Act to refer the proposal to the EPA for assessment		No – a current valid Ministerial Statement applies:  MS [ ]							
If a relevant Ministerial Statement alreathe MS number in the space provided.		No − not a 'significant proposal'								
Section B: Other approvals										
Pre-application scoping						116				
Have you had any pre-application scoping meetings with DWER re		×	No							
applications?		☐ Yes provide details: [ ]								
Works approval / Licence / Regi	stration (Part V Divisio	n 3 of t	he EP Act)			1.00				
Have you applied or do you inte works approval, licence, registro	ation, or an		Yes – application reference (i	f known	): [	1				
amendment to any of the above Division 3 of the EP Act?			No – a valid works approval a	pplies: [	]					
It is an offence to perform any action the premises to become a prescribed prem Schedule 1 of the Environmental Protest that action is done in accordance.	nises of a type listed in action Regulations 1987,		No – a valid licence applies: [	1						
unless that action is done in accordance licence, or registration.			No – a valid registration appli	es:[	1					
For further guidance, refer to <u>Guideline</u> <u>Guideline</u> : <u>Industry</u> <u>Regulation</u> <u>Guide</u> to		No − not required								
Water licences and permits (Rig	hts in Water and Irriga	tion Ac	t 1914)				7.7			

Part 5: Other DWER approvals						
Have you applied or do you inte  1. a licence or amendment to a (surface water or groundwate	licence to take water	Yes –application reference (if known): [ ]				
2. a licence or amendment to a licence to construct wells (including bores and soaks); or 3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse?  For further guidance on water licences and permits under the Rights in Water and Irrigation Act 1914, refer to the Procedure:		No – a current valid licence applies: [ ]				
		N/A N/A				
Water licences and permits.						
Part 6: Surveys for Assessments	s (IBSA and IMSA)					
Do you wish to submit marine or in support of your application?	biodiversity surveys	☐ Yes				
		⊠ No – skip to Part 7				
Biodiversity surveys submitted to s		All biodiversity surveys that support this application	Yes			
must meet the requirements of the the preparation of data packages in Biodiversity Surveys for Assessme requirements are not met, DWER /	or the Index of nts (IBSA). If these DMIRS (as	have been submitted to the Index of Biodiversity Surveys for Assessment available at: ibsasubmissions.dwer.wa.gov.au				
applicable) may decline to deal with the application.  Please provide the IBSA number(s) (or submission number(s) if IBSA number has not yet been issued) in the space provided.  Note that a submission number is not confirmation of acceptance of a biodiversity survey 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		(e.g. IBSASUB- 20200101-12345A6D) Please list all numbers. If space is inadequate list				
issued, please notify DWER / DMIF Please note the assessment timefr application will be suspended until provided to DWER / DMIRS (as ap	RS (as applicable). ames for your the IBSA number(s) is	IBSA number(s) (e.g. IBSA-2020-0123) Please list all numbers. If space is inadequate, list on a separate sheet.				
Marine surveys submitted to suppo		All marine surveys submitted with this	N/A			
meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA). If these requirements are not met, DWER will decline to deal with the application.		application meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA).				
Part 7: Records kept under the e	xisting clearing permit	t's conditions				
Most clearing permits include one			Yes			
or more conditions requiring that the permit holder keep certain	The required records	are attached.				
records relating to the actions undertaken in accordance with the clearing permit.  DWER / DMIRS (as applicable) requires that these records are	Please select the relevant records included with the report. Only records required to kept by the conditions of the existing clearing permit need to be provided.  The total amount, location(s), and date(s) of clearing done under the permit within the past five years).					
provided to support the assessment of this application.  Records provided should cover:		to avoid or minimise the impact and extent of clearing.				
the full period of the permit;	Actions taken i	in relation to flora and/or fauna management.				

Part 7: Records kept under the	existing	clearing permit's conditions				
or  • the past five years (if the		Actions taken to revegetate or rehabilitate the areas cleared under the permit.				
existing permit's duration is greater than five years and it was amended within the past		Records pertaining to any onsite or offsite environmental offsets.				
five years).		Any other relevant records required to be kept by the co	nditions of the permit.			
		Summarise other records: N/A The amendment only relates to the dupurchase.	e date for offset land			
Part 8: Prescribed fee						
Fees are payable to the:  • DWER for all clearing purposes other than mineral and petroleum activities  OR	Pleas For f	prescribed fee is to be paid at the time of submitting the application fee that you are purther guidance, refer to DWER's online clearing fees frequency.  A PERMIT	paying.			
DMIRS for mineral and petroleum clearing activities under the <i>Mining Act 1978</i> ,      Details of Act 1978,      Detai		\$50 to alter the requirements of an area permit, or to increase the area covered by an area permit by less than one hectare.				
various Petroleum Acts, or State Agreement Acts.		\$100 to increase the area covered by an area permit by between one hectare and 10 hectares.				
DWER will only accept fees paid via either:		\$200 to increase the area covered by an area permit by more than 10 hectares.				
DWER's BPoint system, accessible online at: www.dwer.wa.gov.au/make-		POSE PERMIT				
a-payment,		\$200 to alter any requirement of a purpose permit.	4.			
secure EFT payment, or	Payr	nent method (mark applicable box):				
cheque / money order.		(DWER) Secure credit card payment through BPoint				
		See <u>www.dwer.wa.gov.au/make-a-payment</u> Note: Biller Code is '1222355 Clearing Regulation'				
DMIRS will only accept fees paid via secure credit card payment, through the DMIRS		Receipt number: 5019 3089 471 (BPoint)				
online payment and application lodgement portal.		Date of payment: 8 Jan 2025				
		(DWER) Secure EFT payment				
Do not send cash in the mail.		See https://dwer.wa.gov.au/make-a-payment for payment details.				
		State the name of the intended permit holder clearly in the EFT payment subject.				
		Date of payment				
		(DWER) Cheque / Money Order				
		Please make cheques or money orders payable to the "Department of Water and Environmental Regulation".				
		(DMIRS) Secure credit card payment online through the payment and application lodgement portal.	DMIRS online			
		Please note: All applications will be paid online and sub simultaneously. Please save this application form, along document ready for the submission portal and use the lin submit your application.	with any supporting nk above to pay and			
		A receipt will be issued upon submission only. Please er	sure this receipt is			

Part 9: Application checklist								
Additional information to assist	Please ensure you	u have	included the following as part of your ap	oplication:				
in the assessment of your proposed clearing may be	REQUIRED	$\boxtimes$	Payment of the prescribed fee.					
attached to this application – e.g. reports on salinity, fauna, or flora studies, or other environmental reports	Albemarle Comment: the		An aerial photograph or map with a no identifying the areas of vegetation pro ESRI shapefile.					
conducted for the site.  This information may be included in electronic format on	"required" items are not all relevant to the nature of the		A report with the records required to be with the current clearing permit's conceprovided in Part 7.					
a suitable portable digital storage device or posted with	amendment requested		An index of all documentation attache	iched to this application.				
your hard copy form.	AS REQUIRED		Copy of the certificate of title or pasto	ral lease.				
				copy of the written authorisation permitting the applicant to ton behalf of the current clearing permit holder.				
			Written authority from the landowner t conduct the clearing.	to access the	land and			
			Form Annex C7 – Assessment bilateral agreement if the clearing is also to be assessed under an EPBC Act accredited process.					
			Appendix A of the <i>Clearing of native vegetation offsets</i> procedure guideline if the application includes a proposal for clearing permit offsets.					
			IBSA number has been provided in Part 6.					
	ADDITIONAL		Photos of application area					
	SUPPORTING INFORMATION		Marine surveys, submitted in accordance with the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA).					
Part 10: Commercially sensitive	or confidential info	rmatio						
Information submitted as part of thi or confidential information, please i you request each item of information	s application will be indentify the information be kept confidential	made p on in At al.	ublicly available. If you wish to submit c tachment 1, and include a written stater the Environmental Protection (Clearing of	ment of reaso	ns why			
	gulations) to protect	confide	ntial material and/or otherwise sensitive					
documents. You are advised to ens	sure that all personal to the department.	informa Please	o redacting all personal information fror ation, including signatures, are removed note in particular that all submitted infor mation Act 1992 (WA).	from suppor	ting			
			be made publicly available at the discrete mation, please follow the same process					
All information which you would proplaced in a redacted version of the	application form and	its sup	porting documentation. Note that	Attached	N/A			
this is in addition to the unredacted assessment. Grounds for claiming Information Act 1992 must be spec	exemption in accorda	ance wi	th Schedule 1 to the Freedom of					

#### Part 11: Submission of application Check one of the boxes below to nominate how you will submit your application. Files larger than 50MB cannot be received via email by DWER. The DMIRS online portal can accept 1024MB for each attachment and files larger than 45MB cannot be received via email. Alternatively, email DWER or DMIRS (as applicable) to If you have any enquiries regarding the provision of relevant information as part of this application, contact either DWER or DMIRS (as applicable), using the details below. (DWER only) A signed, electronic copy of the application form, including all attachments, has been submitted via the applicable email address specified below; (DWER only) A signed, electronic copy of the application 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; (DWER only) A full, signed hard copy has been sent to the applicable postal address specified below. OR (DMIRS only) A signed electronic copy of the application form, payment and any supporting documentation has been saved and uploaded to DMIRS online payment and application lodgement portal **Department of Water and Environmental Regulation** Department of Mines, Industry Regulation and Safety Applications to amend clearing permits granted by DWER, or Applications to amend clearing permits granted by DMIRS, the former Department of Environmental Regulation or or the former Department of Mines and Petroleum (under former Department of Environment and Conservation, may delegation), can be lodged online via the be submitted via email or post to: DMIRS online payment and application lodgement portal. Email: info@dwer.wa.gov.au If you have any questions regarding lodgement of your Post: Department of Water and Environmental Regulation application, please contact DMIRS via: Locked Bag 10 Joondalup DC WA 6919 Email: nvab@dmirs.wa.gov.au Phone: 9222 3535 If you have any questions regarding lodgement of your application, please contact DWER via: For more information: www.dmirs.wa.gov.au Email: info@dwer.wa.gov.au Phone: 6364 7000 For more information: www.dwer.wa.gov.au Please retain a copy of this form for your records. Incomplete applications will be declined in accordance with section 51KA(3) of the EP Act. If there is insufficient space on any part of this form, please continue on a separate sheet of paper and attach to this form

### Part 12: Declaration and signature

#### General

I / We declare and 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 3 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 section 112 of the EP Act and may incur a penalty of up to \$100,000.

#### **Publication**

I / We declare and/or acknowledge:

- this application (including all attachments apart from the sections identified in Attachment 1) is a public document and may be published
- marine surveys provided in accordance with Part 6 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 third parties
- the specification of the information identified in Attachment 1 constitutes a written request under regulation 11(2) of the Clearing Regulations to not 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 regulation 8A of the Clearing Regulations, unless accompanied by a further written request under regulation 11(2) by the referrer or applicant that that information be treated as confidential, and
- in accordance with the requirements of regulations 11 and 12 of the Clearing Regulations, DWER or DMIRS (as applicable) must refrain from publishing bank account details or confidential material (as defined under regulation 11(1) of the Clearing Regulations), and
- DWER or DMIRS (as applicable) may refrain from publishing:
  - certain otherwise sensitive information identified in Part 12, if satisfied it is desirable to not publish due to the confidential nature of the information, and

	personal information or certain otherwise sensitive information listed under regulation 13 of the Clearing									
	o personal inform Regulations.	ation or certain otherwise	e sensitive information	n listed un	ider regulation	13 of the Clearing				
Please	Please indicate if you are signing as an individual or a company:									
	An individual.	f an individual landowner	is applying, all land	owners m	ust sign this fo	orm.				
	A company.	Company name:	Albemarle Lithium	Pty Ltd	ACN:	618 095 471				
		A person expressly authorised or authorised to execute on behalf of a body corporate must sign this form. A company must be a legal entity and provide an ACN. Please note an Australian Business Number is not sufficient.								
	Other entity for	Other entity formed at law. Provide								
(	person	9		13	3 January 202	5				
Signa	ture			D	ate					
Tom	Baddeley									
Name										
Head of External Affairs, Albemarle Australia										
Positi	on									