



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 [Procedure: Native vegetation clearing permits](#) on DWER's website.

CPS No.
Date stamp

Part 1: Assessment bilateral agreement	
<p>If the amendment of a clearing permit will or is likely to impact on a matter of national environmental significance identified under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (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 amendment application form.</p> <p>To be assessed in this manner, the proposed clearing action must be referred to the Commonwealth under the EPBC Act and deemed a '<a href="#">controlled action</a>' prior to submitting this application form.</p> <p>Further information is located in <i>Form Annex C7</i> and <i>A guide to native vegetation clearing processes under the Assessment bilateral agreement</i> available at <a href="http://www.der.wa.gov.au/our-work/clearing-permits">www.der.wa.gov.au/our-work/clearing-permits</a>.</p>	<p>Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?</p>
	<p><input type="checkbox"/> Yes EPBC number: _____</p>
	<p><input checked="" type="checkbox"/> No Proceed to Part 2</p>
	<p>List the controlling provisions identified in the notification of the controlled action decision.</p>
	<p><input type="checkbox"/> <i>Form Annex C7</i> is complete and the required supporting information is attached.</p>

Part 2: Clearing permit details		
<p>Amendments can only be made to active clearing permits.</p> <p>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.</p>	<p>Permit number for existing clearing permit</p>	CPS 3290/3
	<p>Permit holder's name (as it appears on the existing clearing permit)</p>	Phosphate Resources Limited trading as Christmas Island Phosphates
<p>FILE REFERENCE</p>	<p>Permit expiry date:</p>	31 August 2025
	<p>Mark this box if there are less than 90 working days until the expiry of the existing permit.</p>	<input type="checkbox"/>

Part 3: Applicant						
<b>Applicant details</b>						
<p>To apply for an amendment to a permit you must be the current holder of the existing permit.</p> <p>Include Australian Company Number (ACN) if the proposed permit holder is a body corporate or other entity formed at law.</p>	<p>Are you applying as an individual, a company or incorporated body? Enter details for one only.</p> <p>An individual      Title      Mr    <input type="checkbox"/>      Mrs    <input type="checkbox"/>      Ms    <input type="checkbox"/>      Other:      <input type="checkbox"/></p> <p>Name/s      <input type="text"/></p> <p><b>OR</b></p> <p>A body corporate or other entity formed at law (include ACN)      Phosphate Resources Limited trading as Christmas Island Phosphates (009 396 543)</p>					
	<b>Applicant contact details</b>					
<p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>DWER and 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 ("Part V documents") via email by indicating your consent in this section of the application form.</p> <p>Where 'yes' is selected, all correspondence from DWER or DMIRS (as applicable) will be sent to you via email, to the email address provided in this section.</p> <p>Where 'no' has been selected, Part V documents will be posted to you in hard copy to the postal/business address you have provided in this section. Other general correspondence may still be sent to you via email.</p>	<p>Provide contact details for the above individual or body corporate.</p> <p>Contact person (and position, if applicable)      <input type="text"/></p> <p>Company name (if applicable)      <input type="text"/></p> <p>Postal / business address      <input type="text"/></p> <p>Phone (fixed line):      <input type="text"/></p> <p>Email address      <input type="text"/></p>					
	<p><i>I consent to all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable), regarding the premises which is the subject of this application, being exclusively via email, using the email address I have provided above.</i></p>					
	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </tbody> </table>		Yes	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Yes	No				
	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
	<b>Contact details for enquiries</b>					
<p>If different from the applicant's contact details, enter the contact details of a person with whom DWER or DMIRS should liaise with concerning this clearing application.</p>	<p>Where contact details differ to those of the applicant, complete the below section:</p> <p>Contact person (and position, if applicable)      <input type="text"/></p> <p>Company name (if applicable)      <input type="text"/></p> <p>Postal / business address      <input type="text"/></p> <p>Phone (fixed line)      <input type="text"/></p> <p>Email address      <input type="text"/></p>					

Part 4: Proposed amendments	
<p>Additional information to support the assessment of your application to amend may be attached.</p> <p>Please ensure you have included the following as part of your application:</p> <ul style="list-style-type: none"> <li>a photocopy of the granted clearing permit, with proposed changes highlighted, <i>and</i></li> <li>payment of the prescribed fee.</li> </ul> <p>When providing details of the proposed change(s), if any additional clearing is proposed, include details of:</p> <ul style="list-style-type: none"> <li>the proposed method of the clearing;</li> <li>the purpose of the clearing;</li> <li>the period within which the clearing is proposed to be undertaken (taking note of the published minimum assessment timeframes for DWER / DMIRS, as applicable); <i>and</i></li> <li>the final land use.</li> </ul>	<p>Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):</p> <p><input checked="" type="checkbox"/> Extend the duration of the clearing permit.</p> <p><input checked="" type="checkbox"/> Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.</p> <p><input type="checkbox"/> Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.</p> <p><input type="checkbox"/> Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i></p> <p><input type="checkbox"/> Make a correction to the clearing permit.</p> <p><input type="checkbox"/> Other.</p> <p>Provide details of the proposed change(s), and the rationale(s) for it / them.</p> <p>Request to extend the Permit to 26/06/2034 to align with MCI 70/1A tenement expiry.</p> <p>Add purpose of rehabilitation to relinquished areas of MCI 70/1A in the CPS Area.</p> <p>Remove Conditions 6(b) and 6(c) to align with current weed management.</p> <p>Amend Conditions 7a and 7b from 50m to align with boundary conditions on recently issued permits.</p>
<p>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 landowner to access the land and undertake the clearing.</p>	<p>State the nature of the applicant's authority to access the land to be cleared. Evidence of authority can include e.g. a copy of the certificate of title or a letter of authority signed by the landowner or other person with authority to give legal land access permission.</p> <p><i>[Attach evidence of authority. Note that a letter of authority must explicitly state the applicant has authority to clear on the land.]</i></p>
<p>Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.</p>	<p>Land description: volume and folio number, lot or location number(s), Crown lease or reserve number, pastoral lease number, or mining tenement number of all properties.</p>
<p>You must provide evidence that avoidance and mitigation options have been pursued to eliminate, reduce or otherwise mitigate the need for, and scale of, the proposed clearing of native vegetation.</p>	<p>Have alternatives that would avoid or minimise the need for clearing been considered and applied? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide details:</p> <p>Refer to the Supporting Document Section 'Environmental Management'.</p>
<p>Refer to DWER's <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the EPA's <a href="#">WA Environmental Offsets Policy and Guidelines</a> on the EPA website for further information.</p>	<p>Do you want to submit a clearing permit offset proposal with your application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native vegetation offsets procedure guideline</i>.</p>

Part 5: Other DWER approvals	
<b>Instructions:</b> <ul style="list-style-type: none"> <li>If your application is to be submitted to DMIRS, complete Section A and then skip to Part 6 of this form.</li> <li>If your application is to be submitted to DWER, complete both Sections A and B.</li> </ul>	
Section A: Environmental Impact Assessment	
Environmental Impact Assessment (Part IV of the EP Act)	
<b>Has this clearing application or any related matter been referred to the Environmental Protection Authority?</b>	<input type="checkbox"/> Yes – provide details [     ] <input checked="" type="checkbox"/> No
<b>Do you intend to refer the proposal to the Environmental Protection Authority?</b> 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 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 under Part IV, if such a referral has not already been made. If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.	<input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')
	<input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) MS [     ]
	<input type="checkbox"/> No – a current valid Ministerial Statement applies: MS [     ]
	<input checked="" type="checkbox"/> No – not a 'significant proposal'
Section B: Other approvals	
Pre-application scoping	
<b>Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?</b>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes – provide details: [01 May 2024 – ██████████ (CIP), ██████████ (DWER) & ██████████ (DWER)]; 04 September 2024 – ██████████ (CIP) and ██████████ (DWER); emails from/to ██████████ (CIP) to ██████████ & ██████████ (DWER) on 09 September 2024, 20 September 2024, 14 and 20 October 2024, ongoing communication to/from ██████████ (CIP) and ██████████ (DWER) from late October 2024
Works approval / Licence / Registration (Part V Division 3 of the EP Act)	
<b>Have you applied or do you intend to apply for a works approval, licence, registration, or an amendment to any of the above, under Part V Division 3 of the EP Act?</b> 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 <i>Environmental Protection Regulations 1987</i> , unless that action is done in accordance with a works approval, licence, or registration. For further guidance, refer to <a href="#">Guideline: Decision making</a> and <a href="#">Guideline: Industry Regulation Guide to Licensing</a> .	<input type="checkbox"/> Yes – application reference (if known): [     ]
	<input type="checkbox"/> No – a valid works approval applies: [     ]
	<input type="checkbox"/> No – a valid licence applies: [     ]
	<input type="checkbox"/> No – a valid registration applies: [     ]
	<input checked="" type="checkbox"/> No – not required
Water licences and permits ( <i>Rights in Water and Irrigation Act 1914</i> )	
<b>Have you applied or do you intend to apply for:</b> 1. a licence or amendment to a licence to take water (surface water or groundwater); or	<input type="checkbox"/> Yes – application reference (if known): [     ]
	<input type="checkbox"/> No – a current valid licence applies: [     ]



Part 5: Other DWER approvals	
<p>2. a licence or amendment to a licence to construct wells (including bores and soaks); or</p> <p>3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse?</p> <p>For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i>, refer to the <a href="#">Procedure: Water licences and permits</a>.</p>	<input checked="" type="checkbox"/> N/A

Part 6: Surveys for Assessments (IBSA and IMSA)			
<p>Do you wish to submit marine or biodiversity surveys in support of your application?</p>	<input type="checkbox"/> Yes		
	<input checked="" type="checkbox"/> No – skip to Part 7		
<p>Biodiversity surveys submitted to support this application must meet the requirements of the EPA's <a href="#">Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)</a>. If these requirements are not met, DWER / DMIRS (as applicable) may decline to deal with the application.</p> <p>Please provide the IBSA number(s) (or submission number(s) if IBSA number has not yet been issued) in the space provided.</p> <p>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 issued, please notify DWER / DMIRS (as applicable).</p> <p>Please note the assessment timeframes for your application will be suspended until the IBSA number(s) is provided to DWER / DMIRS (as applicable).</p>	<p>All biodiversity surveys that support this application have been submitted to the <i>Index of Biodiversity Surveys for Assessment</i> available at: <a href="http://ibsubmissions.dwer.wa.gov.au">ibsubmissions.dwer.wa.gov.au</a></p>	<p>Yes</p>	
	<p><b>Submission number(s)</b> (e.g. <i>IBSASUB-20200101-12345A6D</i>)</p> <p>Please list all numbers. If space is inadequate, list on a separate sheet.</p>	<input type="checkbox"/>	
<p>Marine surveys submitted to support this application must meet the requirements of the EPA's <a href="#">Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</a>. If these requirements are not met, DWER will decline to deal with the application.</p>	<p>All marine surveys submitted with this application meet the requirements of the EPA's <a href="#">Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</a>.</p>	<p>Yes</p>	<p>N/A</p>
	<p><b>IBSA number(s)</b> (e.g. <i>IBSA-2020-0123</i>)</p> <p>Please list all numbers. If space is inadequate, list on a separate sheet.</p>	<input type="checkbox"/>	<input type="checkbox"/>

Part 7: Records kept under the existing clearing permit's conditions				
<p>Most clearing permits include one or more conditions requiring that the permit holder keep certain records relating to the actions undertaken in accordance with the clearing permit.</p> <p>DWER / DMIRS (as applicable) requires that these records are provided to support the assessment of this application.</p> <p>Records provided should cover:</p> <ul style="list-style-type: none"> <li>the full period of the permit;</li> </ul>	<p>The required records are attached.</p>		<p>Yes</p>	
	<p>Please select the relevant records included with the report. Only records required to be kept by the conditions of the existing clearing permit need to be provided.</p>			<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<p>The total amount, location(s), and date(s) of clearing done under the permit (or within the past five years).</p>		
	<input checked="" type="checkbox"/>	<p>Actions taken to avoid or minimise the impact and extent of clearing.</p>		
<input checked="" type="checkbox"/>	<p>Actions taken in relation to flora and/or fauna management.</p>			

Part 7: Records kept under the existing clearing permit's conditions	
<p><i>or</i></p> <ul style="list-style-type: none"> <li>the past five years (if the existing permit's duration is greater than five years and it was amended within the past five years).</li> </ul>	<input checked="" type="checkbox"/> Actions taken to revegetate or rehabilitate the areas cleared under the permit.
	<input type="checkbox"/> Records pertaining to any onsite or offsite environmental offsets.
	Any other relevant records required to be kept by the conditions of the permit.
	<input type="checkbox"/> <i>Summarise other records:</i>