



Department of Water and Environmental Regulation – Department of Mines, Industry Regulation and Safety

Department of Mines and Petroleum	CPS No.
	5697/3
	22 MAR 2018
Native Vegetation	
	Date stamp

# Application for an amendment to a clearing permit

Environmental Protection Act 1986 section 51M

## FORM C4

Clearing of native vegetation is prohibited in Western Australia except where a clearing permit has been granted or an exemption applies. A person who causes or allows unauthorised clearing commits an offence.

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 (Cth)</i> (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>Further information is located in <i>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"/> Annex C7 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. 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 CPS 5697</p>
	<p>Permit holder's name (as it appears on the existing clearing permit) Hamersley Iron Pty Ltd</p>
<p>FILE REFERENCE</p>	<p>Permit expiry date: 31 July 2025</p>
	<p>Mark this box if there are less than 90 working days until the expiry of the existing permit. <input type="checkbox"/></p>

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Part 3: Applicant	
Applicant details	
<p>To apply for an amendment to a permit you must be the current holder of the existing permit.</p>	<p>Are you applying as an individual, a company or an incorporated body? Enter details for one only.</p> <p>An individual applicant      Title      <input type="checkbox"/> Mr    <input type="checkbox"/> Mrs    <input type="checkbox"/> Ms  <input type="checkbox"/> Other</p> <p>Name(s)</p> <p><b>OR</b></p> <p>A body corporate or other entity formed at law (include Australian Company Number)      Hamersley Iron Pty Ltd – 004 558 276</p>
	<p><b>Applicant contact details</b></p> <p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>All written correspondence from the Department of Water and Environmental Regulation (DWER) regarding your application will be made via email; you must provide a valid email address through which you agree to accept all electronic correspondence.</p> <p>The postal/business address supplied must be a physical address to which a statutory notice under the EP Act may be delivered.<sup>1</sup></p>
Contact details for enquiries	
<p>If different from the applicant's contact details, enter the contact details of a person with whom DWER or the Department of Mines, Industry Regulation and Safety (DMIRS) should liaise with concerning this clearing application.</p>	<p>Where contact details differ to those of the land holder, complete the below section:</p> <p>An individual applicant      Title      <input type="checkbox"/> Mr    <input type="checkbox"/> Mrs    <input type="checkbox"/> Ms  <input type="checkbox"/> Other</p> <p>Name(s)</p> <p><b>OR</b></p> <p>A body corporate or other entity formed at law</p> <p>Postal / business address:</p> <p>Phone (fixed line):      Phone (mobile):</p> <p>Email address</p>
	<p>Department of Mines Industry Regulation and Safety</p> <p>22 MAR 2018</p>

<sup>1</sup> The provision of a postal/business address is required as any statutory notices or directions under the relevant legislation are required to be served by post or personally [sections 75 and 76 Interpretation Act 1984 (WA)].



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>Indicate the proposed change/s to your clearing permit by selecting the relevant box/es:</p> <p><input 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 checked="" 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 checked="" 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 for it / them.</p> <ul style="list-style-type: none"> <li>- Update Condition 3 to increase the application area and the clearing limit (from 10ha to 30ha),</li> <li>- Update Condition 4 to extend the period in which clearing is authorised,</li> <li>- Update Condition 9(a) to have report due by 30 June for work carried out 01 Jan and 31 Dec of the previous year, and</li> <li>- Update Condition 10(b) to change wording to prior to 31 December.</li> </ul>
<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>Evidence of authority can include, for example, a copy of the certificate of title or a letter of authority from the land owner.</p> <p>Note: the letter of authority must explicitly state the applicant has authority to clear on the land.</p>	<p>State the nature of the applicant's authority to access the land to be cleared. <i>[Attach evidence of authority]</i></p> <p>Owner</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>Mineral Lease 4SA</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>Clearing is required due to the nature of the work</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 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>

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Part 5: Other DWER approvals	
<b>Instructions:</b>	
<ul style="list-style-type: none"> <li>• If your application is to be submitted to DMIRS skip to Part 6 of this form.</li> <li>• If you have applied, or intend to apply, for other approvals within DWER you must provide the details.</li> <li>• If you have referred, or intend to refer, your proposal to the Environmental Protection Authority (EPA) you must provide the details.</li> </ul>	
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 type="checkbox"/> Yes – provide details: [     ]
Environmental Impact Assessment (Part IV of the EP Act)	
<b>Have you referred or do you intend to refer the proposal to the Environmental Protection Authority?</b>	<input type="checkbox"/> Yes (referred) – reference (if known): [     ]
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 DWER considers that the proposal in this application is likely to constitute a 'significant proposal', DWER is 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.	<input type="checkbox"/> Yes – (intend to refer) proposal is a 'strategic proposal' under section 37B(2)
	<input type="checkbox"/> Yes – (intend to refer) proposal will require a section 45C amendment to the current Ministerial Statement: [     ]
	<input type="checkbox"/> No – a current valid Ministerial Statement applies: [     ]
	<input type="checkbox"/> No – not a 'significant proposal'
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>	<input type="checkbox"/> Yes – application reference (if known): [     ]
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, please refer to the <a href="#">Guidance Statement: Decision Making</a> (February 2017).	<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 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>	<input type="checkbox"/> Yes – application reference (if known): [     ]
1. a licence or amendment to a licence to take water (surface water or groundwater); or	<input type="checkbox"/> No – a current valid licence applies: [     ]
2. a licence or amendment to a licence to construct wells (including bores and soaks); or	<input type="checkbox"/> N/A
3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse?	

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<b>Part 8: Submission of application</b>	
<p><b>Confidential or commercially sensitive information</b></p> <p>Information submitted as part of this application will be made publicly available. If you wish to submit information that you believe to be commercially sensitive or otherwise confidential, then you should submit that information in an appendix to this application (Attachment 1), with a written statement of reasons why you request that each item of information be kept confidential.</p> <p>DWER will take reasonable steps to protect confidential or commercially sensitive information. Please note in particular that all submitted information may be the subject of an application for release under the <i>Freedom of Information Act 1992</i> (WA). If you have any enquiries regarding the provision of relevant information as part of this application contact either DWER or DMIRS.</p>	
<p>Email or post applications to amend clearing permits granted by the Department of Water and Environmental Regulation, or the former Department of Environment Regulation or former Department of Environment and Conservation to:</p> <p>Email: <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a></p> <p><b>Department of Water and Environmental Regulation</b>                  Locked Bag 33                  CLOISTERS SQUARE                  PERTH WA 6850</p> <p>Telephone: 6364 7000</p> <p>For more information: <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a></p>	<p>Post applications to amend clearing permits granted by the Department of Mines, Industry Regulation and Safety, or the former Department of Mines and Petroleum (under delegation) to:</p> <p><b>Department of Mines, Industry Regulation and Safety</b>                  Environment Division                  Mineral House                  100 Plain St EAST PERTH WA 6004</p> <p>Telephone: 9222 3333</p> <p>For more information: <a href="http://www.dmirs.wa.gov.au">www.dmirs.wa.gov.au</a></p>
<p>Please retain a copy of this form for your records.                  Incomplete applications will be returned.</p>	
<p>If there is insufficient space on any part of this form, please continue on a separate sheet of paper and attach to this form</p>	

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**ATTACHMENT 1 – Confidential or Commercially Sensitive Information**

Request for Exemption from Publication	
Information which you consider should not be published, on the grounds of a relevant exemption found in Schedule 1 to the <i>Freedom of Information Act 1992</i> (WA), must be specified in this Attachment.	
<b>NOT FOR PUBLICATION IF GROUNDS FOR EXEMPTION ARE DETERMINED</b>	
Specify section:	Ground for claiming exemption:
Specify section:	Ground for claiming exemption:
<div style="text-align: right; margin-top: 20px;">  </div>	