



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

If the amendment of a clearing permit will or is likely to impact on a matter of national environmental significance identified under the *Environment Protection and Biodiversity Conservation Act 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 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.

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?

Yes EPBC number: _____

No Proceed to Part 2

List the controlling provisions identified in the notification of the controlled action decision.

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.

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.

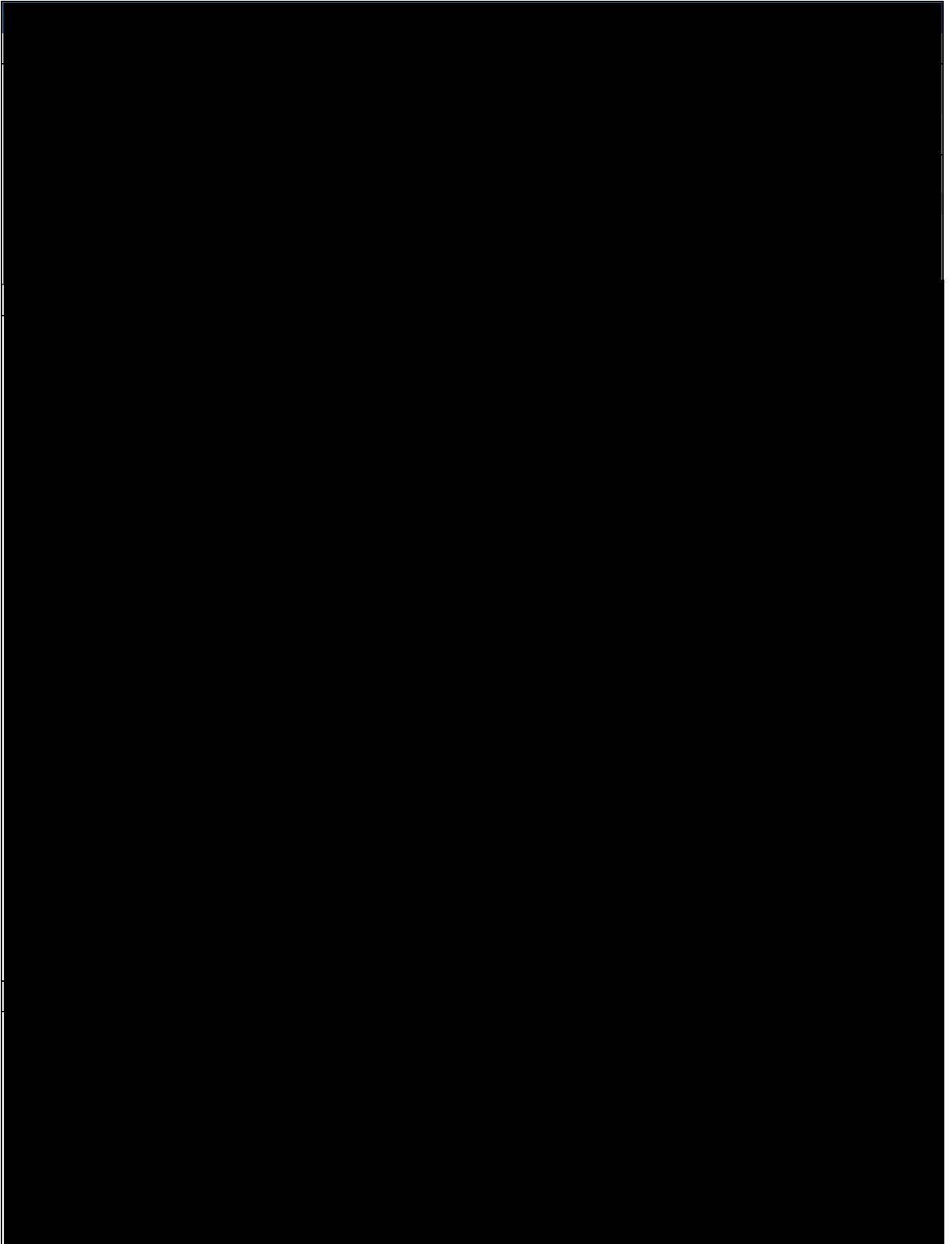
Permit number for existing clearing permit CPS 6152/3 - Burgundy

Permit holder's name (as it appears on the existing clearing permit) Evolution Mining (Phoenix) Pty Ltd

FILE REFERENCE

Permit expiry date: 30 August 2024

Mark this box if there are less than 90 working days until the expiry of the existing permit.





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"> a photocopy of the granted clearing permit, with proposed changes highlighted, <i>and</i> payment of the prescribed fee. <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"> the proposed method of the clearing; the purpose of the clearing; 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> the final land use. 	<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 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>Extend the duration of the permit by 5 years to 30 August 2034. No other changes. Extension is required to facilitate mining operations.</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. <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>NA</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>NA</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>Disturbance works have been sited such that key environmental values are avoided, or impact is reduced to ALARP. Clearing will be conducted on an ‘as required’ basis and survey pickups will be carried out before and after clearing.</p>

Part 4: Proposed amendments	
Refer to DWER's Clearing of native vegetation offsets procedure guideline available on the DWER website, and the EPA's WA Environmental Offsets Policy and Guidelines on the EPA website for further information.	Do you want to submit a clearing permit offset proposal with your application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native vegetation offsets procedure guideline</i> .

Part 5: Other DWER approvals

Instructions:

- If your application is to be submitted to DMIRS, complete Section A and then skip to Part 6 of this form.
- If your application is to be submitted to DWER, complete both Sections A and B.

Section A: Environmental Impact Assessment

Environmental Impact Assessment (Part IV of the EP Act)

Has this clearing application or any related matter been referred to the Environmental Protection Authority?	<input type="checkbox"/> Yes – provide details []
	<input checked="" type="checkbox"/> No
Do you intend to refer the proposal to the Environmental Protection Authority? 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

Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> Yes – provide details: []

Works approval / Licence / Registration (Part V Division 3 of the EP Act)

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? 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 Guideline: Decision making and Guideline: Industry Regulation Guide to Licensing .	<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 (Rights in Water and Irrigation Act 1914)

Have you applied or do you intend to apply for: 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 checked="" type="checkbox"/> No – a current valid licence applies: [GWL178353(5)]

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 Procedure: Water licences and permits.</p>	<input 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 checked="" type="checkbox"/> Yes		
	<input type="checkbox"/> No – skip to Part 7		
<p>Biodiversity surveys submitted to support this application must meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA). 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: ibsasubmissions.dwer.wa.gov.au</p>	<p>Yes</p> <input checked="" type="checkbox"/>	
	<p>Submission number(s) (e.g. <i>IBSASUB-20200101-12345A6D</i>)</p> <p>Please list all numbers. If space is inadequate, list on a separate sheet.</p>		
	<p>IBSA number(s) (e.g. <i>IBSA-2020-0123</i>)</p> <p>Please list all numbers. If space is inadequate, list on a separate sheet.</p>	IBSA-2021-0414 IBSA-2021-0415	
<p>Marine surveys submitted to support this application must 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.</p>	<p>All marine surveys submitted with this application meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA).</p>	<p>Yes</p> <input type="checkbox"/>	<p>N/A</p> <input type="checkbox"/>
		<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"> the full period of the permit; 	<p>The required records are attached.</p>		<p>Yes</p> <input checked="" type="checkbox"/>
	<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"/>	<p>The total amount, location(s), and date(s) of clearing done under the permit (or within the past five years).</p>	
	<input type="checkbox"/>	<p>Actions taken to avoid or minimise the impact and extent of clearing.</p>	
	<input 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"> the past five years (if the existing permit's duration is greater than five years and it was amended within the past five years). 	<div style="border-bottom: 1px solid black; padding-bottom: 5px;"> <input type="checkbox"/> Actions taken to revegetate or rehabilitate the areas cleared under the permit. </div> <div style="border-bottom: 1px solid black; padding-bottom: 5px;"> <input type="checkbox"/> Records pertaining to any onsite or offsite environmental offsets. </div> <div style="border-bottom: 1px solid black; padding-bottom: 5px;"> Any other relevant records required to be kept by the conditions of the permit. </div> <div style="padding-bottom: 5px;"> <input type="checkbox"/> <i>Summarise other records:</i> </div>

Part 8: Prescribed fee	
<p>Fees are payable to the:</p> <ul style="list-style-type: none"> DWER for all clearing purposes other than mineral and petroleum activities <p>OR</p> <ul style="list-style-type: none"> DMIRS for mineral and petroleum clearing activities under the <i>Mining Act 1978</i>, various Petroleum Acts, or State Agreement Acts. <p>DWER will only accept fees paid via either:</p> <ul style="list-style-type: none"> DWER’s BPoint system, accessible online at: 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, through the DMIRS online payment and application lodgement portal.</p> <p>Do not send cash in the mail.</p>	<p>The prescribed fee is to be paid at the time of submitting the application form. Please indicate the clearing permit application fee that you are paying. For further guidance, refer to DWER’s online clearing fees frequently asked questions.</p> <p>AREA PERMIT</p> <p><input type="checkbox"/> \$50 to alter the requirements of an area permit, or to increase the area covered by an area permit by less than one hectare.</p> <hr/> <p><input type="checkbox"/> \$100 to increase the area covered by an area permit by between one hectare and 10 hectares.</p> <hr/> <p><input type="checkbox"/> \$200 to increase the area covered by an area permit by more than 10 hectares.</p> <hr/> <p>PURPOSE PERMIT</p> <p><input checked="" type="checkbox"/> \$200 to alter any requirement of a purpose permit.</p> <hr/> <p>Payment method (mark applicable box):</p> <p><input type="checkbox"/> (DWER) Secure credit card payment through BPoint See www.dwer.wa.gov.au/make-a-payment Note: Biller Code is ‘1222355 Clearing Regulation’ Receipt number: <input style="width: 150px;" type="text"/> Date of payment: <input style="width: 100px;" type="text"/></p> <hr/> <p><input type="checkbox"/> (DWER) Secure EFT payment See https://dwer.wa.gov.au/make-a-payment for payment details. <i>State the name of the intended permit holder clearly in the EFT payment subject.</i> Date of payment <input style="width: 100px;" type="text"/></p> <hr/> <p><input type="checkbox"/> (DWER) Cheque / Money Order <i>Please make cheques or money orders payable to the “Department of Water and Environmental Regulation”.</i></p> <hr/> <p><input checked="" type="checkbox"/> (DMIRS) Secure credit card payment online through the DMIRS online payment and application lodgement portal. Please note: All applications will be paid online and submitted simultaneously. Please save this application form, along with any supporting document ready for the submission portal and use the link above to pay and submit your application. A receipt will be issued upon submission only. Please ensure this receipt is saved for your records.</p>

OFFICE USE ONLY

Part 9: Application checklist	
<p>Additional information to assist in the assessment of your proposed clearing may be attached to this application – e.g. reports on salinity, fauna, or flora studies, or other environmental reports conducted for the site.</p> <p>This information may be included in electronic format on a suitable portable digital storage device or posted with your hard copy form.</p>	<p>Please ensure you have included the following as part of your application:</p> <p>REQUIRED</p> <p><input checked="" type="checkbox"/> Payment of the prescribed fee.</p> <p><input checked="" type="checkbox"/> An aerial photograph or map with a north arrow clearly identifying the areas of vegetation proposed to be cleared or ESRI shapefile.</p> <p><input checked="" type="checkbox"/> A report with the records required to be kept in accordance with the current clearing permit's conditions has been provided in Part 7.</p> <p><input checked="" type="checkbox"/> An index of all documentation attached to this application.</p> <p>AS REQUIRED</p> <p><input checked="" type="checkbox"/> Copy of the certificate of title or pastoral lease.</p> <p><input checked="" type="checkbox"/> A copy of the written authorisation permitting the applicant to act on behalf of the current clearing permit holder.</p> <p><input type="checkbox"/> Written authority from the landowner to access the land and conduct the clearing.</p> <p><input type="checkbox"/> <i>Form Annex C7 – Assessment bilateral agreement</i> if the clearing is also to be assessed under an EPBC Act accredited process.</p> <p><input type="checkbox"/> Appendix A of the <i>Clearing of native vegetation offsets procedure</i> guideline if the application includes a proposal for clearing permit offsets.</p> <p><input checked="" type="checkbox"/> IBSA number has been provided in Part 6.</p> <p>ADDITIONAL SUPPORTING INFORMATION</p> <p><input type="checkbox"/> Photos of application area</p> <p><input type="checkbox"/> 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).</p>

Part 10: Commercially sensitive or confidential information		
<p>Information submitted as part of this application will be made publicly available. If you wish to submit commercially sensitive or confidential information, please identify the information in Attachment 1, and include a written statement of reasons why you request each item of information be kept confidential.</p> <p>DWER and DMIRS will take reasonable steps under Part 3 of the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> (the Clearing Regulations) to protect confidential material and/or otherwise sensitive information (such as information of a kind listed under regulation 13 of the Clearing Regulations).</p> <p>However, please note that DWER and DMIRS cannot commit to redacting all personal information from all supporting documents. You are advised to ensure that all personal information, including signatures, are removed from supporting documents before you submit them to the department. 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).</p> <p>Information submitted later in the application process may also be made publicly available at the discretion of the relevant department. For any commercially sensitive or confidential information, please follow the same process as described above.</p>		
<p>All information which you would propose to be exempt from public disclosure has been separately placed in a redacted version of the application form and its supporting documentation. Note that this is in addition to the unredacted version(s) provided to DWER / DMIRS (as applicable) for its assessment. Grounds for claiming exemption in accordance with Schedule 1 to the <i>Freedom of Information Act 1992</i> must be specified in Attachment 1 (located at the end of this form).</p>	<p>Attached</p> <p><input type="checkbox"/></p>	<p>N/A</p> <p><input checked="" type="checkbox"/></p>

Part 11: Submission of application	
<p>Check one of the boxes below to nominate how you will submit your application.</p> <p>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 make other arrangements.</p> <p>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.</p>	
<p>(DWER only) A signed, electronic copy of the application form, including all attachments, has been submitted via the applicable email address specified below;</p> <p>OR</p>	<input type="checkbox"/>
<p>(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;</p> <p>OR</p>	<input type="checkbox"/>
<p>(DWER only) A full, signed hard copy has been sent to the applicable postal address specified below.</p> <p>OR</p>	<input type="checkbox"/>
<p>(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.</p>	
<p>Department of Water and Environmental Regulation</p> <p>Applications to amend clearing permits granted by DWER, or the former Department of Environmental Regulation or former Department of Environment and Conservation, may be submitted via email or post to:</p> <p>Email: info@dwer.wa.gov.au</p> <p>Post: Department of Water and Environmental Regulation Locked Bag 10 Joondalup DC WA 6919</p> <p>If you have any questions regarding lodgement of your application, please contact DWER via:</p> <p style="padding-left: 40px;">Email: info@dwer.wa.gov.au</p> <p style="padding-left: 40px;">Phone: 6364 7000</p> <p>For more information: www.dwer.wa.gov.au</p>	<p>Department of Mines, Industry Regulation and Safety</p> <p>Applications to amend clearing permits granted by DMIRS, or the former Department of Mines and Petroleum (under delegation), can be lodged online via the DMIRS online payment and application lodgement portal.</p> <p>If you have any questions regarding lodgement of your application, please contact DMIRS via:</p> <p style="padding-left: 40px;">Email: nvab@dmirs.wa.gov.au</p> <p style="padding-left: 40px;">Phone: 9222 3535</p> <p>For more information: www.dmirs.wa.gov.au</p>
<p>Please retain a copy of this form for your records.</p> <p>Incomplete applications will be declined in accordance with section 51KA(3) of the EP Act.</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>	

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 Regulations.

ATTACHMENT 1 – Confidential or Commercially Sensitive Information

