



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 6361/2

Permit holder's name (as it appears on the existing clearing permit) APA Operations Pty Ltd

FILE REFERENCE

Permit expiry date: 21 February 2025

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 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>APA Operations Pty Ltd is requesting the following:</p> <ol style="list-style-type: none"> 1. Extend the duration of the clearing permit for another 5 years as there is still allocation left on the permit. 2. Remove Condition 7 from the permit, that requires ongoing monitoring of the Sandhill Dunnart due to the following: <ul style="list-style-type: none"> • Bi-annual monitoring of SHD along the EGP pipeline (Project area) was completed over a ten-year period by Kingfisher, meeting the 2016 DPaW guideline requirements for monitoring. Reports from the monitoring program was peer reviewed by Phoenix Environmental Sciences to analyse the impacts of the Project against the EPBC Act significant impact criteria for endangered species. The monitoring plan had a frequency of up to 10 years and that 2024 is the 10th year of monitoring. APA will complete the Spring 2024 monitoring to finalise the 10th year as per the monitoring plan. • The assessment summarised that the monitoring program contributed considerably to the state of knowledge of the species to greater understand the species range and ecology. Monitoring indicated the species can transit through rehabilitated areas, and the presence of feral animals has not increased as a result of the Project. The recent round of monitoring (Autumn 2024) has also concluded 'significant impact is unlikely' against all monitoring criteria. • The peer reviewed concluded that 'the primary objective of assessing whether the Project has had any significant impacts on the SHD has been met, as demonstrated by the results of the impact assessments undertaken for this review. Further monitoring periods are not required to meet the objectives of the monitoring plan' (Phoenix Environmental Services 2024). 3. To replace ongoing monitoring, APA propose to include a condition for SHD Management with the following criteria: <ul style="list-style-type: none"> • Within two weeks prior to undertaking any clearing authorised under the Permit, a fauna specialist will be engaged to undertake clearance surveys for the SHD and will not clear vegetation within 10 metres of the identified evidence without engaging a fauna specialist. • Engage a fauna spotter to traverse the project area ahead of clearing machinery, at the time of clearing and alert machinery operators to avoid SHD. • Submit a report to the CEO that includes the location and type of evidence of SHD, details of any relocations and name of the fauna specialist engaged (with a copy of the authorising licence).
<p>For an application to amend the size of the area permitted to be cleared, or add a land parcel to</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>

Part 4: Proposed amendments	
the clearing permit, you must have the authority of the landowner to access the land and undertake the clearing.	<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>PL108 – easement / ML Miscellaneous Licence 38/105 Miscellaneous Licence 39/228 Miscellaneous Licence 39/225 Miscellaneous Licence 29/226 Miscellaneous Licence 39/227 Miscellaneous Licence 39/233 Miscellaneous Licence 39/234</p>
Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.	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.
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.	Have alternatives that would avoid or minimise the need for clearing been considered and applied? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If yes, provide details:
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

	<input checked="" type="checkbox"/> No
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Part 5: Other DWER approvals	
Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?	<input type="checkbox"/> Yes – provide details: []
Works approval / Licence / Registration (Part V Division 3 of the EP Act)	
<p>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?</p> <p>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.</p> <p>For further guidance, refer to Guideline: Decision making and Guideline: Industry Regulation Guide to Licensing.</p>	<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>)	
<p>Have you applied or do you intend to apply for:</p> <ol style="list-style-type: none"> a licence or amendment to a licence to take water (surface water or groundwater); or a licence or amendment to a licence to construct wells (including bores and soaks); or a permit or amendment to a permit to interfere with the bed and banks of a watercourse? <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"/> Yes –application reference (if known): []
	<input type="checkbox"/> No – a current valid licence applies: []
	<input checked="" type="checkbox"/> N/A

Part 6: Surveys for Assessments (IBSA and IMSA)							
Do you wish to submit marine or biodiversity surveys in support of your application?	<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> <table border="1"> <thead> <tr> <th colspan="2"></th> <th>Yes</th> </tr> </thead> <tbody> <tr> <td colspan="2"></td> <td><input checked="" type="checkbox"/></td> </tr> </tbody> </table>			Yes			<input checked="" type="checkbox"/>
			Yes				
			<input checked="" type="checkbox"/>				
<p>Submission number(s) (e.g. <i>IBSASUB-20200101-12345A6D</i>) Please list all numbers. If space is inadequate, list on a separate sheet.</p>	IBSASUB-20241011-FBF7E62C						
<p>IBSA number(s) (e.g. <i>IBSA-2020-0123</i>) Please list all numbers. If space is inadequate, list on a separate sheet.</p>							
		Yes N/A					