



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

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.

CPS No.
7009/2

revised appl
recvd 13/6/19

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.

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 7009/1

Permit holder's name (as it appears on the existing clearing permit) BHP Billiton Iron Ore Pty Ltd

FILE REFERENCE

Permit expiry date: 30 November 2026

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

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>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</p>			
	<p>OR</p> <p>A body corporate or other entity formed at law (include ACN)</p> <p>BHP Billiton Iron Ore Pty Ltd. ACN: 008 700 981</p>			
Applicant contact details				
<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 electronically via email.</p> <p>We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act ("Part V documents") electronically 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)</p>	<p>[REDACTED]</p>		
	<p>Company name (if applicable)</p>			
	<p>Postal / business address</p>			
	<p>Phone (fixed line):</p>			
	<p>Email address</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>				
		Yes	No	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Contact details for enquiries				
<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)</p>			
	<p>Company name (if applicable)</p>			
	<p>Postal / business address</p>			
	<p>Phone (fixed line)</p>		<p>Phone (mobile)</p>	
	<p>Email address</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"> • a photocopy of the granted clearing permit, with proposed changes highlighted, <i>and</i> • payment of the prescribed fee. 	<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 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>
<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. Evidence of authority can include, for example, a copy of the certificate of title or a letter of authority from the land owner. 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>Mining Leases; 47/283;47/284;47/289;47/290;47/291</p> <p>Miscellaneous Licences 45/129;45/130;45/131;45/132;45/133;45/134;45/135;45/136;45/147;45/190;45/194;47/92;47/95;</p> <p>Iron Ore (Mount Newman) Agreement Act 1964, Mineral Lease 244SA (AML 70/244); Iron Ore (Marillana Creek) Agreement Act 1991, Mining Lease 270SA (AM 70/270); Iron Ore (Mount Newman) Agreement Act 1964, Special Lease for Mining Operations Lease 3116/6038, Document I123402L, Lot 135 on Deposited Plan 48926. Lease 3116/3690, Document I123403L, Lot 6254 on Deposited Plan 035659; Lease 3116/6301, Document I123595L, Lot 48 on Deposited Plan 048928. Lease 3116/6300, Document I123596L, Lot 143 on Deposited Plan 048927. Lease 31 16/6298, Document I123599L, Lot 141 on Deposited Plan 048923. Lease 31 16/6400, Document I123701L, Lots 86, 87 on Deposited Plan 213620; Lease 31 16/6329, Document I123720L, Lot 50 on Deposited Plan 413317. Lease 31 16/6068, Document I150309L, Lot 136 on Deposited Plan 048924; Lease 31 16/6297, Document I150310L, Lot 140 on Deposited Plan 048922.</p>

Part 4: Proposed amendments	
	<p>Lease 3116/4028, N105667L, Lot 375 on Deposited Plan 405545, Lot 93 on Deposited Plan 60352, Lot 94 on Deposited Plan 60707, Lot 95 on Deposited Plan 60708, Lot 96 on Deposited Plan 60709, Lot 24 on Deposited Plan 60348, Lot 25 on Deposited Plan 60349, Lot 26 on Deposited Plan 60350;</p> <p>Lease 3116/3687, Document I154279L, Lot 65 on Deposited Plan 048920, Lot 19 on Deposited Plan 048921;</p> <p>Lease 3116/6299, Document I163678L, Lot 142 on Deposited Plan 048925.</p> <p>Lease 3116/3684, N88235L, Lot 351 on Deposited Plan 74327;</p> <p>Iron Ore (Marillana Creek) Agreement Act 1991 pursuant to Land Administration Act 1997, K843924L, Lots 145 on Deposited Plan 243202, 146 on Deposited Plan 243202 and 243203, 147 on Deposited Plan 243202, 149 on 243203, 150 on Deposited Plan 243203, 155 on Deposited Plan 220067, 156 on Deposited Plan 194001,220 on Deposited Plan 243202;</p> <p>K843925L, Lot 148 on Deposited Plan 93544;</p> <p>Iron Ore (Mount Goldsworthy) Agreement Act 1964, Special Lease for Mining Operations, Lease 3116/5999, Document I126342L, Lot 125 on Deposited Plan 219861, M653978L pursuant to Land Administration Act 1997, Lots 321,322, 323,324, 325 on Deposited Plan 74344</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>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>Boundary has been aligned to tenure. Disturbance will be kept to previously cleared areas where practicable.</p>
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.	<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	
<p>Instructions:</p> <ul style="list-style-type: none"> 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 Section A and B. 	
<p>Section A: Environmental Impact Assessment</p> <p>Environmental Impact Assessment (Part IV of the EP Act)</p>	
Has this clearing application or any related matter been referred to the Environmental Protection Authority?	<p><input type="checkbox"/> Yes – provide details []</p> <p><input checked="" type="checkbox"/> No</p>
Do you intend to refer the proposal to the Environmental Protection Authority?	<p><input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')</p> <p><input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) MS []</p> <p><input type="checkbox"/> No – a current valid Ministerial Statement applies: MS []</p>
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	

Part 5: Other DWER approvals	
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 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 offense 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 Guidance Statement: Decision Making .	<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>)	
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 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?	<input type="checkbox"/> Yes –application reference (if known): [] <input checked="" type="checkbox"/> No – a current valid licence applies: [No – a current valid licence applies: [158573, 167110, 167112, 167113, 167115, 167116, 170361]] <input type="checkbox"/> N/A

Part 6: Index of Biodiversity Surveys for Assessments (IBSA)	
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 will return the application.	<input checked="" type="checkbox"/> All biodiversity surveys submitted with this application meet the requirements of the EPA’s <i>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)</i> .

Part 7: Prescribed fee	
Make cheques or money orders payable to: Department of Water and Environmental Regulation for all clearing purposes other than mining and petroleum activities or Department of Mines, Industry Regulation and Safety for mineral and petroleum clearing activities under the <i>Mining Act 1978</i> , various Petroleum Acts, or State Agreement Acts.	Please indicate the clearing permit application fee that you are paying: AREA PERMIT <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. <input type="checkbox"/> \$100 to increase the area covered by an area permit by between one hectare and 10 hectares. <input type="checkbox"/> \$200 to increase the area covered by an area permit by more than 10 hectares. PURPOSE PERMIT <input checked="" type="checkbox"/> \$200 to alter any requirement of a purpose permit.

OFFICE USE ONLY

Part 7: Prescribed fee		
<p>For credit card payments to:</p> <ul style="list-style-type: none"> DWER, pay via BPoint, accessible online at: https://dwer.wa.gov.au/mak-e-a-payment DMIRS, complete <i>Form C3</i> and attach it to this form. <p>Do not send cash in the mail.</p>	<p>Payment method (mark applicable box):</p> <p><input type="checkbox"/> Cheque / Money Order</p> <hr/> <p><input type="checkbox"/> (DWER) Secure EFT payment (see https://dwer.wa.gov.au/make-a-payment for payment details)</p> <hr/> <p><input type="checkbox"/> (DWER) Secure credit card payment through BPoint</p> <p>Receipt number: <input style="width: 150px; height: 20px;" type="text"/></p> <p>Date of payment: <input style="width: 150px; height: 20px;" type="text"/></p> <hr/> <p><input checked="" type="checkbox"/> (DMIRS) Credit card –complete and attach <i>Form C3</i></p>	

Part 8: Application checklist		
Additional information to assist in the assessment of your proposal may be attached to this application – e.g. reports on salinity, fauna, or flora studies, or other environmental reports conducted for the site could be included in electronic format and submitted on a suitable portable digital storage device.	Please ensure you have included the following as part of your application:	
	REQUIRED	<input checked="" type="checkbox"/> Payment.
		<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.
		<input checked="" type="checkbox"/> An index of all documentation attached to this application.
	AS REQUIRED	<input type="checkbox"/> A copy of the written authorisation permitting the applicant to act on behalf of the current clearing permit holder.
		<input type="checkbox"/> Written authority from the landowner to access the land and conduct the clearing.
		<input checked="" type="checkbox"/> <i>Form C3 – Credit card payment for DMIRS clearing applications</i> , if the fee is to be paid to DMIRS by credit card.
		<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.
		<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.
	ADDITIONAL SUPPORTING INFORMATION	<input type="checkbox"/> Photos of application area
<input checked="" type="checkbox"/> Biodiversity surveys, submitted in accordance with the requirements of the EPA's <i>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)</i> .		

Part 9: 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>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. DWER and DMIRS 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 (WA)</i>.</p>		
All information which you would propose to be exempt from public disclosure has been separately placed in Attachment 1 (located at the end of this form). Grounds for claiming exemption in accordance with Schedule 1 to the <i>Freedom of Information Act 1992</i> must be specified.	Attached	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Part 10: 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. Files larger than 45MB cannot be received via email by DMIRS. Larger files can be sent via File Transfer. 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), on the details below.</p>	
<p>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>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 checked="" type="checkbox"/>
<p>A full, signed hard copy has been sent to the applicable postal address specified below.</p>	
<p>Email or post applications to amend clearing permits granted by DWER, or the former Department of Environment Regulation or former Department of Environment and Conservation to:</p> <p>Email: info@dwer.wa.gov.au</p> <p>Department of Water and Environmental Regulation Locked Bag 10 Joondalup DC WA 6919</p> <p>Telephone: 6364 7000</p> <p>For more information: www.dwer.wa.gov.au</p>	<p>Email or post applications to amend clearing permits granted by the DMIRS, or the former Department of Mines and Petroleum (under delegation) to:</p> <p>Email: nvab@dmirs.wa.gov.au</p> <p>Department of Mines, Industry Regulation and Safety Resource and Environmental Compliance Division Mineral House 100 Plain St EAST PERTH WA 6004</p> <p>Telephone: 9222 3333</p> <p>For more information: www.dmirs.wa.gov.au</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>	

Part 11: Declaration and signature

General

I/We confirm and acknowledge that:

- The information contained in this application is true and correct and I/we acknowledge that knowingly providing information which is false or misleading in a material particular constitutes an offence under section 112 of the *Environmental Protection Act 1986 (WA)* and may incur a penalty of up to \$50,000;
- I/We have legal authority to sign on behalf of the applicant (where authorisation provided);
- I/We have not altered the requirements and instructions set out in this application form;
- I/We have provided a valid email address in Part 3 for receipt of correspondence electronically via email from DWER or DMIRS (as applicable) in relation to this application;
- I/We acknowledge that successful delivery to my/our server constitutes receipt of correspondence sent electronically via email from DWER or DMIRS (as applicable) in relation to this application; and
- I/We have provided a valid postal and/or business address in Part 3 for the service of all Part V documents.

Publication

I/We confirm and acknowledge:

- this application (including all attachments apart from the sections identified in Attachment 1) is a public document and may be published;
- biodiversity surveys provided in accordance with Part 6 will be published and used, for the purposes of the IBSA 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;
- information considered exempt from public disclosure has been placed in Attachment 1 with reasons as to why the information should be exempt in accordance with the grounds specified in Schedule 1 to the *Freedom of Information Act 1992 (WA)*;
- subsequent information provided in relation to this application will be a public document and may be published unless written notice has been given to DWER or DMIRS (as applicable) by the applicant, at the time the information is provided, claiming that the information is considered exempt from public disclosure; and
- the decision to not publish information will be at the discretion of the CEO of DWER or DMIRS (as applicable) and will be made consistently with the provisions of the *Freedom of Information Act 1992 (WA)*.

Please indicate if you are signing as an individual or a company:

An individual. If an individual landowner is applying, **all landowners** must sign this form.

A company. **Company name:** **BHP Billiton Iron Ore Pty Ltd.** **ACN:** **008 700 981**
 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 formed at law. Provide details:

11/06/2019

Date

Date

