



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.
7139/4

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 7139/4

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

FILE REFERENCE

Permit expiry date: 30 November 2031

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> <table border="1"> <tr> <td>An individual</td> <td>Title</td> <td>Mr</td> <td><input type="checkbox"/></td> <td>Mrs</td> <td><input type="checkbox"/></td> <td>Ms</td> <td><input type="checkbox"/></td> <td>Other:</td> <td></td> </tr> <tr> <td></td> <td>Name/s</td> <td colspan="8"></td> </tr> </table> <p>OR</p> <p>A body corporate or other entity formed at law (include ACN)</p> <p>BHP Iron Ore Pty Ltd ACN: 008 700 981</p>	An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:			Name/s								
An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:													
	Name/s																				
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 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") 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>																					
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>																					

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, and 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); and the final land use. 	<p>Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):</p> <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td>Extend the duration of the clearing permit.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Make a correction to the clearing permit.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Other.</td> </tr> </table> <p>Provide details of the proposed change(s), and the rationale(s) for it / them.</p> <p>BHP seeking to make the following amendments to CPS 7139/4:</p> <ul style="list-style-type: none"> Amend the permit boundary to: <ul style="list-style-type: none"> Remove the overlap between CPS 7139 and Ministerial Statement 1072; Remove two recently identified caves with a 100m buffer; Amend the permit purpose to: "Clearing for the purposes of rehabilitation, geotechnical investigations, access tracks, mineral exploration, monitoring facilities, hydrogeological drilling, water bores, communications towers, weather masts, LiDAR installations and associated activities"; Remove Exploration Licence 47/17-I from the list of Land on which clearing is to be done. Update the Update Condition 11 based on the current approved North Quoll Management Plan (revision 3): <p>Condition 11. Environmental management plan</p> <ol style="list-style-type: none"> the Permit Holder must implement the Northern Quoll Management Plan Rev 3 (or subsequent revisions) If it is necessary to modify the Management Plan, the Permit Holder must submit the modified plan to the CEO and must include: <ol style="list-style-type: none"> a plan for managing the impacts to Northern Quoll (<i>Dasyurus hallucatus</i>); a table setting out the Permit Holder's commitments to the Management Plan requirements; and a program for monitoring compliance with the Permit Holder's commitments. Any modified Management Plan must approved by the CEO prior to being implemented. An approved modified Management Plan supersedes any previous Management Plans. Extend the Clearing Period to 30 November 2029; and Extend the Permit Duration to 30 November 2034. 	<input checked="" type="checkbox"/>	Extend the duration of the clearing permit.	<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.	<input type="checkbox"/>	Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.	<input checked="" type="checkbox"/>	Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i>	<input type="checkbox"/>	Make a correction to the clearing permit.	<input checked="" type="checkbox"/>	Other.
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<input checked="" type="checkbox"/>	Other.												
<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>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 249SA Mineral Lease 251SA Mineral Lease 281SA Exploration Licence 47/13-I</p>												

Part 4: Proposed amendments				
	Exploration Licence 47/14-I Exploration Licence 47/15-I Exploration Licence 47/1540-I Prospecting Licence 47/1611-I.			
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 checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No
	If yes, provide details: Clearing kept to the smallest areas required. Ground disturbance kept to previously cleared areas where practicable.			
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> . N/A			

Part 5: Other DWER approvals	
Instructions: <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 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 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	<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: []