



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.

For further information on the stages of assessment for clearing permit applications (including amendments to existing permits), refer to the [Procedure: Native vegetation clearing permits](#) on DWER's website.

CPS No.
Date stamp

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</i> (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.</p> <p>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.</p> <p>Further information is located in <i>Form Annex C7</i> and <i>A guide to native vegetation clearing processes under the Assessment bilateral agreement</i> available at www.der.wa.gov.au/our-work/clearing-permits.</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?
	<input type="checkbox"/> Yes EPBC number: _____
	<input checked="" type="checkbox"/> No Proceed to Part 2
	List the controlling provisions identified in the notification of the controlled action decision.
	<input type="checkbox"/> <i>Form Annex C7</i> 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 7141/1	
	Permit holder's name (as it appears on the existing clearing permit)	Hanson Construction Materials Pty Ltd	
FILE REFERENCE	Permit expiry date:	30 September 2021	
	Mark this box if there are less than 90 working days until the expiry of the existing permit.	<input checked="" type="checkbox"/>	

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</p>	<p>Title</p> <p>Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: <input type="text"/></p>	<p>Name/s</p>	
	<p>OR</p> <p>A body corporate or other entity formed at law (include ACN)</p>			<p>Hanson Construction Materials Pty Ltd (ACN: 009 679 734).</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>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>			
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>		

Part 3: Applicant	
	Email address

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> <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td>Extend the duration of the clearing permit.</td> </tr> <tr> <td><input 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 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 type="checkbox"/></td> <td>Other.</td> </tr> </table> <p>Provide details of the proposed change(s), and the rationale for it / them.</p> <p>Hanson Construction Materials Pty Ltd (Hanson) operates the Tick Road Sand Mine, which is located on mining lease M70/776, as a joint venture with Boral Resources (Western Australia) Limited (Boral). This mining lease is held by Boral.</p> <p>The approved clearing footprint, shown in Figure A, was historically cleared to establish the Gngangara Pine Plantation. These pines were cleared progressively from 2010 to 2014.</p> <p>Vegetation condition was assessed by RPS in 2009 for this footprint and in 2014 for adjacent areas which overlapped this footprint and ranged from 'Very Good' to 'Completely Degraded'. The approved clearing footprint is located more than 100 metres from the nearest Conservation Category Wetland (UFI 8,408) and Bush Forever Site (No. 399) (Figure A).</p> <p>Hanson are proposing to extend the duration of the existing clearing permit (CPS 7141/1) to allow the staged clearing of native vegetation to continue until 2031 (10 years). This will reduce the subsequent paperwork for future years and will extend to cover the remaining term of the screening licence (L6752/1995/11) (28 February 2030).</p> <p>Clearing for the purpose of sand mining is directly proportional to the demand for the sand resource, which is primarily driven by population growth or significant infrastructure projects. Approximately 2.74 ha of the approved clearing footprint (23.55 ha) has been cleared thus far, as the demand for sand resources to date has not been sufficient to warrant continuous sand mining. However, this scenario can readily change.</p> <p>Furthermore, the additional time frame allows Hanson to continue to utilise the native vegetation:</p> <ul style="list-style-type: none"> as a buffer for noise, dust, and visual amenity to reducing the open area and significantly decreasing the potential weed load from outside sources to increase the long-term landform stability of the surrounding areas <p>The proposed change is highlighted in a copy of the granted clearing permit, provided in Attachment 1.</p>	<input checked="" type="checkbox"/>	Extend the duration of the clearing permit.	<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.	<input type="checkbox"/>	Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.	<input 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 type="checkbox"/>	Other.
<input checked="" type="checkbox"/>	Extend the duration of the clearing permit.												
<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.												
<input type="checkbox"/>	Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.												
<input 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 type="checkbox"/>	Other.												

Part 4: Proposed amendments	
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>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>Commercial agreement between Boral and Hanson to access mining lease M70/776 for sand extraction. This is provided in Attachment 2.</p> <p>Hanson are not proposing to alter the size or boundary of the approved clearing area at this time.</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 checked="" type="checkbox"/> Yes – provide details The Silica Sand Project, Gngalara, proposal was referred to the Environmental Protection Authority in 1988. Subsequently, the Ministerial Statement 024 was issued which is applicable to the Tick Road Sand Mine. Ministerial Statement 024 is provided in Attachment 3.
	<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'