



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.  
7374/3

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 '<a href="#">controlled action</a>' 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 <a href="http://www.der.wa.gov.au/our-work/clearing-permits">www.der.wa.gov.au/our-work/clearing-permits</a>.</p>	<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?</p> <p><input type="checkbox"/> Yes EPBC number: <input type="text"/></p> <p><input checked="" type="checkbox"/> No Proceed to Part 2</p>
	<p>List the controlling provisions identified in the notification of the controlled action decision.</p> <div style="border: 1px solid black; height: 100px;"></div>
	<p><input type="checkbox"/> <i>Form Annex C7</i> is complete and the required supporting information is attached.</p>

Part 2: Clearing permit details	
<p>Amendments can only be made to active clearing permits.</p> <p>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.</p>	<p>Permit number for existing clearing permit</p> <p>CPS 7374/3</p>
	<p>Permit holder's name (as it appears on the existing clearing permit)</p> <p>BHP Iron Ore Pty Ltd</p>
<p>FILE REFERENCE</p>	<p>Permit expiry date:</p> <p>30 November 2031</p>
	<p>Mark this box if there are less than 90 working days until the expiry of the existing permit.</p> <p><input type="checkbox"/></p>

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" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 15%;">Title</td> <td style="width: 10%;">Mr</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 10%;">Mrs</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 10%;">Ms</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 15%;">Other:</td> </tr> <tr> <td>An individual</td> <td>Name/s</td> <td colspan="7"></td> </tr> </table> <p><b>OR</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">A body corporate or other entity formed at law (include ACN)</td> <td>BHP Iron Ore Pty Ltd ACN: 008 700 981</td> </tr> </table>		Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:	An individual	Name/s								A body corporate or other entity formed at law (include ACN)	BHP Iron Ore Pty Ltd ACN: 008 700 981
	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:													
An individual	Name/s																				
A body corporate or other entity formed at law (include ACN)	BHP Iron Ore Pty Ltd ACN: 008 700 981																				
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"> <li>a photocopy of the granted clearing permit, with proposed changes highlighted, <i>and</i></li> <li>payment of the prescribed fee.</li> </ul> <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"> <li>the proposed method of the clearing;</li> <li>the purpose of the clearing;</li> <li>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></li> <li>the final land use.</li> </ul>	<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 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 checked="" type="checkbox"/> Other.</p> <p>Provide details of the proposed change(s), and the rationale(s) for it / them.</p> <p>BHP is seeking to make the following amendments to the permit:</p> <ul style="list-style-type: none"> <li>Update the boundary to exclude newly identified habitat features and potential Priority flora locations.</li> <li>Extend the permit duration to 30 November 2035.</li> <li>Extend the clearing period to 30 November 2030.</li> <li>Extend the final reporting date to 30 November 2035.</li> </ul>	
	<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>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><i>Iron Ore (Mount Newman) Agreement Act 1964, Mineral Lease 244SA (AML 70/244)</i></p> <p><i>Iron Ore (McCamey’s Monster) Agreement Act 1972, Mining Lease 266SA (AM 70/266)</i></p> <p>Miscellaneous Licence 47/92</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>Full details are provided in <b>Section 1.6: Mitigation Hierarchy</b> in the Supporting Document</p>
	<p>Refer to DWER’s <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the EPA’s <a href="#">WA Environmental</a></p>	<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</i> guideline.</p>		

Part 4: Proposed amendments	
<a href="#">Offsets Policy and Guidelines</a> on the EPA website for further information.	

**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)**

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

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

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

<b>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?</b>  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 <a href="#">Guideline: Decision making</a> and <a href="#">Guideline: Industry Regulation Guide to Licensing</a> .	<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)**

<b>Have you applied or do you intend to apply for:</b> <b>1. a licence or amendment to a licence to take water (surface water or groundwater); or</b> <b>2. a licence or amendment to a licence to construct wells (including bores and soaks); or</b> <b>3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse?</b>  For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i> , refer to the <a href="#">Procedure: Water licences and permits</a> .	<input type="checkbox"/> Yes – application reference (if known): [      ]
	<input type="checkbox"/> No – a current valid licence applies: [      ]
	<input checked="" type="checkbox"/> N/A