



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 7498/1

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

FILE REFERENCE

Permit expiry date: 30 June 2024

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" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">An individual</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: 10%;">Other:</td> <td style="width: 10%;"></td> </tr> <tr> <td></td> <td>Name/s</td> <td colspan="8"></td> </tr> </table> <p>OR</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">A body corporate or other entity formed at law (include ACN)</td> <td style="width: 60%;">106 448 695</td> </tr> </table>	An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:			Name/s									A body corporate or other entity formed at law (include ACN)	106 448 695
An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:															
	Name/s																						
A body corporate or other entity formed at law (include ACN)	106 448 695																						
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, <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 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 checked="" type="checkbox"/> Other.</p> <p>Provide details of the proposed change(s), and the rationale(s) for it / them.</p> <p>Permit condition 3(c)(ii) requires, where, in the opinion of an environmental specialist, the composition structure and density determined under condition 3(c)(i) of the permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, Westralian Iron are to revegetate the area by deliberately planting and/or direct seeding native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area. Condition 3(c) requires that this is to occur within 4 years (due 12 December 2021 as the rehabilitation occurred on 12 December 2017) of laying the vegetative material and topsoil on the cleared area.</p> <p>Rehabilitation monitoring has determined that the composition, structure and density of some rehabilitated areas will not result in a similar species composition, structure and density to that of vegetation types in the area (reference sites). Accordingly, Westralian Iron will need to revegetate the area by planting and direct seeding native vegetation.</p> <p>EHPL has commenced collecting seed species that were identified in rehabilitation reference monitoring sites. It is expected that, depending on the availability of seed, seed collecting activities will continue into late 2022.</p> <p>Seed that has been collected is planned to be sown on freshly ripped areas of previously rehabilitated land, that do not meet, or are not likely to meet, completion criteria. This activity is planned to occur in Autumn 2022 to coincide with the first substantial rains.</p> <p>It is proposed to propagate some plants from seed, most likely Eucalyptus and Melaleuca species. The timing of this activity is dependent on the availability of seed. Propagation is planned to occur in 2022 with planting anticipated to occur in Autumn 2023, to coincide with the first substantial rains.</p> <p>Given the logistics and time required to implement the above, Westralian Iron requests an amendment to condition 3(c) to allow for adequate time for the collection of seed, direct seeding and planting of native vegetation.</p> <p>EHPL will produce a rehabilitation plan detailing the above, which will be submitted to DMIRS for review.</p> <p>Condition 3(c)(ii) and 3(e) also require to Westralian Iron to achieve a composition, structure and density within areas revegetated and rehabilitated will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area. EHPL considers that this completion criteria requirement is not practicably achievable specifically achieving <u>similar</u> species composition, structure and density.</p> <p>Rehabilitation targets for flora on Banded Iron Formations is typically conditioned (e.g. Ministerial Statement 811 at the nearby Sinosteel Midwest Corporation Ltd Koolanooka</p>

Part 4: Proposed amendments	
	<p>site) to achieve a 70% flora species composition and density compared to reference vegetation communities.</p> <p>Accordingly, EHPL proposed that achievement of completion criteria should be considered successful when monitored sites (plots) have achieved at least 70% species composition, structure and density when compared to reference monitoring sites (plots).</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>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>N/A</p>
Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.	<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 Lease 70/1164 Mining Lease 70/1190</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
	<p>If yes, provide details:</p> <p>N/A</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 both Sections A and B. 	
<p>Section A: Environmental Impact Assessment</p>	
<p>Environmental Impact Assessment (Part IV of the EP Act)</p>	
<p>Has this clearing application or any related matter been referred to the Environmental Protection Authority?</p>	<p><input type="checkbox"/> Yes – provide details []</p> <p><input checked="" type="checkbox"/> No</p>
<p>Do you intend to refer the proposal to the Environmental Protection Authority?</p> <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”.</p> <p>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.</p> <p>If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.</p>	<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>
	<p><input checked="" type="checkbox"/> No – not a ‘significant proposal’</p>
<p>Section B: Other approvals</p>	