

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 <u>Procedure: Native vegetation clearing permits</u> on DWER's website.

	CPS No.
rmit ral	
i <u>ng</u>	
<u>119</u>	Date stamp

Part 1: Assessment bilateral agreement							
If the amendment of a clearing permit will or is likely to impact on				earing action assessed in accordance with, or under, an such as the assessment bilateral agreement?			
a matter of national environmental significance identified under the Environment Protection and		Yes	EPBC number:				
Biodiversity Conservation Act 1999 (Cth) (EPBC Act) the original	\boxtimes	No	Proceed to Part	2			
application must have been assessed in accordance with the		List the controlling provisions identified in the notification of the controlled action decision.					
bilateral assessment, and a variation under the EPBC Act is required prior to submitting this amendment application form.	PREVIOUSLY ASSESSED EPBC 2017/7901						
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.		Form .	Annex C7 is comp	plete 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	Permit number for existing clearing permit	CPS 7574		
than 90 working days prior to the existing permit expiring to ensure there is adequate time to assess the amendment.	Permit holder's name (as it appears on the existing clearing permit)	t INSTANT PRODUCTS GROUP PTY LTD		
FILE REFERENCE Permit expiry date:		01/07/2023		
	Mark this box if there are less the existing permit.	s than 90 working days until the expiry of	\boxtimes	

Part 3: Applicant										
Applicant details										
To apply for an amendment to a permit you must be the current holder of the existing permit.	Are you ap one only.	plying as an	n individual, a company or incorporated body? Enter de						? Enter deta	ils for
Include Australian Company	An	Title	Mr		Mrs		Ms		Other:	
Number (ACN) if the proposed permit holder is a body corporate	individual									
or other entity formed at law.	OR									
	A body cor other entity law (include	formed at		ANT P 521456	RODUC 25412	TS GR	OUP F	TY LTE)	
Applicant contact details										
If applying as a company or incorporated body, please also	Provide co	Provide contact details for			ndividua	al or bo	dy corp	orate.		
supply the registered business office address.	Contact pe position, if		SCOT	T RAV	VSON					
DWER and DMIRS prefer to send all correspondence via email. We request that you consent to receiving all correspondence	Company r (if applicab		INST	ANT P	RODUC	TS GR	OUP F	TY LTE)	
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	Postal / bu	siness	PO BOX 1383 WANGARA WA 6947							
form. Where 'yes' is selected, all correspondence from DWER or DMIRS (as applicable) will be	Phone (fixe	ed line):	0894066600 Phone (mobile):			bile):	0433103000			
sent to you via email, to the email address provided in this section. Where 'no' has been selected,	Email addr	Email address SCOTT.RAWSON@INSTANTPRODUCTS.COM.AU								
Part V documents will be posted to you in hard copy to the postal/business address you have provided in this section. Other	I consent to all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable), regarding the							No		
general correspondence may still be sent to you via email.	premises w	hich is the s using the em	ubject c	of this a	pplication	on, bein	ng excl		\boxtimes	
Contact details for enquiries										
If different from the applicant's contact details, enter the contact details of a person with whom DWER or DMIRS should liaise	Where contact details differ to those of the applicant, complete the below section: Contact person (and position, if applicable)					on:				
with concerning this clearing application.	Company name (if applicable)									
	Postal / business address									
	Phone (fixe	ed line)				Phone	e (mobi	le)		
	Email addr	ess								

Part 4: Proposed amendments

Additional information to support the assessment of your application to amend may be attached.

Please ensure you have included the following as part of your application:

- a photocopy of the granted clearing permit, with proposed changes highlighted,
 and
- payment of the prescribed fee.

When providing details of the proposed change(s), if any additional clearing is proposed, include details of:

- 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);
- the final land use.

Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):

Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.

Until end of January 2024

Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.

Redescribe the boundary of the area authorised to be cleared [for an area permit only]

Make a correction to the clearing permit.

Extend the duration of the clearing permit.

Other.

X

Provide details of the proposed change(s), and the rationale(s) for it / them.

The original development approval granted by the Shire was based on a very conceptual site development plan that was not itself based on any contour and feature survey work. I recommended to George at a very early stage that we engage a surveyor but he said just use what information we have a get the DA into the Shire for consideration and approval as quickly as possible which we did.

The Shire refused to deal with the development application until such time as a clearing permit approval for the project was secured from DWER and evidence provided.

DWER assessed the clearing permit application that was subsequently prepared and submitted and granted approval based on the very conceptual DA plans.

The detailed design work by David Wills and Associates was then undertaken based on highly accurate contour and feature survey information.

The Shire then approved the engineering design drawings as well as a development application we submitted thereafter to align the engineering design drawings with an amended site development plan which was much more accurate.

There are now some minor discrepancies between the original approved clearing permit plan and the final approved engineering design drawings and amended site development plan, none of which any of us could foresee until final detailed survey set out works were undertaken by the surveyors.

Part 4: Proposed amendments The discrepancies lie in the following areas batters required for the road construction, thus increasing the clearing area Drainage sump required for the approval of the design by the shire, in an area already subject to clearing works adjacent to the roads at the front of the development area Access track from the rear of the cleared area out to Wandeena Road required by the council for emergency access/egress in the case of a fire **METHOD OF CLEARING** The clearing will be undertaken by our civil contractor appointed for the project. Currently works have commenced onsite for the project. **PURPOSE** The clearing is to facilitate the approved development of our site for our companies own operations. The purpose of this request for the amendment is to comply with the approved civil drawings that form part of our building permit and development application approval with the shire. PERIOD FOR CLEARING The clearing of the areas not outside of the original permit have commenced. Our intention is to complete the works as quickly as possible, however given this amendment is now required – pending the time frame for this to be achieved we may need to remove machinery from site and return them to site which will happen at the earliest available opportunity for our contractor. **FINAL LAND USE** Manufacturing operations for Instant Products Group own companies. For an application to amend the State the nature of the applicant's authority to access the land to be cleared. Evidence size of the area permitted to be of authority can include e.g. a copy of the certificate of title or a letter of authority signed cleared, or add a land parcel to by the landowner or other person with authority to give legal land access permission. the clearing permit, you must [Attach evidence of authority. Note that a letter of authority must explicitly state the have the authority of the applicant has authority to clear on the land.] landowner to access the land INSTANT PRODUCTS GROUP PTY LTD IS THE LAND OWNER and undertake the clearing. Provide additional property details Land description: volume and folio number, lot or location number(s), Crown lease or if required - if applying to extend reserve number, pastoral lease number, or mining tenement number of all properties. the size of the area to be cleared LOT 609 ON DEPOSITED PLAN 409234. MUCHEA into another land parcel. You must provide evidence that Have alternatives that would avoid or minimise the need \boxtimes Yes No avoidance and mitigation for clearing been considered and applied? options have been pursued to If yes, provide details: eliminate. reduce or otherwise mitigate the need for, and scale The design has been carefully prepared by our civil consultants to best use the site of, the proposed clearing of contours to support our development. Therefore we have considered options in native vegetation. placement of these items to best ensure no further disruption to other areas on the site and no clearing outside of areas already adjacent to the approved clearing area.

Department of Water and Environmental Regulation – Department of Mines, Industry Regulation and Safety

Part 4: Proposed amendments					
Refer to DWER's <u>Clearing of</u> <u>native vegetation offsets</u>	Do you want to submit a clearing permit offset proposal with your application?		Yes	\boxtimes	No
procedure guideline available on the DWER website, and the EPA's WA Environmental	If yes, provide details, and complete and attach Appendix A vegetation offsets procedure guideline.	of the (Clearing	of nati	/e
Offsets Policy and Guidelines on the EPA website for further information.					

Part 5: Other DWER approvals								
Instructions:								
If your application is to be submitted to DMIRS, complete	Section	n A and then skip to Part 6 of this form.						
If your application is to be submitted to DWER, complete	both Se	ections A and B.						
Section A: Environmental Impact Assessment	Section A: Environmental Impact Assessment							
Environmental Impact Assessment (Part IV of the EP A	ct)							
Has this clearing application or any related matter been referred to the Environmental Protection		Yes – provide details []						
Authority?	\boxtimes	No						
Do you intend to refer the proposal to the Environmental Protection Authority?		Yes – intend to refer (proposal is a 'significant proposal')						
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".		Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) MS []						
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.		No – a current valid Ministerial Statement applies: MS []						
If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.		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	\boxtimes	No						
applications?		Yes – provide details: [
Works approval / Licence / Registration (Part V Division	n 3 of tl	he EP Act)						
Have you applied or do you intend to apply for a works approval, licence, registration, or an		Yes – application reference (if known): [
amendment to any of the above, under Part V Division 3 of the EP Act?		No – a valid works approval applies: [
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</i> 1987,		No – a valid licence applies: [
unless that action is done in accordance with a works approval, licence, or registration. For further guidance, refer to <u>Guideline: Decision making</u> and <u>Guideline: Industry Regulation Guide to Licensing</u> .		No – a valid registration applies: [
		No – not required						
Water licences and permits (Rights in Water and Irrigation Act 1914)								
Have you applied or do you intend to apply for:		Yes –application reference (if known): []						
a licence or amendment to a licence to take water (surface water or groundwater); or		No – a current valid licence applies: []						
a licence or amendment to a licence to construct wells (including bores and soaks); or		N/A						
a permit or amendment to a permit to interfere with the bed and banks of a watercourse?		14// \						
For further guidance on water licences and permits under the Rights in Water and Irrigation Act 1914, refer to the Procedure: Water licences and permits.								

Part 6: Surveys for Assessments (IBSA and IMSA)					
Do you wish to submit marine or biodiversity surveys in support of your application?	☐ Yes				
,	No − skip to Part 7				
Biodiversity surveys submitted to support this application must meet the requirements of the EPA's <u>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)</u> . If these requirements are not met, DWER / DMIRS (as applicable) may decline to deal with the application.	All biodiversity surveys that support this application have been submitted to the <i>Index of Biodiversity Surveys for Assessment</i> available at: <u>ibsasubmissions.dwer.wa.gov.au</u>				
Please provide the IBSA number(s) (or submission number(s) if IBSA number has not yet been issued) in the space provided. Note that a submission number is not confirmation of acceptance of a biodiversity survey and is not the same as an IBSA number. IBSA numbers are only issued once a survey has been accepted. Once an IBSA number is issued, please notify DWER / DMIRS (as applicable). Please note the assessment timeframes for your application will be suspended until the IBSA number(s) is provided to DWER / DMIRS (as applicable).	Submission number(s) (e.g. IBSASUB-20200101-12345A6D) Please list all numbers. If space is inadequate, list on a separate sheet. IBSA number(s) (e.g. IBSA-2020-0123) Please list all numbers. If space is inadequate, list on a separate sheet.				
Marine surveys submitted to support this application must	All marine surveys submitted with this				
meet the requirements of the EPA's <u>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</u> . If these requirements are not met, DWER will decline to deal with the application.	application meet the requirements of the EPA's <u>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</u> .				

Part 7: Records kept under the ex	rt 7: Records kept under the existing clearing permit's conditions					
Most clearing permits include one or more conditions requiring that	The re	The required records are attached.				
the permit holder keep certain	mere					
records relating to the actions undertaken in accordance with the clearing permit.		e select the relevant records included with the report. Only records require y the conditions of the existing clearing permit need to be provided.	ed to be			
DWER / DMIRS (as applicable) requires that these records are provided to support the		The total amount, location(s), and date(s) of clearing done under the per within the past five years).	mit (or			
assessment of this application. Records provided should cover:		Actions taken to avoid or minimise the impact and extent of clearing.				
• the full period of the permit; or		Actions taken in relation to flora and/or fauna management.				
the past five years (if the existing permit's duration is greater than five years and it		Actions taken to revegetate or rehabilitate the areas cleared under the po	ermit.			
was amended within the past five years).		Records pertaining to any onsite or offsite environmental offsets.				
		Any other relevant records required to be kept by the conditions of the pe	ermit.			
		Summarise other records:				

Part 8: Prescribed fee Fees are payable to the: The prescribed fee is to be paid at the time of submitting the application form. Please indicate the clearing permit application fee that you are paying. DWER for all clearing purposes other than mineral For further guidance, refer to DWER's online clearing fees frequently asked questions. and petroleum activities **AREA PERMIT** OR **DMIRS** for mineral and \$50 to alter the requirements of an area permit, or to OFFICE USE ONLY petroleum clearing activities increase the area covered by an area permit by less under the Mining Act 1978, than one hectare. various Petroleum Acts, or \$100 to increase the area covered by an area State Agreement Acts. Xpermit by between one hectare and 10 hectares. **DWER** will only accept fees \$200 to increase the area covered by an area paid via either: permit by more than 10 hectares. · DWER's BPoint system, **PURPOSE PERMIT** accessible online at: www.dwer.wa.gov.au/make-\$200 to alter any requirement of a purpose permit. a-payment, Payment method (mark applicable box): secure EFT payment, or • cheque / money order. (DWER) Secure credit card payment through BPoint See www.dwer.wa.gov.au/make-a-payment Note: Biller Code is '1222355 Clearing Regulation' **DMIRS** will only accept fees paid via secure credit card payment, through the **DMIRS** 3199 8240 942 Receipt number: online payment and application lodgement portal. Date of payment: 16/03/2023 Do not send cash in the mail. (DWER) Secure EFT payment See https://dwer.wa.gov.au/make-a-payment for payment details. State the name of the intended permit holder clearly in the EFT payment subject. Date of payment (DWER) Cheque / Money Order Please make cheques or money orders payable to the "Department of Water and Environmental Regulation". (DMIRS) Secure credit card payment online through the DMIRS online payment and application lodgement portal. Please note: All applications will be paid online and submitted simultaneously. Please save this П application form, along with any supporting document ready for the submission portal and use the link above to pay and submit your application. A receipt will be issued upon submission only. Please ensure this receipt is saved for your records.

Part 9: Application checklist							
Additional information to assist	Please ensure you	have i	ncluded the following as part of your application:				
in the assessment of your proposed clearing may be	REQUIRED	\boxtimes	Payment of the prescribed fee.				
attached to this application – e.g. reports on salinity, fauna, or flora studies, or other environmental reports		\boxtimes	An aerial photograph or map with a north arrow clearly identifying the areas of vegetation proposed to be cleared or ESRI shapefile.				
conducted for the site. This information may be included in electronic format on			A report with the records required to be kept in accordance with the current clearing permit's conditions has been provided in Part 7.				
a suitable portable digital storage device or posted with			An index of all documentation attached to this application.				
your hard copy form.	AS REQUIRED	\boxtimes	Copy of the certificate of title or pastoral lease.				
		\boxtimes	A copy of the written authorisation permitting the applicant to act on behalf of the current clearing permit holder.				
	ADDITIONAL		Written authority from the landowner to access the land and conduct the clearing.				
			Form Annex C7 – Assessment bilateral agreement if the clearing is also to be assessed under an EPBC Act accredited process.				
			Appendix A of the <i>Clearing of native vegetation offsets</i> procedure guideline if the application includes a proposal for clearing permit offsets.				
			IBSA number has been provided in Part 6.				
			Photos of application area				
	SUPPORTING INFORMATION		Marine surveys, submitted in accordance with the requirements of the EPA's <u>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</u> .				
Part 10: Commercially sensitive of	or confidential infor	matior	1				
or confidential information, please in you request each item of information DWER and DMIRS will take reason Regulations 2004 (the Clearing Reginformation of a kind listed under red However, please note that DWER as	dentify the information be kept confidential able steps under Pagulations) to protect of gulation 13 of the Cland DMIRS cannot country	on in Attal. rt 3 of to confide earing to commit to com	ublicly available. If you wish to submit commercially sensitive tachment 1, and include a written statement of reasons why the Environmental Protection (Clearing of Native Vegetation) ntial material and/or otherwise sensitive information (such as Regulations). To redacting all personal information from all supporting ation, including signatures, are removed from supporting				
documents before you submit them to the department. 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</i> (WA).							

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.

All information which you would propose to be exempt from public disclosure has been separately

placed in a redacted version of the application form and its supporting documentation. Note that this is in addition to the unredacted version(s) provided to DWER / DMIRS (as applicable) for its assessment. Grounds for claiming exemption in accordance with Schedule 1 to the *Freedom of*

Information Act 1992 must be specified in Attachment 1 (located at the end of this form).

N/A

X

Attached

Part 11: Submission of application Check one of the boxes below to nominate how you will submit your application. Files larger than 50MB cannot be received via email by DWER. The DMIRS online portal can accept 1024MB for each attachment and files larger than 45MB cannot be received via email. Alternatively, email DWER or DMIRS (as applicable) to make other arrangements. If you have any enquiries regarding the provision of relevant information as part of this application, contact either DWER or DMIRS (as applicable), using the details below. (DWER only) A signed, electronic copy of the application form, including all attachments, has been submitted via the applicable email address specified below; OR (DWER only) 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 П arranged with the relevant department; (DWER only) A full, signed hard copy has been sent to the applicable postal address specified below. OR (DMIRS only) A signed electronic copy of the application form, payment and any supporting documentation has П been saved and uploaded to DMIRS online payment and application lodgement portal. **Department of Water and Environmental Regulation** Department of Mines, Industry Regulation and Safety Applications to amend clearing permits granted by DWER, or Applications to amend clearing permits granted by DMIRS, the former Department of Environmental Regulation or or the former Department of Mines and Petroleum (under former Department of Environment and Conservation, may delegation), can be lodged online via the be submitted via email or post to: DMIRS online payment and application lodgement portal. Email: info@dwer.wa.gov.au If you have any questions regarding lodgement of your Post: Department of Water and Environmental Regulation application, please contact DMIRS via: Locked Bag 10 Joondalup DC WA 6919 Email: nvab@dmirs.wa.gov.au Phone: 9222 3535 If you have any questions regarding lodgement of your application, please contact DWER via: For more information: www.dmirs.wa.gov.au Email: info@dwer.wa.gov.au

Please retain a copy of this form for your records.

Incomplete applications will be declined in accordance with section 51KA(3) of the EP Act.

If there is insufficient space on any part of this form, please continue on a separate sheet of paper and attach to this form

Phone: 6364 7000

For more information: www.dwer.wa.gov.au

Part 12: Declaration and signature

General

I / We declare and acknowledge that:

- the information I / we have provided in this form is true and correct
- . I / we have legal authority to sign on behalf of the applicant (where authorisation provided)
- I / we have been authorised to make this form by the owner of the land (as applicable)
- I / we have not altered the requirements and instructions set out in this form
- I / we have provided a valid email address in Part 3 for receipt of correspondence via email from DWER or DMIRS (as applicable) in relation to this form
- successful delivery to my / our server constitutes receipt of correspondence and service of any statutory notices or instruments, and
- giving or causing to be given information that to my knowledge is false or misleading is an offence under section 112 of the EP Act and may incur a penalty of up to \$100,000.

Publication

I / We declare and/or acknowledge:

- this application (including all attachments apart from the sections identified in Attachment 1) is a public document and may be published
- marine surveys provided in accordance with Part 6 will be published and used, for the purposes of the IMSA 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
- the specification of the information identified in Attachment 1 constitutes a written request under regulation 11(2) of the Clearing Regulations to not publish that information due to its confidential or otherwise sensitive nature
- subsequent information provided to DWER or DMIRS (as applicable) in relation to this form will be a public document and will be published under regulation 8A of the Clearing Regulations, unless accompanied by a further written request under regulation 11(2) by the referrer or applicant that that information be treated as confidential, and
- in accordance with the requirements of regulations 11 and 12 of the Clearing Regulations, DWER or DMIRS (as applicable) must refrain from publishing bank account details or confidential material (as defined under regulation 11(1) of the Clearing Regulations), and
- DWER or DMIRS (as applicable) may refrain from publishing:
 - o certain otherwise sensitive information identified in Part 12, if satisfied it is desirable to not publish due to the confidential nature of the information, and
 - personal information or certain otherwise sensitive information listed under regulation 13 of the Clearing Regulations.

	Regulations.				
Please ii	ndicate if you are signing as an individua	l or a company:			
	An individual. If an individual landowner is applying, all landowners must sign this form.				
	A company. Company name:	INSTANT PRODU	JCTS GROUP	ACN:	145625412
	A person expressly authorised or authorise company must be a legal entity and provide				
	Other entity formed at law.	Provide details:			
Signatu	ire		Date		
Name					
Position	1				
Signatu	ire		Date		
Name					

Position			

Department of Water and Environmental Regulation – Department of Mines, Industry Regulation and Safety

ATTACHMENT 1 – Confidential or Commercially Sensitive Information

tion from publication	
	ished, on the grounds of a relevant exemption found in Schedule 1 to the nere, must be specified in this Attachment. Add additional rows as
ATION IF GROUNDS FOR EX	EMPTION ARE DETERMINED TO BE ACCEPTABLE
Grounds for claiming exemption:	
Grounds for claiming exemption:	
Grounds for claiming exemption:	
Date	
	ATION IF GROUNDS FOR EX Grounds for claiming exemption: Grounds for claiming exemption: Grounds for claiming exemption: Grounds for claiming exemption: