



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

## Application for a clearing permit (purpose permit)

*Environmental Protection Act 1986* section 51E

### FORM C2

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.

CPS No. 8046/1
11 APR 2018
Date stamp



Part 1: Assessment bilateral agreement	
<p>The native vegetation clearing processes under Part V of the <i>Environmental Protection Act 1986</i> (WA) (EP Act) have been accredited by the Commonwealth of Australia under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act) and can be assessed under an assessment bilateral agreement.</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>For further information see <i>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:</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>
	<p><input type="checkbox"/> Annex C7 is complete and the required supporting information is attached.</p>

Part 2: Land details	
<p>The location of the land where clearing is proposed must be accurately described.</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>M70/569, M70/360</p>
<p>FILE REFERENCE</p>	<p>Street address</p>
	<p>Local government area      Busselton</p>

Part 3: Applicant details	
Applicant details	
<p>Note: if granted, the applicant will be considered the holder of the permit.</p>	<p>Are you applying as an individual, a company or an incorporated body? Enter details for one only.</p> <p>An individual applicant      <input type="checkbox"/> Mr    <input type="checkbox"/> Mrs    <input type="checkbox"/> Ms                      Title  <input type="checkbox"/> Other</p> <p>Name(s)</p>
	<b>OR</b>
	<p>A body corporate or other entity formed at law (include Australian Company Number)</p> <p>Cristal Mining Australia Limited ACN 009 247 858</p>
	<p>"I am..." (mark applicable box or boxes)</p> <p><input checked="" type="checkbox"/> the owner of the land.</p>
	<p><input type="checkbox"/> acting on behalf of the owner and have attached an agent's authority, expressly authorising me to act on behalf of the landowner. <i>[Attach a copy of the authorisation]</i></p>
	<p><input type="checkbox"/> likely to become the owner of the land. <i>[Attach evidence of the pending transfer of ownership, contract of sale ('offer and acceptance') or letter from current landowner.]</i></p>
	<p><input checked="" type="checkbox"/> the person doing the clearing.</p>
	<p><input type="checkbox"/> the person on whose behalf the clearing is being done.</p>
Applicant contact details	
<p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>All written correspondence from the Department of Water and Environmental Regulation (DWER) regarding your application will be made via email; you must provide a valid email address through which you agree to accept all electronic correspondence.</p> <p>The postal/business address supplied must be a physical address to which a statutory notice under the EP Act may be delivered.<sup>1</sup></p>	<p>Provide the contact details for the above individual or body corporate.</p> <p>Postal / business address</p> <p>Phone (fixed line):</p> <p>Email address</p>

<sup>1</sup> The provision of a postal/business address is required as any statutory notices or directions under the relevant legislation are required to be served by post or personally [sections 75 and 76 Interpretation Act 1984 (WA)].

Authority to access land																					
<p>To apply for a permit you must be the landowner, or have the authority of the landowner to access the land and undertake the clearing.</p> <p>Evidence of authority can include, for example, a copy of the certificate of title or a letter of authority from the landowner.</p> <p>Note: the letter of authority must explicitly state the applicant has authority to clear on the land.</p>	<p>State the nature of the applicant's authority to access the land to be cleared.</p> <p><i>[Attach evidence of authority]</i></p> <p>Mining tenements M70/360 and M70/569 are wholly owned by Cable Sands WA Pty Ltd, which is itself wholly owned by Cristal Mining Australia Ltd</p>																				
Landowner's ownership of land																					
<p>A landowner can be:</p> <ul style="list-style-type: none"> <li>• a person who holds the certificate of title;</li> <li>• a person who is the lessee of Crown land;</li> <li style="text-align: center;">or</li> <li>• a public authority that is responsible for care of the land.</li> </ul>	<p>The landowner's form of ownership is:</p> <p><input type="checkbox"/> Certificate of title <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate].</i></p> <p><input type="checkbox"/> Pastoral lease <i>[Attach a copy of the lease and all associated encumbrances].</i></p> <p><input checked="" type="checkbox"/> Mining lease.</p> <p><input type="checkbox"/> Public authority that has care, control or management of the land.</p> <p><input type="checkbox"/> Other form of lease, land tenure or specific arrangement.</p> <p>Please state:</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 the Department of Mines, Industry Regulation and Safety (DMIRS) should liaise with concerning this clearing application.</p>	<p>Where contact details differ to those of the applicant, complete the below section:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; vertical-align: top;">An individual applicant</td> <td style="width: 20%; vertical-align: top;">Title</td> <td rowspan="2" style="width: 50%;"></td> </tr> <tr> <td></td> <td style="border-top: 1px solid black;">Name(s)</td> </tr> <tr> <td colspan="3" style="text-align: center;"><b>OR</b></td> </tr> <tr> <td colspan="3">A body corporate or other entity formed at law</td> </tr> <tr> <td colspan="3">Postal / business address:</td> </tr> <tr> <td colspan="3">Phone (fixed line):</td> </tr> <tr> <td colspan="3">Email address:</td> </tr> </table>	An individual applicant	Title			Name(s)	<b>OR</b>			A body corporate or other entity formed at law			Postal / business address:			Phone (fixed line):			Email address:		
An individual applicant	Title																				
	Name(s)																				
<b>OR</b>																					
A body corporate or other entity formed at law																					
Postal / business address:																					
Phone (fixed line):																					
Email address:																					

Part 4: Proposed clearing	
<p>An aerial photograph and/or map with a north arrow must be attached, clearly marking the area proposed to be cleared</p> <p>or</p> <p>if you have the facilities, a digital map on a suitable portable digital storage device of the area to clear as an ESRI shapefile with the following properties:</p> <p>Geometry type: Polygon shape                      Coordinate system: GDA 1994 (Geographic latitude/longitude)                      Datum: GDA 1994 (Geocentric Datum of Australia 1994).</p> <p>An ERSI shapefile must be provided if the application requires an assessment under an EPBC Act Accredited process.</p>	<p>Total area of clearing proposed (hectares) 41.5 ha of clearing within 377 ha clearing boundary</p>
	<p>and/or</p> <p>number of individual trees to be removed</p>
	<p>Proposed method of clearing:</p> <p>Mechanical</p>
	<p>Purpose of clearing:</p> <p>Mining of mineral sands</p>
	<p>Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018</p> <p>from Feb 2019 to Nov 2022</p>
	<p>Final land use:</p> <p>Pasture</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>Riparian and high-value areas (21 ha) have been excluded from application</p>
<p>Refer to DWER's <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the Environmental Protection Authority's (EPA) <i>WA Environmental Offsets Guidelines</i> on the EPA website for further information.</p>	<p>Do you want to submit a clearing permit offset proposal with your application? <input checked="" type="checkbox"/> Yes <input 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> <p>138.8 ha of existing and revegetated habitat areas for Black Cockatoo and Western Ringtail Possum, as approved under EPBC 2014/7205 (Wonnerup North)</p>

Part 5: Other DWER approvals	
<b>Instructions:</b> <ul style="list-style-type: none"> <li>If your application is to be submitted to DMIRS skip to Part 6 of this form.</li> <li>If you have applied, or intend to apply, for other approvals within DWER that may be relevant to this application, you must provide the details.</li> <li>If you have referred, or intend to refer, your proposal to the EPA, you must provide the details.</li> </ul>	
<b>Pre-application scoping</b>	
<b>Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?</b>	<input type="checkbox"/> No <input type="checkbox"/> Yes – provide details: [       ]
<b>Environmental Impact Assessment (Part IV of the EP Act)</b>	
<b>Have you referred or 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 DWER considers that the proposal in this application is likely to constitute a ‘significant proposal’, DWER is 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.	<input type="checkbox"/> Yes (referred) – reference (if known): [       ] <input type="checkbox"/> Yes – (intend to refer) proposal is a ‘strategic proposal’ under section 37B(2) <input type="checkbox"/> Yes – (intend to refer) proposal will require a section 45C amendment to the current Ministerial Statement: [       ] <input type="checkbox"/> No – a current valid Ministerial Statement applies: [       ] <input type="checkbox"/> No – not a ‘significant proposal’
<b>Works Approval / Licence / Registration (Part V Division 3 of the EP Act)</b>	
<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, please refer to the <a href="#">Guidance Statement: Decision Making</a> (February 2017).	<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
<b>Water Licences and Permits (<i>Rights in Water and Irrigation Act 1914</i>)</b>	
<b>Have you applied or do you intend to apply for:</b> 1. a licence or amendment to a licence to take water (surface water or groundwater); or 2. a licence or amendment to a licence to construct wells (including bores and soaks); or 3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse?	<input checked="" type="checkbox"/> Yes – application reference (if known): [       ] <input type="checkbox"/> No – a current valid licence applies: [       ] <input type="checkbox"/> N/A