



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.

Department of Mines and Petroleum

CPS No.
8050/1

10 MAY 2018

Native Vegetation

Date stamp

Part 1: Assessment bilateral agreement

The native vegetation clearing processes under Part V of the *Environmental Protection Act 1986 (WA) (EP Act)* have been accredited by the Commonwealth of Australia under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)* and can be assessed under an assessment bilateral agreement.

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.

For further information see *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: Land details

The location of the land where clearing is proposed must be accurately described.

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.

L09/70
 L09/81
 G09/14
 G09/16
 M09/157

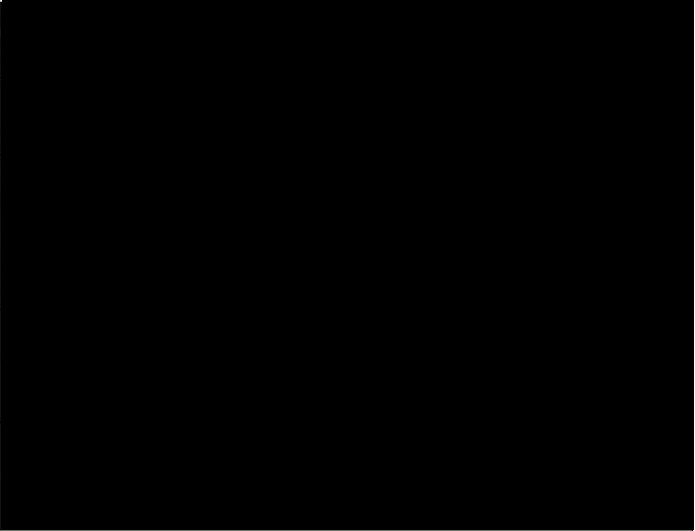
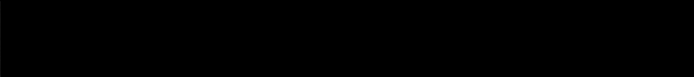
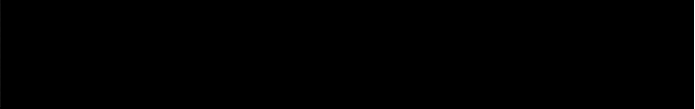
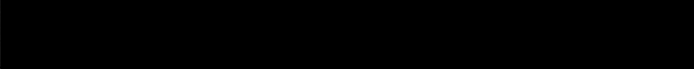

FILE REFERENCE

Street address

Gifford Creek Station, West Lyons River

Local government area

Shire of Upper Gascoyne

Part 3: Applicant details		
Applicant details		
<p>Note: if granted, the applicant will be considered the holder of the permit.</p> <p>Include the 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 an incorporated body? Enter details for one only.</p> <p>An individual Title <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: <input type="text"/></p> <p>Name(s) <input type="text"/></p> <p>OR</p> <p>A body corporate or other entity formed at law (include ACN) Hastings Technology Metals Limited ACN 122 911 399</p> <p>“I am...” (mark applicable box or boxes)</p> <p><input type="checkbox"/> the owner of the land.</p> <p><input checked="" 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 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) or Department of Mines, Industry Regulation and Safety (DMIRS) 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.¹</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>

¹ 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)].

Part 3: Applicant details (continued)

Authority to access land

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.
 Evidence of authority can include, for example, a copy of the certificate of title or a letter of authority from the landowner.
 Note: the letter of authority must explicitly state the applicant has authority to clear on the land.

State the nature of the applicant's authority to access the land to be cleared.
[Attach evidence of authority]
 Department of Mines, Industry Regulation and Safety have granted land tenure under the *Mining Act 1978 (WA)*

Landowner's ownership of land

A landowner can be:
 • a person who holds the certificate of title;
 • a person who is the lessee of Crown land;
 or
 • a public authority that is responsible for care of the land.

The landowner's form of ownership is:

Certificate of title *[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate].*

Pastoral lease *[Attach a copy of the lease and all associated encumbrances].*

Mining lease.

Public authority that has care, control or management of the land.

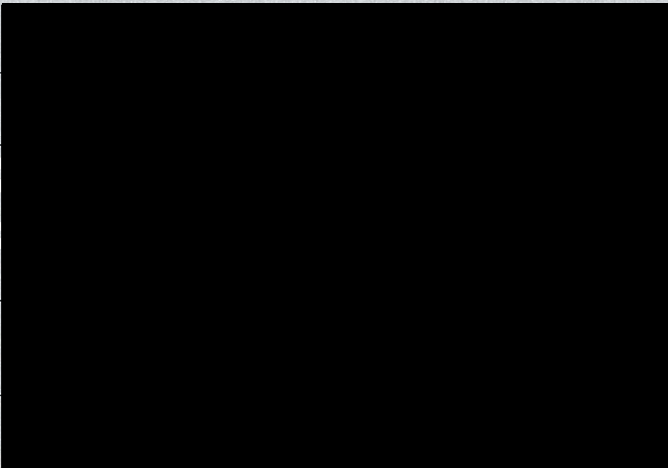
Other form of lease, land tenure or specific arrangement.

Please state:

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 with concerning this clearing application.

Where contact details differ to those of the applicant, complete the below section:

Contact person (and position, if applicable)	
Company name (if applicable)	
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 ESRI shapefile must be provided if the application requires an assessment under an EPBC Act accredited process.</p>	Total area of clearing proposed (hectares) 69 hectares
	and/or number of individual trees to be removed
	Proposed method of clearing: Vegetation and topsoil will be cleared together to a minimum of 100 mm using a lowered blade.
	Purpose of clearing: Minor or preliminary works program: Construction of the access road extension and temporary accommodation camp and laydown areas required for investigative works for the Yangibana Rare Earths Project (Assessment number 2115).
	Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018 from June 2018 to November 2029
	Final land use: Pastoralism
	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.
If yes, provide details: Existing exploration tracks to borrow pits are being utilised where possible to avoid clearing. The temporary exploration camp has been sited on a future process plant disturbance area to utilise the same footprint for multiple purposes (subject to approvals) and thus reduces the size of the longer-term clearing footprint.	Do you want to submit a clearing permit offset proposal with your application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Refer to DWER's Clearing of native vegetation offsets procedure guideline available on the DWER website, and the Environmental Protection Authority's (EPA) WA Environmental Offsets Policy and Guidelines on the EPA website for further information.	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: <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 Section 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 [Assessment number 2115, s41A approval] <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 type="checkbox"/> 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 applications?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes – provide details: [Cat 12 Crushing and screening plant and Cat 85 WWTP DWER Scoping Meeting, 4 May 2018]
Works Approval / Licence / Registration (Part V Division 3 of the EP Act)	
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? 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 Guidance Statement: Decision Making (February 2017).	<input checked="" 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 type="checkbox"/> No – not required
Water Licences and Permits (<i>Rights in Water and Irrigation Act 1914</i>)	
Have you applied or do you intend to apply for: 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